

**Publication
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2015**

CHILTERN DISTRICT COUNCIL

MINUTES of the CABINET

held on **24 MARCH 2015**

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

APOLOGIES FOR ABSENCE were received from Councillor F S Wilson

ALSO IN ATTENDANCE: Councillor N Brown

84 MINUTES

The Minutes of the Cabinet meeting held 10 February 2015, copies of which had been previously circulated, were approved and signed by Councillor Mrs I A Darby, Cabinet Leader, as a correct record.

85 DECLARATIONS OF INTEREST

There were no declarations of interest.

86 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 25 May 2015.

RESOLVED –

That the Draft 28-Day Notice / Forward Plan, to be published on 25 May 2015, be noted.

87 CURRENT ISSUES

(i) Councillor G Harris – Neighbourhood Plans

Councillor Harris reported that further Neighbourhood Plan proposals in the District were expected from Little Chalfont and Seer Green Parish Councils. The Planning Policy Manager was currently offering advice to any Parish Councils in the District wishing to progress the Neighbourhood Plan process. He added that Chalfont St Giles Parish Council were also expected to submit Neighbourhood Plan proposals. Members were advised that the District

Council had received a grant to contribute to the cost of administering the election costs of running a Neighbourhood Plan Referendum, as recently undertaken for Chalfont St Peter.

(ii) Councillor Hudson – Youth Awards

Councillor Hudson reported that the Youth Awards Ceremony had been held on Thursday 19 March 2015, which had been an excellent event and held at a very good venue. Cabinet Leader agreed to the success of the event and hoped that more councillors were encouraged to attend this type of event in the future. The guest speakers were excellent and the hard work of the team of officers who arranged the event was commended.

(iii) Councillor Martin – Bucks Waste Partnership

Councillor Martin reported that Bucks Waste Partnership had been awarded a grant of over £800,000 to reduce food waste and increase participation in waste recycling. This was seen as an excellent project and one that would hopefully achieve some good results.

(iv) Cabinet Leader – HS2

Cabinet Leader reported that the amended proposals for HS2 were due to be launched on Wednesday 25 March 2015 and that a press release would be issued jointly with 51M. There was also to be a debate in Westminster Hall on HS2, and the tunnelling report was to be included in presentation to Government. Parliament was due to be dissolved on Monday 30 March 2015 and therefore activity would subside but a visit of the Select Committee was planned during May 2015.

88 REVIEW OF EARMARKED RESERVES

Consideration was given to the report which outlined the review of the earmarked reserves held by the Council, and to consider whether to merge some reserves and / or reduce the level of some others.

Earmarked reserves were amounts set aside for specific policy purposes or for contingencies against specific financial risks. For each reserve established, the purpose, usage and the basis of transactions needed to be clearly defined.

Members were reminded that the Council can decide to set aside money from the General Fund to use for a specific purpose; and the use of Earmarked Reserves was delegated to individual officers with approval from the appropriate Cabinet Member.

The Council currently had 17 earmarked reserves; as at 31 March 2014, the balance on these reserves was £3,811K. As at 31 March 2015, the reserves

are estimated to hold £3,924K. Members considered a list of the current earmarked reserves, their estimated balance as at 31 March 2015 and the purpose for which they are held.

Councillor Stannard, Cabinet Member for Support Services reported that a review had been undertaken on the earmarked reserves, and it had been discussed at a Support Services PAG meeting, but further work was required. It was noted that to include a project reserve may be beneficial. A further review of reserves was to be carried out following the May 2015 Elections when the Council was considering priorities and a further report on earmarked reserves was to be presented to a future meeting of Cabinet was proposed. The principle of reviewing the earmarked reserves as part of the budget process was supported. Following detailed consideration it was

RESOLVED:

That a review of earmarked reserves be included in the budget process.

89 PERFORMANCE INDICATOR REVIEW 2015-16

Consideration was given to the report which provided information on the corporate and priority Performance Indicators and targets for 2015-16. It was reported that through an extensive review undertaken by Heads of Service during 2014-15 the performance indicators for the Council had been reduced from 94 to 45 indicators. This was broken down into 13 priority Performance Indicators and an additional 32 corporate indicators.

RESOLVED:

- i) That the Priority Indicator set (as outlined in appendix A) and future performance targets for the next three years be approved;**
- ii) That the Corporate Performance Indicators (as outlined in Appendix B) and future performance targets for the next three years be approved.**

90 QUARTERLY PERFORMANCE INDICATOR REPORT (Q3 2014-2015):

Consideration was given to the report which outlined the performance of Council services against performance indicators and service objectives during October to December 2014. It was reported that the Environment performance figures were provisional as they were being verified to ensure that they were in line with Waste Data Flow.

In response to queries, it was reported that calls to the waste team were now reducing and therefore more manageable; and that further information was

required to analyse the increase in sickness levels of staff between long term and short term sickness.

RESOLVED:

- i) That the performance report be noted; and**
- ii) That a detailed report be submitted to a future meeting of the Personnel Committee for consideration.**

91 CHALFONT ST PETER NEIGHBOURHOOD PLAN

Following the result of the Chalfont St Peter Neighbourhood Plan Referendum the next stage was for the Council to 'make' the plan, following which it would become part of the Development Plan for the Chalfont St Peter Parish Area.

The Chalfont St Peter Neighbourhood Plan had been through the formal stages required and following receipt of the Examiner's Report and this Council's consideration of that report was recommended to proceed to referendum subject to some minor changes. On 5 March 2015 the Chalfont St Peter Neighbourhood Plan was put to a referendum of eligible votes within the parish of Chalfont St Peter. The referendum asked the following question:

Do you want Chiltern District Council to use the Neighbourhood Plan for Chalfont St Peter to help it decide planning applications in the neighbourhood area? Yes or No.

The result of the referendum was:

Yes – 1632 No – 426

If, following a referendum, more than half of those voting had voted in favour of the plan the Council was under a statutory duty to 'make' the plan as soon as possible after the referendum unless the plan was in breach of European legislation or the convention on human rights. The Council had considered the European and human rights implications and it was not considered to contravene those rights.

It was reported that prior to the referendum the Council had received prior notification of the intention to challenge by way of Judicial Review the Council's decision to disagree with one of the Neighbourhood Plan Examiner's recommendations and to let the Neighbourhood Plan proceed to referendum. On 10 March the Council received copies of the formal application to the court for mounting a judicial review; the Council await notification of whether the judicial review will be granted. Members were advised that any recommendation to Council on the making of the Neighbourhood Plan would

have to be the subject of an update report if a judicial review was allowed to take place.

It was noted that if the Chalfont St Peter Neighbourhood Plan was 'made' it would become part of the Development Plan for the Chalfont St Peter Parish area. The Parish Council could decide to review the plan in the future but any such review would be subject to the same consultation procedures as the current neighbourhood plan had had to follow.

RECOMMENDED:

That, unless there is a legal challenge still in progress, the Council makes the Chalfont St Peter Neighbourhood Plan.

92 HOME ENERGY CONSERVATION ACT PROGRESS REPORT

Consideration was given to the report which advised members of the draft Home Energy Conservation Act Progress Report and revised Action Plan; and to seek Members agreement and endorsement of the draft Home Energy Conservation Progress Report and Revised Action Plan.

The two primary purposes of the Home Energy Conservation Act (HECA) were to reduce households in fuel poverty and to increase local energy efficiency. A further key objective of the new reporting requirements was to ensure that Councils had plans in place to promote and generate momentum around the Green Deal, the government's policy for funding energy efficiency improvements at no upfront cost to the householder.

Members were advised of the key priorities for the forthcoming two years, which were to continue to:

- Top up loft insulation to 275mm
- Install cavity wall insulation in unfilled cavities
- Replace gas boilers with A rated condensing boilers
- Install solid wall insulation, especially for those areas off the gas network or high energy use areas
- Encourage the installation of renewable heat technologies such as heat pump and biomass boilers

RESOLVED:

That the Portfolio Holder for Health and Housing endorse the Home Energy Conservation Progress Report and revised Action Plan, thereby ensuring that the Council meets the statutory timetable.

93 MINUTES OF JOINT EXECUTIVE COMMITTEES

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

- Chiltern & South Bucks Joint Committee – 4 February 2015
- Joint Waste Committee for Buckinghamshire – 15 January 2015
- Chilterns Crematorium Joint Committee – 16 February 2015

94 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)

95 CABINET REPORTS FROM POLICY ADVISORY GROUPS

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

- Communities, Health & Housing – 26 February 2015
- Customer Services – 18 March 2015 (Verbal report)
- Support Services – 4 March 2015 (Verbal report)
- Sustainable Development – 3 March 2015

96 SERCO PROPOSED ORGANISATIONAL CHANGE

Consideration was given to the confidential report which requested the Council to novate the contract as part of Serco's corporate restructuring proposals from Serco and who had been informed that there must be no financial impact on the existing contract arrangements with the Councils.

RESOLVED:

- i) **That the proposed set of principles relating to the novation of the Joint Waste Contract, as described in the report, be approved as the basis for negotiations with Serco;**

- ii) That the Director of Services, in consultation with Head of Legal and Democratic Services be authorised to:-
 - a. Complete the negotiations with Serco on the proposed Deed of Variation and Deed of Novation and to take any necessary actions to finalise and enter into the said Deeds and any ancillary or incidental documents or agreements; and
 - b. Take any other actions necessary to facilitate the transfer of the services under the existing contract to the new company;
- iii) That any necessary exemption to the Joint Contracts Procedure Rules in respect of the novation and any subsequent change in control of the Joint Waste Contract, is granted;
- iv) That the Head of Finance be authorised to approve the financial matters relating to the novation of the Joint Waste Contract; and
- v) That proceeding with the above resolutions was conditional on the decision made by Wycombe District Council on this matter and any further conditions imposed.

97 SYCAMORE ROAD CAR PARK

Consideration was given to the report which updated members on the Cabinet decision made on 1 July 2014 to progress with Phase Two of the extension to Sycamore Road Car Park.

RESOLVED:

That land transactions to give sufficient additional land to enable the third phase extension of the car park be approved.

AND RECOMMENDED:

That full Council approve £213,400 to fund land transactions and the construction of 20 additional car parking spaces. Also that these monies to be allocated in the approved and committed Capital budget for 2015/16.

98 ANNOUNCEMENTS

The Leader thanked her Cabinet Members and officers for all their hard work, commitment and support in their roles during 2014/15. Councillor Brown, Chairman of the Council echoed the Leader's thanks and also offered his thanks to the Leader of the Council for her leadership and inclusion of all councillors.

The Leader also wished to thank the Chief Executive for his commitment and support and wished him well in his forthcoming retirement from June 2015.

The meeting ended at 5.30 pm