

**Publication
Date
5 July 2016**

CHILTERN DISTRICT COUNCIL

MINUTES of the CABINET

held on **28 JUNE 2016**

PRESENT Councillors I A Darby - Leader
M J Stannard - Deputy Leader
G K Harris
M R Smith
F S Wilson

APOLOGIES FOR ABSENCE were received from Councillors P E C Martin

ALSO IN ATTENDANCE: Councillor J MacBean

114 MINUTES

The Minutes of the Cabinet meeting held 5 April 2016, copies of which had been previously circulated, were approved and signed by Councillor I A Darby, Cabinet Leader, as a correct record.

115 DECLARATIONS OF INTEREST

Councillor F J Wilson declared a non prejudicial interest in this item due to his role as Councillor for Chesham Town Council.

116 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 was published on 12 May 2016. It was noted that the report on Leasing further space to Chiltern Clinical Commissioning Group was to be reported to the next meeting of Cabinet.

RESOLVED –

That the Draft 28-Day Notice / Forward Plan, was published on 12 May 2016, be noted.

117 CURRENT ISSUES

(i) Councillor I A Darby – EU Referendum

Councillor Darby took this opportunity to thank the Election Team at Chiltern District Council and colleagues in other teams who provided valuable support to the team, who ensured that the Referendum was delivered in a professional and efficient manner. Chiltern District Council had achieved the second highest turnout of voters in the country returning 83.57% which was just marginally lower than Gibraltar at 83.64%. All staff involved were commended

for their hard work and commitment over recent weeks and particularly for the smooth running of the Referendum on Thursday 23 June 2016.

(ii) Councillor Darby – HS2 Update

Councillor Darby reported that the HS2 Hearing regarding petitions involving additional provisions would be held on Thursday 30 June 2016 and a fuller update would be given at the next Council meeting.

118 ANNUAL PERFORMANCE REPORT 2015-16

Consideration was given to report which outlined the performance of Council services against performance indicators and service objectives during the year 2015-16. It was noted that the Annual Report had been revised and was presented in an improved info-graphic format.

Cabinet members were in agreement that the revised format was much improved and provided a more concise and easier to read document for residents.

Two areas of concern highlighted in the report were in relation to temporary housing accommodation and recycling figures. The Cabinet were aware of these areas and an Affordable Housing Member Group had been established to focus on affordable housing concerns in Chiltern; and Councillor Smith reported that further informative information was being circulated to residents to seek to improve recycling figures and also there had been a reduction in recycling due to a national campaign of packaging companies to reduce packaging.

It was reported that the performance indicators were reviewed each year and in response to a point raised to ensure that targets were realistic, members were advised that this feedback would be reported to Heads of Service for consideration when revising targets.

RESOLVED:

That the performance reports and Annual Report were noted.

119 LOCAL GOVERNMENT IN BUCKINGHAMSHIRE- EXPLORING FUTURE OPTIONS

Consideration was given to a report which advised on the current developments regarding unitary local government in Buckinghamshire, and to authorise and fund joint working to enable the Council to participate fully in the debate.

The Acting Chief Executive reported that the history of the unitary debate in Buckinghamshire was traced back to 1997 when Milton Keynes became a unitary authority. There was a consideration by Bucks County Council of a unitary bid in 2007 and this was replaced with the 2009 pathfinder initiative which involved the County Council and District Councils in the County. This initiative did not proceed.

The debate concerning local government structures in non-metropolitan “two-tier” areas has gained momentum over recent months in several parts of the Country including Buckinghamshire, Oxfordshire, Northamptonshire, Hampshire and elsewhere. The national context of this debate has been in terms of The Cities and Local Government Devolution Act 2016 which is a major tool for the Government in putting into practice its devolution agenda.

In May of this year, Bucks CC agreed to fund the production of an outline business case which explores the benefits of a new single unitary model of local government for the geographical area of Buckinghamshire. The Leader of BCC has since written to the District Council Leaders to invite them to collaborate with the County Council in discussions on how local government in Buckinghamshire might be modernised. Members had considered Councillor Tett’s suggestion to join the County Council; however the County’s review appears to have a pre-determined outcome of a single unitary council for the whole (excluding Milton Keynes) of Bucks. Given this, it was felt not to be in the residents’ best interests to engage on this basis beyond the open and transparent two-way sharing of financial and other data between the County and Districts

Members agreed that there was now a need to enter into the debate around local government structures in Buckinghamshire. Initial discussions had taken place between the 4 district Leaders and an agreement reached to work collaboratively to examine the potential options for changing local governance arrangements in Buckinghamshire in the best interests of residents and other stakeholders. This did not rule out working with other partners where that was in the best interests of residents and where agreement could be reached.

It was agreed that there was a requirement to undertake a significant amount of detailed and specialised work over the coming months, and to jointly commission consultancy assistance

The Leader of the Council and fellow members supported the open minded approach outlined in the report and made particular reference to ensuring any proposals for changes to local government structures put the best interests of residents first and that would be capable of delivering quality value for money services within the finances available.

RESOLVED:

- i) That Chiltern District Council work with the other Bucks District Councils and any other relevant parties to explore further the potential for unitary local government in Buckinghamshire or other potential governance models;**
- ii) That independent consultants be appointed, where appropriate in partnership with one or more of the other Bucks Districts, to undertake a detailed feasibility study into the viability of potential changes to local governance in Buckinghamshire including a costed business plan;**
- iii) To delegate authority to the Acting Chief Executive in consultation with the Leader to commission such further research or studies as may be expedient in the light of future developments concerning local governance proposals; and**
- iv) That to achieve the above recommendations, up to £50K be released from reserves.**

120 INDOOR SPORTS AND LEISURE FACILITIES STRATEGY

Consideration was given to the report which informed Members of the Chiltern District Council Leisure Needs Assessment and implications for the future delivery of leisure facilities in the District.

The Chiltern Indoor Sports and Leisure Facilities Strategy had identified opportunities to work with community and sporting organisations to improve the infrastructure to enable active community participation. As a result, Chiltern District Council had established a Leisure Needs Working Group to focus on the opportunities and supported the development of a feasibility study to develop a replacement centre for Chiltern Pools and to undertake a community wide survey as to the preferred options for leisure in the District. The next stage of the options appraisal had been agreed by Cabinet on 21 October 2014 to review the opportunities to replace the Chiltern Pools with a high quality affordable centre.

RESOLVED:

- i) That the Indoor Sports and Leisure Facilities Strategy be adopted, for the delivery of the future leisure facility needs within the District and consider the role the Council should undertake in respect of the delivery of leisure; and**
- ii) That a feasibility study and public consultation be undertaken to consider the options to replace the Chiltern Pools.**

121 FEASIBILITY STUDY INTO THE REPLACEMENT OF CHILTERN POOLS

Consideration was given to report that sought member endorsement of the Management Team proposal to appoint Knight Kavanagh & Page (KKP) to undertake the feasibility study and wider consultation as to the replacement of the Chiltern Pools.

The Leisure Needs Working Group, at a meeting on 25 April 2016, had recommended to Cabinet to accept the Leisure Facilities Strategy and to progress development of a feasibility study as to the replacement options for the Chiltern Pools.

RESOLVED:

- i) That the Management Team proposal to exercise the exemption under section 2.8 Appendix A of the contract procedure rules be endorsed to obtain a single quote;**
- ii) That KKP be appointed to undertake the feasibility study and consultation as to the replacement of Chiltern Pools.**

122 TREASURY MANAGEMENT ANNUAL REPORT 2015/16

Consideration was given to the report on the Treasury Management performance of the Council for 2015/16.

In response to a member's query, the principal accountant advised that the Treasury Management Strategy did allow for any fluctuations in ratings due to the impact of the national economy and would be able to sustain any future drops but this was continually monitored.

RESOLVED:

That the investment performance of the Council for 2015/16 be noted.

123 CAPITAL AND REPAIRS & RENEWALS OUTTURN 2015/16

Consideration was given to report which outlined the 2015/16 capital and repairs & renewals outturn position; and requested the carry forward of unspent capital and repairs & renewals budgets.

RESOLVED:

- i) That the 2015/16 capital and repairs & renewals outturn position is noted; and**

- ii) That the carried forward capital and repairs & renewals budgets for 2016/17 be agreed.

124 PRIVATE SECTOR HOUSING STRATEGY

Consideration was given to the report which sought approval to publish and implement a joint Private Sector Housing Strategy and associated policies in respect of financial assistance, Houses in Multiple Occupation and housing enforcement across Chiltern District Council and South Bucks District Council; and to seek comments on a draft joint strategy and associated policies.

RESOLVED:

- i) That the Head of Healthy Communities be authorised to prepare a Joint Private Sector Housing Strategy and associated policies;
- ii) That the content of the draft joint strategy and policy documents be noted;
- iii) That the Head of Healthy Communities be authorised to publish and implement a final joint strategy and associated policies in consultation with the Portfolio Holder for Community, Health and Housing; and
- iv) That a House Condition Survey is not carried out at the current time, but that the need for a survey be reviewed annually by the Head of Healthy Communities in consultation with the Portfolio Holder for Community, Health & Housing.

125 SHARED SERVICE FOOD AND HEALTH AND SAFETY BUSINESS PLANS

Consideration was given to report which sought members' approval for the adoption of the Joint Food and Health and Safety Service Plan for the year 2016/17.

RESOLVED:

- i) That the Joint Food and Health and Safety Service Plan, as detailed in Appendix 1, be approved; and
- ii) That the Food and Health and Safety Enforcement Policies, as detailed in Appendices 2 and 3, be approved.

126 CHESHAM 10P TARIFF BANDS

Councillor F J Wilson declared a non prejudicial interest in this item due to his role as Councillor for Chesham Town Council.

Consideration was given to report which informed members of the ticket sales and income for Catlings car park following the introduction of the 10p tariff bands and provide information to enable consideration to be given to introducing the 10p tariff in other car parks.

It was noted that proposal of the 10p tariff had originated from a request from Chesham Town Council and the initiative had proved to be effective and decreased income by 5%, but increased overall usage across all tariff bands by 14%.

RESOLVED:

- i) That the 10p charging bands on Catlings Car Park be retained;**
- ii) That a 10p trial tariff band be introduced on Albany Place car park; and**
- iii) That if no objections are received the Head of Environment be authorised to advertise the Notice of Intent to amend the Off Street Parking Places Order.**

127 GREAT MISSENDEN CAR PARKS

Consideration was given to report which provided members with options for consideration to change the existing tariffs and parking restrictions in Great Missenden which affected two car parks; Link Road and Buryfield.

Councillor Smith added that the initiative had been proposed by Great Missenden Parish Council.

RESOLVED:

- i) That the introduction of an additional tariff as detailed in the report on the Link Road and Buryfield car parks, Great Missenden be agreed;**
- ii) That the Head of Legal and Democratic Services be authorised to publish the Amended Off Street Parking Places Order; and**
- iii) That if no valid objections are received the Interim Director of Services be authorised to publish the Amended Off Street Parking Places Order; or**
- iv) That if valid objections are received, the Interim Director of Services be authorised to consider any such objections in consultation with the Portfolio Holder for Environment and to**

publish the Amended Off Street Parking Places Order, with or without modifications as appropriate.

128 CABINET APPOINTMENTS TO OUTSIDE BODIES & OTHERS GROUPS

Cabinet considered the report which sought agreement to the executive appointments to outside bodies and other groups shown in Appendix 1 to 3.

It was noted that the appointments to outside bodies with non-executive functions were agreed at Full Council on 17 May 2016.

RESOLVED:

That the executive appointments of Members as detailed in the appendices to the report as listed below be agreed:

- **Appendix 1: Executive Appointments to Outside Bodies; subject to a change to the appointment of Cllr MacBean to the Natural Environment Outside Body as agreed a Full Council on 17 May 2016.**
- **Appendix 2: Policy Advisory Groups**
- **Appendix 3: Informal Groups**

129 JOINT WASTE COMMITTEE FOR BUCKINGHAMSHIRE - DISSOLUTION

Consideration was given to report which outlined how the Joint Waste Strategy 2014-2020 was to be progressed following the dissolution of the Joint Waste Committee for Buckinghamshire.

The Principal Solicitor reported that now the Joint Waste Strategy 2014-2020 was established and all of the Buckinghamshire district councils had rolled out new collection services, the Joint Waste Committee for Buckinghamshire (JWC) had decided, subject to the formal agreement of its constituent authorities, that the Strategy be delivered in a more efficient manner by dissolving the formal joint committee and adopting a more streamlined and less formal structure.

RESOLVED:

- i) That the Joint Waste Committee for Buckinghamshire be dissolved when all of the constituent authorities had given their formal agreement to do so, and that the twelve months' notice required by the Committee's Constitution be waived;**
- ii) That the Joint Waste Partnership be retained as an informal entity to carry out activities to support the delivery of the Joint Waste Strategy 2014-2020;**

- iii) That a Memorandum of Understanding, as outlined in the report of the officers, be drawn up to regulate the activities of the Joint Waste Partnership with authority being delegated to the Head of Environment in consultation with the Head of Legal and Democratic Services to agree the precise terms;
- iv) That the remaining funds in the approved budget of the Joint Waste Committee, once committed expenditure had been met, be used to fund a continued fly-tipping campaign across Buckinghamshire;
- v) That the grant awarded by the Department for Communities and Local Government for the Fighting Food Waste project be used to support the activities described in the bid for funding; and
- vi) That the partner Councils give consideration to making budgetary provision for the ongoing work of the Partnership once the remaining budget has been utilised, expected to be for the financial year 2018/19 and thereafter.

130 MINUTES OF JOINT EXECUTIVE COMMITTEES

Members considered and noted the Minutes of the following Joint Executive Committee meeting:

- Chiltern & Wycombe Joint Waste Collection Committee – 7 April 2016

131 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)

132 CABINET REPORTS FROM POLICY ADVISORY GROUPS:

Cabinet Members considered the notes of the following Policy Advisory Group:

- Community, Health and Housing – 21 March 2016
- Sustainable Development – 16 March 2016
- Customer Services – 13 April 2016

133 LEASING FURTHER SPACE TO CHILTERN CLINICAL COMMISSIONING GROUP

This item was withdrawn from the agenda for consideration at the next meeting of Cabinet.

The meeting ended at 5.33pm

Note: the resolutions in these Minutes will come into force and may then be implemented seven days after the date of publication; unless the Chairman, or Vice-Chairman of the relevant Overview Committee objects to it by written notice (a Notice of Call-In) to the proper officer by 4pm on the seventh day after the publication of the decision. Urgent decisions are not subject to the call-in procedure.