

## CHILTERN DISTRICT COUNCIL

### MINUTES of the Meeting of the CHILTERN DISTRICT COUNCIL

held on **7 JANUARY 2020**

**PRESENT:** Councillor G Harris - Chairman of the Council  
M Harker - Vice-Chairman of the Council

Councillors:	A Bacon	Councillors:	N Rose
	D Bray		C Rouse
	J Burton		J Rush
	E Culverhouse		P Shepherd
	I Darby		L Smith
	C Ford		N Southworth
	A Garth		M Stannard
	J Gladwin		D Varley
	M Harrold		N Varley
	P Jones		H Wallace
	J MacBean		E Walsh
	P Martin		J Waters
	V Martin		C Wertheim
	D Phillips		

**APOLOGIES FOR ABSENCE** were received from Councillors J Cook, M Flys, C Jones, R J Jones, S Patel, M Smith, M Titterington and F Wilson

#### **34 PRESENTATION FROM PARADIGM HOUSING**

The Chairman welcomed Matthew Bailes, Group Chief Executive and Martyn Jones, Development Director of Paradigm Housing to the meeting to provide an overview of the challenges and developments Paradigm are currently working on in the Chiltern District.

Matthew Bailes and Martyn Jones delivered a detailed presentation which covered the background and growth of Paradigm; affordability challenges, particularly in relation to public service jobs; Paradigm's Corporate Plan; the Principles of Co-operation agreement with the Council; Paradigm's Strategic Funding Agreement; the development pipeline for the district; the garage portfolio and the challenges that come with garage developments; regeneration schemes; urban development schemes; and rural exception schemes.

At the conclusion of the presentation, the following clarifications were given in response to questions from Members.

- The Asheridge Road, Chesham development continued to progress, pre commencement conditions were being assessed by the Council, and the tender process was underway to appoint a builder for the first stage of the development. The current plan was for work to commence on site in Autumn 2020.
- In response to a query over the estimated number of affordable homes to be provided over the next 4 years, Paradigm plan to provide around 600 new affordable homes per year, split between shared ownership and rental accommodation, this figure could increase or decrease subject to central government policy changes.
- In relation to supporting vulnerable residents, Paradigm's priority was to provide safe housing, maintain the properties and ensure health and safety issues were addressed and repairs undertaken efficiently where required. There had been little demand for the previously open walk in centres and the decision had been made to close these due to the low usage level and funding cuts. Whilst Paradigm had a responsibility as a landlord it was not able to provide social service support and was working hard to improve its links with support services where vulnerable residents had been identified. Paradigm was committed to improving services for the future.
- A Member asked whether a named contact could be provided for members to contact at Paradigm on individual cases which required escalation and careful handling, Paradigm advised that this would be addressed following the meeting and details shared with members.
- It was recognised that many issues arise from poor housing stock and it was asked how Paradigm was measuring the quality of new build properties/developments. Members were advised that Paradigm's priority remained to maintain the existing asset base and address energy efficiency measures. It was recognised by Paradigm that in the housing industry there had been widespread failure with the quality of new build properties and Paradigm had put its own processes in place to ensure build quality was scrutinised at each stage of any development. The Paradigm Board had made the decision to work on its own developments with select partner organisations to further improve quality. It was said that building control, both Council and private, had also signed off developments that were not of adequate quality and this was seen as another area which required improvement.
- A Member raised concern around the data used to compile the housing needs survey used to support the rural exception scheme in Chalfont St Giles. It was explained that an experienced company had been appointed following a tender process to undertake the survey and the prescribed Government process had been followed. This involved using publicly available data such as census data, land registry data and transacted sale prices. Other evidence bases had been used, such as Right Move and

Zoopla, often to corroborate data. The report stated each source where data had been drawn from. As part of the assessment, a survey was sent to all households in the parish and the only data used was such that was willingly given. The level of responses received was sufficient to provide a robust data set. Discrepancies identified by the Parish Council in the draft report had been corrected although these did not change the fundamental conclusion.

- On the same issue a Member asked whether, with the exception of Planning Committee Members, Paradigm's response to the Parish Council could be shared with all Members. It was confirmed that Paradigm would consider this request. It was clarified that the planning application submitted to the Council incorporated the report which had factored in the Parish Council response and not the earlier draft version. Paradigm had requested to meet with the Parish Council to go through its response to each point raised, and this offer remained open. Councillor D Bray agreed to provide a response to Paradigm.

The Chairman thanked Matthew Bailes and Martyn Jones for their attendance and presentation.

*Note: Councillors D Varley and C Ford entered the meeting at 6.36 p.m. and 6.57 p.m. respectively.*

## **35 MINUTES**

The minutes of Full Council held on 12 November 2019 were approved and signed by the Chairman as a correct record.

## **36 DECLARATIONS OF INTEREST**

Councillors P Martin and V Martin declared a personal family interest in item 8.2, Chiltern Dial a Ride funding.

## **37 ANNOUNCEMENTS**

### **(a) Chairman's Engagements**

A list of Engagements carried out by the Chairman and Vice-Chairman of the Council between 31 October and 27 December 2019 had been circulated.

### **(b) Chairman's Announcements**

The Chairman had no announcements to make.

### **(c) Announcements from the Leader of the Cabinet**

The Leader of the Cabinet had no announcements to make.

### **(d) Announcements from the Head of Paid Service**

The Head of Paid Service advised that a Special Cabinet meeting would be taking place in February to make decisions in relation to the procurement of a new joint waste contract with South Bucks and Wycombe District Councils. Once confirmed, details of the meeting including time, date and location would be circulated to all Members.

## **38 CABINET RECOMMENDATIONS**

## **39 COMMUNITY INFRASTRUCTURE LEVY CHARGING SCHEDULE**

Full Council was asked to approve the recommendations of the Cabinet from its meeting on 7 January 2020 to adopt for publication and implement the Community Infrastructure Levy (CIL) Charging Schedules as appended to the report as Appendix 1. This followed the successful examination in public which took place on 5 November 2019 and the Examiners report, appended as Appendix 2 to the report, which was received on 13 December 2019.

At its meeting on 7 January, in addition to those outlined in the report, Cabinet recommended a further recommendation for approval by Council. This was tabled at the meeting and was as below:

"That on site developments of 400 housing units or more where the actual deliverability of the Council's housing targets is being placed at risk by the failure of the developer to accept liability for the delivery of the approved scheme and contributions towards specified infrastructure elements, which are directly related to the housing development in question, when there is a compelling need for such in the public interest, and when the Council has provided a clear statement of justification and cost-estimate for the said work or contribution, the Council affirms its intention to use its Compulsory Purchase Powers for proper planning purposes.

Furthermore, on housing development sites where viability calculations rely on forward estimates of sale prices for the market housing units, the Council will incorporate in relevant S 106 agreements its entitlement to a positive claw-back of a proportion of any sale values in excess of the aforementioned forward estimates."

Councillor P Martin explained the background to the additional recommendation and advised Council that this had been discussed at length by the Planning and Economic Development Policy Advisory Group. Previously

in the Chiltern District development had been on a small scale which had provided no contribution to infrastructure. Members noted that CIL was charged on a £s per square metre basis which related to developments of buildings over 100 square metres new build floor space and the Council was setting a threshold whereby developments of 400 homes or more or on sites of 10 hectares or more will be CIL zero rated. On these developments, financial contributions would be negotiated and legally bound through S106 and S278 agreements. In all parishes, 15% of CIL receipts would be passed to the relevant town or parish council for them to spend on local infrastructure projects.

Members had concerns that the Council could not afford for infrastructure to not be delivered and referred to Government statements on the S106 system highlighted the difficulty in ensuring that infrastructure projects were fully funded. The Council needed to be robust in negotiating viability assessments with developers with Section 106 agreements being used to secure new infrastructure that was used to support individual development schemes and CIL being used to fund new infrastructure that was required to support a number of developments. Therefore, the recommendation had been added so that the Council would be able to use compulsory purchase powers if the developer was not contributing enough funding to infrastructure.

A Member commented that the infrastructure funding gap was a further concern and that any infrastructure plan linked to the local plan should be fully costed and be in operation as soon as a new development is habitable.

It was moved by Councillor P Martin, seconded by I Darby and

**RESOLVED –**

- 1. the Charging Schedule be adopted and the Community Infrastructure Levy be implemented on 17 February 2020;**
- 2. the decision on whether to accept an offer of transfer of land in payment or part payment of a CIL liability be delegated to the Acting Chief Executive in consultation with the Portfolio Holder for Planning and Economic Development;**
- 3. any decisions required for Parts 7 Application of CIL, Part 8 Administration of CIL, Part 9 Enforcement of CIL and Part 10 Appeals be delegated to the Acting Chief Executive in consultation with the Portfolio Holder for Planning and Economic Development;**

4. **the decision to take proceedings in relation to any CIL offence be delegated to the Acting Chief Executive in consultation with the Portfolio Holder for Planning and Economic Development and the Head of Legal and Democratic Services**
5. **it be noted that these delegations novate to the relevant officers and Portfolio Holders of Buckinghamshire Council.**
6. **the Council affirms its intention to use its Compulsory Purchase Powers for proper planning purposes on site developments of 400 housing units or more where the actual deliverability of the Council's housing targets is being placed at risk by the failure of the developer to accept liability for the delivery of the approved scheme and contributions towards specified infrastructure elements, which are directly related to the housing development in question, when there is a compelling need for such in the public interest, and when the Council has provided a clear statement of justification and cost-estimate for the said work or contribution. Furthermore, on housing development sites where viability calculations rely on forward estimates of sale prices for the market housing units, the Council will incorporate in relevant Section 106 agreements its entitlement to a positive claw-back of a proportion of any sale values in excess of the aforementioned forward estimates.**

#### **40 CHILTERN DIAL A RIDE FUNDING**

Full Council was asked to approve the recommendations of the Cabinet from its meeting on 15 October 2019 to award a grant of £39,378 to Chiltern Dial a Ride for the purchase of a new vehicle. At its meeting on 15 October, Cabinet sought clarification on a number of issues which had since been resolved, and were subject to a further report to the Services Overview Committee on 26 November 2019. Council recognised the valuable service Chiltern Dial a Ride provided.

It was moved by Councillor L Walsh, seconded by Councillor I Darby and

**RESOLVED –**

**That a grant of £39,378 be awarded to Chiltern Dial a Ride for the purchase of a new vehicle.**

**41 VERBAL REPORTS FROM THE LEADER, CABINET MEMBERS OR CHAIRMAN OF A COMMITTEE**

**a) Councillor P Martin – Portfolio Holder for Planning and Economic Development**

Councillor P Martin reported that the appointed inspectors to the Chiltern and South Bucks Joint Local Plan had sent the Councils over 40 questions that required responding to, Council was advised that as of 20 December 2019 all questions had been responded to.

**b) Councillor L Walsh – Portfolio Holder for Healthy Communities**

Councillor L Walsh reported that nominations were open for the Council's Community Awards 2020, the awards were a chance to recognise the volunteers and community champions who do so much to enrich life in the district. The closing date for nominations was 31 January 2020. Further, Council was advised that there would be two 'five steps to be volunteer ready' training sessions held at the Council offices on 16 January 2020 which would provide skills to recruit and retain volunteers and members were asked to encourage attendance amongst contacts.

**c) Councillor J Gladwin – Chairman of Audit and Standards Committee**

Councillor J Gladwin advised that the Council's audited accounts had now been signed by the Council's external auditors.

**42 QUESTIONS WITH NOTICE (IF ANY)**

There were no questions.

**43 PETITIONS (IF ANY)**

There were no petitions.

**44 JOINT ARRANGEMENTS AND OUTSIDE ORGANISATIONS (IF ANY)**

There were no reports.

**45 MOTIONS (IF ANY)**

No Motions had been received.

## 46 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 1 – Information relating to any individual*

## 47 REPORT OF THE CABINET LEADER ON HONORARY ALDERMEN

The Leader of the Council reported to Council that following discussions between the Groups, agreement had been reached to confer honorary alderman status on ex-councillor Noel Brown. The Leader advised Council of the 39 years Noel Brown had spent as a District Councillor from 1976 to 2015. During this time the roles held by Noel Brown included Portfolio Holder for Health, Housing, and Community Safety, Portfolio Holder for Strategies and Planning, Chairman of the Planning Committee as well as Chairman of the Council.

It was moved by Councillor I Darby, seconded by Councillor P Jones and unanimously

### RESOLVED –

- 1. That Noel Brown be admitted as an honorary alderman and alderman status be formally conferred to Noel Brown at a special meeting of the Council to take place following the ordinary meeting of the Council on 31 March 2020 under Section 249 of the Local Government Act 1972 in recognition of the eminent services which he has rendered to the Council.**
- 2. That an estimated expenditure of £500 be approved for purposes associated with the appointment and that the Leader be authorised to agree any consequential matters.**

**The meeting ended at 8.01 pm**