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CABINET

Meeting - 14 October 2014

Present: Mr Busby, Mr Reed, Mrs Cranmer, Mr Naylor, Mr D Smith and Mrs Woolveridge

14. MINUTES

The minutes of the meeting of the Cabinet held on 15 July 2014 were confirmed and signed by the Leader.

15. FORWARD PLAN OF EXECUTIVE DECISIONS

The Cabinet received a copy of the 28 day Notice prepared in accordance with Regulation 9 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 setting out the key (and non-key) decisions the Cabinet was intending to make at public and private meetings.

The Cabinet also received a copy of the 28 day Notice setting out the key (and non-key) decisions the Chiltern and South Bucks Joint Committee were intending to make at public and private meetings.

RESOLVED that the 28 day Notices be noted.

16. ECONOMIC ACTIVITY UPDATE

The Cabinet received a report providing in an appendix an update on the work going on within Chiltern and South Bucks District Councils and their partners to promote economic development and to inform a debate on what should be done to promote economic sustainability in the district.

The appendix, after providing information on the Chiltern and South Bucks economies in 2014 listed the economic activities carried out by:

- Chiltern District Council
- South Bucks District Council
- Chiltern and South Bucks Strategic Partnership
- Bucks Business First
- Bucks Thames Valley Local Enterprise Partnership
- Amersham Action Group Better Chesham Group
- Chiltern Chamber
- Federation of Small Businesses
- LEADER Programme

The appendix went on to identify 6 major Development Opportunities in both districts and after explaining the two neighbourhood plans being prepared in CDC concluded by referring to the work of Thames Valley Chamber of Commerce and Think! Burnham.

The Cabinet, in welcoming the report, agreed that it will form the foundation for recognising the economic priorities within each district and noted that Bucks Advantage was likely to be the main delivery vehicle.

17. **COMMUNITY**

The Cabinet received the minutes of the Community Policy Advisory Group held on 17 September 2014 and the following were the subject of a recommendation from the Portfolio Holder:

Minute 14 - Farnham Park Playing Fields - Application for Additional Softball Pitch and Conversion of Bungalow into Sports Club

The PAG had supported a proposal from British Softball UK to grant them a new lease for the Laurels Bungalow located at Farnham Park Playing Fields (FPPF) and for them to convert the Bungalow into a clubhouse.

After considering the advice of the Portfolio Holder the Cabinet:

RESOLVED that

(1) the offer from BSUK to convert the bungalow into a clubhouse and two casual football pitches into a new softball/baseball pitch, and to offer a new 25 year lease, subject to the granting of planning permission be accepted.

(2) authority be delegated to the General Manager, in consultation with the Portfolio Holder, and Head of Legal and Democratic Services to agree the final terms of any surrender of the current lease, grant of a new lease and approval of the specification for works to the bungalow and creation of the new softball pitch.

Minute 15 - Bonus Scheme - Golf General Manager and Sales Staff

The PAG had considered a report setting out a proposal to introduce a bonus scheme for the golf general manager and for the golf sales staff on permanent contracts at the South Buckinghamshire.

Following an explanation from the Portfolio Holder that Bucks County Council had confirmed that bonus payments were pensionable in accordance with the Scheme's statutory basis, the Cabinet requested that the Council 's pension contributions be reflected in the bonus scheme.

After considering the advice of the Portfolio Holder the Cabinet

RESOLVED that the bonus scheme set out in Appendix 2 of the report be approved for 2014/15 and that a report reviewing the operation of the scheme and setting out proposals for 2015/16 be submitted to a future meeting of the Cabinet via the Community PAG.

And further

RESOLVED that the minutes of the Community Policy Advisory Group held on 17 September 2014 be noted.

18. **ENVIRONMENT**

The Cabinet received the minutes of the Environment Policy Advisory Group held on 10 September 2014 and the following were the subject of a recommendation from the Portfolio Holder:

Minute 10 – Flats Waste Collection Service Review Update

The PAG had considered a report providing an overview of the draft internal policy document “Waste Collection Guidelines for Communal Collections” the aim of which is to bring communal collections policy in line with household collection policy as adapted to recognise a number of special circumstances in communal collections as set out in the report which also provided an update on the Flats Service Review

The report also set out a proposal, which the PAG supported, to levy an administrative charge of £70 per additional collection required to remove side waste or contaminated waste.

Having considered the advice of the Portfolio Holder the Cabinet

RESOLVED that authority be delegated to the Head of Environment, in consultation with the Portfolio Holder, to levy an administrative charge of £70 for each additional collection required to remove side waste or contaminated waste.

Minute 13 – Car park Annual Report

The PAG considered a report providing information on the operation of the Council’s Pay and Display Car Parks and inviting comments on whether car park charges should be altered in 2015/16 following consultation.

The report, after reminding members of the overall aims for the Council’s car parks, set out in a table the budget against income for the last 6 years and also provided more information on the receipts at each of the 4 car parks.

After noting the income projections for 2014/15 and 2015/16 (based on a 2% increase) the PAH had felt there was no need to increase charges and having considered the advice of the PAG the Cabinet

RESOLVED that car park charges for 2015/16 remain unchanged.

Minute 14 Beaconsfield Old Town Common Land Unauthorised Placing of Bollards

The PAG considered a report setting out four options for dealing with the recent unauthorised placement of bollards, planter and surfacing on Common Land, London End, and Beaconsfield.

The PAG supported the option to pursue the removal of the items, such removal to be carried out by the Council itself if necessary with the costs being recharged to the person who placed the unauthorised items.

The PAG also supported a proposal to develop a policy to govern and enforce the placement of such items as outdoor tables and chairs throughout the old town.

Having considered the advice of the Portfolio Holder the Cabinet

RESOLVED that

1. authority be delegated to the Head of the Environment to take appropriate action to secure the removal of the unauthorised items
2. a budget of £3000 be agreed should it be necessary for the Council to remove the items and authority also be delegated to the Head of Environment to take appropriate action to recover the actual costs incurred.
3. A policy be developed to govern and enforce the placing of items in Beaconsfield Old Town.

And further

RESOLVED that the minutes of the Environment Policy Advisory Group held on 10 September 2014 be noted.

19. **RESOURCES**

The Cabinet received the minutes of the Resources Advisory Group held on 11 September 2014 and the following was the subject of a recommendation from the Portfolio Holder:

Minute 14 – Bath Road Depot

The PAG had received a report setting out three options for the Bath Road Depot and supported the option of letting out of space as hard standing for open storage as this would produce the best net present revenue over 30 years compared to the other two options.

The PAG had noted that pursuing this option would require a planning application to regularise the change of use along with some pre letting work.

Having considered the advice of the Portfolio Holder the Cabinet

RESOLVED that

1. The option of letting out of space as hard standing for open storage be agreed and progressed.
2. authority be delegated to the Head of Environment, in consultation with the Resources Portfolio Holder, to agree new terms of and conditions of a lease
3. A sum be allocated from capital resources to cover the cost of pre letting works.

And further

RESOLVED that the minutes of the Resources Advisory Group held on 11 September 2014 be noted.

20. **HEALTH AND HOUSING**

The Cabinet received the minutes of the Health and Housing Policy Advisory Group held on 25 September 2014 and the following were the subject of a recommendation from the Portfolio Holder:

Minute 11 Scrap Metal Dealers Act

Following the report submitted to the Licensing Committee on 28 August 2014 setting out the implications of the Scrap Metal Dealers Act 2013, the PAG had considered a further report explaining the changes that were required in the light of subsequent advice received from the Home Office that the functions under the Act, including the setting of fees, were Cabinet functions and not functions of the Council which could be delegated to the Licensing Committee.

Having considered the advice of the Portfolio Holder the Cabinet

RESOLVED that

1. the new powers and responsibilities contained within the Scrap Metal Dealers Act 2013 be noted.
2. the terms of reference of Cabinet be amended to include reference to exercising any function relating to the Scrap Metal Dealers Act 2013 Act as amended.
3. the fee policy as set out in the report submitted to the PAG be adopted until such time as the fees are reviewed and any future reviews of the Fees Policy and Fees be delegated to the Head of Healthy Communities in consultation with the Portfolio Holders for Health & Housing and Resources and the Chairman of the Licensing Committee.
4. 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, as amended.
5. all decisions taken to date by Officers as set out in Appendix 1 of the report submitted to the PAG be ratified.
6. Council be recommended to note the Delegation to the Head of Healthy Communities and to agree that the Constitution be amended as appropriate.

RECOMMENDED to Council that the delegation to the Head of Healthy Communities be noted and the Constitution be amended accordingly.

Minute 14 - Minor Amendments to the Current Private Sector Renewal Strategy

The Council is the lead authority for the delivery of the £2,574,991 Department of Energy and Climate Change (DECC) Green Deal Communities Grant across 14 local authorities and the PAG considered a report setting out the proposal to amend the Private Sector Renewal Strategy to enable targeted household to access the grant. The report also set out a proposal to transfer £40k from the Home Renovation Grant Capital Programme to the Flexible Home Loan Scheme to deliver a ring fenced equity loan in South Bucks.

Having considered the advice of the Portfolio Holder the Cabinet

RESOLVED that

1. the wording of the Private Sector Renewal Strategy as detailed in Appendix 1a of the report submitted to the PAG be amended to enable the Green Deal Communities grant to be offered in South Bucks.

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2. the wording of the Private Sector Renewal Strategy as detailed in Appendix 1b be amended to operate a ring fenced equity release scheme in the District.
3. £40,000 be transferred from the 2014/15 Home Renovation Grants Capital allocation to Flexible Home Loan Ltd to operate the equity release scheme.

Minute 22 - Waiver of Requirement to Repay Disabled Facilities Grant

The PAG considered a report setting out a request for the repayment of a Disabled Facility Grant in respect of a property in Burnham to be waived following the sale of the adapted property.

After noting the issues that had been taken into consideration by the PAG and after receiving the advice of the Portfolio Holder the Cabinet:

RESOLVED that the request for a waiver be refused.

And further

RESOLVED that the minutes of the Health and Housing Policy Advisory Group held on 25 September 2014 be noted.

21. **CHILTERN AND SOUTH BUCKS JOINT COMMITTEE**

The Cabinet received for information the minutes of the meeting of the Chiltern and South Bucks Joint Committee held on 16 July 2014.

RESOLVED the minutes be noted.

22. **ANY OTHER BUSINESS WHICH THE LEADER DECIDES IS URGENT**

Secretary of State's Decision on Pioneer House, Hollybush Lane, Stoke Poges

The Leader agreed to take a report of the Portfolio Holder for Sustainable Development in the closed part of the meeting as a matter of urgency as any legal challenge to the Secretary of State's decision on Pioneer House, as set out a letter dated 17 September 2014 (a copy of which together with the Inspector's Report were circulated at the meeting) needed to be made by 29 October 2014.

The Chairman of the Overview and Scrutiny Committee had agreed in accordance with Regulation 11 of the Local Authorities (Executive Arrangements)(Meetings and Access to Information (England) Regulations 2012 that the matter should be considered as a matter of urgency.

23. **EXCLUSION OF PUBLIC**

that under Section 100A(4) of the Local Government Act 1974 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 5 of Part 1 of Schedule 12A to the Act.

Proposed Legal Action against the Secretary of State's Decision on Pioneer House, Hollybush Hill, Stoke Poges

The Consultative Body of the Planning Committee was due to be consulted on whether the Director of Services should exercise the urgency powers available to him and submit an appeal against the Secretary of State's decision to grant prior approval for permitted development for a state financed school under Part 3 Class K of the General Permitted Development Order 2014. The Cabinet considered a report setting out the legal processes involved in submitting a challenge together with indicative costs.

Having considered these implications and the advice from Counsel the Cabinet agreed to recommend to Council that funding be made available from reserves in the event of an appeal being submitted.

The meeting terminated at 4.53 pm