

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the CABINET held on 21 OCTOBER 2014

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

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

AN APOLOGY FOR ABSENCE was received from Councillors P J Hudson.

ALSO IN ATTENDANCE: Councillors N Brown and P Jones.

30 MINUTES

The Minutes of the Cabinet meetings held 26 August and 23 September 2014, copies of which had been previously circulated, were approved and signed by Councillor I Darby, Cabinet Leader, as a correct record.

31 DECLARATIONS OF INTEREST

Councillor F Wilson declared a personal interest in Item 7 due to his representation on the Chiltern Hub

32 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 17 November 2014 .

The Chief Executive reported that there were additional items to be included in the 28 Day Notice Forward Plan in relation to the Chiltern & Wycombe Joint Waste Collection Committee, the Joint Committee and the Chilterns Crematorium Joint Committee.

RESOLVED –

That the Draft 28-Day Notice / Forward Plan, to be published on 17 November 2014, be noted.

33 CURRENT ISSUES

There were no reports on current issues.

34 CHESHAM BUCKINGHAMSHIRE BUSINESS FIRST AND CHILTERN CHAMBER HUB PERMITS

Consideration was given to the report which outlined the Chesham Buckinghamshire Business First and Chiltern Chamber Hub. CDC had

provided, on a 6 month trial, 5 free permits for use in Star Yard car park for the use of users of the Hub which was based in Chesham Library.

The Director of Services added that the permits would not displace parking in this area as the car park was not at 100% capacity; however the usage of the car park would be kept under review in consultation with the Portfolio Holder.

RESOLVED:

- i) That 5 free permits for use in the Star Yard, Chesham car park be issued for a further 12 month period for the use of clients of the Chesham Buckinghamshire Business First and Chiltern Chamber Hub; and**
- ii) That the Head of Environment in consultation with the Portfolio Holder be given delegated authority to agree to requests for further extensions.**

35 RING FENCED FLEXIBLE HOME EQUITY LOAN SCHEME

Cabinet were asked to consider a transfer of £50,000 from the Provisional Capital programme to the Approved and Committed Capital Programme 2014/15 to enable the Flexible Home Loan Scheme to deliver a ring fenced equity loan in Chiltern District Council.

RESOLVED:

That £50,000 be transferred from the Provisional Capital programme to the Approved and committed Capital programme 2014/15 to enable the Flexible Home Loan scheme to deliver a ring fenced equity loan in Chiltern District Council.

36 JOINT FOOD AND HEALTH AND SAFETY SERVICE BUSINESS PLAN

The Joint Food and Health and Safety Service Business Plan detailed how the food and health and safety enforcement services were to be delivered within the Chiltern District area for the year 2014/15. The plan stems from the Healthy Communities Service Plan and makes a positive contribution towards the Council's Key Objectives and Targets. The plan links into the Council's Performance Management Framework.

The Service Plan was divided into the issues covered by the Food Standards Agency (FSA) Framework Agreement and the key priorities identified by the Health and Safety Executive's (HSE) Strategy Document. The Service Plan had been placed in the Members' Room. The report also set out the Council's Food and Health and Safety enforcement policies for 2014/15.

Cllr Wilson expressed his support for the joint Food and Health and Safety Service Business Plan as a very positive initiative.

RESOLVED:

- i) The Joint Food and Health and Safety Service Business Plan be approved; and**
- ii) The Food and Health and Safety Enforcement Policies be approved.**

37 SCRAP METAL DEALERS ACT 2003

Consideration was given to the report which outlined the changes in legislation, with the implementation of the Scrap Metal Dealers Act 2013, in response to the growth of metal theft offences resulting from a booming metal recycling industry. The Home Office had now clarified that the functions under the 2013 Act were executive functions which therefore needed to be reported to the Cabinet.

The Act created two different types of scrap metal licences:

- **Collectors' Licence:** The Collectors' Licence covers dealers who do not have a site and regularly collect through "door-to-door" collections. Once issued, the holder of a Chiltern Collectors' Licence can only operate within the authority's boundary and would need a licence from a neighbouring local authority if they wish to trade outside Chiltern.
- **Site Licence:** A Site Licence allows a scrap metal dealer to carry on business at any sites in the Council's area listed on the Licence.

The Act introduced the following additional powers:-

- Requirement for all individuals and businesses to complete an enhanced application process to obtain a scrap metal dealers licence
- Issued Licences to be displayed
- Dealers to carry out stricter identity checks on anyone they receive scrap metal from
- Dealers to keep records of any scrap metal received or disposed of and all sellers of metal to provide personal identification at the point of sale
- Prohibits the payment of cash for metal. Payments can only be made by non-transferable cheque or an electronic transfer of funds
- New powers for Local Authorities and Police to enter and inspect licensed premises, demand and take copies of records and require inspection of any scrap metal
- The closure of unlicensed sites through the Police / Local Authority seeking closure orders from Magistrates' Court
- Widening the definition of a scrap metal dealer to include motor salvage operators
- Creating a National Public Register, hosted by the Environment Agency, of all individuals and businesses licensed as scrap metal dealers

In response to a member query it was confirmed that the review of fees and charges for scrap metal licences would continue to be reviewed annually by Cabinet.

RESOLVED:

- i) That the new powers and responsibilities contained within the Scrap Metal Dealers Act 2013 be noted;**
- ii) That the extension of the terms of reference of Cabinet to include reference to exercising any function relating to the Scrap Metal Dealers Act 2013 be noted;**
- iii) That the fee policy attached as Appendix 2 to the report be agreed and reviewed annually by Cabinet;**
- iv) That the scheme of officer delegation regarding Executive Functions be amended to give authority to the Head of Healthy Communities to exercise the functions, responsibilities and enforcement powers under the Scrap Metal Dealers Act 2013;**
- v) That all decisions taken to date by officers as set out in Appendix 1 be ratified; and**
- vi) That the Head of Legal and Democratic Services be authorised to make the necessary changes to the Council's Constitution.**

38 ECONOMIC ACTIVITY UPDATE REPORT

Members received an update on the work within Chiltern District to promote economic development, and to inform a debate on what should be done to promote economic sustainability in the district.

The Chief Executive presented the report as a position statement on the work being undertaken, support given and signposting undertaken by Chiltern and South Bucks District Councils and their partners with a view to enhancing the local economy.

Cllr N Brown joined the meeting 4.50pm

In response to Councillors' comments, the Chief Executive advised that the economic activity continued to be monitored and a further report was to be presented to Cabinet to update members and to outline a focus on economic priorities for the Districts.

RESOLVED:

The update contained in Appendix A was noted.

39 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.

40 CABINET REPORTS FROM POLICY ADVISORY GROUPS:

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

- Sustainable Development PAG – 16 September 2014
- Support Services PAG – 1 October 2014
- Community, Health and Housing PAG – 2 October 2014
- Environment PAG – 8 October 2014
- Sustainable Development PAG – 10 October 2014
- Customer Services PAG – 13 October 2014

41 SUPERFAST BROADBAND DELIVERY

Cabinet considered in detail the content of the report which outlined the proposal in respect of superfast broadband for the County, whereby in May 2014 the County Council had approached the four Buckinghamshire Districts to discuss potential contribution to the Broadband Superfast Extension Programme in Buckinghamshire (SEP).

The report set out a number of investment options for the SEP. The Director of Services updated the Cabinet as to the current likely funding position of other partners, the likely effect of which was that for the proposed contribution of £192,000 by the Council the estimated coverage as set out in Scenario 3 would be achieved.

The Director also advised the Bucks Thames Valley Local Enterprise Partnership had also submitted a Growth Fund bid for superfast broadband.

Having discussed the advantages of superfast broadband to residents and businesses, the likely cost per property and the suggestion to make funding available from the Council's Economic Development Reserve it was

RESOLVED:

- i) That the Council supports the Superfast Extension Programme (SEP);**
- ii) That the Council will make available up to £100,000 from the Economic Development Reserve to fund its contributions with the**

Director of Services being given delegated authority in consultation with the Portfolio Holder for Customer Services to agree the final level and basis of contribution following consultation with local business groups on the perceived benefits for businesses and residents of Chiltern; and

iii) An officer be nominated by the Director of Services to represent the District's best interest in the procurement process.

42 PRESTWOOD LEISURE - CAR PARK UPGRADE WORKS

Consideration was given to the urgent need to resurface the Prestwood Leisure Centre car park, including the overflow car park, following advice and examination of various options.

RESOLVED:

- i) That £130,000 be transferred from the 2015/16 Provisional Capital Programme to the Approved and Committed Capital Programme to enable the car park to be surfaced; and**
- ii) That the surrender of Prestwood Sports and Leisure Association's existing lease and the granting of a new 30 year lease on terms to be finalised by the Head of Environment be agreed.**

43 CDC LEISURE CENTRE NEEDS ASSESSMENT

Consideration was given to the scope of the brief prior to the tender process to appoint a specialist leisure consultant to review potential opportunities to replace Chiltern Pools leisure centre with an affordable high quality leisure centre. The needs assessment had been extended to evaluate if the Council's remaining leisure centre facilities are fit for purpose to meet the needs of the whole district.

During consideration of this item, members requested that the brief should be further extended to consider a wider range of potential leisure activities for which there may be need/demand in the District, for example theatre/cinema opportunities. It was also noted that the brief would be considered at the Corporate Asset Management Group at which further views on the brief could be discussed.

RESOLVED:

That the Director of Services be authorised in consultation with the Leader and the Portfolio Holder for Community, Health and Housing to agree the final consultant's brief for the leisure needs assessment.

44 SUNDRY DEBT WRITE OFF

The Cabinet considered a report requesting that an outstanding Sundry Debt be written off since all appropriate action had been taken and the debt was now irrecoverable.

RESOLVED:

That the sundry debt in the sum of £10,092.44 be written off, in accordance with the provisions of the Joint Financial Procedure Rules.

45 NON DOMESTIC RATES - ARREARS FOR WRITE OFF (1)

The Cabinet considered a report requesting that arrears of National Non Domestic Rates be written off since all appropriate action had been taken and the debt was now irrecoverable.

RESOLVED:

That the arrears of National Non Domestic Rates in the sum of £12,017.98 be written off, in accordance with the provisions of the Joint Financial Procedure Rule 222.

46 NON DOMESTIC RATES - ARREARS FOR WRITE OFF (2)

The Cabinet considered a report requesting that arrears of National Non Domestic Rates be written off since all appropriate action had been taken and the debt was now irrecoverable.

RESOLVED:

That the arrears of National Non Domestic Rates in the sum of £12,438.06 be written off, in accordance with the provisions of the Joint Financial Procedure Rule 222.

The meeting ended at 6.07pm