

**Publication  
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2014**

**CHILTERN DISTRICT COUNCIL**

**MINUTES of the CABINET  
held on 17 DECEMBER 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  
M Stannard

**ALSO IN ATTENDANCE:** Councillors A K Bacon, N L Brown, R Burns-Green, P M Jones and D W Phillips

**63 MINUTES**

The Minutes of the Cabinet meeting held 22 October 2013, copies of which had been previously circulated, were approved and signed by Councillor N Rose, Cabinet Leader, as a correct record.

**64 DECLARATIONS OF INTEREST**

Councillor Mrs I A Darby declared a personal and prejudicial interest in Item 10 – Chiltern Revitalisation Groups Report. Nature of interest – Councillor Mrs Darby was the Treasurer of Chalfont St Peter Revitalisation Group.

**65 CURRENT ISSUES**

**(i) Councillor P Hudson – Guide to Services for Older People in Chesham**

Councillor Hudson was pleased to report that a guide to services for older people in Chesham had been produced by the Community Team. A need had been expressed for a guide outlining contact details for voluntary and statutory groups in Chesham to be produced in a printed format. This guide had been funded by the Local Area Forum. It was noted that this had been well received, and that similar guides would be produced for Amersham and the Chalfonts.

**(ii) Councillor N Rose – HS2**

Councillor Rose advised the Cabinet that the Supreme Court Judgement had not yet been passed down. It had been stated that this judgement would not be given in the current session. Councillor Rose had been invited to the

Department of Transport on 27 November for a meeting with Robert Goodwill. In this meeting the points of argument for the Hybrid Bill were reiterated. Councillor Rose pointed out that the timescale for consultation was unfair, as the Government had given 35 working days to consider a 55,000 page document. Councillor Rose had previously written to Patrick McLoughlin to request more time for consultation, but this had been refused.

A letter had been sent to Francis Maude regarding the release of information held in the Major Projects Authority Report. A response had been received that was dismissive of this request. Councillor Rose obtained agreement from Cabinet to write a follow up letter expressing their disbelief of this response.

## **66 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 13 January 2014.

### **RESOLVED –**

**That the Draft 28-Day Notice / Forward Plan, to be published on 13 January 2014, be noted.**

## **67 COUNCIL TAX REDUCTION SCHEME 2014/15**

The Cabinet considered a report outlining the proposed Council Tax Reduction Scheme for 2014/15 and summarising the consultation response. The scheme that was consulted on allowed discount to a maximum entitlement of 80% of a band D property. Where a customer occupies a property in bands E, F and G the maximum entitlement would be 80% of the band D equivalent. Vulnerable groups would be protected to a maximum of 90%, and it was noted that these groups were single parents with a child under 5, the disabled and those caring for someone with a disability. A 25% disregard would be applied to net earned income. The proposed scheme would remove the disregard of unearned income, including child maintenance. The lower capital limit would be raised to £10,000 so that any capital under that amount would be disregarded.

Consultation on the proposed scheme took place between 29 July and 21 October. During the consultation period meetings took place with the voluntary groups, however attendance at these was not high. Most of the responses to the consultation were received through the online survey. The responses showed a general acceptance of the scheme, and an agreement to the principle that everyone should pay something.

The Council Tax Support Scheme Policy Advisory Group had considered the responses to consultation and had recommended that there were no changes to the scheme that was consulted on. The Performance and Resources Overview Committee had asked for consideration to be given to the possibility of protecting vulnerable groups to 95%. This scheme was remodelled to show the cost of protecting vulnerable groups to 95% and this was considered by Cabinet. The Performance and Resources Overview Committee also questioned whether £30,000 would be sufficient for a discretionary fund.

Members of the Cabinet congratulated the Head of Customer Services on the detailed consultation and the high level of response received. It was stated that the main concern was for vulnerable groups, and Members were glad that there was protection for lone parents with a child under 5.

In response to a question about how the discretionary fund would work, it was noted that this would be aligned with the discretionary housing payments scheme. Advice groups and the CAB would be well versed in the housing scheme and would also be briefed in on the Council Tax scheme.

It was stated that protecting vulnerable groups to 95% should be considered. The Cabinet was advised that this would lead to Officers trying to collect very small amounts of money. Members stated that they were minded not to raise protection to 95%, but that they would like to see some of the additional savings to be placed in the discretionary scheme.

A Councillor advised the Cabinet of an estimate from the National Society of District Council Treasurers that the collection rate from customers who had not previously had to pay Council Tax was 78%. Milton Keynes had introduced a 20% minimum rate and final notices had increased by 167%. Concerns were raised over the administrative burden this may cause. It was also suggested that only having small amounts to collect should not be a reason to keep the protection level at 90%. It was noted that 45% of residents in the Chiltern District are of pensionable age, and therefore are fully protected under the scheme. Consultation responses showed agreement to the principle that everyone should pay something.

The Performance and Resources Overview Committee noted that for a few residents the increases in amounts to be paid were substantial. A Councillor suggested that a phased introduction of the scheme could be considered to minimise the impact on such residents. It was stated that exceptional examples would be looked at through the discretionary scheme. It was suggested that the discretionary scheme should be made larger.

The Cabinet stated that, on balance, it should be recommended to Council that the protection of vulnerable groups under the Council Tax Reduction Scheme should be agreed at 90%. The additional savings from the scheme should be included in the discretionary fund, which should be increased to £50,000.

**RESOLVED –**

- 1. That the Cabinet agrees that a Discretionary Council Tax Reduction Scheme will be created in compliance with S13A(2)(a) of the Local Government Finance Act 1992.**

**AND RECOMMENDED –**

- 2. That the proposed Council Tax Reduction Scheme as consulted on be approved.**
- 3. That the discretionary fund be increased to £50,000.**

**68 DRAFT REVENUE BUDGET 2014/15**

The Cabinet were asked to consider a report outlining the draft Revenue Budget for 2014/15. It was noted that the approach to the budget had been a Member lead process, which had led to the identification of £1.1million in budget reductions through efficiencies. The Cabinet Member for Support Services expressed his thanks to the Head of Finance for his advice and support through this process.

The Cabinet were also asked to consider whether to continue to give a grant to Town and Parish Councils. It was noted that this was a discretionary area. Last year Town and Parish Councils received a grant of £207,248 from CDC. This grant was partially funded with money from within the CDC financial settlement. The CDC financial settlement is likely to be cut by 24% in 2014/15, and is likely to be cut by a further 31% the following year. It was stressed last year that the grant to town and parish councils would be reduced in 2014/15. However if the grant is decreased or removed at the same time as the parish and town councils are subject to a cap on the amount they could raise in Council Tax, there could be significant shortfalls in parish budgets.

The Performance and Resources Overview Committee stated that a reduction in grant would hit some Councils harder than others, and recommended that a gradual scaling back of the grant was preferred.

Cabinet Members stated that they wanted additional time to consider the potential impact on parishes given the complex interaction with capping. It was therefore suggested that the grant decision be delegated

**RESOLVED –**

- 1. That the draft revenue service budget for 2014/15 be noted.**
- 2. That the decision on the grant to be paid to CDC Parishes be delegated to the Chief Executive in consultation with the Director**

**of Resources, Leader of the Cabinet and Cabinet Member for Support Services.**

**69 BTVLEP - BUCKS WIDE DELIVERY VEHICLE**

The Cabinet was asked to consider whether to participate in a new Bucks-wide organisation to support the Board of Buckinghamshire and Thames Valley Local Enterprise Partnership (BTVLEP). The BTVLEP had identified the need for the support of an incorporated body to deliver its objects by receiving and applying for funding and contracting with third parties. It has proposed that Buckinghamshire Advantage Limited be established as a County-wide delivery vehicle by restructuring the current company limited by guarantee owned by Bucks County Council and Aylesbury Vale District Council.

The Cabinet Leader would be appointed as a member of the board, and would represent the Council. In addition, the Council would be represented by the Chief Executive. The Director of Services would represent South Bucks District Council. This vehicle had proved to be able to deliver results on the ground. The Cabinet noted that the Performance and Resources Overview Committee were supportive of this proposal.

**RESOLVED:**

- 1. That the Council becomes a member of Buckinghamshire Advantage Limited subject to satisfactory completion of the necessary constitutional, governance and legal documentation.**
- 2. That the Cabinet Leader represents the Council at meetings of Buckinghamshire Advantage Limited and on any Shadow Board.**
- 3. That the Chief Executive be nominated as the Council representative on the Board of Directors and be authorised to appoint a senior officer as an alternate Director if necessary.**
- 4. That the Chief Executive in consultation with Cabinet Leader and Head of Legal and Democratic Services be authorised to approve and enter into the Members Agreement for Buckinghamshire Advantage Limited and agree the Company's Memorandum and Articles of Association and any other interparty agreements or legal documents required for the formation of the company.**

**AND RECOMMENDED –**

- 5. That pursuant to the Local Authority (Indemnities for Members and Officers) Order 2004, the Council agrees to indemnify members and officers representing the Council on Buckinghamshire**

**Advantage Limited against any personal liability incurred when carrying out their duties except in the case of fraud or criminal acts.**

## **70 CHILTERN REVITALISATION GROUPS REPORT**

Revitalisation Groups are community led organisations that have been proven to be invaluable in identifying the complex range of local needs in the towns and villages in the District. Each group has worked alongside its respective Town and Parish Councils, Chiltern District Council and Buckinghamshire County Council. The Groups had been involved in several projects throughout the year.

The Cabinet Member for Community stated that he had toured the revitalisation groups earlier in the year. Many of the groups coordinated for all voluntary groups. The Cabinet stated that they were proud to support funding to the groups, and were pleased that they continued to be involved in excellent projects.

### **RESOLVED –**

- 1. That Cabinet formally recognises and acknowledges Chiltern's Revitalisation Groups' contributions to improving local services and facilities across the District.**
- 2. The decision to fund Amersham Old Town Community Revitalisation Group be deferred until 2014/15**

### **AND RECOMMENDED –**

- 3. That £16,000 be transferred from the Provisional List to the Approved and Committed capital programme and that the funding be utilised to support Chiltern's Revitalisation Groups as detailed below:**
  - £4,000 to Chalfont St Peter Community Appraisal Group**
  - £4,000 to Chalfont St Giles Revitalisation Committee**
  - £4,000 to Little Chalfont Community Association**
  - £4,000 to Chesham Action Partnership**

*Note: Councillor Mrs Darby left the room for the duration of this item, as she had expressed an interest.*

## **71 A SHARED FRAMEWORK FOR THE BUCKINGHAMSHIRE COUNCILS ON DUTY TO CO-OPERATE AND ALIGNMENT OF LOCAL PLAN TIMETABLES AND SHARED EVIDENCE BASE**

The Cabinet received a report outlining the vision for a Shared Framework for the Buckinghamshire Councils on the Duty to Co-operate and the Alignment of the Local Plan Timetables and Shared Evidence Base. The Shared Framework was noted to be the outcome of discussions between the Heads of Service and Cabinet Members responsible for planning at the Buckinghamshire Councils.

Cabinet Members stated that they had some reservations about signing the Shared Framework as it was presented to them. The current wording needed to be made clearer as to the fact that relevant development plans had been agreed by those authorities responsible for them rather than collectively agreed, as could currently be inferred. It was advised that this document would be an internal working document, and would not be targeted as a public document.

One Councillor stated that the Buckinghamshire Spatial Vision Map contained a legend that was misleading. The legend stated that 'this diagram reflects the broad strategy as presently agreed by the Councils as Local Planning Authorities. It does not include emerging (unapproved) proposals'. It was stated that this made it seem as though the London Road Waste Transfer Station had been approved by CDC. However it was confirmed the map did in fact reflect the Buckinghamshire County Council's Minerals and Waste Core Strategy proposal, but this was not necessarily the same as the District Council's position. The legend also needed to make clear the fact that the HS2 proposal did not enjoy this Council's support. Members expressed their concerns that the current wording of the legend was ambiguous.

It was noted that Buckinghamshire County Council, being the planning authority for waste issues, would need to determine a full planning application for any future Waste Transfer Facility proposals.

Cabinet Members felt that, subject to the wording of the framework and the map's legend being made less ambiguous, the Council should sign the Shared Framework.

## **RESOLVED –**

**That authority be delegated to the Cabinet Member for Sustainable Development in consultation with the Head of Sustainable Development and the Chief Executive to agree the final wording and sign the shared framework agreement.**

*Note: Councillor Garth entered the meeting at 5.50pm.*

## 72 REPLACEMENT FURNITURE FOR CHAMBER AND COMMITTEE SUITE

The Cabinet were asked to consider whether to replace the current committee room furniture. It was noted that the current chairs and tables in the committee rooms were now 27 years old and showing signs of wear. Repairs to the furniture are costly. It was noted that the cost of replacing the furniture was estimated at £45,000.

Cabinet Members stated that they would be unable to support spending £45,000 on furniture, and that this cost would need to be reduced. It may be possible to replace those chairs that are damaged. It was noted that some chairs may be unsafe, and that it may be necessary to scale back the replacement to those chairs. It was asked that the Corporate Asset Management Group reconsider these proposals.

### **RESOLVED –**

**That the Corporate Asset Management Group reconsider the proposals for replacement furniture for the Council Chamber and Committee Suite.**

*Note: Councillors Bacon and Jones left the meeting at 6.10pm.*

## 73 INSULATION OF CAR PARK ROOF

The Cabinet were asked to consider whether to proceed with the insulation of the roof of the basement car park. There have been numerous complaints from Planning Services and Revenues and Benefits in relation to the cold that permeates through the floor from the basement car park. Two options were outlined to increase the insulation of the roof. The first was sprayed foam and the second a Styrofoam block and cement based panel system. There was little difference in cost between these options, and both would provide a considerable improvement to insulation. One Member stated their approval of this proposal, and noted that it would also save money in energy lost through the roof of the car park.

### **RESOLVED –**

- 1. That the Cabinet agrees to proceeding with the insulation of the basement car parks to improve the working conditions of staff in the ground floor offices.**

### **AND RECOMMENDED –**

- 2. That £30,000 be added to the approved and committed capital programme to fund this expenditure.**



#### **74 QUARTER 2 PERFORMANCE REPORT 2013/14**

The Cabinet received a report outlining the performance of Council services against national and local indicators and key objectives from July to September. It was noted that there were 52 performance indicators that were monitored on a quarterly basis. It was noted that there had been a significant amount of calls to the IT help desk, which had resulted in the quarterly target of 95% being missed. It was stated that it was not possible for the performance figures for the Joint Waste Contract to be separated by Council at this time.

**RESOLVED –**

**That the report be noted.**

#### **75 MINUTES OF JOINT EXECUTIVE COMMITTEES**

Members of the Cabinet were asked to consider the Minutes of the following meetings of the Joint Executive Committees: Joint Waste Committee for Buckinghamshire, Chiltern and Wycombe Joint Waste Collection Committee, and the Chiltern and South Bucks Joint Committee.

**RESOLVED –**

- 1. That the Minutes of the Meeting of the Joint Waste Committee for Buckinghamshire held on 9 October 2013 be noted.**
- 2. That the Minutes of the Meeting of the Chiltern and Wycombe Joint Waste Collection Committee held on 10 October 2013 be noted.**
- 3. That the Minutes of the Meeting of the Chiltern and South Bucks Joint Committee held on 21 October 2013 be noted.**

#### **76 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.**

## 77 HS2 PROFESSIONAL SERVICES & ANALYSIS

*Paragraph 5 – Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings*

The Cabinet was asked to consider a request for funding for professional services and analysis by HS2 Action Alliance to assist in the next stage of the campaign.

### **RESOLVED:**

**That a contribution of £25,000 be made to HS2AA for Professional Services and Analysis to support their campaign and enable an evidenced based approach to challenging the business case, environmental case and compensation arrangements and putting forward alternatives, to protect the interests of the community and AONB, having had regard to the Code of Recommended Practice on Local Authority Publicity**

## 78 CDC BANKING ARRANGEMENTS

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

A report regarding the banking arrangements of Chiltern District Council were presented to the Cabinet. It was noted that the Director for Resources had held meetings with other banks.

### **RESOLVED –**

- 1. That the Cabinet agrees to bring forward the tendering for banking services to 2014.**
- 2. That, as consequence of minimising balances held with the Co-op, the Council's treasury management counterparty limits are increased as follows:**
  - a) Part nationalised financial institutions – Call accounts increase limits to £5, from £3m, and overall limit with part nationalised insitutions increase to £12m from £10m.**
  - b) Other UK institutions “High Rating” – increase limits from £2m to £3m.**
- 3. That future reports to Members of treasury management contain a specific section on banking services.**

- 4. That in light of arrangements in place to minimise balances held by the Co-OP, no further action is taken at this time.**

*Note: Councillors Phillips and Brown left the meeting at 6.24pm.*

## **79 LONDON ROAD DEPOT INVESTMENT**

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

The Cabinet received an update relating to the on-going works at the London Road Depot. It was noted that the programme was currently on budget and on programme. The main risk to the programme would be adverse weather conditions. Cabinet Members thanked the Officers for the report and congratulated them for bringing the project in on budget up to this point.

**RESOLVED –**

**That the Cabinet noted the progress made on site and the current risk to the project of delays from weather conditions.**

## **80 PROPOSED DISPOSAL OF A SMALL PARCEL OF AGRICULTURAL LAND AT UPPER STONE MEADOWS CHALFONT ST GILES**

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

The Cabinet were asked to consider whether to dispose of a small parcel of agricultural land at Upper Stone Meadows, Chalfont St. Giles. Cabinet Members stated that they would delegate authority to ensure that the best possible deal was reached.

**RESOLVED –**

**That the Cabinet approve in principle the disposal of a small parcel of agricultural land in Chalfont St. Giles as described in the report and authorise the Head of Environment in consultation with the Portfolio Holder for Asset Management (Deputy Leader) and Head of Legal & Democratic Services to negotiate Heads of Terms and proceed to completion.**

## 81 NON DOMESTIC RATES ARREARS FOR WRITE-OFF

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

The Cabinet were asked for approval to be given to write off arrears of National Non Domestic Rates in the sum of £56,994.48. This amount related to a company that had not paid the rates due, and had a debt countrywide of £10million.

### **RESOLVED –**

**That approval be given to write off arrears of National Non Domestic Rates in the sum of £56,994.48 in accordance with the provision of Financial Procedure Rule 12.**

**The meeting ended at 6.30 pm**