

**Publication
Date:
18 April 2017**

CHILTERN DISTRICT COUNCIL

MINUTES of the **CDC CABINET**
held on **4 APRIL 2017**

PRESENT Councillors I A Darby - Leader
G K Harris
P E C Martin
M R Smith
F S Wilson

APOLOGIES FOR ABSENCE were received from Councillor M J Stannard

ALSO IN ATTENDANCE: Councillors P M Jones, D W Phillips and E A Walsh

198 MINUTES

The Minutes of the Cabinet meeting held 7 February 2017 were approved and signed by Councillor I Darby, Cabinet Leader, as a correct record.

199 DECLARATIONS OF INTEREST

There were no declarations of interest.

200 28-DAY NOTICES

The Cabinet received a report attaching the draft 28-Day Notices for the Cabinet meeting on 27 June 2017 and the Chiltern & South Bucks Joint Committee on 11 April 2017.

Regarding the 28 Day Notice for the Joint Committee it was noted that the item on cost splits would be considered at the next meeting on 7 June 2017, rather than 11 April 2017.

RESOLVED –

That the draft 28-Day Notices be noted.

201 CURRENT ISSUES

(i) Councillor Harris – Community Cards Scheme 2017

This year's Community Cards Scheme would start on 18 April and finish on 19 June. The scheme encourages children in year 6 to get involved with constructive community activities in order to earn rewards in the form of stickers to be placed in a collector's card. It centred upon getting the best out of young people and encouraging them to be aware of their responsibilities and the opportunities in their local community.

(ii) Councillor Martin – Government White Paper: “Fixing our Broken Housing Market”

Following the publication of the Government's White paper there remained a degree of uncertainty regarding how this would affect local authorities in terms of how the document would be incorporated into the National Planning Policy Framework. This was unfortunate in light of the Council's timetable of adopting a Local Plan. All Members were welcome to attend the meeting of the Joint Planning Policy Member Reference Group on 5 April 2017 where this would be discussed.

(iii) Councillor Darby – Modernising Local Government in Buckinghamshire

Members were advised that as yet no “minded to” decision had been announced by the Secretary of State. It was anticipated that this would now happen after the Buckinghamshire County Council Elections in May although no date had been announced. The District Leaders had recently met with the Members of Parliament in the County to discuss the Districts' proposal.

202 REFRESHED JOINT BUSINESS PLAN 2017-2020

The Cabinet was asked to consider, and recommend to Council for approval, as part of the Budget and Policy Framework, the refreshed Joint Business Plan 2017-2020, which links to the Sustainable Community Strategy, and replaces the former Chiltern's Aims and Objectives document and South Buck's Corporate Plan.

The key changes to the document were noted along with the feedback from the Services and Resources Overview Committees. It was advised that in light of feedback received the range of different audiences would be taken into

account when the Plan was reviewed in future, and the document would be made as concise as possible.

RECOMMENDED

That the Cabinet recommends to Council that the refreshed Joint Business Plan be approved as part of the Budget and Policy Framework, subject to South Bucks District Council also approving the Plan.

203 PERFORMANCE INDICATOR REVIEW 2017-18

The Cabinet considered a report providing an update on the outcomes of the Performance Indicator (PI) review for 2017/18, and sought approval for the proposed changes to reporting. The key aim of the review was to ensure that the PIs were still relevant.

The Services and Resources Overview Committees had considered the report and had requested that the comments and explanations contained in the appendices should be clearer and more detailed to facilitate readability for external audiences.

The target percentage of household waste was also changed from 59% to 53% target to reflect that recycling rates have dropped nationally.

RESOLVED:

That the following appendices attached to this report be agreed:

- 1. Appendix A Performance Indicator Review - Priority Performance Indicators 2017-18 – Chiltern District Council - proposals for reporting priority indicators during 2017/18 with future targets.**
- 2. Appendix B Performance Indicator Review – Corporate Indicators 2017-18 – Chiltern District Council- proposals for reporting Corporate Performance Indicators during 2017/18 with future targets.**

204 QUARTER 3 PERFORMANCE REPORTS 2016-17

The Cabinet received a report outlining the performance of Council services against performance indicators and service objectives during Quarter 3 Oct-December 2016-17.

The Cabinet, after noting the key points in Quarter 3, then

RESOLVED:

That the performance report be noted.

205 CHILTERN CAR PARK REVIEW - RESPONSES TO OBJECTIONS

The Council had undertaken a review of its car parks and in light of this the Cabinet had agreed, at the meeting held on 13 December 2016, to amend the Chiltern District Council's Off Street Parking Places Order. During the consultation period the Council received two objections. In response to this, a further review of the season ticket prices and daily tariff on Amersham Multi-storey car park (AMSCP) was undertaken and the Cabinet was now asked to agree the new season ticket pricing regime, as set out in the report.

During the discussion it was felt both objections had been carefully considered and that the revised proposals were now more equitable.

In response to a question regarding the proposed increase to car parking charges operated by Chiltern Railways it was advised that the Council had been in contact with the company and that they had been informed that they had appointed someone within the company who would be responsible for overseeing the tender process for operating their car parks. Chiltern Railways had also agreed to meet with the Council once the new contractor was in place.

Members felt that it was important for the Council to continue to monitor parking availability, and to be aware of how other local car park providers operated since this had an effect on the Council's car parks. Ensuring that there was sufficient parking space for businesses was also considered important.

RESOLVED:

- 1. That the season ticket prices be amended as set out in the table in paragraph 4 of the report.**
- 2. That the Cabinet authorise the Off Street Parking Places Order to be made and publicised in accordance with resolution 1.**

206 LOCAL AUTHORITY LOTTERY

Members received a report providing the results of consultation that had been carried out with local community groups on the proposed community lottery. The proposed lottery would help complement the Council's existing provision of advice and assistance to local community groups, such as funding fairs and support from the officer team and Community Impact Bucks. It would also support groups fundraising activities as 60p in each £1 received would go to good causes. It was noted that Wycombe District Council had also agreed to provide a lottery.

Some concerns had been raised regarding the risk to the Council from the perceived promotion of gambling. It was noted that the scheme aimed to help manage that risk by offering direct debit payments to manage spending, pre-arranged sign up and no instant win gratification. The lottery website would also have links to gambling support organisations.

During the discussion Members noted that questions had been asked regarding the financial resilience of Gatherwell, the proposed lottery provider. It was noted however that they were a growing local lottery operator, and although they had only operated for a relatively short period of time, the company's principals had in depth experience of gaming. It was also felt that without the provision of a lottery the Council would find it difficult to increase financial support to local community groups.

In response to questions it was confirmed that an annual report on the operation of the lottery would be provided to help inform decisions on the continued provision of the scheme in future years. There had been other concerns that those local community groups most likely to benefit from the lottery were the same as those who were already eligible to receive grant funding. It was noted however that the Council already took this into account

since grant applications were assessed in light of other funding that groups had received as match funding was an eligibility requirement.

The Council also currently provided £30,000 of grant funding to eligible local community groups, and there were currently no plans to remove that scheme or level of funding.

Members were keen to ensure that any publicity about the lottery was appropriate, particularly in light of the key aim of scheme which was to support good causes.

RESOLVED:

That:

- 1. The establishment of a local lottery be approved;**
- 2. That Gatherwell be appointed as the external lottery manager (ELM) to run all or part of the lottery for a period of up to 5 years, subject to annual review; and,**
- 3. The Head of Healthy Communities be appointed to hold the licence and submit the necessary application to the Gambling Commission.**

207 CHILTERN DISTRICT COUNCIL COMMUNITY & WELLBEING PLAN 2017-2020

The proposed Community & Wellbeing Plan provides a clear vision as to how the Council, in partnership with other agencies and voluntary groups, will improve local services and facilities over the next three years. The Cabinet were asked to recommend that the Plan be approved as part of the Budget and Policy Framework as a replacement to the Community Cohesion Plan.

During the discussion Members recognised that there were strong communities in the district. This was highlighted by the way communities helped each other in terms of need, and the identification of Chiltern as the 7th best place to live in a recent Halifax survey. The Youth Awards had also shown the strong community spirit among young people. The proposed Plan would help support this and provide resilience.

RECOMMENDED:

That the Council approves the proposed Chiltern District Council Community and Wellbeing Plan 2017 – 2020 as part of the Budget and Policy Framework as a replacement for the Community Cohesion Plan.

208 REVIEW OF PLANNING APPEALS PERFORMANCE IN 2016

The Cabinet received a report analysing planning appeal decisions received between 1 January and 31 December 2016 and the performance issues arising from these. The Cabinet were asked to agree a number of measures to address these in light of new performance targets being introduced by the Government.

The proposed Interim Design Guidance Document would provide residents, developers and staff with useful guidance. The estimated £25,000, required to engage external resource, to prepare the document would be met from the planning reserve. There was close working between the Development Control and Planning Policy teams to ensure development management policies are in place within the Joint Local Plan. It was also important that the document was supplemented with good training for staff.

Members noted the proposed additional recommendation 3 that the Interim Design Guidance Document be considered by Services Overview and Planning Committees so that Members' comments can be referred back to Cabinet.

In response to questions it was noted that the Council was working with other local authorities that had produced similar documents in order to find best practice. It was considered important to have a Guidance document soon to form the basis of a more formal document later on. The aim of this was to reduce the risk of appeals.

Members considered it important to ensure that the correct planning decisions were made in order to reduce the number of planning applications lost at appeal. The estimated resource required was considered necessary. Training was welcomed and it was suggested that this be done jointly with South Bucks District Council.

At the invitation of the Leader, Councillor P Jones spoke in support of the creation of the proposed design guide, and referred to other useful design guides that had been made in the past. Planning Committee Members had

also requested a similar document. In response to concerns about the document being temporary it was noted that a Supplementary Planning Document normally followed the adoption of a Local Plan, however, it was felt that the Design Guide would provide a good foundation for this, was unlikely to be significantly different, and was required urgently.

Regarding timescales it was anticipated that following liaison with other Councils and the provision of training that the scoping of the document would be finished in August/September 2017.

At the invitation of the Leader, Councillor Phillips spoke in support for the proposed measures. The benefit of having a broad statement on what the Council expected in relation to development in the district was highlighted. This would help to bring together all planning policies and help spell out clearly what these meant in the context of an individual settlement site and provide more clarity, for example by what was meant by the term "overdevelopment" particularly in relation to equestrian sites. The Council, by not having this document in place, had a weakness that had been highlighted by Planning Inspectors. The joint working with other Councils was welcomed.

Following the discussion, the Cabinet then

RESOLVED:

- 1. That the Council takes steps to adopt an Interim Design Guidance Document for residential development to provide robust guidance for applicants/agents in terms for design, materials, scale, density, ridge height, room sizes, back to back distances, garden areas, bin stores, energy saving matters, parking, turning areas, landscaping and other matters.**
- 2. That the Head of Sustainable Development be authorised to engage external support to prepare a draft Interim Design Guidance Document and funding of up to £25,000 be allocated from the Planning Reserve to meet the costs.**
- 3. That the Draft Interim Design Guidance Document be referred to the Services Overview Committee and Planning Committee for consideration and any comments be referred back to the Cabinet.**

4. The Development Control Team continue to assist in the progression of Development Management planning policies required in the emerging joint local plan for Chiltern and South Bucks District Councils and provide the framework for a future Supplementary Planning Document (SPD) on New Build following adoption of the Local Plan.
5. That the Head of Sustainable Development in consultation with the Interim Development Control Manager review training and development requirements for planning staff including report writing, handling of planning appeals, key appeal legislation and case law.
6. That the Head of Sustainable Development and senior planning staff carry out regular reviews of appeal outcomes and consider any necessary actions in liaison with the Portfolio Holder for Sustainable Development and the Chairman of Planning Committee.

209 MINUTES OF JOINT EXECUTIVE COMMITTEES

RESOLVED:

That the Minutes of the Chiltern and South Bucks Joint Committee meeting held on 23 January 2017 be noted.

210 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.

211 COMMUNITIES, HEALTH & HOUSING NOTES - 30 JANUARY 2017

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

RESOLVED:

That the Notes of the Communities, Health and Housing Policy Advisory Group meeting held on 30 January 2017 be noted.

212 CUSTOMER SERVICES NOTES - 19 JANUARY 2017

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

RESOLVED:

That the Notes of the Customer Services Policy Advisory Group meeting held on 19 January 2017 be noted.

213 SUPPORT SERVICES NOTES - 25 JANUARY 2017

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

RESOLVED:

That the Notes of the Support Services Policy Advisory Group meeting held on 25 January 2017 be noted.

214 PARKING IMPROVEMENTS 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 Cabinet considered a report seeking approval to progress a project to increase the number of parking spaces available at King George V House in light of increasing pressure for additional parking. It was noted that it was more cost effective to have staff parking on site rather than in public car parks.

Whilst considering the various options it was noted that an additional 23 spaces could be provided by utilising the available space more efficiently resulting in wider parking bays and an improved one way system.

During the discussion the Cabinet recognised the urgent need to provide additional parking capacity, and

RESOLVED:

- 1. That approval is given to enter discussion to gain relevant leaseholders agreement to the scheme to increase the number of parking spaces, and if successful progress to obtain planning permission and if successful the Head of Environment be authorised to procure and enter into contracts to progress the work.**

AND RECOMMENDED:

- 2. That Council increases the provision in the Capital Programme to £100,000 and authorise the commitment of the full sum once planning and tenant agreements are secured.**

215 NEW AYLESBURY CREMATORIUM

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

The Cabinet considered a report seeking approval to increase the budget for the new Aylesbury Crematorium following a review of the project costs, and agree arrangements for proceeding with construction works. A similar report would be considered by Aylesbury Vale District Council and Wycombe District Council, the Joint Committee's other respective constituent Councils.

During the discussion Members recognised that project costs had increased due to planning and legal matters outside the Joint Committee's control. Members were also reassured that the business case remained strong, and the money put aside for the project was from the Joint Committee and not the Council. The project would also generate additional future income and would help to ensure that the Council's finances remained resilient, particularly from 2019/20 onwards. The need for an additional crematorium in Aylesbury was highlighted, and there were other benefits of the new crematorium including greater capacity and an improved service to residents.

RESOLVED:

- 1. That the contents of the report in the Confidential Appendix,**

considered by the Chilterns Crematorium Joint Committee on 15 February 2017, be noted.

- 2. That the budget for the Aylesbury Crematorium be increased from £6,200,000 to £7,250,000.**
- 3. That construction work commences as soon as possible and the decision to enter into the construction contract be delegated to the Clerk to the Joint Committee in consultation with the Chairman, Vice Chairman and Treasurer.**
- 4. That the SCAPE framework be used to procure further consultant support, as required.**

216 CHESHAM FLOOD ALLEVIATION SCHEME

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

Members received an update on developments of the Chesham Flood Alleviation Scheme, a partnership formed to develop a long term and sustainable solution for the Vale Brook Culvert and reduce flood risk in Chesham. The Cabinet were asked to consider the latest findings and identify a preferred way forward.

Members noted the risks of flooding and the outcome of a survey on the culvert condition. An update was provided following a recent presentation to Members by the Environment Agency (EA).

During the discussion Members felt that a combination of options may be beneficial in order to mitigate the impact on the local area. There were concerns around the option involving Star Yard car park as this was a potential place where parking could be expanded for the town. The EA's grounds for each option needed to be considered carefully taking into account any wider town plans and community requests to consider options that may provide additional environmental enhancement. More consideration needed to be given to the technical solutions for the options. These views seemed to accord with those of other stakeholders consulted on the proposals.

RESOLVED:

That the report be noted, and that further information be sought from the Environment Agency on all the options available.

Note: Councillor D Phillips left the meeting at 5.35pm.

217 HIGH SPEED 2 - UPDATE REPORT ON PARLIAMENTARY PROCESS AND GOING FORWARD

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

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

The Cabinet received a report providing an update on the work undertaken by the HS2 Project Team since the last report in November 2016. This also set out the current position reached in negotiations with HS2 on the Service Level Agreement and updated resource implication for the Council. The report also covered the Parliamentary Process update, the Hybrid Bill process going forward, the AONB Review Group update, and Schedule 17 Application Work Processes.

During the discussion Members assessed the various options for handling Schedule 17 submissions from HS2. The recommend option 2 was considered the best option to balance expectations and costs.

The Cabinet, after expressing thanks to the HS2 project team, then

RESOLVED:

- 1. That Cabinet notes the progress made on the Chilterns AONB Review Group, and the on-going negotiations with HS2 to agree a Service Level Agreement.**
- 2. That the Cabinet supports the work of the Chilterns AONB Review Group “Enhancement and Integration Plan”.**
- 3. That the Cabinet agrees to the financial recommendations as set out in the report and also agrees to retain the existing**

allocated funds to secure the continuation of the HS2 team including 20% for contingency.

- 4. That Option 2 is the preferred option for handling Schedule 17 approvals. This Option continues involvement of Members and the public. However, rather than seeking comments, the Council will seek to keep the public up to date and informed during the process and encourage the public to approach HS2 directly with any questions regarding the proposals.**

- 5. That the functions for the determination of any Schedule 17 Approvals under the HS2 Act be delegated to the Head of Sustainable Development and/or the Development Control Manager under Regulation 3 of the Local Authorities Arrangements for the Discharge of Functions Regulations 2012 and that the delegations and Constitution be updated accordingly.**

The meeting ended at 5.44 pm