

**Publication
Date
13 Nov 18**

CHILTERN DISTRICT COUNCIL

MINUTES of the CABINET held on 16 OCTOBER 2018

PRESENT Councillors I Darby - Leader
M Stannard - Deputy Leader
P Martin
M Smith
E Walsh
F Wilson

APOLOGIES FOR ABSENCE None

ALSO IN ATTENDANCE: Councillors J Gladwin and J MacBean

118 MINUTES

The minutes of the Cabinet held on 26 June 2018 were approved and signed by the Chairman as a correct record.

119 DECLARATIONS OF INTEREST

Councillor I Darby declared a personal and prejudicial interest in Item 18 – Community Grant Awards 2018. Nature of interest – Councillor Darby had a professional relationship with the Chalfont St Peter Youth Centre and Milton’s Cottage and would not take part in the consideration of this item.

Councillor P Martin declared a personal interest in Item 18 – Community Grant Awards 2018. Nature of interest – Councillor Martin was part of the Great Missenden and Prestwood Revitalisation Group.

120 28-DAY NOTICE

The Cabinet received a report attaching the draft 28-Day Notice which provided a forward look on executive decisions to be taken. The notice would be published on 9 November 2018 for the meeting of Cabinet 11 December 2018.

Members were advised of an administrative error on the draft notice, and it was noted that the Joint Housing Strategy was scheduled to be considered at the Cabinet meeting 16 October 2018 and Full Council on 13 November 2018.

RESOLVED:

that the draft 28-Day Notice to be published on 9 November be noted.

121 CURRENT ISSUES

(i) Councillor P Martin

Councillor P Martin informed Members that a number of workshops to review local plan policies were due to be held, the first of which was scheduled for 6pm, Tuesday 23 October 2018 at Chiltern District Council.

Members were advised that HS2 works had been halted on a site in Great Missenden which had caused some concern amongst residents in the area.

(ii) Councillor M Smith

Councillor M Smith reported that the Amersham Multi-Storey Car Park was on track for completion in November 2018, and had had a successful topping out ceremony on 12 September 2018. It was noted that there was a minor issue with cosmetic cracking in some parts of the concrete but this issue was due to be addressed.

A topping out ceremony had also taken place at the Bierton Crematorium on 24 September 2018. Members noted that the Crematorium was scheduled to open spring 2019.

(iii) Councillor F Wilson

Councillor F Wilson advised Members that the Council was currently in the design stage of the customer experience programme, and that the Customer Experience Member Working Group would be providing advice on the programme to the project team throughout the different stages.

All Members were encouraged to attend these Member Working Group meetings.

Councillor Wilson informed Members that last year, the Revenues Team were runner up Revenues Team of the Year. This year, the team had won the

prestigious award. The Cabinet congratulated the Revenues Team for being awarded Revenues Team of the Year.

122 PERFORMANCE REPORT QUARTER 1 2018-19

Members received a report outlining the annual performance of Council services against pre-agreed performance indicators and service objectives for Quarter 1 of 2018-19.

RESOLVED:

That the performance report be noted.

123 TREASURY MANAGEMENT QUARTER 1 2018/19

Members received a report on the Treasury Management operation of the Council for April – June 2018.

RESOLVED:

that the Treasury Management performance for Quarter 1 2018/19 be noted.

124 JOINT HOUSING STRATEGY

(The Cabinet brought forward consideration of agenda item 13 Joint Housing Strategy and the following item on Bucks Home Choice Allocation Policy.)

The report sought authority to publish and implement the finalised version of the Chiltern and South Bucks District Councils Joint Housing Strategy (Affordable Housing and Homelessness) 2018 – 2021. It was noted that the finalised version of the Strategy had been considered by the Services Overview Committee on 9 October 2018.

The Cabinet **RESOLVED** to

RECOMMEND:

that Full Council approve the final Joint Housing Strategy (Affordable Housing and Homelessness) 2018-2021 document; and

that the Head of Healthy Communities be authorised to make any final amendments to the document agreed by Members and to publish it in consultation with the Healthy Communities Portfolio Holder.

125 BUCKS HOME CHOICE ALLOCATION POLICY

Members of the Cabinet were asked to consider and comment on the proposed revisions to the Bucks Home Choice Allocations Policy ahead of the full consultation. The Services Overview Committee considered the report at their meeting on 9 October 2018.

RESOLVED:

that the final version of the draft revised Bucks Home Choice Allocations Policy be agreed for consultation by the Head of Healthy Communities in consultation with the Healthy Communities Portfolio Holder and subject to the agreement of Aylesbury Vale District Council, South Bucks District Council and Wycombe District Council.

126 DELEGATION ARRANGEMENTS IN PLANNING ENFORCEMENT

Members considered a report proposing changes to the delegation arrangements on Planning Enforcement matters. The revised delegations would provide a mechanism for effective delivery of the Local Enforcement Plan in allowing officers to act in a timely manner on all enforcement matters and not just in cases of urgency.

The Planning and Economic Development PAG and Planning Committee considered the Cabinet report at their meetings on 25 September and 4 October 2018 respectively.

Members of the Cabinet endorsed the recommendation and **RESOLVED** to

RECOMMEND:

that Full Council approve the revised delegations as set out in the Appendix to the report.

127 THE ENVIRONMENTAL ASSESSMENT OF PLANS AND PROGRAMMES REGULATIONS 2004 – DELEGATED POWERS

Members of the Cabinet considered a report seeking delegated authority to determine the need for environmental assessment of neighbourhood plans.

RESOLVED:

that the statutory requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 in relation to neighbourhood planning be delegated to the Head of Planning and Economic Development.

128 COMMUNITY INFRASTRUCTURE LEVY

The Cabinet considered a report seeking agreement to consult on the preliminary draft charging schedule for Community Infrastructure Levy (CIL). Implementing CIL would enable the Council to receive funding from development to fund and/ or improve infrastructure and support growth within the District.

It was advised that the consultation on the preliminary draft charging schedule was expected to take place in November – December 2018, with a further consultation in spring 2019. It was expected that CIL would be examined alongside the Joint Local Plan.

The Portfolio Holder for Planning and Economic Development advised Members of the Cabinet that CIL was in place at Wycombe District Council and worked well.

It was advised that the rate set would be based on viability, and then tested by the Planning Inspector during the Local Plan examination process. It was noted that rates could be reviewed if viability changed. Members noted that this was a proposed charge on all new residential units of 100 square metres or more, and that affordable homes were exempt from the charge.

A concern was raised as to charges on retail units in local towns, and Members were assured that ensuring the vitality of the District's town centres was a

priority, and that most retail development would likely take place in existing floor space in existing town centres.

Members noted that the District Council would receive 85%, and the Parish Council 15% of revenue collected from contributions. If a Town or Parish Council had a neighbourhood plan, their contributions received would rise to 25%.

Members agreed that CIL would support the Council in delivery of requisite infrastructure to reflect the changing needs of local residents.

RESOLVED:

to consult on the Preliminary Draft Charging Schedule for Community Infrastructure Levy.

129 CDC PARKING

Members considered a report with options to maximise the use of parking facilities across the district to continue to meet the needs of the local towns and villages.

Following consideration of the report by the Environment Policy Advisory Group on 24 September 2018, the recommendations had been amended to include a proposal to increase the 'over 4 hour' tariff at Albany Place car park in Chesham from £3.60 to £4.00 in a bid to deter commuters.

The Portfolio Holder for Planning and Economic Development advised Members that the Roald Dahl Museum was scheduled to re-open on Saturday 20 October 2018.

It was noted that tariffs could be reviewed in the future if necessary.

RESOLVED:

2.1 a) That the 'over 4 hour' tariff at Albany Place car park in Chesham be increased from £3.60 to £4.00.

b) That the Off Street Parking Places Order be amended to allow coach parking in car parks where there is the capacity and need to do so and

that the Head of Environment be authorised in consultation with the Portfolio Holder to make the changes where appropriate.

c) That the Off Street Parking Places Order be amended to enable electric vehicle charging points to be installed where evidence supports the requirement and that the Head of Environment be authorised in consultation with the Portfolio Holder to make the changes where appropriate.

d) That the list of designated disabled bays in the Order be removed to allow flexibility to amend the number of bays in the car parks.

e) That the cost of the 'Over 9 hour' tariff at Buryfield and Link Road car parks in Great Missenden be reduced from £7.00 to £6.00, if the car park usage does not increase once the Roald Dahl Museum re-opens.

f) That the cost of a season ticket at Buryfield, and Link Road car parks be reduced to maintain the current discount to daily charge ratio.

2.2 That subject to Cabinet agreeing the recommendations at 2.1 a), b), c), and d), the Head of Environment be authorised to publish the statutory Notice of proposed Amendment to the Off Street Parking Places Order.

2.3 That if no valid objections are received in response to publication of the Notice at 2.2, the Director of Services be authorised to make and publicise the Amendment Order.

2.4 That if valid objections are received in response to publication of the Notice at 2.2, the Director of Services be authorised to deal with any such objections after consultation with the Portfolio Holder and to make and publicise the necessary Amendment Order with or without modifications as considered appropriate.

2.5 That subject to Cabinet agreeing the recommendations at 2.1 e) and f), the Head of Environment in consultation with the Portfolio Holder be authorised to introduce the new charges (if and when required) and publish the variation notice to implement.

130 GAMBLING ACT 2005 STATEMENT OF PRINCIPLES - 2018 REVISION

The Cabinet were asked to consider the final revised draft Gambling Act 2005 Statement of Principles, and to recommend the Statement of Principles to Full Council for adoption. The draft Statement of Principles was attached to the report at Appendix 1.

Members noted that the Licensing Committee considered the Statement of Principles at their meeting on 10 July 2018, the minutes of which were attached to the report at Appendix 2.

RECOMMENDED to Council:

to adopt the draft Statement of Principles at the Council meeting on Tuesday 13 November 2018 for publication at least 4 weeks prior to coming into effect for the period 14 January 2019 to 13 January 2022.

131 CHILTERN AND SOUTH BUCKS OPEN SPACE STRATEGY

The Cabinet were asked to adopt the Chiltern and South Bucks Open Spaces Strategy. The Strategy would help to inform the Joint Local Plan and help improve access and the quality of open space provision within the District.

It was noted that draft Strategy had undergone two consultations, the results of which had been incorporated into the finalised version of the Strategy.

A concern was raised in relation to the capacity at Chesham Cemetery and how this had not been referenced within the Strategy document. Members were advised that the Strategy looked at how the cemetery was kept rather than the cemetery's capacity. It was noted that concern about capacity would need to be addressed through the planning process.

RESOLVED:

that the proposed Chiltern and South Bucks Open Space Strategy be approved, and its findings utilised to support the implementation of the Chiltern and South Bucks Joint Local Plan.

132 CHILTERN AND SOUTH BUCKS PLAYING PITCH STRATEGY

The Cabinet were asked to consider approving the proposed 2018-2036 Chiltern and South Bucks Playing Pitch Strategy. The Strategy would help to inform the Joint Local Plan, and to improve the quality and access to local playing pitches.

Members of the Cabinet noted that draft Strategy had undergone two consultations, the results of which had been incorporated into the finalised version of the Strategy.

A query was raised on behalf of Penn Parish Council in relation to the cricket club at Penn and the desire to open the old pavilion for use. Members were advised that this would need to be addressed through the planning process.

RESOLVED:

that the proposed 2018-2036 Chiltern and South Bucks Playing Pitch Strategy be approved and submitted to Sport England for external accreditation.

133 COMMUNITY GRANT AWARDS 2018

Councillor I Darby left the room at 17:20 while this item was considered.

The Cabinet were asked to consider agreeing the funding of grant awards for the Council's 2018/2019 Community Grant Aid Scheme. It was noted that Members of the Healthy Communities Policy Advisory Group had considered the Cabinet report at their meeting on 8 October 2018.

The Council had received 45 applications. Grants to be awarded as per the criteria were at Appendix 1 to the report. Those that had met key Council objectives were indicated in green at Table 1, and those that were not supported and had achieved red status were at Table 3. Applicants that achieved amber status (Table 2) had met three of the Council's objectives and

had support from their local ward Councillor, and would receive up to 50% of their grant request.

RESOLVED:

that the allocation of funding awards from the 2018/19 Community Grant Aid Scheme as detailed in Appendix 1 to the report be agreed.

134 SERVICE LEVEL AGREEMENT WITH CHILTERN CITIZENS ADVICE BUREAU

Councillor I Darby re-joined the meeting at 17:24.

The Cabinet were asked to consider awarding funding to the Chiltern Citizens Advice Service (CAB) for the period 1 April 2019 to 31 March 2022.

Members were advised that the work of the CAB contributed directly to the delivery of the Council's housing and homelessness duties strategies and they were a key partner in reducing the risk of homelessness. The CAB also assists the Council's delivery of council tax collection through the support and debt advice it provides to residents on council tax and housing benefit. Members noted that in 2017/2018, the service supported 4,645 clients.

A concern was raised in relation to para 3.6 of the report, the value of debts written off and who this might be owed to. The Head of Healthy Communities would ask the CAB for further information about the debts written off and report back to the Cabinet Member for Support Services.

Members of the Cabinet praised the work of the CAB and recognised its importance within the District.

RESOLVED:

- 1. That aid be granted to the Chiltern Citizens Advice Service with funding of £135,000/annum for the period 1 April 2019 to 31 March 2022.**
- 2. That authority be delegated to the Head of Healthy Communities to agree the terms of the Service Level Agreement with the Chilterns Citizens Advice Service, in consultation with the Portfolio Holder.**

135 REVIEW OF CCTV PROVISION IN THE CHILTERN DISTRICT

Members were asked to consider the implications of the review of CCTV provision within the Chiltern District, and to consider future CCTV monitoring arrangements and potential costs.

The report had previously been considered by Members of the Healthy Communities Policy Advisory Group (PAG) and the Services Overview Committee on 8 October and 9 October 2018 respectively.

The Portfolio Holder for Healthy Communities advised Members that a special PAG meeting had been arranged for January 2019 to give further consideration to the locations recommended for the decommissioning of cameras. The Cabinet agreed that further consideration of the matter was needed.

RESOLVED:

- 1. that the recommendations of the CCTV review be noted, and that public area CCTV coverage continue to be provided in the recommended locations detailed in Appendix 2 of this report;**
- 2. that the recommended locations for the decommissioning of cameras at Appendix 3 be given further consideration by the Members of the Healthy Communities PAG at a special meeting of the PAG;**
- 3. to continue to participate in the CCTV Thames Valley Police (TVP) hub model and seek to achieve the economies of scale to enable re-investment in the existing CCTV network;**
- 4. that the final decision on the CCTV TVP hub model business plan be delegated to the Head of Healthy Communities and Head of Environment in consultation with the Portfolio Holders for Healthy Communities and Environment; and**
- 5. that up to £80,000 in the Capital budget 2019/20 be allocated for the provision of mobile CCTV and for the capital costs arising from the relation of the CCTV hub.**

136 UPDATE ON THE CHILTERN POOLS REPLACEMENT PROJECT

The Cabinet considered a report on the Chiltern Pools redevelopment project. Members noted that the report was considered by the Resources and Services Overview Committees on 11 September and 9 October 2018 respectively.

Members were informed that the appointment of a contractor was underway. The Cabinet were advised that the Leisure Needs Member Working Group had recommended naming the new centre the Chiltern Lifestyle Centre, and the Services Overview Committee had recommended that a competition be held to name the new centre.

A public information campaign had been held from 29 August until 15 October 2018 asking residents as to whether they were in support of the proposals to redevelop the centre. 1952 responses had been received, and 86% of those responses were in support of the project. Members agreed that the number of responses in support of the project indicated the enthusiasm for the project within the community.

Members expressed thanks to the Healthy Communities and Communications teams for their work surrounding the public information events held across the District. Thanks were also expressed to the Portfolio Holders for Support Services and Healthy Communities for their hard work on the project to date.

Councillor J MacBean left the meeting at 17:52.

RESOLVED:

- 1. That the decision of the Director of Services to appoint a main contractor for the construction of the new centre under the Southern Construction Framework be noted.**
- 2. For the purposes of a project working title, to name the community and leisure development the 'Chiltern Lifestyle Centre'.**
- 3. To agree that Chiltern District Council would be responsible for the installation of all play facilities as part of the main construction contract.**

- 4. To note that the replacement costs of the play equipment will be met by Chiltern District Council as part of the development costs of the Chiltern Lifestyle Centre.**
- 5. To agree that Chiltern District Council would be responsible for the management and maintenance of all play facilities on its land.**
- 6. To note that Amersham Town Council will be responsible for the management and maintenance of all play facilities on its land.**
- 7. That authority be delegated to the Head of Healthy Communities, in consultation with the Portfolio Holder for Support Services, to agree with Amersham Town Council the design and construction of any play areas or development facilities to be located on the Town Council's land, including the provision of play equipment, soakaways and surface water drainage systems and works access arrangements through the land swap contract.**
- 8. Should any management and maintenance responsibilities fall upon Chiltern District Council as a result of any agreement with Amersham Town Council because it is necessary to facilitate the location of play equipment and facilities development, it is agreed those responsibilities shall be passed on to the leisure centre operator.**
- 9. To agree to make budgetary provision for the Pre-Construction Services Agreement (PCSA) fee from the leisure reserve.**
- 10. That the Head of Healthy Communities, in consultation with the Portfolio Holder for Support Services, be authorised to draw down up to £250,000 of capital funding to enable the project to progress to the next key decision stage which is the Stage 4a refinement of the design prior to Cabinet approval to proceed.**

137 LEISURE OPERATOR CONTRACT

The report sought approval on the next steps to be taken in respect of the current contract with the existing leisure operator for the Council's three current leisure centres, which comes to an end on 31 March 2020.

Members noted that a new leisure operator contract would be required irrespective of a decision as to the redevelopment the current Chiltern Pools Leisure Centre.

The Cabinet were advised that the Services and Resources Overview Committees had endorsed the recommendations at their recent meetings.

RESOLVED:

- 1. To agree to commence the procurement of a Leisure Operator contract to commence in April 2020.**
- 2. That authority be delegated to the Head of Healthy Communities, 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 Leisure Operator tender.**
- 3. That authority be delegated to the Head of Healthy Communities in consultation with the Portfolio Holder to finalise the specification of the services to be delivered.**
- 4. That authority be delegated to the Head of Healthy Communities 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.**
- 5. To approve the release of earmarked funds set aside in the Leisure Reserve to fund the activity set out in (6) below. The amount to be delegated to the Head of Healthy Communities and Head of Finance in consultation with the relevant Portfolio Holder.**
- 6. That authority be delegated to the Head of Healthy Communities to procure sufficient professional and technical resources to enter into initial discussions and to prepare for and support the procurement project.**

138 REVISIONS TO THE CONSTITUTION OF THE CHILTERN'S CREMATORIUM JOINT COMMITTEE

Members considered proposed revisions to the constitution of the Chilterns Crematorium Joint Committee at Appendix 1 to the report. Now that the Bierton Crematorium project was well underway, the Joint Committee recommended that the constitution be revised to ensure that it remains fit for purpose.

RESOLVED:

- 1. that the revised constitution is agreed and adopted, subject to the agreement of the other constituent authorities;**
- 2. that authority is delegated to the Head of Legal and Democratic Services to make any necessary minor amendments prior to final adoption; and**

To RECOMMEND to Council:

- 3. that any consequential changes be made to the Council's Constitution.**

139 MINUTES OF JOINT EXECUTIVE COMMITTEES

RESOLVED

That the minutes of the following Joint Executive Committees be noted:

- 1. Chiltern and South Bucks Joint Committee 28 June 2018**
- 2. Chiltern, South Bucks and Wycombe Joint Waste Collection Committee 23 April 2018**

140 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)

141 CABINET REPORTS FROM POLICY ADVISORY GROUPS:

RESOLVED

That the confidential notes from the following PAG meetings be noted:

- 1. Healthy Communities PAG 18 June 2018**
- 2. Customer Services PAG 11 June 2018**
- 3. Planning and Economic Development PAG 21 June 2018**

142 SERCO CONTRACT - EXERCISE OF CHIEF EXECUTIVE'S POWERS OF URGENCY

The Cabinet received a report on the exercise of urgency powers by the Chief Executive.

RESOLVED:

To note that, following consultation with the Leader, the Chief Executive has exercised his Powers of Urgency under section E1 of the Scheme of Delegation, provided that Wycombe District Council also gives the necessary approvals, to authorise the Head of Environment in consultation with the relevant Portfolio Holder and the Heads of Finance and Legal and Democratic Services to negotiate and agree terms to extend the existing contract with Serco from 4 March 2020 for a period that may be shorter than that approved by the Cabinet on 27 June 2018.

143 HS2 UPDATE REPORT

The Cabinet received an update on the HS2 project. The report sought delegation for decisions and requests for non-material changes to schedule 17 approvals, due to the tight timescales in which to turnaround applications.

It was noted that HS2 had declared that stage 2 would now commence in June 2019.

Members noted the success of the community liaison forum meeting on 26 March 2018. A further meeting was scheduled to be held on 29 October 2018 in the Council's Chamber. Thanks were expressed to the HS2 Project Team for their hard work organising these events.

RESOLVED:

- i. That the report and progress made on the project be noted.**
- ii. the functions for the determination of any submissions pursuant to Schedule 17 of the HS2 Act be delegated to the Head of Planning and Economic Development. In the absence of the Head of Planning and Economic Development, that these functions be delegated to the Development Management Manager and/or an Area Team leader under Regulation 3 of the Local Authorities Arrangements for the Discharge of Functions Regulations 2012 and the delegations and Constitution are updated accordingly;**
- iii. the functions for the determination of any submission pursuant to conditions attached to any Schedule 17 approval that have been imposed by the Local Planning Authority be delegated to the Head of Planning and Economic Development. In the absence of the Head of Planning and Economic Development, that these functions be delegated to the Development Management Manager and/or an Area Team Leader and/or a Principal Planning Officer under Regulation 3 of the Local Authorities Arrangements for the Discharge of Functions Regulations 2012 and the delegations and Constitution are updated accordingly; and**
- iv. the functions for the determination of any request for non-material changes to approvals under paragraph 21 of Part 3 of Schedule 17 of the HS2 Act be delegated to the Head of Planning and Economic Development. In the absence of the Head of Planning and Economic Development, that these functions be delegated to the Development Management Manager and/or an Area Team Leader and/or a Principal Planning Officer under Regulation 3 of the Local Authorities Arrangements for the**

Discharge of Functions Regulations 2012 and the delegations and Constitution are updated accordingly.

The meeting ended at 6.08 pm