



DEMOCRATIC AND ELECTORAL SERVICES

Dealt with by:	Democratic Services	Switchboard:	01895 837200
My Ref:		e-mail:	democraticservices@southbucks.gov.uk
Date:	7 December 2016	Direct Line:	01895 837225/837224

Dear Councillor

CABINET

The next meeting of the Cabinet will be held as follows:

DATE: **THURSDAY, 15TH DECEMBER, 2016**

TIME: **6.00 PM**

VENUE: **ROOM 6, CAPSWOOD, OXFORD ROAD, DENHAM**

Only apologies for absence received prior to the meeting will be recorded.

Yours faithfully

Jim Burness

Director of Resources

To: The Cabinet

Mr Bagge (Leader)	Mr Naylor (Deputy Leader)
Mr Egleton	
Mrs Sullivan	
Mr Kelly	

Audio/Visual Recording of Meetings

Please note: This meeting might be filmed, photographed, audio-recorded or reported by a party other than South Bucks District Council for subsequent broadcast or publication.

If you intend to film, photograph or audio record the proceedings or if you have any questions please contact the Democratic Services Officer (members of the press please contact the Communications Officer).

Declarations of Interest

Any Member attending the meeting is reminded of the requirement to declare if he/she has a personal interest in any item of business, as defined in the Code of Conduct. If that interest is a prejudicial interest as defined in the Code the Member should also withdraw from the meeting.

A G E N D A

(Pages)

1. **Apologies for Absence**

To receive any apologies for absence.

2. **Minutes**

To confirm the minutes of the meetings held on 11 October 2016 and 25 October 2016. **(6 - 12)**

A. LEADER'S REPORTS

3. **Forward Plan of Executive Decisions**

To receive the 28 Day Notice. **(13)**

Appendix 1 **(14 - 19)**

Appendix 2 **(20 - 22)**

4. **Calendar of Meetings 2017/2018**

To receive the calendar of meetings for 2017/2018. **(23)**

Appendix 1 - Calendar of Meetings **(24 - 25)**

5. **Draft Revenue Budget 2017/18**

To consider the report of the Leader of the Council. **(26 - 30)**

Appendix A **(31)**

Appendix B **(32)**

Appendix C **(33 - 35)**

B. REPORTS OF THE PORTFOLIO HOLDERS

6. **Chiltern and Wycombe Joint Waste Collection Committee - Revised Constitution to include South Bucks**

To consider the report of the Environment Portfolio Holder. **(36 - 37)**

Appendix 1 **(38 - 56)**

7. **Sustainable Development - Heathrow Expansion**

To consider the report of the Head of Sustainable Development. (57 - 60)

Appendix 1 (61 - 65)

8. **Healthy Communities - Extension to the GLL Contract to manage the Evreham Centre**

To consider the report of the Healthy Communities Portfolio Holder.

Background report available [here](#).

Appendix 1 available [here](#).

C. REPORTS ON PARTNERSHIP WORKING

None

D. REPORTS OF OFFICERS'

None.

9. **Any other business which the Leader decides is urgent**

10. **Exclusion of Public**

The Leader to move the following resolution:-

"that under Section 100A(4) of the Local Government Act 1974 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act "

Paragraph 3 Information relating to the financial or business affairs of any particular persons (including the authority holding that information).

11. **Part II Cabinet Minutes**

To confirm the Part II minutes of the Cabinet meeting held on 25 October 2016 (66 - 67)

The next meeting is due to take place on Wednesday, 8 February 2017

CABINET

Meeting - 11 October 2016

Present: Mr Bagge, Mr Naylor, Mr Egleton, Mrs Sullivan and Mr Kelly

Also Present: None

Apologies for absence: None

17. MINUTES

The minutes of the meeting of the Cabinet held on 4 July 2016 were confirmed and signed by the Leader.

18. FORWARD PLAN OF EXECUTIVE DECISIONS

The Cabinet received a copy of the 28 day Notice and Forward Plan 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 and Forward Plan be noted.

19. MEDIUM TERM FINANCIAL STRATEGY 2017 - 2022

The Cabinet considered a report containing the Council's Medium Term Financial Strategy which is integral to complying with the Prudential Code that will enable the Council to undertake external borrowing as part of the financing of the Strategy.

Members recognised the need to have a clear financial strategy to tackle the challenges to be faced in the coming years and discussed the importance of adapting to a new and different funding regime due to Central Government grants being withdrawn by 2020 and the introduction of an "additional tariff" to be paid back to the Treasury. It was discussed that if no action was taken to address this change, it would result in a funding gap of up to £1.6m by 2019/20.

As the financial strategy will require capital investment for the authority in excess of available capital resource there would be a requirement to undertake Prudential Borrowing, which would require the authority to meet the requirements of the Prudential Code.

The key principles underpinning the strategy are:

- The matching of expenditure and income in the medium term
- Optimising the use of Council assets to deliver or help finance Council priorities
- Aligning new expenditure to key Council priorities and to continue to provide value for money
- Having in place sound financial processes to control and monitor expenditure
- Awareness of the financial risks facing the authority and using this to inform the authority's level of financial reserves

The financial forecast in the Strategy assumes grant funding and tariff levels as included in the last Financial Settlement data. The Government had made an offer to local authorities that they can ask for these figures to remain unchanged over the period of the current spending review (i.e. until 2020/21). It was proposed that the Council accepts this offer on the basis of providing some certainty for planning purposes.

In response to the Government request, a joint efficiency plan had been produced for South Bucks and Chiltern District Councils.

The Medium Term Financial Strategy was the main driver for the Council's Treasury Management Strategy, especially as the authority was proposing to move from being debt free to Prudential borrowing, in light of this, it was noted the Treasury Management Strategy will need to be updated as part of its normal annual review, to reflect the new Medium Term Financial Strategy.

Following a question and answer session, it was clarified, if agreed, that the updated Medium Term Financial Strategy and Treasury Management Strategy would take effect from its Council Meeting in February 2017 and kept under annual review.

Members welcomed the strategy and it was

RESOLVED that:

1. The Treasury Management Strategy be updated to reflect the implications of the Medium Term Financial Strategy.
2. Council indicates its interest in taking up the Governments Four Year Funding Offer, and the Joint Efficiency Plan produced with Chiltern DC (Appendix B to the report), be agreed.

Furthermore it was RECOMMENDED to Council that the

1. Medium Term Financial Strategy (shown as Appendix A to the report) be updated.

20. **PERFORMANCE MANAGEMENT QUARTERLY REPORT QUARTER 1**

The Cabinet received a report outlining the performance of Council services against performance indicators and service objectives during Q1 April – June 2016/17.

Of the nine off-target PIs, five were priority PIs.

Sickness - working days lost due to sickness was off target mainly due to long-term sick absence. This relates to seven cases of long-term sickness absence. Personnel Committee are kept fully informed.

Housing - a national increase in demand for temporary accommodation and lack of affordable housing.

Processing of HB/CTB claims – speed of processing - This is expected to improve in Q2. There is usually lower performance during the first part of the year.

ICT Helpdesk – issues resolved within agreed timescales was off target due to an increase in workload caused by single network migrations at the same time as reduced capacity in the service.

Household refuse collections - number of containers missed per month was off target due to vehicle breakdowns and PDA (palmtop computer) issues).

After a question and answer session members noted the staff sickness PI's only included staff paid via SBDC payroll and did not include all staff working within a shared service. To be able to review the implications on service delivery and resilience, members stressed it would be helpful to receive the staff sickness PI's for both authorities.

RESOLVED that the report be noted.

21. ENVIRONMENT

No meeting was held.

22. RESOURCES

The Cabinet received the minutes of the Resources Advisory Group held on 27 September 2016 and the following was the subject of a recommendation from the Portfolio Holder.

After considering the advice of the Portfolio Holder the Cabinet:

RESOLVED that

Beaconsfield, Burnham, Farnham Common

1. New car park charges for 2017/18, as outlined at Appendix C of the report be introduced.
2. An 8hr tariff on all car parks in Beaconsfield for 2017/18 be introduced.

Gerrards Cross

Following completion of the proposed multi-storey car park that:

3. New car park charges, as outlined at Appendix D, of the report be introduced,
4. An 8hr tariff on Packhorse Road and Station Road car parks be introduced.

All Car Parks (proposed for 2017/18)

5. Extend the car park charging periods from 08:00-18:00 to 08:00-20:00.
6. Amend the Off Street Parking Places Order to allow flexibility to designate short stay parking bays in long stay car parks where there is a need to do so to support the local community and authority be given to the Head of Environment in consultation with the relevant Portfolio Holder to make the changes where appropriate.
7. Introduce resident parking permits, to be valid Monday to Friday 6pm to 8am and all day Saturday/Sunday.
8. Introduce new season ticket prices to maintain a daily charge versus season ticket cost ratio.
9. Introduce a 12-month season ticket to provide more options to the customer and align season ticket periods with Chiltern District Council.

And

10. Authority be delegated to the Head of Environment to publish the necessary statutory Notice of proposed Amendments to the Off Street Parking Places Order.
11. If no valid objections are received in response to publication of the Notice, authority be delegated to the Interim Director of Services to make and publicise the necessary Amendment Order.
12. If valid objections are received in response to publication of the Notice, authority be delegated to the Interim Director of Services to deal with any such objections after consultation with the Portfolio Holder and to make and publicise the necessary Amendment Order with or without modifications as considered appropriate.

And that the minutes of the Resources Advisory Group held on 27 September 2016 be noted.

23. HEALTHY COMMUNITIES

The Cabinet received the minutes of the Health Communities Policy Advisory Group held on 15 September 2016.

Members were pleased to support local voluntary organisations such as the Rape Crisis (Wycombe, Chiltern and South Bucks), and were informed by Cllr. Kelly that an invitation had been extended to Members by Sue Lemon to visit the Rape Crisis offices (open every Thursday afternoon) in order to see the benefits of the funding.

RESOLVED that the minutes be noted.

24. ANY OTHER BUSINESS WHICH THE LEADER DECIDES IS URGENT

There was no urgent business.

25. EXCLUSION OF PUBLIC

“that under Section 100A(4) of the Local Government Act 1974 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act ”

Paragraph 1 information relating to any individual

26. SUSTAINABLE DEVELOPMENT

Members were updated regarding the ongoing negotiations of the five Buckinghamshire authorities within HS2 concerning attaining an agreement on a SLA that would cover the Councils’ costs when dealing with requests for works in connection with the construction of HS2.

RESOLVED

1. That progress made with regard to the Colne Valley Regional Park Panel be noted
2. That position on assurances received from HS2 on the Colne Valley and the HEX Langley Depot be noted
3. That the on-going negotiations with HS2 to agree a Service Level Agreement to cover future resources in dealing with Schedule 17 (of the HS2 Hybrid Bill) approvals (and Section 61 applications of the Control of Pollution Act) be noted
4. That the Acting Chief Executive in consultation with the Leader and Head of Legal and Democratic Services be authorised to approve any future settlement of the Service Level Agreement be agreed
5. To support Bucks CC with their petition to the House of Lord on:-
 - a. HGV issues in Iver;
 - b. Increasing the Community and Environment Fund and Business and Local Economy Fund; and
 - c. Appropriate sanctions being imposed on contractors for any breaches of the Code of Construction Practice in consultation with local authorities
6. That additional funding of £42,321 be provided on a contingency basis from the General Reserve until the end of April 2017 to cover the continuation of the existing HS2 Team with additional staff costs which are intended to be recoverable from HS2 and the latest position on expenditure be noted.

27. RESOURCES PAG

The Cabinet received the minutes of the Resources Policy Advisory Group held on 27 September 2016.

Members were advised a Cabinet meeting would be arranged to gain decisions on the next stage of the feasibility work for the Gerrards Cross Car Park.

RESOLVED that the minutes be noted.

28. TERMINATION OF MEETING

The meeting terminated at 6.45 pm

CABINET

Meeting - 25 October 2016

Present: Mr Bagge, Mr Naylor, Mr Egleton, Mrs Sullivan and Mr Kelly

29. EXCLUSION OF PUBLIC

"that under Section 100A(4) of the Local Government Act 1974 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act "

Paragraph 3 Information relating to the financial or business affairs of any particular persons (including the authority holding that information).

30. STATION ROAD CAR PARK, GERRARDS CROSS

The Cabinet considered a report on Gerrards Cross Car Park which detailed the progress made to date; the spend of consultancy costs and a predicted timetable for the project.

After discussion the Cabinet:

RESOLVED that:

1. The full business case be reported to the 7 February 2017 Cabinet meeting for decision
2. authority be given to the Interim Director of Services to negotiate any necessary agreements to enable this project to progress as indicated within the report and to conclude any necessary documentation.

And to **RECOMMEND** to Council to

3. Approve further consultancy costs to allow the project to proceed up until planning permission has been determined.
4. Approve further consultancy costs if planning permission is granted, to conclude the work on design, specification, costings and finalising the full business case which can then be reported to Cabinet.

The meeting terminated at 9.10 am

SUBJECT:	28 Day Notice
REPORT OF:	<i>The Leader - Cllr Bagge</i>
RESPONSIBLE OFFICER	<i>Head of Legal & Democratic Services</i>
REPORT AUTHOR	<i>Kully Tumber, 01895 837225 kully.tumber@southbucks.gov.uk</i>
WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

The Access to Information Regulations 2012 place a requirement of Councils to publish a notice 28 days before every executive or joint executive meeting detailing all Key Decisions and Private Reports to be considered. The [28 Day Notice](#) is published on the Councils website.

RECOMMENDATIONS

The Cabinet is asked to note the decisions to be taken by
 SBDC Cabinet – 8 February 2017
 SBDC & CDC Joint Committee – 19 December

Background Papers:	None
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South Bucks

District Council

SOUTH BUCKS DISTRICT COUNCIL 28 DAY NOTICE

LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS) (MEETINGS AND ACCESS TO INFORMATION (ENGLAND) REGULATIONS 2012)

This notice, published in accordance with Regulation 9 and Regulation 5 of the above Regulations, sets out the key decisions (and non-key decisions) that the Council's Cabinet intends to make at public or private meetings to be held within the next 28 days and beyond.

A further notice - [called the Agenda](#) – setting out the items to be considered (public and private) will be available no less than 5 working days before the meeting.

LEADER - COUNCILLOR BAGGE					
Key Decision (Y/N) ¹	Report Title & Summary ²	Consultation ³	Decision Maker & Date ⁴	Private report (Y/N) and reason private ⁵	Lead Officer
Y	Revenue Budget & Council Tax 2017/18 To recommend to Council a revenue budget and level of council tax for 2017/18	Overview & Scrutiny: 30.01.2017	Cabinet: 08.02.2017	N	Jim Burness Email: Jim.Burness@southbucks.gov.uk
Y	Annual Treasury Management Strategy 2017/18 To recommend to Council the Treasury Management Strategy and related policies for 2017/18.		Cabinet: 08.02.2017	N	Helen O'Keeffe Email: HOKeeffe@chiltern.gov.uk
N	Q2 Performance Report 2016-17 To receive Q2 monitoring report	Overview & Scrutiny: 30.01.2017	Cabinet: 08.02.2017	N	Sarah Woods Email: SWoods@chiltern.gov.uk
N	Service Plan Summaries 2017-18	Overview & Scrutiny: 30.01.2017	Cabinet: 08.02.2017	N	Sarah Woods Email: SWoods@chiltern.gov.uk

LEADER - COUNCILLOR BAGGE

Key Decision (Y/N) ¹	Report Title & Summary ²	Consultation ³	Decision Maker & Date ⁴	Private report (Y/N) and reason private ⁵	Appendix Lead Officer
Y	Academy Redevelopment Tender To consider the outcome of the tender process for redevelopment of the Academy site and contract award	South Bucks Members Advisory Panel: 02.02.2017	Cabinet: 08.02.2017	Y (Para 3)	Jim Burness Email: Jim.Burness@southbucks.gov.uk
Y	Farnham Park Playing Fields Strategy To consider options for the future facilities provided at the Farnham Park Playing Fields	South Bucks Members Advisory Panel: 02.02.2017	Cabinet: 08.02.2017	Y (Para 3)	Jim Burness Email: Jim.Burness@southbucks.gov.uk
Y	Strategic Asset Management Review To receive report on progress.		Cabinet: 08.02.2017	Y (Para 3)	Anita Cacchioli Email: anita.cacchioli@southbucks.gov.uk
Y	Economic Development Strategy To consider and agree the Council's Economic Development Strategy		Cabinet: 08.02.2017		Anita Cacchioli Email: anita.cacchioli@southbucks.gov.uk

SUSTAINABLE DEVELOPMENT PAG – COUNCILLOR NAYLOR

Key Decision (Y/N) ¹	Report Title & Summary ²	Consultation ³	Decision Maker & Date ⁴	Private report (Y/N) and reason private ⁵	Lead Officer
Y	Portfolio Budgets 17/18 To consider the draft portfolio budgets for 17/18	Sustainable Development PAG: 22.11.2016	Cabinet: 15.12.2016	N	Rodney Fincham Email: Rodney.Fincham@southbucks.gov.uk

HEALTHY COMMUNITIES PAG – COUNCILLOR KELLY

Key Decision (Y/N) ¹	Report Title & Summary ²	Consultation ³	Decision Maker & Date ⁴	Private report (Y/N) and reason private ⁵	Lead Officer
Y	Portfolio Budgets 17/18 To consider the draft portfolio budgets for 17/18	Healthy Communities PAG: 01.12.2016	Cabinet: 15.12.2016	N	Rodney Fincham Email: Rodney.Fincham@southbucks.gov.uk
Y	Local authority lottery To propose that the Council enters in to agreement with Gatherwell to undertake a	Healthy Communities PAG: 01.12.2016	Council: 01.03.2017	N	Martin Holt Email: Martin.Holt@southbucks.gov.uk

HEALTHY COMMUNITIES PAG – COUNCILLOR KELLY

Key Decision (Y/N) ¹	Report Title & Summary ²	Consultation ³	Decision Maker & Date ⁴	Private report (Y/N) and reason private ⁵	Appendix Lead Officer
	local authority lottery operated by both Chiltern and South Bucks District Councils	Cabinet: 08.02.17			
Y	Grant Review Review of grant streams offered by SBDC	Healthy Communities PAG: 01.12.2016	Cabinet: 08.02.2017	N	Claire Speirs Email: claire.speirs@SouthBucks.gov.uk
Y	Replacement of theatre floor at Beacon Centre To consider the options for replacement of the Beacon Centre theatre floor and seating.	Healthy Communities PAG: 01.12.2016	Cabinet: 08.02.2017	N	Claire Speirs Email: claire.speirs@SouthBucks.gov.uk
Y	Joint Private Sector Housing Strategy Consider the adoption of a joint Housing Strategy between South Bucks DC and Chiltern DC and agree the key themes and objectives it should contain.	Healthy Communities PAG: 01.12.2016 Cabinet: 08.02.16	Council: 01.03.2017	N	Michael Veryard Email: mveryard@chiltern.gov.uk
Y	Temporary Accommodation Framework Setting down the principles and process for identifying, procuring and allocating temporary accommodation to meet the Council's statutory duties under Part 7 of the Housing Act 1996.	Healthy Communities PAG: 01.12.2016 Cabinet: 08.02.16	Council: 01.03.2017	N	Michael Veryard Email: mveryard@chiltern.gov.uk
N	Community Development Grants Community Development Grants for consideration	Healthy Communities PAG: 01.12.2016	Cabinet: 08.02.2017	N	Claire Speirs Email: claire.speirs@SouthBucks.gov.uk

ENVIRONMENT PAG – COUNCILLOR SULLIVAN

Key Decision (Y/N) ¹	Report Title & Summary ²	Consultation ³	Decision Maker & Date ⁴	Private report (Y/N) and reason private ⁵	Lead Officer
Y	Portfolio Budgets 17/18 To consider the draft portfolio budgets for 17/18	Environment PAG: 06.12.2016	Cabinet: 15.12.2016	N	Rodney Fincham Email: Rodney.Fincham@south

					bucks.gov.uk
Y	Garden Waste Bin Charging Setting the garden waste charge for next year	Environment PAG: 06.12.2016	Cabinet: 08.02.2017	N	Appendix Eric Redford Email: Eric.Redford@southbucks.gov.uk
Y	Domestic Waste Container Charging To consider charging residents for domestic landfill wheelie bin. To consider increasing the annual charge made for the provision of communal bins	Environment PAG: 06.12.2016	Cabinet: 08.02.2017	N	Eric Redford Email: Eric.Redford@southbucks.gov.uk

RESOURCES PAG – COUNCILLOR EGLETON

Key Decision (Y/N) ¹	Report Title & Summary ²	Consultation ³	Decision Maker & Date ⁴	Private report (Y/N) and reason private ⁵	Lead Officer
Y	Portfolio Budgets 17/18 To consider the draft portfolio budgets for 17/18	Resources PAG: 08.12.2016	Cabinet: 15.12.2016	N	Rodney Fincham Email: Rodney.Fincham@southbucks.gov.uk
Y	Gerrards Cross Station Road Multistorey Car Park Project update and presentation of business case for approval of capital spend		Cabinet: 08.02.2017	Y (Para 3)	Chris Marchant Email: Chris.Marchant@Southbucks.gov.uk
Y	Building Services Maintenance, Cleaning & Associated Services Tender exercise for above services	Resources PAG: 08.12.2016	Cabinet: 08.02.2017	N	Kevin Kelly Email: KKelly@chiltern.gov.uk
Y	Bad Debt Write-Offs To consider writing off uncollectable debts	Resources PAG: 08.12.2016	Cabinet: 08.02.2017	N	Neil Berry Email: Neil.Berry@southbucks.gov.uk
N	Discretionary Rate Relief Policy Review To review policy for granting discretionary rate relief	Resources PAG: 08.12.2016	Cabinet: 08.02.2017	N	Neil Berry Email: Neil.Berry@southbucks.gov.uk
Y	Gerrards Cross Police Station site Update on site acquisition and future options for site post-acquisition	Healthy Communities PAG: 13.06.2016	Cabinet: 08.02.2017	Y (Para 3)	Martin Holt Email: Martin.Holt@southbucks.gov.uk
Y	Car Park Management Strategy SBDC's strategy for all car park matters from supply and demand to car park enforcement	Resources PAG: 02.03.2017 Cabinet: 25.04.2017	Council: 23.05.2017	N	Chris Marchant Email: Chris.Marchant@Southbucks.gov.uk
N	Application for Hardship Relief	Resources PAG:	Cabinet: 25.04.2017	Y (Para 1, 2, 3)	Neil Berry Email:

	To consider requests for Hardship Relief from Business Rates	02.03.2017			Neil.Berry@southbucks.gov.uk Appendix
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1. Key Decision

The Regulations explains a "key decision" as an executive decision which is likely:-

- (a) to result in the local authority incurring expenditure which is, or the making of savings which are significant having regard to the relevant authority's budget for the service or function to which the decision relates; or
- (b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the relevant authority.

With regard to (a) a key is a decision which has income or expenditure effect of £50,000 or more but excludes contracts for and expenditure on repairs, maintenance and improvements works within budget provision and approved policy where the contract or expenditure has either been properly and specifically approved by or on behalf of the Cabinet or by an Officer acting under delegated powers, save where Contract Standing Orders require the Cabinet itself to authorise acceptance of a tender and such acceptance has not previously been authorised or delegated by the Cabinet.

2. Report Title and Summary

A summary and title of a report is listed in this column. Reports that will be considered at a meeting will be available 5 working dates before the meeting at <http://www.sbdc-spider2.southbucks.gov.uk/democracy/uuCoverPage.aspx?bcr=1>

3. Consultation – How and When

This column shows the process of consultation, which takes place prior to Cabinet.

To support the role of the Portfolio Holders, Policy Advisory Groups (PAGs) have been set up to provide advice and guidance. A report is submitted to the PAG for its consideration, following which the minutes of the PAG are submitted to Cabinet. Cabinet considers the advice of the Portfolio Holder and the PAG when making a decision. The dates of PAGs are shown on the following notice. Whilst meetings of the PAGs are not open to the public the agenda papers and reports (except those subject to prohibition or restriction) are published on the Council's website.

4. Decision Maker & Date

This column shows by whom the Decision will be taken and the date the Decision is due to be taken.

5. Private Report and Reason Private

Members of the public are welcome to attend meetings of the Cabinet, however the public can be excluded for an item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 1, subject to the qualifications and interpretations in Parts 2 and 3, of Schedule 12A to the Local Government Act 1972 (as amended)

The relevant paragraphs are listed in the table below:

Paragraph	
1.	Information relating to any individual.
2.	Information which is likely to reveal the identity of any individual.
3.	Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4.	Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5.	Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

6.	Information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.
7.	Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

Appendix

Making Representation

If you wish to make representations about why a meeting should not take place in private then submit your representations at least 10 clear working days before the meeting to Democratic and Electoral Services, South Bucks District Council, Capswood, Oxford Road, Uxbridge, UB9 4LH - email democraticservices@southbucks.gov.uk so that they can be included in this further notice along with a statement of response to the representations as required under Regulation 5.

Classification: OFFICIAL

28-DAY NOTICE – FORWARD PLAN**Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012**

This is a Notice of an intention to make a Key Decision on behalf of the Local authority (Regulation 9) and an intention to meet in private to consider those items marked as 'Private Reports' (Regulation 5).

A further Notice (the 'Agenda') will be published no less than 5 working-days before the date of the Cabinet meeting and will be available at: [Chiltern District Council](#) & [South Bucks District Council](#)

CHILTERN & SOUTH BUCKS JOINT COMMITTEE (JC)
South Bucks District Council

Meeting: 19 December 2016					
Key Decision (Y/N) ¹	Report Title & Summary ²	Consultation How/When ³	Decision Maker & Date	Private Report (Y/N) and Reason Private ⁴	Contact Officer and Telephone Number
Y	Local Development Scheme Review This report will set out the review of the Scheme and recommend a revised Local Development Scheme.	JPPMRG 16.11.16 and 07.12.16	Joint Committee 19.12.16	N	Graham Winwright, Planning Policy Manager GWinwright@chiltern.gov.uk
Y	Community Infrastructure Levy Associated with the preparation of the Chiltern and South Bucks Local Plan, to decide on the principle of whether the two councils should jointly undertake evidence base work with a view to introducing separate community infrastructure levies and if so to agree a Local Development Scheme timetable, agreement for joint administration as part of the shared Planning Policy service and shared principles for levy spending.	JPPMRG 16.11.16 and 07.12.16	Joint Committee 19.12.16	N	Shereen Ansari, Senior Planning Officer (Planning Policy) SAnsari@chiltern.gov.uk
N	Programme Update: To report on the progress of the shared service programme.		Joint Committee 19.12.16	N	Jim Burness, Director of Resources Jim.burness@southbucks.gov.uk

- 1 The Chiltern & South Bucks Joint Committee membership comprises of the following Cabinet Members from each authority:

Chiltern District Council: I Darby; M Smith; M Stannard; G Harris; P E C Martin; F Wilson

South Bucks District Council: L Sullivan; T Egleton; R Bagge; N Naylor; P Kelly

A Key Decision is defined as:

- a) Decisions likely to result in the Council incurring expenditure which is, or the making of savings

Classification: OFFICIAL

which are, significant having regard to the Council's budget for the service or function to which the Decision relates; or

- b) To be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the Council

Each of the constituent local authorities provides the following definition of a Key Decision, as detailed in the Constitution.

Chiltern District Council

A 'Key' Decision is any decision taken in relation to a function that is the responsibility of the Cabinet and which is likely to:

- result in expenditure (or the making of savings) over £30,000 and / or
 - have a significant impact on the community in two (or more) district wards.
- and
- relates to the development and approval of the Budget; or
 - relates to the development, approval and review of the Policy Framework, or
 - is otherwise outside the Budget and Policy Framework.

South Bucks District Council

With regards to a) a Key Decision being defined as a decision which has income or expenditure effect of £50k or more but excludes contracts for and expenditure on repairs, maintenance and improvements works within budget provision and approved policy where the contract or expenditure has either been properly and specifically approved by or on behalf of the Cabinet or by an Officer acting under delegated powers, save where Contract Standing Orders require the Cabinet itself to authorise acceptance of a tender and such acceptance has not previously been authorised or delegated by the Cabinet.

- 2 Each item considered will have a report; appendices will be included (as appropriate). Regulation 9(1g) allows that other documents relevant to the item may be submitted to the decision-maker. Subject to prohibition or restriction on their disclosure, this information will be published on the Council website – [Chiltern District Council & South Bucks District Council](#) – usually 5 working-days before the date of the meeting. Paper copies may be requested (charges will apply) using the contact details below.
- 3 This column shows the process of consultation, which takes place prior to Joint Committee. Further information on each of the Councils' Committees can be found at: [Chiltern District Council](#) & [South Bucks District Council](#)
- 4 The public can be excluded for an item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act 1972. The relevant paragraph numbers and descriptions are as follows:

Paragraph 1	Information relating to any individual
Paragraph 2	Information which is likely to reveal the identity of an individual
Paragraph 3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)
Paragraph 4	Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority
Paragraph 5	Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings
Paragraph 6	Information which reveals that the authority proposes:

Classification: OFFICIAL

	(a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment
Paragraph 7	Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime

Part II of Schedule 12A of the Local Government Act 1972 requires that information falling into paragraphs 1-7 above is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Nothing in the Regulations authorises or requires a local authority to disclose to the public or make available for public inspection any document or part of a document if, in the opinion of the proper officer, that document or part of a document contains or may contain confidential information.

Should you wish to make any representations in relation to any of the items being considered in private, you can do so – in writing – using the contact details below. Any representations received, together with any response from the Council, will be published on the Notice (the 'Agenda') issued no less than 5 working-days before the meeting. This will be available on the Council website – [Chiltern District Council](#) & [South Bucks District Council](#)

Contact:

Democratic Services, Chiltern District Council, King George V House, King George V Road, Amersham, HP6 5AW; email: chiefexecs@chiltern.gov.uk; tel: 01494 732143

Democratic Services, South Bucks District Council, Capswood, Oxford Road, Denham, UB9 4LH; email: democratic.services@southbucks.gov.uk; tel: 01895 837200

SUBJECT:	Calendar of Meetings 2017/18
REPORT OF:	<i>Director of Resources</i>
REPORT AUTHOR:	<i>Kully Tumber, Democratic & Electoral Services Manager</i> Kully.tumber@southbucks.gov.uk 01895 837225
WARD/S AFFECTED:	<i>None</i>

1. Purpose of Report

To consider a proposed calendar of meetings for Council, Cabinet, Committees, and Policy Advisory Groups.

RECOMMENDATION to Council

That the proposed calendar of meetings 2017/18 be adopted.

2. Content of Report

- 2.1 The calendar of meetings for 2017/18 needs to be set to assist forward planning of the Council's business. Although this is well in advance, dates (and accommodation) need to be reserved, in line with other authorities / bodies planning their programme of meetings.
- 2.2 The attached calendar has been prepared for the period commencing 15 May 2017 to 23 May 2018. Members' attention is particularly drawn to the explanatory notes on page 2 of the calendar.
- 2.3 Committees are proposed at suitable intervals, with all meetings timed to cover known key decision dates.
- 2.4 Setting the calendar of meetings will not preclude additional meetings being called or dates being revised where circumstances demand.

3. Resource and Wider Policy Implications

- 3.1 There are no resource implications arising directly from this report.

Background Papers:	None
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SBDC TIMETABLE FOR 2017/18

Meetings	Cycle 1 (2017)	Cycle 2 (2017)	Cycle 3 (2017/18)	Cycle 4 (2018)
Environment PAG	06-Jun	12-Sep	21-Nov	6-Mar
Healthy Communities PAG	13-Jun	14-Sep	30-Nov	22-Feb
Resources PAG	15-Jun	26-Sep	7-Dec	22-Mar
Sustainable Dev PAG	8-Jun	7-Sep	23-Nov	8-Mar
Evreham		17-Oct		
South Buckinghamshire Members Advisory Panel	18-May	20-Sep	22-Nov	1-Feb
Licensing	21-Jun	3-Oct	24-Jan	21-Mar
Planning	14-Jun 12-Jul 9-Aug	6-Sep 4-Oct 1-Nov	6-Dec 10-Jan 31-Jan	28-Feb 28-Mar 18-Apr 23-May
Personnel	20-Jun	5-Sep	8-Jan	7-Mar
Overview & Scrutiny	22-Jun	16-Oct	30-Jan	19-Mar
Audit	5-Jul	28-Sep	18-Jan	15-Mar
Cabinet	28-Jun	25-Oct (Ordinary) & 13-Dec (Budget)	7-Feb	17-Apr
Council	19-Jul	15-Nov	27-Feb	16-May

Provisional dates: JPPMRG 22-May, 13-Jul, 8 Aug, 19-Sept, 18-Oct
JAIC, 22-Mar-18

*see explanatory notes (page 2)

Calendar Explanatory Notes

- The meetings of the following committees/meetings are still to be arranged and will not appear on this timetable
 - CDC and SBDC Joint Committee
 - Joint Appointments and Implementation Committee
 - CDC and SBDC Strategic Partnership
- The Licensing Sub Committee Hearings are arranged on an ad hoc basis when required.

Planning Committee

Planning Committees are arranged for every fourth week.

The next District Council Elections will be held in 2019, as such, the April Planning Committee should be arranged for before the election i.e. 24/04/2019.

SUBJECT:	DRAFT REVENUE BUDGET 2017/18
REPORT OF:	Leader of the Council
RESPONSIBLE OFFICER	Jim Burness – Director of Resources
REPORT AUTHOR	Jim Burness jim.burness@southbucks.gov.uk Tel: 01895 837217
WARD/S AFFECTED	All

1. Purpose of Report

1.1 To present the draft revenue expenditure budget for 2017/18.

RECOMMENDATIONS

1. The Cabinet considers the report and agrees that it forms the basis of the draft revenue budget for 2017/18, updated to reflect the outcomes of the Local Government Finance Settlement and related announcements.

2. Officers are instructed to examine options to reduce the planned use of the General reserves in the draft 2017/18 budget.

2. Executive Summary

2.1 It is the responsibility of the Cabinet to prepare a revenue budget for approval by the Council which will form the basis of setting the council tax. This report describes the progress to date based on:

- The financial outturn for 2015/16 and information from the current year's budget monitoring.
- The draft 2017/18 base budget built up using assumptions described in the report and which has been subject to discussion in PAGs

2.2 The draft budget is set within the context of the Medium Term Financial Strategy (MTFS), the updated version of which was approved by the Council in November. The MTFS indicated that:

- The Council would increase the council tax by £5 in 2017/18.
- The Council would undertake prudential borrowing to support major investment projects and therefore would incur borrowing costs and see a reduction in investment income.

2.3 The overall PAG expenditure budget reflects a 1.3% reduction on the current year's budget. The provisionally planned use of General reserves is £183k.

- 2.4 The key points from the Government's Autumn Statement are contained in Appendix C.

3. Reason for Recommendations

- 3.1 Members need to consider the service expenditure part of the budget, and that the overall budget is consistent with the MTFS. The overall budget will be finalised in February once all the details of Government funding are known.

4. 2015/16 Outturn & Current 2016/17 Position

- 4.1 The revenue budget outturn for 2015/16 is summarised in Appendix A. The key points to note from the outturn is that the overall expenditure funded from the council tax (Budget Requirement) was £301k less than budgeted, allowing for this sum to be added to the General Reserve.
- 4.2 At the end of the year, the Council's usable General Fund reserve stood at £2.480m. In addition, the Council has earmarked reserves of £3.026m including £668k for the Local Plan Development, and £253k for the costs of service transformation. Within the overall figure is £1.939m in respect of s106 funding.
- 4.3 In the current year the one significant budget issues identified in the first half of the year is the projected shortfall of £150k on investment income. This is forecast to be offset by additional retained business rate income as a result of the Council being part of a Buckinghamshire business rates pooling scheme in the current year.

5. Draft Revenue Budget 2016/17

- 5.1 The budgets have been prepared in accordance with the following inflation assumptions:
- Salaries inflation from April 2017 of 1%
 - Contracts inflation 2% (unless different rate specified within contract)
 - Business rates 2.5%
 - Gas 4.0%, Electricity 4.0% and Water 4.0%
 - Insurance 0.5%
 - Other 0%
- 5.2 Investment income has been budgeted to reduce to £200,000 to reflect lower returns forecast in the current year. This is the result of the continued low interest rate environment, and the Council's strategic plans for a number of significant investment projects that will reduce its surplus cash available for investment and lead it to undertake prudential borrowing. This estimate will be finalised when the Treasury Management Strategy is considered by the Cabinet in February.
- 5.3 The draft budget based on the information presented to PAGs is summarised in the following table. The draft budget has a working assumption of a £5 increase in Council Tax and a Council Tax Base figure of 32,465 (which is a 1.5% increase on the council tax base for 2016/17).

	2017/18 £k
Environment Portfolio	2393
Healthy Communities Portfolio	1265
Resources Portfolio	3218
Sustainable Development Portfolio	1035
Total PAG Budgets	7911
Pension Fund Contribution	50
Capital Charges etc	211
Borrowing costs	100
Investment Income	-200
Use of Earmarked Reserves	
- LDD	-219
- Transformation	-5
Use of General Reserve	-183
Budget Requirement	7665

- 5.4 The total net expenditure across the PAGs, £7,911k represents a 1.3% reduction on the equivalent figure for 2016/17. Appendix B shows the breakdown of the total budget by expenditure/income headings. The detailed budgets for each Portfolio area are contained in the reports to the various PAGs.
- 5.5 The draft budget makes an allowance of £50k for the initial impact of the 2016 Pension Fund revaluation. The details will be made available to the Council during December by the Fund Actuary and the provisional figure will be reviewed as part of finalising the budget in February, in the light of the information.
- 5.6 When finalising the budget in February one of the issues to consider will be the level of reserves, general and earmarked, should be. The draft budget assumes £183k use of the General reserve, to support the budget, but this will be reviewed as part of finalising the budget. This use of reserves is significantly less than what was anticipated when updating the MTFS earlier in the year.

6. Autumn Statement and Finance Settlement 2017/18

- 6.1 On 23rd November in the Autumn Statement the Government announced that it would not be seeking to balance the public finances by 2020, and was to leave in place the Departmental spending plans set by the 2015 Spending Review. Whilst this implies for the local government sector as a whole that the financial position is not expected to get significantly tighter, it does not necessarily mean that would be the case for every individual authority. This will become clearer when the Provisional Local Government Finance settlement is announced.
- 6.2 Appendix C outlines the main points from the Autumn Statement/Spending Review as they affect local government. There are four planned areas for investment

- Accelerate new housing supply;
- Tackle congestion on the roads;
- Support the market to roll out full-fibre connections and future 5G communications;
- Enhance the UK's position as a world leader in science and innovation.

6.3 The one most likely to have some potential impact on district councils are the measures to accelerate new housing supply, the details of which are awaited.

6.4 The other point of note is the Government has announced the details of the transitional relief arrangements for business following the revaluation of business rates from April 2017. This will determine how the impact of changes on individual business is phased in. It should not have a direct impact on the Council's finances, if as has been the case in the past, the Government funds centrally the costs of transition.

6.5 The details of the 2017/18 Finance Settlement are announced in December. The main issues of note for the Council are:

- The revised New Homes Grant arrangements.
- The impact of the business rates revaluation on the Council's business rates baseline and tariff assessments.

7. Risks

7.1 The key financial risks to be aware of in the medium term and these are set out in the following table.

Risk	Response
Uncertainty over impact of retention of business rates and the general level of future Government funding.	In the short term the Council's income from business rates is affected by the general state of the economy but mainly by decisions of the VOA on valuation appeals. In the medium term the changes from 2019/20 onwards affecting business rate retention and the Government's distribution of funding may have significant implications which will need to be allowed for in the MTFS as information emerges.
Growing mismatch between the local supply and demand of affordable housing increases pressure on temporary accommodation budgets.	Temporary accommodation budgets monitored, and options to provide temporary accommodation are explored. Efforts made to identify sites for affordable

Risk	Response
	housing developments. Funding made available via s106 agreements and other sources are effectively used. Planning policies seek to narrow the supply and demand gap.
The Pension Fund deficit requires the Authority to continue to increase contributions to the Fund.	The advice from the Fund Actuary following the 2016 Fund Valuation will inform the Council's decisions on the matter which will be reflected in the final 2017/18 budget.

8. Corporate Implications

- 8.1 This report sets out an initial draft Net Revenue Expenditure Budget for 2017/18. The draft budget will be combined with the information from the Provisional Local Government Finance Settlement to produce a final draft revenue budget in February for the Cabinet to consider. The final budget will also take into account information from the Pension Fund Actuary on the funding position and any actions the Council needs to consider.
- 8.2 It is a legal requirement that the revenue budget is balanced, and has been scrutinised by Members. The final draft budget that will be considered by the Cabinet in February will be scrutinised by Overview & Scrutiny Committee at the beginning of February.
- 8.3 The strategic and financial risks facing the authority are set out in the report. The Medium Term Financial Strategy financial information will be updated as part of the report to Cabinet in February 2017.

9. Links to Council Policy Objectives

- 9.1 The budget is essential to achieving all of the Council's objectives and priorities.

10. Next Steps

- 10.1 Government announces provisional funding details for 2017/18, and confirms final funding in the latter part of January 2017.
- 10.2 Budget for final consideration by Cabinet in February prepared and consultation undertaken with Overview & Scrutiny Committee on 30th January 2017.
- 10.3 Cabinet, 8th February 2017, makes recommendations on revenue budget and council tax level to Council, 1st March 2017.

Background Papers:	None
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APPENDIX A

SOUTH BUCKS DC REVENUE OUTTURN 2015/16

	Latest(1) Budget £	Actual £	Variance (Act-LB) £
Portfolio Breakdown			
Environment	3,587,563	3,271,548	-316,015
Healthy Communities (including s106 exp)	1,927,818	1,906,651	-21,167
Resources	2,312,700	2,316,751	4,051
Resources - Investment Properties	-231,214	-232,902	-1,688
Sustainable Development	1,660,828	1,622,517	-38,311
Net Cost of Services	9,257,695	8,884,565	-373,130
Interest & Investment Income	-400,000	-365,626	34,374
Notional Interest Payable	243,880	243,880	0
Transfer from Capital Reserves	-1,225,050	-1,371,720	-146,670
Transfer from LDD Reserve	-98,000	0	98,000
Transfer from Funding Change Reserve	-75,266	0	75,266
Transfer from Specific Reserves	-61,770	-49,664	12,106
Transfer from General Reserve - Elections	-70,000	-70,000	0
Use of additional new homes bonus	81,357	80,000	-1,357
BUDGET REQUIREMENT	7,652,846	7,351,435	-301,411

APPENDIX B

SUBJECTIVE BREAKDOWN OF DRAFT PAG BUDGETS

2014/15 ACTUALS	2015/16 ACTUALS		2016/17 BUDGET	2017/18 BUDGET	% Change
£	£		£	£	
4,883,896	4,727,135	- Direct Employee Expenses	3,910,420	3,531,790	-9.7%
599,303	544,621	Indirect Employee Expenses	209,230	348,960	66.8%
935,185	936,065	Premises Related Expenses	1,035,460	965,570	-6.7%
124,400	92,346	Transport Related Costs	105,800	43,050	-59.3%
3,298,732	3,725,230	Supplies & Services	1,359,162	1,300,544	-4.3%
699,765	1,231,289	Recharge from CDC	2,752,075	3,541,277	28.7%
4,425,073	4,412,214	Third Party Payments	4,042,227	3,928,760	-2.8%
15,858,696	15,941,474	Transfer Payments	16,065,000	16,852,500	4.9%
30,825,050	31,610,374	RUNNING EXPENSES	29,479,374	30,512,451	3.5%
(5,942,739)	(5,756,092)	Fees & Charges and Other Income	(4,693,000)	(4,986,280)	6.2%
(16,188,887)	(17,214,808)	Grant Income	(16,147,040)	(16,939,540)	4.9%
(624,102)	(724,108)	Recharge to CDC	(506,973)	(675,358)	33.1%
(75,760)	(44,435)	Recharge to Trust	0	0	
(175,460)	(147,935)	Recharge to Capital	(120,860)	0	
7,818,102	7,722,996	Net Running Expenses	8,011,501	7,911,273	-1.3%
1,434,443	1,371,720	Depreciation	1,458,049	1,280,549	-12.2%
4,776,601	3,707,208	Support Recharges In	3,384,617	0	-
994,140	1,031,892	Office Recharge	917,454	0	-
(5,770,740)	(4,739,100)	Support Recharges Out	(4,302,071)	0	-
7,818,103	7,722,996	Net Cost of Services	8,011,501	7,911,273	-1.3%

Note; Support/Office Recharges are set at the final stage of the budget process. They have no impact on the overall net cost of services.

APPENDIX C**AUTUMN STATEMENT**

Announcements relevant to local government within the Autumn Statement 2016 are summarised below.

Government Spending

The Chancellor has announced that the Government has abandoned its commitment to reduce public sector net borrowing to a surplus by the end of this Parliament. It is now planning for a deficit of £21.9bn in 2019/20, compared to the surplus of £10.4bn planned for at Budget 2016, an increase in public sector net borrowing for 2019/20 of £32.3bn.

The Chancellor stated that the government is committed to the overall plans for departmental resource spending until 2019/20, which were set out at Spending Review 2015. Departmental resource spending will grow with inflation in 2020/21 and 2021/22.

The Chancellor announced that he is today publishing a new draft Charter for Budget Responsibility, with three new fiscal rules:

- Borrowing should be below 2% by the end of this Parliament;
- Public sector net debt as a share of GDP must be falling by the end of this Parliament;
- Welfare spending must be within a cap, set by the government at AS 2016 and monitored by the Office for Budget Responsibility (OBR).

The Chancellor stated that the new fiscal framework is intended to provide the opportunity for additional investment in the productive capacity of the UK economy, the centrepiece of which is a new National Productivity Investment Fund (NPIF), which will provide for £23 billion of spending between 2017/18 and 2021/22. This fund will provide additional support in order to:

- Accelerate new housing supply;
- Tackle congestion on the roads;
- Support the market to roll out full-fibre connections and future 5G communications;
- Enhance the UK's position as a world leader in science and innovation.

The Autumn Statement sets out the priority areas and levels of funding up until 2020/21 across the four areas identified; but specific projects will only be decided in the future. The funding available across the four areas is £2.4bn in 2017/18; £3.8bn in 2018/19; £5.0bn in 2019/20; and £5.5bn in 2020/21. A further £7bn will be available in 2021/22.

Business Rates

The government has announced a number of changes to business rates. The main changes announced are:

- From April 2017, there will be 100% business rates relief on investment in new fibre;
- From April 2017, rural rate relief will be increased to 100%;
- The projected costs of these two measures will be £10m in 2017/18, rising to an annual cost of £20m by 2020/21;
- The government has confirmed in its response on the consultation on transitional arrangements that the transitional relief cap under business rates revaluation will be lowered.

The government has not stated whether local authorities will be provided with s31 grant to compensate for the rate relief reforms; but, on the basis of past decisions, it would be expected that they would do so.

Regions

The Chancellor announced a number of measures relating to the regions, including:

- The government will award £1.8bn to Local Enterprise Partnerships (LEPs) across England through a third round of Growth Deals. £556m of this will go to the North of England, £392m to the Midlands, £151m to the East of England, £492m to London and the South East, and £191m to the South West. Awards to individual LEPs will be announced in the coming months;
- The government will give mayoral combined authorities powers to borrow for their new functions, which will allow them to invest in economically productive infrastructure, subject to agreeing a borrowing cap with HM Treasury;
- The government will also consult on lending local authorities up to £1bn at a new local infrastructure rate of gilts + 60 basis points for three years, to support infrastructure projects that are high value for money;
- The government has published a strategy setting out an overall approach to building the Northern Powerhouse, through addressing the key barriers to productivity that the region faces. The government will also publish a Midlands Engine strategy shortly;
- The government has also confirmed the Greater London Authority's (GLA) affordable housing settlement, under which the GLA will receive £3.15bn to deliver over 90,000 housing starts by 2020-21, and will devolve the adult education budget to London from 2019-20 (subject to readiness conditions).

Other measures announced

Housing. The government announced:

- A Housing Infrastructure Fund – a new Housing Infrastructure Fund of £2.3bn by 2020-21, funded by the NPIF and allocated to local government on a competitive basis. It is intended that this will deliver up to 100,000 new homes;
- Affordable homes – the government will relax restrictions on grant funding to allow providers to deliver a mix of homes for affordable rent and low cost ownership. The NPIF will provide an additional £1.4bn to deliver an additional 40,000 housing starts by 2020-21;
- Right to Buy – The government will fund a large-scale regional pilot of the Right to Buy for housing association tenants. Over 3,000 tenants will be able to buy their own home with Right to Buy discounts under the pilot.

The government will increase the National Living Wage (NLW) by 4.2% from £7.20 to £7.50 from April 2017.

This will be the last Autumn Statement. There will be no Autumn Statement in 2017 and beyond.

SUBJECT:	Chiltern and Wycombe Joint Waste Collection Committee – Revised Constitution to include South Bucks
REPORT OF:	<i>Environment Portfolio Holders – Cllr Mike Smith (CDC) and Cllr Luisa Sullivan (SBDC)</i>
RESPONSIBLE OFFICER	<i>Head of Environment – Chris Marchant</i>
REPORT AUTHOR	<i>Sue Markham – Principal Solicitor – 01895 837326 - sue.markham@southbucks.gov.uk</i>
WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

To consider a revised constitution for the Chiltern and Wycombe Joint Waste Collection Committee to include South Bucks now that waste issues are dealt with by one joint team for all three Districts.

RECOMMENDATIONS

- 1. That Members consider and approve the principle of extending the membership of the Chiltern and Wycombe Joint Waste Collection Committee (JWCC) to include South Bucks District Council;**
- 2. That members consider the draft amended Constitution and Terms of Reference appended to the report and delegate the final wording to the Head of Legal and Democratic Services in consultation with the relevant Portfolio Holders and the Head of Environment;**
- 3. That, provided each proposed constituent member authority of the extended JWCC agrees the principle under recommendation (a) above, the Constitution and Terms of Reference as amended shall come into effect on a date to be advised by the Head of Legal and Democratic Services and be incorporated into the relevant section of each Council's Constitution.**
- 4. That, if the Constitution and Terms of Reference are amended, the Council is recommended to update the Council's Constitution to reflect the agreed changes.**

2. Reasons for Recommendations

The recommendation to extend the membership of the JWCC will allow for the most efficient management of the current waste contracts and will enable consideration to be given to a possible future joint procurement involving all three authorities.

3. Content of Report

- a. The Chiltern and Wycombe Joint Waste Collection Committee (JWCC) was established following the award of the jointly procured contract for waste, recycling and street cleansing services.
- b. The JWCC has monitored and managed the strategic aspects of the joint contract.

- c. The officer team has, until recently, comprised a joint team of officers from Chiltern together with officers from Wycombe, transferred to Chiltern under TUPE following the decision in 2012 that Chiltern would be the host authority for the joint waste team.
- d. As part of the joint working arrangements between Chiltern and South Bucks, a review of the waste service has been carried out and a joint team to manage the overall service has been established under a new structure from October 2016.
- e. Chiltern and Wycombe's joint contract with Serco comes to the end of its first seven year period in March 2020 and South Bucks' contract with Biffa comes to an end in 2021. There may be opportunities for considering a future joint procurement or working together by all three authorities, in which case, it will be necessary for strategic decisions to be discussed and made jointly. This would be greatly assisted by extending the current JWCC to include South Bucks.
- f. For as long as there are two contracts in place there will be procedural requirements to keep separate any consideration of confidential matters relating to each current contract and decision making on each. The voting rights expressed in the draft constitution restrict the ability for Members of one Council to vote on issues relating to the existing contractual arrangements of the other Council/s.
- g. There are many other waste related issues that are common to all three authorities and the JWCC could have delegated to it other functions related to municipal waste if desired.
- h. The current JWCC has indicated its support for the membership to be extended to include South Bucks so the agreement of each constituent authority is required to progress the matter.
- i. The draft constitution as amended is attached as **Appendix 1**.
- j. Although the terms of reference/powers of the JWCC refer to operational management of the waste contracts, the day to day management of the contract and associated budgets are already delegated to the officers so that the role of the Members of the JWCC is in relation to overall strategic issues relating to waste.

4. Options

The membership of the JWCC could be left as it is currently but that could make it less efficient when it comes to consider future procurement possibilities involving South Bucks.

5. Corporate Implications

- a. Financial – none currently but the potential for future savings in the cost of the contracted out service will be explored.
- b. Legal – the legal basis for the joint committee is set out in the draft amended constitution.

6. Links to Council Policy Objectives

This proposal would support the delivery of cost effective and customer focussed services.

7. Next Step

This report and the amended draft constitution will be presented to the Cabinets of each constituent authority for approval before coming into effect if so approved.

Background Papers:	None
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DRAFT V2

Dated..... 2017

**CONSTITUTION OF THE CHILTERN, SOUTH BUCKS AND
WYCOMBE COUNCILS JOINT WASTE
COLLECTION COMMITTEE**

Chiltern District Council
Council Offices
King George V Road
Amersham
Bucks HP6 5AW

THIS SUPPLEMENTAL AGREEMENT is made the _____ day of _____, 2017.

BETWEEN

CHILTERN DISTRICT COUNCIL of King George V House King George V Road Amersham
Bucks HP6 5AW of the first part

And

SOUTH BUCKS DISTRICT COUNCIL Capswood Oxford Road Denham Bucks UB9 4LH of the
second part

And

WYCOMBE DISTRICT COUNCIL of Council Offices Queen Victoria Road High Wycombe
Bucks HP11 1BB of the third part

DEFINITIONS AND EXPRESSIONS

Definition/Expression	Meaning
“the Inter District Authority Agreement”	The Inter District Authority Agreement entered into by Chiltern and Wycombe Councils on 17 December 2010 which sets out the principles and aims and objectives for the management and procurement of waste collection, recycling collection and street cleansing services in their administrative areas
“Chiltern”	Chiltern District Council
“the Serco Contract”	The contract jointly procured by Chiltern and Wycombe for waste collection, recycling collection and street cleansing services and related services in their administrative areas

“the Biffa Contract”	The contract procured by South Bucks for waste collection, recycling collection and street cleansing services in the Council’s administrative area
“the Joint Committee”	The Chiltern, South Bucks and Wycombe Councils Joint Waste Collection Committee
“Lead Authority”	Any of the participating Councils appointed by the Joint Committee in accordance with Article 13 hereof to take lead responsibility for any of the functions or activities more particularly described therein
“Joint Working Principles and Objectives”	The Joint Working Principles and Objectives included at Schedule Two hereof which sets out the governing principles and key strategic aims of the Joint Committee
“municipal waste management functions”	Any or all of the duties and powers of the participating Councils in relation to the collection recycling and disposal of waste or street cleansing
“the Councils”	Chiltern, South Bucks and Wycombe District Councils
“South Bucks”	South Bucks District Council
“Wycombe”	Wycombe District Council

WHEREAS

- (1) The Councils are the statutory waste collection authorities for household waste for their administrative areas and also have a range of duties and powers in relation to recycling and environmental cleansing and maintenance within their respective administrative areas.
- (2) Being mindful of their duties and responsibilities to secure best value within the meaning of Section 3(1) of the Local Government Act 1999, and acknowledging that joint arrangements have significant potential to reduce both administrative and service costs, the Councils have decided to work together.
- (3) The Cabinets of Chiltern and Wycombe established a Joint Committee under an Agreement dated 19 December 2012 to monitor and manage the services provided under the Serco Contract, which was jointly procured.
- (4) A joint officer team to manage the Serco contract was established by transferring officers from Wycombe to Chiltern.
- (5) Chiltern and South Bucks have now completed a review of the staffing arrangements for the management of their waste collection and related services and have established a joint officer team with responsibility for the management of both the Serco and the Biffa contracts.
- (6) The Councils acknowledge that their duty to secure best value can be advanced by extending the membership of the current Joint Waste Collection Committee to include South Bucks.
- (7) The Councils have therefore resolved to enter into this Supplemental Agreement to extend the membership of the Joint Committee and to expressly declare the extent of the functions and responsibilities delegated to it.

NOW THIS DEED WITNESSETH as follows:-

- 1. IN CONSIDERATION** of Section 101(5) of the Local Government Act 1972 and The

Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000 (as amended) and Regulation 9 of the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 and all the statutory duties and powers vested in the Councils in this behalf it is hereby **AGREED AND DECLARED** as follows:-

- (1) That the Joint Committee as extended will come into existence on the ***** day of ***** 2017 and shall continue until dissolved in accordance with Article 15 hereof.
- (2) That as from the date of this Agreement the Constitution and Terms of Reference of the Joint Committee shall operate and be regulated by the Articles and Schedules hereof.
- (3) That during the continuance of this Agreement all actions initiatives projects and transactions entered into by the participating Councils at the direction of the Joint Committee shall be guided by the principles and aims as set out in Schedule Two hereof and shall be conducted in good faith in observance of the terms and spirit of this Agreement;
- (4) That nothing contained or incorporated in this Agreement shall be construed as creating a partnership in law.

THE ARTICLES

1 Membership and Terms of Reference

The Membership and Terms of Reference of the Joint Committee shall be in accordance with the provisions set out in the Schedule One hereof.

2 Term of Office

- (i) The term of office of the Cabinet/Executive members of the Joint Committee shall commence on the date of their appointment to the Joint Committee until the date that they cease to hold office as a member of the Cabinet/Executive that appointed them or cease to have portfolio responsibility for municipal waste management functions (whichever is earlier).
- (ii) The term of office of the non-Cabinet/Executive members of the Joint Committee shall commence on the date of their appointment to the Joint Committee and continue for the term notified in writing to the Secretary to the Joint Committee (being a period of not less than twenty four (24) months).

3 Casual Vacancies

As soon as is practicable after a casual vacancy arises the Cabinet/Executive of the relevant participating Council shall appoint a replacement of the same rank as the member replaced who shall hold office for the remainder of the term of office of such replaced member.

4 Voting Rights

All members of the Joint Committee (or in their absence their duly appointed deputies, provided the deputy is also a Cabinet/Executive member) shall have the right to speak and vote, PROVIDED THAT members of Chiltern and Wycombe shall not have a right to vote in respect of the Biffa contract and members of South Bucks shall not have a right to vote in respect of the Serco contract.

5 Substitutes

Members of the Joint Committee shall be entitled to appoint a deputy to act on their behalf in the event that they are unable to attend a meeting of the Joint Committee provided notification of appointment is given to the Secretary to the Joint Committee

in writing (including by electronic means) by not later than four o'clock on the working day preceding the meeting that the deputy will substitute for the member and thereon the deputy shall be entitled to attend that meeting only and (subject to the requirements relating to the declaration of interests contained in the Code of Conduct of the Council of which he is a member) shall be entitled to speak and (where eligible) vote on all items of business.

6 Minutes, Annual Report and Final Accounts

The Joint Committee shall meet on not fewer than three occasions in any municipal year and as soon as is practicable thereafter a copy of the minutes of the meeting shall be given to the members of the Committee and submitted to the Executive or Cabinet of each of the Councils. The Joint Committee shall also prepare and send an Annual Report on the discharge of its functions and powers to the Executive or Cabinet of each of the participating Councils as soon as practicable after the end of each financial year such report to include a copy of the final accounts for that year.

7 Procedural Rules

Meetings of the Joint Committee shall be conducted according to the rules of debate applicable for the time being to meetings of ordinary committees of Chiltern District Council as the same are from time to time set out in its Council Procedure Rules but subject to such minor modifications or amendments as are desirable or appropriate to facilitate the proper and efficient conduct of the business of the Joint Committee.

8 Venue for Meetings

Meetings shall be held at the principal offices of each of the Councils alternately on the date and at the time stated on the Agenda for the meeting.

9 Members' Codes of Conduct

In the conduct of the business of the Joint Committee Members shall comply with the Code of Conduct for Elected and Co-opted Members adopted by the participating Council of which they are a Member.

10 Access to Information

Notwithstanding the provisions of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, or any statutory modification or re-enactment thereof, the rights of the public to agendas, reports, background papers, meetings and the minutes of meetings of the Joint Committee shall be not less than that prescribed for meetings of Principal Councils by Sections 100A to E of the Local Government Act 1972 (as amended).

11 Powers of the Joint Committee

- (i) The Joint Committee may exercise the following powers and duties of the participating Councils:
 - (a) overall responsibility for the management of the Serco and Biffa Contracts;
 - (b) agreeing any changes to the management of the said Contracts;
 - (c) making decisions on day to day operational issues, including approval of relevant expenditure;
 - (d) recommending the Waste Services Manager's service plan and budget to the Councils
 - (e) ensuring that the collective objectives of the Councils, as set out in Schedule Two, are realised and implemented as agreed between them from time to time; and
 - (f) providing a forum for the resolution of any disputes between the Councils in connection with the procurement and management of the said Contracts
 - (g) overseeing the procurement, implementation and management of any replacement contracts in the future.

- (ii) for the avoidance of doubt it is agreed that the following decisions will be reserved to the Councils and will not be delegated to the Joint Committee:
 - (a) decisions to authorise expenditure over budgeted amounts;
 - (b) changes to recycling policy;
 - (c) a decision to extend or terminate the Serco or Biffa Contracts;
 - (d) variations to the said Contracts which would lead to the Service Budget being exceeded;
 - (e) changes to the constitution of this Joint Committee;
 - (f) significant changes in service levels;
 - (g) overall resource allocation;
 - (h) significant restructure of the staff responsible for managing the said Contracts; and
 - (i) significant changes to the service package
 - (j) Variations of the apportionment of costs between the Councils

12 Scheme of Delegation to Officers

- (i) Depending upon the extent of the powers and duties delegated to the Joint Committee it may from time to time resolve pursuant to Section 101(5) of the Local Government Act 1972 to make and publish a Scheme of Delegation to Officers to facilitate the effective operational management and delivery of any of the municipal waste management functions.
- (ii) Notwithstanding the provisions of Article 12(i) hereof for the avoidance of doubt and subject only to any express limitation to the contrary in any Scheme of Delegation to Officers for the time being in force, Office Holders shall be deemed to have delegated authority to carry out such duties and responsibilities as are set out in the terms of their appointment or contracts of employment or are consistent with the duties and obligations imposed on them by any other of the terms of this Constitution.

13 Lead Authority

- (i) Chiltern District Council has lead authority responsibility in that it shall carry out any or all of the following functions and activities in addition to those set out in the Inter District Authority Agreement:-
- (a) to acquire and hold land buildings plant and equipment at the direction and for the use of the Joint Committee in respect of the Serco Contract;
- (b) to insure and keep insured any such land and buildings (including any additions or extension thereto) and any plant and equipment held at the direction and for the use of the Joint Committee in respect of the Serco Contract in full re-instatement value with an insurer of good repute;
- (c) to put and keep on foot such other insurances including public and employers liability insurance covering such insured risks, levels of cover and excesses as the Joint Committee acting reasonably consider prudent;
- (d) Subject to being fully and effectually indemnified by Wycombe and South Bucks in proportions to be agreed, to appoint existing staff or where agreed, to employ and remunerate additional staff at the direction and for the use of the Joint Committee, including the appointment or employment of the following Office Holders to provide administrative and financial support to the Joint Committee :-
- The Secretary; and
 - The Treasurer;
- (e) without prejudice to the generality of the foregoing, to provide or secure the provision of banking accountancy and audit facilities for the Joint

Committee in accordance with best practice for the public sector and to provide or secure the provision of legal advice;

- (f) at the direction and for the use of the Joint Committee (subject to the approval of the constituent Councils where necessary) to enter into contracts and agreements for works supplies and services; and
 - (g) to compile and publish any statistics or local or national performance indicators as the Lead Authority may be required by law to compile or publish in connection with any functions discharged for and on behalf of the Joint Committee.
- (ii) For the avoidance of doubt the insurance employment and other necessary and incidental cost and expenses directly or indirectly incurred by Chiltern in the performance of the lead authority responsibilities shall be apportioned between the Councils in proportions to be agreed.
- (iii) Where Chiltern enters into agreements or contracts for works supplies and services at the direction and for the use of the Joint Committee it shall utilise and comply with its own procurement and audit procedures, including its adopted Contract and Financial Procedure Rules subject only to any reference therein requiring officers to report to or obtain the approval or consent of the Council or the Cabinet/Executive being construed as if it were a reference to the Joint Committee.

14 Senior Officer Management Board

- (i) In order to provide strategic level advice to the Joint Committee a Board shall be formed known as the Senior Officer Management Board which will consist of the Officers of the Councils with overall responsibility for municipal waste management functions.

- (ii) Members of the Senior Officer Management Board shall be entitled to appoint a standing deputy to act on their behalf in the event that they are unable to attend a meeting of the Board and thereon the standing deputy shall be entitled to attend that meeting only.
- (iii) The Chief Executives of Chiltern and South Bucks and Wycombe and the Section 151 Officers and Monitoring Officers of the Councils shall be entitled to attend meetings of the Senior Officer Management Board.
- (iv) The Secretary and Treasurer to the Joint Committee and the Waste Services Manager shall report to and be subject to the direction and control of the Senior Officer Management Board.

15 Withdrawal or Dissolution

- (i) South Bucks may withdraw from the Joint Committee on giving to the other Councils not less than 6 months prior notice in writing, such notice to expire on 31 March in any year PROVIDED THAT this Clause shall expire if a contract is awarded jointly by all three Councils;
- (ii) Neither Chiltern nor Wycombe may withdraw from the Joint Committee until the Serco Contract is terminated or expires, from which time until any award of a contract jointly by all three Councils, either Chiltern or Wycombe may withdraw from the Joint Committee on giving to the other Councils not less than 6 months prior notice in writing, such notice to expire on 31 March in any year.

16 Liabilities on Withdrawal

Should the Joint Committee be dissolved the Councils shall remain liable to pay or contribute their share of any previously agreed and committed expenditure.

17 Arbitration

All disputes or differences between the Councils concerning the interpretation or application of these Articles that cannot be resolved by mutual agreement shall be referred to an independent Arbitrator appointed by the parties or in default of agreement by the President for the time being of the Law Society. The Arbitration will be conducted in accordance with the Arbitration Act 1996 and the arbitrator will act as an expert whose award shall be binding on the parties.

18 Variations

Any variations to these Articles or the Terms of Reference set out in Schedule One shall be agreed by the Executive or Cabinet of each of the Councils and be recorded in writing.

IN WITNESS whereof the participating Councils have caused this Agreement to be executed as a Deed the day and year first before written

Schedule One

Terms of Reference

THE CHILTERN, SOUTH BUCKS AND WYCOMBE JOINT WASTE COLLECTION COMMITTEE

General

A joint committee established by Chiltern District Council, South Bucks District Council and Wycombe District Council ("the Councils") to consider reports from the officers and advise the respective Cabinets of the Councils concerning the management of waste collection, recycling collection and street cleansing services and related services in the Councils' administrative areas

Membership, Chairmanship and Quorum

Number of Members	Six – an executive member from each Council with responsibility for waste management and one further member from each Council
Substitute Members Permitted	Executive Members have the right to appoint deputies by giving notice to that effect to the Secretary to the Joint Committee
Political Balance Rules apply	No
Appointments/Removals from Office	By a resolution of the Cabinet/Executive of the participating Councils
Term of Appointment	In respect of a member who is a Cabinet/Executive member, from the date of appointment to the date that they cease to hold office as a Cabinet/Executive member or cease to have portfolio responsibilities for waste related functions. For all other members their term shall begin on the date of appointment and continue for the term notified to the Secretary to the Joint Committee by the appointing participating Council (being not less than twenty four months in duration).
Restrictions on Membership	One appointee from each participating Council must be the Cabinet/Executive member with portfolio responsibility for waste related functions and the second

	appointee should be a non-Cabinet/Executive member. Non-Cabinet/Executive members should not be a member of an Overview and Scrutiny Committee whose terms of reference include the review and scrutiny of municipal waste management functions.
Restrictions on Chairmanship/Vice-Chairmanship	Appointments shall be for a maximum period of two years. The chairmanship and vice chairmanship shall rotate between the Councils.
Restrictions on Voting	All members of the Joint Committee (or in their absence their duly appointed deputies, provided the deputy is also a Cabinet/Executive member) shall have the right to speak and vote, PROVIDED THAT members of Chiltern and Wycombe shall not have a right to vote in respect of the Biffa contract and members of South Bucks shall not have a right to vote in respect of the Serco contract. The Chairman has a casting vote.
Quorum	Three – provided that an executive member from each Council is present
Number of ordinary meetings per Council Year	Minimum of three

Terms of Reference

To exercise the following duties and powers in relation to management and procurement of waste collection, recycling collection and street cleansing services and related services (but only to the extent unanimously delegated to it by the participating Councils in accordance with the terms of the Constitution of the Joint Committee):-

- (a) overall responsibility for the management and monitoring of contract/s for waste collection, recycling collection and street cleansing services and related services;
- (b) agreeing any changes to the scope of the management of such contracts;
- (c) making decisions on day to day operational issues, including approval of relevant expenditure;

- (d) recommending the Waste Services Manager's service plan and budget to the Councils
- (e) ensuring that the collective objectives of the Councils in relation to waste services are realised and implemented as agreed between them from time to time; and
- (f) providing a forum for the resolution of any disputes between the Councils in connection with the management of the Serco and Biffa Contracts;
- (g) overseeing the procurement, implementation and management of any replacement contracts in the future;
- (h) exercising any other functions in relation to municipal waste management from time to time delegated to it.

Delegations

Provided the participating Councils unanimously agree to the exercise by the Joint Committee of any function or activity falling within these Terms of Reference such function or activity is fully delegated.

Notes

Schedule Two

Joint Working Principles

- 1 Each Council will co-operate with and give reasonable assistance to each other to provide information and inputs efficiently and economically as is required to successfully develop and operate their municipal waste management functions.
- 2 Each Council will ensure that its Council Representative complies with the principles of the Project in order to achieve the Objectives set out below.
- 3 Each Council will provide to the Joint Waste Collection Committee or any auditor appointed by the Joint Waste Collection Committee any information that is required in respect of any audit or inspection carried out in relation to the Services.
- 4 The Councils will work together to overcome any conflicts between the various other contracts dealing with recycle.
- 5 The Councils are committed to making the strategic planning and development of the Services as transparent as possible to each other and to the public as a whole.
- 6 The Councils recognise the importance of consultation and liaison on issues concerning the Services and commit themselves to the principle of consultation in the widest sense, both with themselves and the community, on any significant issue which will impact upon those receiving waste related services within the Councils' administrative areas.
- 7 In the event of any retendering, each Council agrees to disclose such information relating to the Services as may be reasonably required for the purpose of conducting a due diligence exercise to any proposed new contractor its advisers and lenders.
- 8 The Councils agree that communications and media output will be in line with the Joint Communications Strategy as reviewed and agreed from time to time.

Objectives

- 9 The District Councils are members of the Waste Partnership for Buckinghamshire which includes Buckinghamshire County Council. The overarching 'vision' of the Partnership is to facilitate the effective planning and delivery of municipal waste management functions and services in Buckinghamshire.
- 10 The Councils will use innovative solutions to:
 - (a) meet or exceed local and national waste recycling targets (specified below)

- (b) offer the highest standards of customer satisfaction
- (c) meet or exceed environmental/ sustainability standards
- (d) keep costs to the local authorities to a minimum
- (e) deliver appropriate customer contact arrangements to support the services

The Common Seal of Chiltern

District Council was hereunto affixed
in the presence of:

Chairman

Chief Executive

The Common Seal of South Bucks

District Council was hereunto affixed
in the presence of:

Chairman

Director of Resources

The Common Seal of Wycombe

District Council was hereunto affixed
in the presence of:

Chairman

District Solicitor

SUBJECT:	<i>Heathrow expansion update</i>
REPORT OF:	<i>Head of Sustainable Development</i>
RESPONSIBLE OFFICER	<i>Bob Smith, Chief Executive</i>
REPORT AUTHOR	<i>Jane Griffin jane.griffin@southbucks.gov.uk</i>
WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

This report provides Members with an update on the Government's decision on Heathrow Expansion; Heathrow Strategic Planning Group and discussions with Heathrow Airport Ltd with regard to a Memorandum of Understanding between the parties.

Items to note:

- 1) That the Government recommendation that additional runway capacity in the South East of England is provided at Heathrow with a 3rd Runway is noted;
- 2) That while South Bucks District Council recognises the economic benefits and growth that expansion will bring to the area there are concerns about negative impacts on our residents including from aircraft (particularly new routings or flight paths) and ground noise, reduction in air quality, pollution and construction impacts and that SBDC will be seeking assurances and mitigation (compensation?) from Heathrow Airport Ltd regarding these impacts;
- 3) That the Development Consent Order process will impose significant resource issues on the Council which will require appropriate compensation.

Items for RECOMMENDATION:

- 4) That Cabinet notes the ongoing negotiations with Heathrow Airport Ltd to agree a Memorandum of Understanding to cover future resources and agrees that the Chief Executive in consultation with the Leader and Head of Legal and Democratic Services be authorised to approve any future settlement.

2. Reasons for Recommendations

The items to note and the recommendation brings Members up to date on the implications that Heathrow expansion will have on residents and on the work of the Council.

3. Content of Report

- 3.1 The Government in making the recommendation that Heathrow Airport is expanded to create a third runway has accepted the Airport Commission's findings. Previously in January 2015 SDPAG and Council considered a report on the findings on the Airport Commission consultation was drafted. **A summary of the Airport Commission's findings and the SDPAG report and the Council's response are included in the Appendix to this report.**

- 3.2 On 25th October 2016 the government recommended that a third runway at Heathrow should be constructed. A statement of principles has now been agreed between Heathrow Airport Ltd and the Secretary of State for Transport. The application for Heathrow's new runway will be determined under the 2008 Planning Act regime for Nationally Significant Infrastructure Projects (NSIPs). In order to proceed, a draft version of the National Policy Statement (NPS) will be published early in the New Year which will be subject to a 16 week consultation period. This NPS will then be subject to parliamentary debate, but it is anticipated will be designated by the end of July 2017. The NPS will provide the detail and the framework under which expansion will take place such as noise and air quality thresholds and aim to increase the number of staff and customers using public transport to access the airport. Meanwhile Heathrow Airport Ltd will begin preparing the Development Consent Order for submission to the Planning Inspectorate within approximately 3 years.
- 3.3 South Bucks has recently had experience of the DCO process with M4 Smart Motorway and is currently in the early stages of the Western Rail Link to Heathrow (WRLtH) DCO. We have recently negotiated a Planning Performance Agreement with Network Rail for the WRLtH DCO which will refund officers time spent on the project. It is likely that we will need to negotiate a similar agreement with Heathrow.
- 3.4 A number of authorities close to Heathrow already have an MOU with the Airport. In some cases there is also a financial arrangement. Any financial arrangement is conditional on the authority working with the airport operator. A number of meetings have been held between Bucks CC, SBDC and the airport operator at officer and Member level. The next meeting is likely to be on 16th November. A verbal update will be provided following this meeting. At the last officer meeting Bucks and SBDC suggested that any support for airport expansion would be conditional on mitigation being provided for the local communities. Communities likely to be affected are primarily Iver during the construction period and Iver, Dorney, Taplow and Burnham during operation as they are closest to both ends of the runway and are likely to experience an increase in aircraft noise (and potentially ground noise at Iver).
- 3.5 It is also likely that expansion of the airport will have a significant impact on the Colne Valley Regional Park. We are aware that the River Colne will be diverted and that compensatory flood storage will be needed and that this is likely to be provided on land to the south of Richings Park within South Bucks. Land in the Colne Valley Park will be lost to the third runway. In discussions with Colne Valley CIC, Heathrow have provided assurances that replacement recreation land and enhanced facilities will be provided.
- 3.6 Construction traffic routing is a major concern particularly for Iver residents. We will seek assurances that no Heathrow construction traffic uses local roads.
- 3.7 Air quality in Iver is already giving cause for concern. Additional motorway traffic (and possibly aircraft movements) will exacerbate this. It is likely that air quality thresholds will form part of the NPS and there will be strict limits. This will be an issue for local residents and will require monitoring.
- 3.8 None of South Bucks is within the property compensation zone. However it is applicable for all property to the south of the M4 at 125% of market value.

- 3.9 Aircraft noise is likely to affect more South Bucks residents than at present. We are expecting a consultation of routing of aircraft in 2017.
- 3.10 The Council is a member of Heathrow Strategic Planning Group. This group is formed by a consortium of local planning authorities who are all affected by Heathrow, they include London Boroughs, Slough, Windsor and Maidenhead, North Surrey authorities and SBDC and Bucks CC together with the LEPs. Heathrow Airport Ltd also attends. This consortium plays an important part in the duty to cooperate. The group is facilitated by the LB Hounslow. The one glaring omission to the group is Hillingdon who are sent minutes of the meeting but will not attend. GLA, TfL, DCLG and BIES are all observers. The group was formed and authorities attend on the basis that not all participants support expansion but recognise the economic importance of the airport and the environmental issues raised by airport operation and want to work with the airport operator to help resolve issues. All work so far was caveated by a 2 runway scenario or a 3 runway scenario.
- 3.11 We have been working for the last year on common issues including a shared vision. There are also four sub-groups – transport; planning; environment and employment/economy. SBDC is represented on the first three groups and Bucks LEP is represented on the fourth. Recently Heathrow Airport has commissioned a study on airport related employment and the brief was shared and commented on by the local authorities and a presentation was received from the consultants. This work is important and can be used by the LPA's in their local plan preparation. There is a summit on 10th November where the work of the group will be explained. This is being attended by senior figures in the LEP's, the local authorities, government departments and the Airport. Again any issues that come out of this Summit will be the subject of a verbal update.

4. Next Steps

- 4.1 Negotiate an MOU with Heathrow Airport Ltd in conjunction with Bucks CC making Heathrow aware of required mitigation for the local communities.
- Negotiate a Planning Performance Agreement with Heathrow to recharge officers time spent on the DCO.
- To continue attending the Heathrow Strategic Planning Group to align with other local authorities as far as possible on common planning issues.

5. Corporate Implications

Financial – Negotiations on recharge of officers' costs and compensation for local communities will take place.

Legal –The Council will consider entering into a Memorandum of Understanding with Heathrow Airport Ltd.

Sustainability Implications – Airport expansion will only be allowed if the airport's sustainability credentials are increased.

6 Links to Council Policy Objectives

- 6.1 This particularly links to the Council's aim of "sustainable and clean environment, protecting our heritage, protecting our future."

Briefing note: Airports Commission Final Report published on July 1st 2015

What is the Airports Commission?

The independent Airports Commission was set up in late 2012 with a brief to make recommendations which will allow the UK to maintain its position as Europe's most important aviation hub. The commission is led by Sir Howard Davies.

Around 50 schemes were submitted to the Commission, with 2 Heathrow options and 1 Gatwick option being the shortlisted finalists in summer 2014.

What has SBDC's role to date been?

We have responded to all of the Commissions consultations. Most notably was the final consultation on the 3 short listed schemes in Feb 2015. This is a link to the SDPAG report <http://www.sbdcsouthbucks.gov.uk/documents/s17630/Airport%20commission%20report.pdf> and the



15let005 Airports
Commission Consultat

Council's response here.

What does the final report published today say?

In 2013 the Commission concluded that more aviation capacity was needed in the south-east of England, and today it announced that it has concluded Heathrow is the best place to do that.

There were two Heathrow options on the table. One, promoted by Heathrow Airport, is for a third runway to the north west of the airport. The second was for an extension of the existing northern runway and was promoted by a group called Heathrow Hub. It is the option for a third runway which has now been backed by the Commission.

In addition, the commission has recommended that a number of measures should be taken forward in parallel with the addition of the third runway to address its impacts on the environment and communities. These include:

- Following construction of a third runway at the airport there should be a ban on all scheduled night flights in the period 11:30pm to 6:00am. This is only possible with expansion.
- A third runway should allow periods of predictable respite to be more reliably maintained.
- Heathrow Airport Ltd should be held to its commitment to spend more than £1 billion on community compensation.

What does the report say about why it chose Heathrow?

Connectivity and capacity

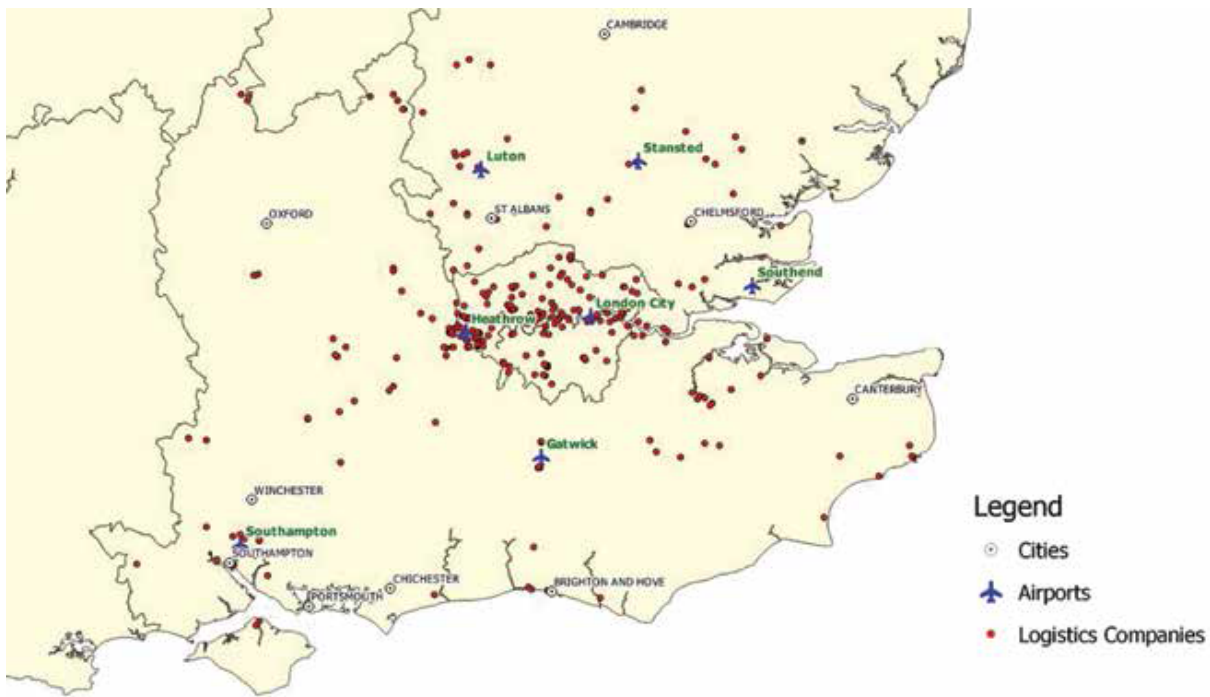
- A third runway at Heathrow would provide capacity for an additional 260,000 air traffic movements a year. There would be significant opportunities to establish new links to prosper in an increasingly integrated global economy.
- The degree of global connectivity and the wider impacts on the UK economy created by expansion at Heathrow could not be delivered by a second runway at Gatwick.
- Increasing capacity at Heathrow would see passenger numbers at the airport increase rapidly from the current level of approximately 70 million to over 100 million by 2030 and over 130 million by 2050

Accessing the airport

- Heathrow is not just well-connected globally, it also has strong local and national transport connections, which make it accessible to a wide area of the country
- The introduction of Crossrail services to the airport in 2019 will further enhance its links to London
- Rail access to other regions will be transformed by a combination of the planned Western Rail Link to Reading, and the connection to HS2 at Old Oak Common. Southern Rail Access will also improve links.
- With these improvements, some 38 million people would live within three hours' travel of Heathrow by 2030.
- Heathrow's position close to the M25, M4 and M40 makes it well-located for access from much of the country.
- However the motorway links serving Heathrow are amongst the most congested in the country, meaning that significant additional investment in widening, or effective policy measures such as a congestion charge, may be needed to accommodate growth in traffic resulting from the airport's expansion. It is unclear how these will be funded. If by the Government then State Aid rules will need to be respected.

Competition and growth

- Heathrow is the most important freight airport in the country. Effective access to the national motorway network is also crucial for air freight. This can be seen clearly from the map below which shows the location of logistics businesses in the South East of England. Gatwick Airport does not come close to compete with Heathrow airport in terms of air freight.



- The relative case for expansion at Heathrow is strengthened as tighter constraints are put upon carbon emissions from aviation. With emissions constrained in line with the Committee on Climate Change planning assumption, the economic impacts are reduced for all three schemes but the gap between Heathrow and Gatwick expansion widens in favour of Heathrow.
- The 10 local authority areas (including South Bucks) closest to the airport account for 63% of on-airport employment, with the remainder being drawn from still further afield. This reflects the strong transport links to the airport, which make it accessible to surrounding areas, including the Thames Valley region.
- Expansion at Heathrow would drive a substantial increase in employment at and around the airport, generating an additional 59-77,000 jobs in 2030 for local people and for the fast-growing wider population in London and the South East
- Heathrow is part of the broader 'Western Wedge' corridor running from Paddington to the Thames Valley, whose economy is already strongly supported by the connectivity provided by Heathrow and would benefit significantly from expansion. [Buckinghamshire is in the 'western wedge']
- The Thames Valley economy has a higher proportion of foreign-owned enterprises than any other LEP area in the UK. Expansion will help to maintain this pattern of success by enhancing the international connectivity which is a key strength of the region.

Surface access proposals

- To conduct surface access appraisals, the Commission formed a view of what the UK's surface transport might look like in 2030. Major projects including Crossrail and HS2 were included to form this baseline. There is a very big assumption that with new surface access being provided the number of people using public transport to access the airport will increase.

- The Government will need to ensure they can begin implementation of necessary surface access improvements at the appropriate juncture. This will involve linking in with work of appropriate local authorities on funding and delivery

Environment and community

- Noise impacts from Heathrow are forecast to reduce significantly, as new and quieter aircraft come into service and as flight paths are redesigned.
- The overall number of flights would grow, but new approach and departure paths could enable the noise impacts to be dispersed more widely, limiting the impacts on any individual community. In South Bucks the communities of Richings Park and Dorney are most affected.
- The Commission's conclusion is that the environmental impacts of expansion at Heathrow, once effective mitigations and generous provision for compensation are in place, should not outweigh its very significant national and local benefits

What reference is there to Buckinghamshire ?

- Apart from a couple of references to the Thames Valley area, Buckinghamshire is not referred to in the final report. This is an issue which has been noted in previous documentation from the Commission and from the scheme promoters.
- In order for the County and District to have a 'good' seat at the table as/if proposals for the Heathrow expansion and mitigation develop, we need to keep reminding the scheme promoters that we are a key stakeholder.

What is next?

David Cameron has ruled out making a decision on a third runway at Heathrow until later in the year. In the House of Commons today he said:

"This very thorough report that landed on my desk yesterday afternoon is going to get properly studied. If you make some precipitous decision, rule out one particular option, you will likely make the decision impossible to achieve because of a judicial review."

Planning

Securing planning permission for the new runway will involve a number of phases, and a number of organisations. The primary responsibility for delivering the new runway is expected to lie with the private sector scheme promoter, Heathrow Airport Ltd.

Nevertheless, there are a number of processes which will require Government to deliver important enabling actions including:

- granting planning consent for development;
- driving through key supporting policies such as to deliver airspace changes or to establish an independent aviation noise authority and a Community Engagement Board; and

- facilitating the delivery of the required surface access works.

The Government may wish to deposit a 'Paving Bill' or table a motion in Parliament to set out its early commitment to progressing the Commission's recommendations.

There are two main options for planning consent.

1. Under the Planning Act 2008, the government could publish a National Policy Statement
2. Alternatively, a Hybrid Bill may be introduced in Parliament. This has recently been the route adopted for major transport projects such as HS2 and Crossrail

Unsurprisingly, the commission say that:

"A timely decision by Government on the Commission's recommendations will greatly facilitate expeditious delivery of new capacity. Following that decision, it will be critical that all parties involved in delivering the new runway agree clear roles and responsibilities and an appropriate governance framework quickly."

Jane Griffin July 2015