

Chiltern District Council

Cabinet Decision

Notice is given that the following decisions have been taken by Cabinet on Tuesday, 26 June 2018

10 **Capital and Repairs & Renewals Outturn Report 2017/18**

(a) DECISION:

The Cabinet received a report on the 2017/18 capital and repairs & renewals outturn position and requested the carry forward of unspent capital and repairs & renewals budgets. The additional budgeted capital expenditure in 2018/19 would be £1,175k, and the additional budgeted repairs and renewals expenditure in 2018/19 would be £417k.

RESOLVED

- 1. That the 2017/18 capital and repairs & renewals outturn position be noted.**
- 2. That the proposed capital and repairs & renewals budgets be carried forward to 2018/19.**

(b) REASON FOR DECISION:

To provide clear information on the latest budget, actual expenditure, variance, requested carry forward and comments from Head of Service/Scheme Manager for each 2017/18 capital scheme and for each 2017/18 repairs and renewals scheme. Effective budgeting helps ensure that, as far as possible, the Council can deliver cost effective, customer-focused services.

(c) ALTERNATIVE OPTIONS CONSIDERED:

Other options would be to not allow any carry forwards to schemes. However, this would mean projects could not be progressed.

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

None.

12 **Waste Contract - Joint Working**

(a) DECISION:

The Cabinet received a report which sought approval for Chiltern District Council, South Bucks District Council and Wycombe District Council to work together to procure the delivery of waste collection, recycling and street cleansing services at the expiry of the current contracts with Serco and Biffa.

The Chiltern, South Bucks & Wycombe Joint Waste Collection Committee supported the recommendation to procure a three-way joint contract which sought to manage risks and optimise opportunities for greater joint working whilst ensuring continuity of service provision.

RESOLVED

- 1. To note the report.**
- 2. To agree the longer term strategy to procure a three way single joint contract for Chiltern District Council, South Bucks District Council and Wycombe District Council.**
- 3. To enter into an Inter District Authority Agreement (IDAA) reflecting the Heads of Terms at Appendix 1.**
- 4. To delegate authority to the Head of Environment in consultation with the Head of Legal and Democratic Services and the relevant Portfolio Holder to approve the detailed terms of the IDAA.**

(b) REASON FOR DECISION:

The councils have a duty to collect waste and to cleanse the highways under the Environmental Protection Act, 1990.

The recommended way forward of a single, three-way, joint contract seeks to manage risks and optimise opportunities for greater joint working while ensuring continuity of service provision.

The Chiltern, South Bucks & Wycombe Joint Waste Collection Committee considered this report on 23 April and supported the recommendation to procure a three-way joint contract.

(c) ALTERNATIVE OPTIONS CONSIDERED:

To undertake separate procurements for provision of the services, but that would not achieve the same benefits as the three authorities working together.

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

None.

13 **Change to the Membership Size of the Leisure Needs Member Working Group**

(a) DECISION:

The Cabinet received a report which sought approval to increase the size of membership of the Leisure Needs Member Working Group.

RESOLVED

That the Membership of the Leisure Needs Member Working Group be increased from 6 to 8 Members.

(b) REASON FOR DECISION:

The Member Working Group's aim is to review the leisure needs of Chiltern's residents and plan leisure provision for the future, including the identifying of potential opportunities for leisure provision. Increasing the size of the Member Working Group will help the Group deliver its aims in considering the redevelopment of the Chiltern Pools project as it progresses, and to reflect the changing leisure needs of the district's residents.

(c) ALTERNATIVE OPTIONS CONSIDERED:

To leave the membership size as it is (6).

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

None.

14 **Redevelopment of the Chiltern Pools and adjacent Community Facilities**

(a) DECISION:

The Cabinet received a report on the evolving design, cost plan and business case to re-provide a combined community and leisure facility in Amersham serving the whole of the Chiltern District, and to seek agreement to develop and submit a planning application for the King George V Road / Chiltern Avenue site.

RESOLVED

1. That the findings of the current version of the design proposals and business plan to re-provide a combined community and leisure facility in Amersham be noted.

2. That the facility mix incorporated in the current design proposals and detailed in Appendix 1 be agreed.

3. That the decision be delegated to the Director of Services to submit a detailed planning application for the proposed leisure and community centre.

4. That authority be delegated to the Director of Services, to undertake a feasibility study of the development opportunities offered by the release of the existing leisure and community sites (the existing site) and subject to an outline business case, to submit a planning application for that site at the appropriate time.

5. That authority be delegated to the Head of Environment and Head of Legal to carry out due diligence to identify and take steps to address any legal constraints for the proposed leisure and community centre project.

6. That the Head of Healthy Communities be authorised, in consultation with the Support Services Portfolio Holder to draw down up to £500,000 of funding from the Council reserves to enable an outline business case of the existing leisure and community sites (the existing site) to be determined.

7. That the Director of Services be authorised to agree the maintenance arrangements for the land to be transferred to Amersham Town Council.

8. That the Director of Services be authorised to agree the provision of

replacement outdoor leisure facilities to be managed and owned by Amersham Town Council following the transfer of the section of King George V Playing Fields to be developed to the District Council.

9. That the Chiltern Life Centre is built to high sustainability standards.

10. That the contractual arrangements to operate the leisure centres and contractor responsible for developing the Chiltern Life Centre be appointed simultaneously.

(b) REASON FOR DECISION:

The current Chiltern Pools has an operational life until 2020 following which significant capital investment will be required to the building structure, plant and equipment and internal facilities. Future operational and capital costs arising from the continued operation of the Chiltern Pools in its current condition are anticipated to average £700k/annum over a 10 year period.

Without significant investment the facility will be a drain on the Council's resources and risks closure, impacting on current and future users of the leisure centre. The opportunity to invest in a new facility enables a significant return on investment reducing the future costs of leisure provision and allows income generation to the Council.

The public consultation attracted a high level of support and provided a clear public mandate to provide modern replacements for the facilities in Amersham. Discussions with current users of the centre and stakeholders including; Greenwich Leisure Limited, Amersham Swimming and Diving Clubs, Amersham Community Association, Gateway Disability Club, Linfield's Nursery, Amersham Youth Club and BCC Library Service all support the opportunity to develop modernised facilities addressing their future needs.

(c) ALTERNATIVE OPTIONS CONSIDERED:

To continue with the use of the existing facility which would see an increase in the subsidy from 200k to 700k per annum from 2021-2031 to undertake a backlog of maintenance required to keep the facility safe and operational.

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

None.

15 **Chiltern & South Bucks Playing Pitch Strategy**

(a) DECISION:

The Cabinet received a report which informed Members of the completion of the draft Chiltern and South Bucks District Council Playing Pitch Strategy highlighting its key findings and recommendations and sought approval for the draft strategy to be circulated for public consultation with Town and Parish Councils, sports clubs and other agencies. The finalised strategy will inform the emerging Local Plan.

RESOLVED

To undertake public consultation on the draft South Bucks and Chiltern Playing Pitch Strategy.

(b) REASON FOR DECISION:

The Chiltern and South Bucks Playing Pitch Strategy is a key document in helping inform the new Local Plan.

Improving access and the quality of sports local playing pitch provision contributes directly to improving the health and wellbeing of residents. An up to date audit of Chiltern's existing sports playing pitches will enable Town and Parish Councils, sports clubs and local community groups to identify the priorities for improvement and enable organisations to plan and attract inward investment.

(c) ALTERNATIVE OPTIONS CONSIDERED:

None.

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

None.

16 **Joint Food and Health and Safety Business Plans**

(a) DECISION:

The Cabinet received a report which sought approval for the adoption of the joint Food and Health and Safety Service Plan and Food and Health and Safety Enforcement Policies for the year 2018/19.

RESOLVED

- 1. To approve the joint Food and Health and Safety Service Plan.**
- 2. To approve the Food and Health and Safety Enforcement Policies.**

(b) REASON FOR DECISION:

The Food Standards Agency's (FSA) Code of Practice and the Health and Safety Executive (HSE) require local authorities to produce and publish an annual service plan that demonstrates how the authorities are working to deliver its food safety and health and safety services. The Office for Product Safety and Standards also requires local authorities to produce and publish their enforcement policies and to ensure that they comply with The Regulator's Code.

(c) ALTERNATIVE OPTIONS CONSIDERED:

None.

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

None.

17 **Pest and Dog Control Framework**

(a) DECISION:

The Cabinet received a report which sought approval to continue with the joint arrangements with the other Buckinghamshire authorities for dog control, stray dog collection and kennelling and pest control and to tender for a new Framework Agreement to commence in June 2019.

RESOLVED

- 1. To call off a new Service Level Agreement under the existing terms and conditions for services comprising dog control, stray dog collection and kennelling and rehoming and pest control from the existing Framework Agreement between Chiltern DC, Aylesbury Vale DC, Wycombe DC and South Bucks DC for the period to 31 May 2019.**
- 2. To approve the development of a new joint Buckinghamshire Framework Agreement between Chiltern DC, Aylesbury Vale DC, Wycombe DC and South Bucks DC for services comprising dog control, stray dog collection, kennelling and rehoming and pest control to commence from 1st June 2019.**
- 3. To enter into an Inter District Authority Agreement (IAA) reflecting the Heads of Terms at Appendix 1. To note the principles of the apportionment of procurement costs within existing budgets and agree that if additional funds are required in excess of £10,000, then further approval is sought from Members.**
- 4. That delegated authority be given to the Head of Healthy Communities in consultation with the Head of Legal and Democratic Services and the relevant Portfolio Holder to approve the detailed terms of the IAA.**
- 5. To tender for a four year Framework Agreement to commence from 1st June 2019 with the ability to call off Service Level Agreements for dog control, stray dog collection, kennelling and rehoming and pest control services.**
- 6. That the Head of Healthy Communities be authorised to draw up tender documents for the agreed services to commence from 1st June 2019.**
- 7. That the Head of Healthy Communities, in consultation with the Portfolio Holder for Healthy Communities, be authorised to accept the tender that represents best value and to call off specific Service Level Agreements for dog control, stray dog collection, kennelling and rehoming and pest control services.**
- 8. That the Head of Healthy Communities, in consultation with the Portfolio Holder for Healthy Communities be authorised to call off additional Service Level Agreements for dog control, stray dog collection, kennelling and rehoming and pest control services within the period of the Framework Agreement on receipt of good performance.**

(b) REASON FOR DECISION:

Chiltern District Council currently has a Service Level Agreement (SLA) under a joint Buckinghamshire Framework Agreement for the provision of services comprising dog control, stray dog collection, kennelling and rehoming and pest control. The present Framework Agreement ends on the 30th October 2018. Permission is being sought to call off a new Service Level Agreement for these services from the existing Framework Agreement between Chiltern DC, Aylesbury Vale DC, Wycombe DC and South Bucks DC until 31 May 2019 to allow for the tender process to take place and to pursue a new joint Framework Agreement between the Buckinghamshire authorities to commence in June 2019. Tenders will be evaluated on the basis of price, technical ability to deliver the service specifications and quality of delivery and a Buckinghamshire Framework Agreement put in place from 1st June 2019 with individual Service Level Agreements called off for specific dog and pest services.

(c) ALTERNATIVE OPTIONS CONSIDERED:

Although there is no statutory duty to provide a pest control service, failure to do so or residents failing to undertake rodent treatments themselves could result in increased enforcement costs to the Council and give rise to increased issues of public health significance. Similarly, to not provide a dog control service for responding to fouling and nuisance complaints or to deal effectively with stray dogs will put additional pressures on the existing environmental health service and give rise to increased public concerns.

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

None.

18 **Crowd Funding**

(a) DECISION:

The Cabinet received a report which explored the option of introducing crowd funding as an additional mechanism to increase funding to local community groups.

RESOLVED

To establish a project to deliver a crowd funding initiative in Chiltern in partnership with Heart of Bucks and South Bucks District Council to enable improved opportunities for the community, to be funded from resources within the existing community project budget.

(b) REASON FOR DECISION:

Local voluntary groups play an ever increasing role in providing valuable services across Chiltern communities, often to vulnerable and isolated residents. A crowd funding initiative would widen the availability of funding streams to support such groups and provide additional opportunities for the local voluntary sector to remain viable.

(c) ALTERNATIVE OPTIONS CONSIDERED:

Not to establish a project to deliver a crowd funding initiative to enable improved opportunities for the community.

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

None.

21 Waste Contract Options Appraisal

(a) DECISION:

The Cabinet received a report which informed Members of the options for procuring the delivery of waste collection, recycling and street cleansing services at the expiry of the current contracts with SERCO and Biffa.

RESOLVED

1.

- (i) To agree a contract extension with Serco until the end of October 2021 to align the termination date with the South Bucks/Biffa contract, provided that such extension is compliant with the Public Contract Regulations 2015, and to commence the procurement of a single joint three-way contract to commence in November 2021. However, if the said negotiations are unsuccessful, to commence the procurement of a single joint three-way contract with a staggered**

commencement of March 2020 in Chiltern and Wycombe and November 2021 in South Bucks.

- (ii) To delegate authority to the Head of Environment, in consultation with the Head of Legal and Democratic Services, Head of Finance and the relevant Portfolio Holder, to take the steps necessary to progress the option selected under Recommendation (i) above.**
- (iii) To delegate authority to the Head of Environment in consultation with the Portfolio Holder to finalise the specification of the services to be delivered.**
- (iv) To delegate authority to the Head of Environment in consultation with the Head of Legal and Democratic Services and the relevant Portfolio Holder to determine the procurement method under the Public Contract Regulations 2015.**
- (v) To approve the release of earmarked funds set aside in the Waste Reserve to fund the activity set out in 2 (i) below. The amount not to exceed the total reserve of £281,000 and to be delegated to the Head of Environment and Head of Finance in consultation with the relevant Portfolio Holder.**
- (vi) That the initial budget approved by the Chiltern, South Bucks & Wycombe Joint Waste Collection Committee be increased to up to £300,000 to fund the resources referred to in 2(i) in the proportions set out in 2(ii) below.**

2. To note the decisions of the Chiltern, South Bucks & Wycombe Joint Waste Collection Committee:

- (i) That authority be delegated to the Head of Environment to procure sufficient professional and technical resources to enter into initial discussions and to prepare for and support the procurement project/s;**
- (ii) That an initial budget of up to £200,000 be approved to fund the resources referred to in (i) above, to be funded by the Authorities in proportion to the number of households in each district (CDC - 28.12%; SBDC - 20.46%; WDC - 51.42%), with sums to be released in accordance with each Council's internal approval process.**

(b) REASON FOR DECISION:

The councils have a duty to collect waste and to cleanse the highways under the Environmental Protection Act, 1990.

The recommended way forward of a single, three-way, joint contract seeks to manage risks and optimise opportunities for greater joint working while

ensuring continuity of service provision.

The Chiltern, South Bucks & Wycombe Joint Waste Collection Committee considered this report on 23 April 2018 and their recommendation is set out in Recommendation 1(i) above.

(c) ALTERNATIVE OPTIONS CONSIDERED:

1. Let a short term contract from March 2020 to October 2021 for CDC/WDC through competition followed by the procurement of a new single long term joint contract with a commencement date for all three authorities as of November 2021.
 2. Procure new separate contracts for the three authorities
 3. Provide the services through a local authority trading company
- The alternative options would not be carried forward due to the disadvantages and risks of those options.

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

None.

22 **Property Acquisition in Amersham**

(a) DECISION:

The Cabinet received a report on acquiring property in Amersham to provide affordable emergency housing units.

RESOLVED

1. **To acquire the site referred to in the report up to the maximum value referred to in the report (plus seller's legal fees and stamp duty), subject to contract, to be funded from the Affordable Housing Reserve.**
2. **To authorise the Head of Healthy Communities to agree the terms of the acquisition of the site subject to consultation with the Head of Environment, Head of Legal and Democratic Services and the Portfolio Holders for Healthy Communities and Support Services.**

(b) REASON FOR DECISION:

The site is a strategic site that will enable future development options.

(c) ALTERNATIVE OPTIONS CONSIDERED:

To decide not to proceed with the purchase of the property.

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

None.

Date Published:	5.7.18	Call in Deadline: (Midnight on)	13.7.18
Date to be implemented: 16.7.18			
*recommendations to Full Council are not subject the call in procedure			