

**Publication
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2014**

CHILTERN DISTRICT COUNCIL

MINUTES of the CABINET held on 16 DECEMBER 2014

PRESENT Councillors Mrs I A Darby - Leader
M Stannard - Deputy Leader
G K Harris
P J Hudson
P E C Martin
F S Wilson

ALSO IN ATTENDANCE: Councillors A K Bacon, Mrs J A Burton, P M Jones and J J Rush

47 MINUTES

The Minutes of the Cabinet Meeting held on 21 October 2014, were approved and signed by Councillor I Darby, Cabinet Leader, as a correct record.

48 DECLARATIONS OF INTEREST

Councillors F Wilson and P Hudson declared personal interests in Item 12 due to their roles as Town Councillors on Chesham Town Council.

49 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 12 January 2015.

The Director of Services reported that there was an additional item to be included on the 28 Day Notice Forward Plan in relation to the Proposed Organisational Changes for Serco Limited to be considered by Chiltern & Wycombe Joint Waste Collection Committee in January and for consideration by Cabinet on 10 February 2015.

RESOLVED –

That the Draft 28-Day Notice / Forward Plan, to be published on 12 January 2015, be noted.

50 CURRENT ISSUES

(i) Councillor Darby – Workplace Challenge

Councillor Darby reported that Chiltern District Council had achieved second place in the Workplace Challenge which was a reflection of the amount of physical activity that the staff participating had taken part in during a given period of time.

51 DRAFT REVENUE BUDGET 2015/16

The Cabinet were asked to consider the draft revenue budget for 2015/16. The budgets presented at this stage represented the direct costs of the services; ie. they exclude all support recharges; and also included a summary of the major movements between the 2014/15 and the 2015/16 net cost of services as shown in the table on page 25 of the agenda.

Members were advised that subject to the comments of the Resources Overview Committee and the outcome of the budget / council tax consultation Cabinet was to make its final decisions and set the Council's budget and 2015/16 Council Tax requirement at its meeting on 10 February 2015 prior to the full Council Tax resolution at full Council on 25 February 2015.

The Director of Resources informed members that confirmation of the government funding allocation was still awaited. The overall position of the review exercise showed a reduction on the original budget of £1million. The key reason for this was down to additional income eg. Waste due to waste recycling credits. The budget had been subject to scrutiny.

It was noted that the proposal was for a council tax increase of 1.9% and in terms of the budget the key decisions were to be taken in February 2015 but the immediate decision for Cabinet was to consider the level of support to parish council tax bills, which was detailed in Appendix 9 of the report. It was agreed that the approach of reducing the support in line with the reduction in the Council's Revenue Support Grant should continue, and this would be finalised when the Government announces the Local Government Financial Settlement.

The Leader wished to thank the Head of Finance and Cabinet Member for Finance for the hard work and commitment to achieving a second year of a successful exercise to reduce spend and future sound proposals for 2015/16. It was noted that there was a current slight confusion on the presentation of the information due to shared services but that this would be simplified as the years progress and a history of the joint services starts to develop.

RESOLVED:-

- i) That the draft revenue service budget for 2015/16 be noted; and**
- ii) That the funding support to parishes be reduced in line with the reduction in the Council's Revenue Support Grant for 2015/16.**

52 TREASURY MANAGEMENT REPORT - JULY TO SEPTEMBER 2014

Consideration was given to the Treasury Management Report – July to September 2014 which set out the activities of the Treasury Management operation for the quarter ending 30 September 2014.

Members were advised that all of the Council's investments were managed in-house. The investment criteria and parameters within which the treasury section worked were set out in the Treasury Management Practices (TMP) document.

RESOLVED:-

That the treasury management activity in the quarter July to September 2014 was noted.

53 CONTRIBUTION TO CHESHAM WELLBEING PROJECTS

It was reported that the Chesham Wellbeing Project sought to target the Chesham Community and had been set up following the government's survey which identified Chesham as an area that had become increasingly deprived. The index of multiple deprivation focussed on seven areas:

- Income
- Employment
- Health
- Skills / training
- Built environment
- Housing; and
- Crime

The project had been undertaken as a partnership initiative led by the County Council in association with; NHS, Bucks Business First, the Town and District Councils and Thames Valley Police. The aim of the project was to improve young people's opportunities to access work, and to enable support to those claiming benefit or to lone parents on income support.

Members' attention was drawn to the Built Environment Strand of the project which ensured that a focus remained on the tangible as well as the intangible aspects of improving the wellbeing of residents of Chesham. The street lights

along 'the Backs' (the path running alongside the train track towards Waterside) and the High Street had been provisionally agreed as being a key initiative by partners to the project. The total cost of the work to improve the lighting was £34,000.

As part of the partnership working, the County Council had agreed to contribute £14,000 to this work and the continuing project management time. The partnership had requested that Chiltern District Council along with Chesham Town Council support the project by contributing £10,000 each to reach the £34,000 cost. However it was noted that the Town Council had unfortunately decided not to contribute any monies to the project. It was suggested that the resultant shortfall in funding could be met by increasing the CDC and BCC contributions as well as seeking funding from other third parties.

It was noted that the Community Health and Housing PAG supported the initiative.

A further project to build on the work of Better Chesham had been considered by the Chesham Wellbeing Partnership, with the aim of encouraging new businesses and a diverse range of retail outlets to Chesham. A proposed study would consider barriers to trade and access and improvements to the town centre, marketing to visitors and the development of a sustainable local economy. The cost of the proposal was £8,400. Chiltern District Council had been asked to contribute £3,000 to this study which would be drawn from the existing community development budget.

Members discussed the local benefit of the projects and supported the use of funds, with an increase to ensure that match funding was not lost to support a local beneficial project.

RESOLVED:

- i) That provision of £10,000 to The Backs lighting project be approved with an increase of up to an additional £5,000, if required, to be delegated to the Director of Services in consultation with Cabinet Member for Community, Health and Housing; and**
- ii) That the provision of £3,000 towards funding an economic study for Chesham High Street, be approved.**

Councillor Jones entered the meeting during consideration of this item.

54 EXAMINATION OF DDPD SUSPENSION

Consideration was given to the report which outlined the current position of the Delivery Development Plan Document (DDPD) and the proposal for the DDPD to be withdrawn based on the finding of the Examination Inspector. A letter received from the Inspector confirmed the decision to suspend the Examination in Public for a period of up to 6 months, ending on 12 May 2015. The letter confirmed that the Inspector's view was that the DDPD was unlikely to meet the criteria for soundness if the proposed modifications were to be incorporated.

Members were advised that the Inspector's initial appraisal had raised concerns over the housing requirement, housing land allocations and Gypsy and Traveller provision; but the main reason for the decision to suspend was due to the out of date housing requirement. Counsel's opinion was in favour of the withdrawal of the Submission DDPD pursuant to section 22 of the 2004 Act, in light of the Examination Inspector's extensive (and in his view valid) comments, and given that the Council had already commenced work in respect of the Local Plan (with a plan period up until 2036) that will perform a full review.

The alternative proposal was to continue with a new single local plan which would represent an opportunity to co-ordinate plan making timetables with adjacent authorities, sharing some costs and potentially reducing costs by better facilitating this duty to co-operate and potentially reducing future examination costs.

It was noted that the costs for either progression or withdrawal of the Delivery DPD and most stages of a single local plan preparation can be funded from a combination of the Local Development Framework revenue budgets and reserve.

Members in attendance were given the opportunity to comment on the report. The Leader concluded that it was a regrettable situation that was not the result of incorrect actions but that planning was currently a moveable feast and the plan was often dependent on the national environment which was currently to build on available land. The alternative approach to develop a single Local Plan should result in more robust documents for the future.

RESOLVED:

- i) That it be noted that the hearing stage of the Examination in Public for the Delivery Development Plan Document had been suspended by the Inspector.**

RECOMMENDATION TO COUNCIL:

- ii) **That the Submission Delivery DPD be withdrawn pursuant to section 22 of the Planning and Compulsory Purchase Act 2004.**

55 REGULATION 18 CONSULTATION FOR THE NEW CHILTERN DISTRICT LOCAL PLAN 2014 TO 2036

Members were asked to consider approval of the Regulation 18 consultation for a Local Plan to replace the Core Strategy for Chiltern District and the Chiltern District Local Plan to cover the period to 2036. In addition approval was sought for a 'Call for Sites' to run alongside the Regulation 18 consultation.

The Regulation 18 consultation seeks views on the scope for the plan and initial views at the outset of the plan making process. This was a legal requirement and would also assist the Council in part in meeting its duty to co-operate with specific organisations. The Members received a copy of the proposed Consultation Document. The document also took into account comments from the Sustainable Development PAG.

The consultation was important to provide an opportunity for local groups, individuals, town and parish councils, and other stakeholders to help influence the plan preparation from an early stage.

The commencement and duration of the consultation period was discussed, noting that the usual requirement was for a 6 week process but that this could be longer if required. Members felt that, to give the best opportunity for high levels of participation in the consultations, they should not commence until after the Christmas and New Year break.

RESOLVED:

1. **That :-**
 - a) **That the document as set out in Appendix 1 for consultation as part of the early stage of preparation of the Local Plan for Chiltern District, 2014 – 2036 be approved; and**
 - b) **that the consultation period commence on 8 January 2015 for the duration of 8 weeks.**
2. **That it be agreed that the consultation process will comply with the Council's published Statement of Community Involvement and include:**

- a) letters/emails to all organisations, residents and other stakeholders on the Council's Planning Policy Consultation Database
 - b) letters/emails to "specific, general and government consultation bodies" as required by Regulation
 - c) Publicity via the Council website headline story board on the home page
 - d) documents on the Planning pages of the Council website
 - e) a hard copy of the document provided to all local libraries serving Chiltern residents
 - f) a hard copy of the document provided to all Town/Parish Councils in Chiltern District
 - g) hard copy documents available at the Council's King George V House Amersham Office
 - h) email notification to all Chiltern District councillors and staff in advance of the consultation process; and
 - i) a press release at the start of the consultation period.
3. That it be agreed in addition to Recommendation 2, that officers encourage consultation responses from traditionally hard to reach groups by;
- a) promoting the consultation through the Councils' social media (Twitter and Facebook)
 - b) writing to all senior schools in the District and Amersham and Wycombe College encouraging involvement from themselves and their pupils
 - c) targeting specific organisations working with or representing often hard to reach groups and offering additional support to engage in the consultation (e.g. officers attending meetings)
 - d) engaging with the Chiltern Youth Club Forum, Disability and Community Cohesion forums
 - e) engaging with community and residents associations , particularly in the more deprived neighbourhoods and with the support of Chiltern's Community services team;

- f) seeking the advice of and where possible working with the Community Services and Community Safety teams and the Buckinghamshire Youth MP; and
 - g) encouraging town and parish councils and all members to promote the consultation within their parishes / wards and through their community networks and activities.
4. That the Call for Sites document and details as set out Appendix 3 to inform the preparation of the Local Plan for Chiltern District, 2014 – 2036 be approved, to run for the same period as the Local Plan Initial Consultation.
5. That the Head of Sustainable Development be given delegated authority in consultation with the Cabinet Member for Sustainable Development to make any changes to the wording of the consultation documents to take account of any decision taken by the Cabinet including the progression of the Delivery Development Plan Document and/or to incorporate any changes to the consultation documents suggested by Cabinet or to take account of any typographical errors.

56 QUARTER 2 PERFORMANCE REPORT 2014/15

Consideration was given to the report which outlined the performance of Council services against performance indicators and service objectives during July to September 2014.

In addition to the content of the report, the Senior Officer (Waste) attended the meeting to provide an update on the current provisional Environment PIs jointly reported for Chiltern and Wycombe as six of the PIs were off target. The figures were currently provisional as they were being verified to ensure they were in line with Waste Data Flow.

It was reported that the joint customer service indicators were off target. However there had been an improvement in service compared to the first three months of this year. The number of calls abandoned had fallen from 25.3% to 13.7% and calls answered within 20 seconds had increased from 33.1% to 42.7%. During the quarter an additional 4,472 calls had been received specifically related to payment of the Green Garden Waste Service. The percentage of fly tipping removed within 2 working days continued to be off target for the second quarter of this year. The admin team at Serco were working to ensure sign off dates were correct and tickets were processed in a timely manner.

Cabinet Member for Environment informed members that recycling rates had increased over recent years but national figures had seemed to slow down

slightly. There was a need to monitor the impact of recycling levels on budgets.

RESOLVED:

That the performance report was noted.

57 DRAFT CHILTERN AND SOUTH BUCKS COMMUNITY AND WELLBEING PLAN 2015 - 2018

Consideration was given to the report which outlined the need to develop a clear plan that would enable the joint Community Shared Service.

RESOLVED:-

That the development of a joint community and wellbeing plan and its themes be supported.

58 ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 - DELEGATION OF POWERS

Members were advised that the Anti-social Behaviour, Crime and Policing Act 2014 (Act) consolidated 18 existing powers for local authorities, police and social landlords to control anti-social behaviour into 6 more flexible powers. It also introduced two new powers to hold focus on the response to such behaviour on the needs of victims, which were the Community Trigger and Community Remedy.

The new powers came into force on 20 October 2014 and required the authority to work holistically in partnership with housing providers, Towns and Parishes and across the Council service areas to address victims' problems and seek to resolve concerns. Members received an overview of the new powers:-

- Community Trigger (ASB case review)
- Community Remedy
- Criminal Behaviour Orders (CBOs)
- Injunctions to Prevent Nuisance and Annoyance (IPNA)
- Closure Notice and Orders
- Community Protection Notices (CPN)
- Public Space Protection Orders (PSPO)
- Police dispersal powers

The new powers impacted on a number of areas of work within the Council. The shared service review of Environmental Health would consider the

processes and procedures that will enable these powers to be effectively used within the District.

RESOLVED:-

- i) That the Head of Healthy Communities be given delegated authority to exercise the Council's functions and enforcement powers under the Anti-social Behaviour, Crime and Policing Act 2014 (whether as part of joint arrangements or otherwise) including but not restricted to:**
 - a) Appointment of authorised officers;**
 - b) In consultation with the Head of Legal and Democratic Services, securing criminal behaviour orders and civil injunctions (IPNA) to prevent nuisance and annoyance;**
 - c) The issue of Closure Notices and securing Closure Orders;**
 - d) The issue of Community Protection Notices**
 - e) The implementation of Public Spaces Protection Orders where no relevant objections received**
 - f) The enforcement of amendments to the Dangerous Dog Act 1991 in relation to prosecution, seizure and destruction**

- ii) That the Head of Environment be given delegated authority, in consultation with the Head of Healthy Communities, to issue Community Protection Notices; and**

- iii) That the Chiltern and South Bucks Community Safety Partnership will act as the Anti-social Behaviour Review Panel in response to a Community Trigger.**

59 LIGHTING AT CHALFONT LEISURE CENTRE

Members considered a report which outlined the commitment through Chiltern's Leisure Advisory Board of Chiltern District Council and Greenwich Leisure Limited (GLL) to reduce carbon emissions and improve energy efficiency across all the district's leisure centre facilities. GLL proposed to upgrade the lighting system at Chalfont Leisure Centre of which the total cost of the programme was £40,000 and Chiltern District Council had been requested to contribute £15,000 towards the project.

There was no statutory duty for Chiltern District Council to invest in the lighting but there would be strong benefits to the Council for supporting such an investment enabling continued energy efficiency, reducing carbon emissions and improvement of the long term profitability of the centre.

The Community Health and Housing PAG supported the proposal to upgrade the lighting and noted that the contribution of £15,000 would be met from the underspend within the current approved Leisure Capital programme.

RESOLVED:-

That the provision of £15,000 from the current approved Leisure Capital programme to enable the energy improvement to the lighting system at Chalfont Leisure Centre be approved.

60 OPEN SPACE STRATEGY

Members were advised that the Chiltern Open Space and Recreational Strategy was a key document in helping inform the Council's Development Plan. The Strategy played an important role in improving access and provision to open space and recreational facilities directly helping to improve health and wellbeing of residents. The document also enabled Parish & Town Councils and local community groups to attract inward investment by providing robust evidence of existing shortfalls in provision.

The previous 2005 Strategy was prepared by an external consultant but the proposed 2015 – 2018 Strategy was compiled through the use of local contacts, community groups, District, Town and Parish Councillors; which had generated savings through the use of existing networks.

RESOLVED:

That the updated Open Space and Recreation Strategy 2015-2018 be approved.

61 COUNCIL TAX SUPPORT SCHEME REVIEW

Consideration was given to the report that outlined the process for the review of the council tax support scheme. Members were asked to accept the views of the Council Tax Support Working Group and recommend no fundamental changes to the scheme and for a report setting out the full scheme to be submitted to Council in February as required by legislation. Appended to the report was a copy of the report to the Working Group and Appendix A which outlined the impact on residents. It was agreed that the scheme would be looked at during 2015, once a full year's information was available

RESOLVED:

That no fundamental changes be made to the scheme and a report setting out the full scheme be submitted to Council in February 2015 as required by legislation.

62 MINUTES OF JOINT EXECUTIVE COMMITTEES

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

- Joint Waste Committee for Buckinghamshire – 9 October 2014
- Chiltern & South Bucks Joint Committee – 16 October 2014

63 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.

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

64 CABINET REPORTS FROM POLICY ADVISORY GROUPS:

Cabinet members presented and members considered the notes of the following Policy Advisory Group meetings:-

- Communities, Health & Housing PAG – 27 November 2014
- Customer Services PAG – 26 November 2014 – Notes of this meeting were not available for discussion but were circulated following the meeting for information
- Environment PAG – 19 November 2014
- Support Services PAG – 12 November 2014
- Sustainable Development PAG – 13 November 2014

65 CHILTERN & WYCOMBE JOINT WASTE CONTRACT

The Director of Services provided members with a verbal update on the progress of the Chiltern & Wycombe Joint Waste Contract and in particular the ongoing discussions with Serco.

66 ANNUAL ENERGY REPORT

Consideration was given to the Annual Energy Report which outlined trends (and spend) of progress towards the Council's financial and environmental targets.

RESOLVED:-

That the report which included the financial summary of energy spend and consumption for 2013/14 be noted.

The meeting ended at 5.51pm