

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the CABINET held on 1 JULY 2014

PRESENT: Councillor Mrs I A Darby -Leader
" M Stannard - Deputy Leader

Councillors: G K Harris
P J Hudson
P E C Martin
F S Wilson

131 MINUTES

The Minutes of the Cabinet meeting held on 6 May 2014, copies of which had been previously circulated, were approved and signed by Councillor I Darby, Cabinet Leader, as a correct record.

132 DECLARATIONS OF INTEREST

There were no declarations of interest.

133 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 28 July 2014.

The Director of Resources advised the contents of each appendix, as follows:
Appendix 1 – A Special Meeting of Cabinet to be held on 15 July 2014 to consider the DDPD and it was noted that the entire report was to be considered in private session.

Appendix 2 – Items forthcoming

Appendix 3 – Chiltern and Wycombe Joint Waste Collection Committee

Appendix 4 – Chiltern & South Bucks Joint Committee

RESOLVED –

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

134 CURRENT ISSUES

(i) Councillor Isobel Darby – Councillor Fred Wilson

Councillor Darby welcomed Councillor Wilson to his first meeting of Cabinet and his role as Portfolio Holder for Customer Services.

(ii) Councillor Graham Harris - Chalfont St Peter Neighbourhood Plan Referendum

Councillor Harris reported that the Examiner's Report had now been received and all matters are to be agreed under delegated authority of the Head of Sustainable Development followed by a further report to a future meeting of Cabinet to update members.

(iii) Councillor Peter Hudson – Head of Healthy Communities

Councillor Hudson confirmed that Martin Holt was now in post as Head of Healthy Communities.

(iv) Councillor Mike Stannard – Budget Process

Councillor Stannard reported that Cabinet members were to commence the budget process with officers during early September and dates for these meetings were to be confirmed in the near future.

135 DRAFT SUSTAINABLE CONSTRUCTION AND RENEWABLE ENERGY SUPPLEMENTARY PLANNING DOCUMENT

The Cabinet considered a report which explained that the Draft Sustainable Construction and Renewable Energy Supplementary Planning Document (SPD) was to assist applicants in understanding the techniques and building practices available to improve the sustainability performance of buildings through their design and subsequent use and to encourage renewable energy schemes in the District in order for development proposals to meet Core Strategy policy requirements. It supplemented Policy CS4 (Ensuring Development is Sustainable) and CS5 (Encouraging Renewable Energy) of the Core Strategy for Chiltern District. The SPD was sub-divided into eleven sections, to try and make it relatively easy for applicants to find advice on the topic area of interest to them.

It was explained that the document was detailed as it needed to cater for various roles in respect of robust planning policy and although the document was available for various audiences the primary target audience was developers. It was a consideration to prepare a summary document for residents. The report had been considered by the Housing and Planning Overview Committee of which comments had been taken on board.

RESOLVED:

- i) That the Draft Sustainable Construction and Renewable Energy Supplementary Planning Document in Appendix 1 and the public consultation process, as detailed in the Appendix 1 is approved for public consultation.**

ii) That the eight week public consultation process, as set out below, to be held between 14 July and 8 September 2014 and carried out in accordance with the Council's Statement of Community Involvement be approved for public consultation:

- i. An advert on the Council website headline story board on the home page.**
- ii. Access to documents on the Planning pages of the Council website.**
- iii. Notification to be sent to parish council's and revitalisation groups.**
- iv. E-mails (where available) or letter notifications to be sent to all statutory consultees, local groups, organisations and individuals on the Council's Local Development Framework consultation data base.**
- v. Hard copies of the Draft SPD provided to all local libraries serving Chiltern residents.**
- vi. Hard copy documents available at the Council's Amersham Office.**
- vii. E-mail notification to all Chiltern District councillors and staff in advance of the consultation process.**
- viii. Press release at the start of the consultation period.**

136 DISCRETIONARY COUNCIL TAX SUPPORT POLICY

The Head of Customer Services presented the report which sought approval of the amended criteria and to delegate authority to the Head of Customer Services to administer the discretionary fund where that amended criteria was met. The administration of the scheme was to be delegated to the Revenues and Benefits Service in line with the process detailed in the policy. The amended policy was appended to the report.

Cabinet considered in detail the content of the amended policy and sought clarification on the reasons for the award of relief to be up to 100% and that although each situation should be taken on its own merit and help granted where possible and appropriate each resident should pay something towards the council tax as this was one of the principles agreed by members when setting up the scheme. Members also queried the time periods of relief that could be awarded. Members felt that in the limited number of cases where this new discretion could apply that the Portfolio Holder should be consulted before any final decision was made.

The Head of Customer Services clarified that in majority of situations residents were not awarded 100% relief and it was granted over various time periods depending on the circumstances.

It was noted that the Discretionary Council Tax Support scheme would continue to be reviewed on an annual basis. The Council's 2014/15 contribution to Discretionary Council Tax Support was £50,000 and to date

£14,000 had been committed. Members requested that other authorities ie. Police and the County Council were reminded of the need for contributions to the fund.

RESOLVED:

(i) That the following recommendations to change the current policy to grant Discretionary Council Tax Support under section 13A of LGFA 1992, as amended by section 10 of the Local Government Finance Act 2012 in the following circumstances, be approved:

- **Up to 100% relief granted where the claimant and any partner or child would suffer severe financial hardship if a payment was not made in respect of their Council Tax liability; and**
- **Where the application for Discretionary Council Tax Support was in respect of the home they occupy and are liable for the payment of Council Tax in respect of that property, and**
- **They have applied for Local Council Tax Support and a decision has been made.**

(ii) That the administration of the scheme be delegated to the Revenues and Benefits Service in line with the process detailed in the approved policy, with determinations for relief delegated to the Head of Customer Services but subject to any cases falling outside of the original policy being decided after consultation with the Portfolio Holder for Customer Services.

**137 CAPITAL PROGRAMME AND REPAIRS & RENEWALS FUND
PROVISIONAL OUTTURN 2013/14**

The Director of Resources presented the report which provided the Council's Capital Programme provisional out-turn for 2013/14 and proposals on carrying forward unspent programme provisions to 2014/15 where appropriate. Expenditure for the year was £2,632K against a budget of £2,213K resulting in an overspend of £419K but this was attributable to a higher proportion of the cost of works at London Road falling in 2013/14. The project as a whole had been completed within budget. It was proposed that a net £434K overspend was carried forward into 2014/15 and that £15K was taken as a saving in 2013/14.

A breakdown of the variances on a scheme by scheme basis was shown in Appendix 1.

Appendix 2 showed the 2013/14 Repairs and Renewals Fund out-turn. Expenditure for the year was £142K against a budget of £474K resulting in an underspend of £332K. A breakdown of the variances on a scheme by scheme basis was shown in Appendix 2.

Consideration was given to a potential review of how the capital programme and repairs and renewals fund was scrutinised in the future.

RECOMMENDED TO COUNCIL:

- i) That the provisional Capital and Repairs & Renewals Fund out-turn for 2013/14 was noted; and
- ii) That the amounts be carried forward into 2014/15 as identified in the appendices to the report, with the view to a review of the process for 2015/16.

138 CAPITAL PROGRAMME POSITION STATEMENT

The Director of Resources presented the report which set out, for information, the current position of the Capital Programme in terms of expenditure and resources. Appendix 1 showed expenditure schemes divided between those committed and in progress, and those which had been approved by members but not yet committed.

For additional information Appendix 2 showed the list of provisional schemes that based on past reports to members may give rise to the need for capital expenditure in future years.

RESOLVED:

That the content of the report be noted.

139 TREASURY MANAGEMENT ANNUAL REPORT 2013/14

The Director of Resources presented the report which outlined the requirement of CIPFA's Treasury Management Code of Practice of an annual report on the performance of the treasury management function, on the effects of the decisions taken and the transactions executed during the year and on any circumstances of non-compliance with the Council's treasury management policy statement.

Members were advised that the increase in the number of investments placed in the last quarter of the year reflects the strategy adopted to minimise overnight balances with the CoOp. The average interest rate achieved was 1% (2012/13: 1.73%, £334,068). For comparison purposes the performance indicators of the fund managers as proved by the treasury management advisers Capita Asset Services (Sector) show an upper quartile of 0.58%, median of 0.38% and lower quartile of 0.02%.

The main change that members were made aware of was that the Council had retendered the Council's Bank Contract and the Contract had been awarded to Barclays in May and implementation was underway. The contract

was until 31 March 2018 and had resulted in a saving for Chiltern District Council of £6,000 per annum.

RESOLVED:

That the Treasury Management Annual Report be noted.

140 CHILTERN POOLS NEEDS ASSESSMENT REPORT

The Principal Leisure and Community Officer presented the report which outlined the next steps in relation to commissioning an independent leisure specialist to undertake a needs assessment, detailed in Section 4 of the report.

The Cabinet were advised of the age and condition of the building along with the existing leisure management contract due to expire in 2020, which provided a clear need to review future long term options for the site and specifically the future requirements of leisure provision in Amersham. The report proposed (following a formal tender process) to appoint a specialist independent leisure consultant and the key questions to be incorporated into the needs analysis were outlined in Section 4 of the report.

The next steps proposed that Cabinet release funding of up to £20,000 from the 'Capital Projects Reserves' fund to tender for a specialist leisure consultant to undertake a needs assessment of Chiltern Pools as detailed in Section 4. It was noted that on completion of the assessment a formal presentation was to be made to Members outlining the key findings and considerations in deciding the best way forward. The report had been presented to the Community and Environment Overview Committee on 10 June and the main comment raised was that the scope of the assessment should be widened to encompass the leisure needs of the District rather than a focus on one facility within the District.

Members considered the content of the report in detail and agreed with the views of the Overview Committee that the scope should expand to include the leisure provision for the whole District and that subject to available resources the funding for the work be increased to up to £50,000. The Director of Resources confirmed that funding was available if members deemed that the assessment was a priority for the Council. The Director of Services added that the assessment could be developed in sections to achieve an holistic outcome; and it was suggested that a member group may need to be established in the future to assist with analysis of the assessment.

RESOLVED:

- i) That the appointment of a specialist leisure consultant to undertaken a needs and wants assessment on the future of leisure provision in Chiltern District; and**

- ii) **That up to £50,000 be included in the approved and committed capital programme.**

141 CHILTERN DC - GREEN HOUSE GAS (GHG) REPORT

Consideration was given to the report which updated members on the results of the Chiltern Green House Gas (GHG) reduction of carbon emissions and improvement of energy efficiency measures. It was reported that based on the overall performance to date and projects undertaken under the climate change strategy, the GHG report provided a continuing positive reflection of the Council's commitment to reduce both its total carbon emissions and its on-going energy spend. Further improvements were to be made in relation to:

- Reviewing the performance of SERCO and GLL in respect of carbon emissions
- Impact of staff travelling between two work locations
- Benefits of the use of solar panels
- Savings due to IT servers relocation

RESOLVED:

- i) **That the 3% reduction in carbon emissions for the year 2013/14, and in doing so, achieving the Council's reduction target be noted; and**
- ii) **That the Chiltern GHG Report detailed in Appendix 2 for submission to the Department of Energy and Climate Change be approved.**

142 CHIEF EXECUTIVE'S EXERCISE OF URGENCY POWERS UNDER THE SCHEME OF DELEGATION - LEASE OF PART OF COUNCIL OFFICES

The Cabinet were advised that the Chief Executive had exercised powers of urgency under the Scheme of Delegation to grant of a lease of part of the Council Offices.

RESOLVED:

That the Cabinet note that the Chief Executive had exercised urgency powers under the scheme of delegation in connection with the grant of a lease of part of the Council Offices.

143 JOINT BUSINESS PLAN 2014-19

The Principal Officer presented the report which sought approval for the draft Joint Business Plan 2014 – 19, which replaced the Chiltern's Aims and Objectives 2012-14 document.

Members expressed some concern that the Joint Business Plan as presented did not reflect the individual identities of each authority sufficiently even though there was an understanding of the need for a joint overarching plan for both authorities. In response officers agreed to consider the terminology of the proposed Joint Business Plan and delegate to the Chief Executive, in consultation with the Leader and Deputy Leader of the Council, agreement of the final document.

RESOLVED:

- i) That the draft Joint Business Plan 2014-19 not be approved; but revised to better reflect the joint working arrangements, but also retaining the separate identity of each Local Authority; and**
- ii) That the Chief Executive, in consultation with the Leader and Deputy Leader of the Council, be delegated to agree a revised final document.**

144 ANNUAL PERFORMANCE REPORT 2013-14

The Principal Officer presented to the Cabinet the Annual Report which provided an overview of what the Council had achieved during the 2013/14 financial year. It was noted that the final version of the report was to be circulated widely including being made available on the Chiltern website. Members were advised that the Performance and Resources Overview Committee had reviewed the report and requested that Heads of Service be more stringent in respect of performance indicators.

RESOLVED:

That the Annual Performance Report 2013-14 be noted.

145 OUTSIDE BODIES

RESOLVED –

That the Cabinet appointments to Outside Bodies, as detailed in the appendix, be agreed.

146 MINUTES OF JOINT EXECUTIVE COMMITTEES

Members considered the Minutes of the following Joint Executive Committee meetings:

- Chiltern and South Bucks Joint Committee – 2 April 2014
- Chiltern and Wycombe Joint Waste Collection Committee – 10 April 2014

RESOLVED –

That the Minutes of the meeting of the Chiltern and South Bucks Joint Committee held on 2 April 2014; and the meeting of the Chiltern and Wycombe Joint Waste Collection Committee held on 10 April 2014, be noted.

147 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.

148 ROOF REPAIRS AND REPLACEMENT GLAZING SKYLIGHTS AT KING GEORGE V HOUSE

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

The Head of Environment presented the report which outlined the background of the proposal to repair the roof and replace glazing skylights at King George V House and verbally updated members on tender costs received. The tendered indicated that the works needed to be reconsidered on affordability grounds. Officers believe there is an alternative less costly approach and this would now be pursued. This was hoped to contain the costs to no more than £100,000.

The Director of Resources explained that a procurement for revised works would be carried out and reported to the Corporate Assets Management Group before coming back to members for decision.

RESOLVED –

- i) That tenders be sought for a revised programme of remedial works up to a budget of £100,000 with the results being reported to the Corporate Asset Management Group and authority to accept the most economically advantageous tender being delegated to the Head of Environment; and**
- ii) That, a medium to long term strategy for the offices being developed on a short term maintenance approach be explored and reported to the Corporate Assets Management Group.**

149 SYCAMORE ROAD CAR PARK EXTENSION AND RESURFACING

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

The Head of Environmental Services presented the report which outlined the proposal to create 20 car park spaces at Sycamore Road supported by a good business case and the opportunity to generate revenue income.

RESOLVED:

- i) That the creation of additional parking spaces at Sycamore Road Car Park on parts of gardens rear of 45,47, 49 and 51 Rickmansworth Road, Amersham be approved, and that £100,000 was transferred from the capital receipts reserve to the approved and committed capital programme for this work; and**
- ii) That the resurfacing of Sycamore Road Car Park, Amersham be approved, and that £90,000 was transferred from the capital receipt reserve to the approved and committed capital programme for this work.**

150 PRESTWOOD LEISURE CENTRE CAR PARK UPGRADE WORKS

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

Cabinet considered the report which outlined the need for car park upgrade works at the Prestwood Leisure Centre due to ongoing issues in relation to unmade surfaces forming potholes during poor weather conditions and creates dust issues in the summer.

It was reported that the Community and Environment Overview Committee had considered the report and recommended that Cabinet pursue Option C – surfacing and drainage in the main and over flow car park areas, adding lighting columns and illuminated low level bollards in both the car park areas and introducing new drainage to both car park areas at a proposed cost of £220K. This would be in excess of the sum provided for within the Capital Programme.

Members considered the content of the report in detail and the recommendation from the Overview Committee and it was agreed that the Head of Environmental Services would return to a future meeting with a full breakdown of and backlog repair and maintenance for the exterior parts of the building, and a cost of works for the car parking areas and associated lighting.

RESOLVED:

- i) That tenders be sought for a number of options for the works proposed for the car park resurfacing and lighting and that the results be the subject of a further report; and**
- ii) That a planned maintenance programme be undertaken addressing any backlog issues for the exterior areas (similar to what is in place for other Council Leisure Centres) and that this be reported back to a future meeting of Cabinet.**

The meeting ended at 6.53pm