

# South Bucks District Council

## Cabinet Decision

Notice is given that the following decisions have been taken by Cabinet on Wednesday, 8 February 2017

### 4 Revenue Budget and Council Tax 2017/18

#### (a) DECISION:

Cabinet received a report which provided information affecting the Council's revenue budget for 2017/18 in order for the Cabinet to make recommendations to Council on 1<sup>st</sup> March regarding the Council's budget and council tax for 2017/18.

#### **RECOMMEND to Council that the**

- 1) Revenue budget for 2017/18 as summarised in the table in para 5.13 be approved.**
- 2) following use of earmarked reserves for 2017/18 be agreed:**
  - a) Local Development Plan, £268k**
  - b) Transformation Reserve, £5k**
- 3) a budget requirement of £7,782k, which will result in a District council tax of £153.00 for a Band D property be approved.**
- 4) the level of fees and charges for 2017/18 as set out in Appendix E be confirmed.**
- 5) the advice of the Director of Resources as set out in Appendix C be noted.**
- 6) the comments in the report on the Council's financial position in respect of the years following 2017/18 and the updated Medium Term Forecast be noted.**
- 7) the revenue and capital budgets for 2017/18 for the Farnham Park Trust as summarised in Appendix F be agreed.**

And **RESOLVED** that this report be made available to all Members of the Council in advance of the Council Tax setting meeting on 1<sup>st</sup> March, and a final report be produced for the Council meeting incorporating the information from preceptors, and the final decisions of the Cabinet on the budget.

**(b) REASON FOR DECISION:**

The Cabinet is required to recommend to Council a budget as the basis of setting the District element of the council tax.

**(c) ALTERNATIVE OPTIONS CONSIDERED:**

The option of not increasing the Council Tax, or increasing at a lower level was not recommended by Cabinet as this would result in less resource being available to fund the capital programme, strengthen reserves, and the funding gap increasing in future years. There was also the option of increasing the Council Tax by more than the referendum threshold of £5. However, this was not considered realistic by the Cabinet due to the cost of organising a referendum and the risk of voters not supporting any additional increase in Council Tax.

**(d) CONFLICTS OF INTERESTS/DISPENSATIONS:**

None

5 **Economic Development Strategy**

**(a) DECISION:**

Cabinet received a report which asked Members to consider the approval of The Economic Development Strategy for Chiltern and South Bucks Councils' 2017-2026 (attached as Appendix 1 to the report).

**RESOLVED** that the Economic Development Strategy for Chiltern and South Bucks Councils 2017-2026 be approved for consultation with the Overview and Scrutiny Committee and also The Planning Policy Joint Member Reference Group due to links with the emerging Local Plan.

**(b) REASON FOR DECISION:**

To reinforce the commitment and work towards achieving the vision contained in the Chiltern and South Bucks Joint Business Plan (2015-2020) and Joint Sustainable Community Strategy 2013-2026 as well as the recommendations of the Councils' 2014 Peer review and to support the emerging Local Plan.

**(c) ALTERNATIVE OPTIONS CONSIDERED:**

The various themes and actions proposed in the draft Strategy were considered and will be subject to further consideration in the light of consultation responses.

**(d) CONFLICTS OF INTERESTS/DISPENSATIONS:**

None.

## 6 **Application to Allocate Section 106 Funding**

### **(a) DECISION:**

Cabinet considered an application to allocate up to £160,000 of the section 106 funding allocated for affordable housing delivery to L&Q, in support of the delivery of two x 3 bedroom properties for use as affordable accommodation.

**RESOLVED** that the Head of Healthy Communities be authorised to negotiate with L&Q to offer between £55K and £80K per property to convert two 3x bedroom properties to a rented tenure. The grant to be subject to;

- a) a repayment clause should the properties be acquired by the tenant; and
- b) a clause to protect the future use of the property for affordable rental accommodation.

### **(b) REASON FOR DECISION:**

To support the delivery of affordable housing in South Bucks, assisting the Council to discharge its statutory homeless duties for providing a housing option for local people with an assessed housing need.

### **(c) ALTERNATIVE OPTIONS CONSIDERED:**

The Cabinet considered the options of allocating a lower or no subsidy to L+Q.

### **(d) CONFLICTS OF INTERESTS/DISPENSATIONS:**

None.

## 9 **Healthy Communities**

### **Review of the Council's Community Development, Subs and Donations and Chairman's Community Fund Grants**

#### **a) DECISION**

Members considered a report on the review of the Council's Community Development, Subs and Donations and Chairman's Community Fund Grants.

The report proposed that in order to streamline and build community capacity the Community Development grants, Subs and Donations should be merged into one application process and that the Chairman's Fund and other funding opportunities should be publicised.

Having considered the advice of the Portfolio Holder, the Cabinet **RESOLVED** to

- a) merge the Community Development grants and the Subs and Donations fund to promote a grant scheme with a single application process. The criteria and scheme management to be the subject of a further report, but to follow the principles detailed in Appendix 3;
- b) continue to promote the Chairman's Fund, the criteria and scheme management to be the subject of a further report; and
- c) promote a range of funding opportunities to enable voluntary and community organisations access funding for their services, including; Crowd Funding, Trust Funding, and local authority lottery funding.

**b) REASON FOR DECISION**

The council had several different approaches to grant funding, through operating three grant funding streams and through the award of Service Level Agreements. There was therefore the need to rationalise the approach, reducing administration and management of the schemes and widening the opportunities for organisations to access other forms of funding. The current grant schemes were confusing in that they offered funds with overlapping criteria at different times of the year. Introducing a Community Grants fund for grants up to £1,500 and retaining the Chairman's Fund for small grants up to £250 would reduce duplication of the schemes.

**c) ALTERNATIVE OPTIONS CONSIDERED**

The option to continue to operate three separate grant schemes but reduce the overall funding by £18K was considered.

**d) CONFLICT OF INTEREST/DISPENSATIONS**

None.

**Local Authority Lottery**

**a) DECISION**

Cabinet considered the proposal that the South Bucks District and Chiltern District Councils run a local authority lottery and both councils commission Gatherwell to operate the local authority lottery on behalf of both Councils.

Having considered the advice of the Portfolio Holder, the Cabinet **RESOLVED** that subject to the agreement of Chiltern District Council that

- a) a local authority lottery in partnership with Chiltern District Council be established;
- b) Gatherwell be appointed as the external lottery manager (ELM) to run all or part of the lottery for a period of up to 5 years, subject to annual review; and

c) the set up costs be taken from savings in the joint Community budget for 2016/17 and that the Head of Healthy Communities be authorised to submit the necessary application to the Gambling Commission.

**b) REASON FOR DECISION**

A review of community funding identified the need to widen the opportunities for funding for community organisations. A local authority lottery delivered online would become a valuable source of additional fund raising for local community and voluntary organisations and be used as an exemplar fund raising platform. The Vale Lottery, run by Aylesbury Vale District Council, raised over £60,000 in 'Good Causes' funding in less than 9 months.

**c) ALTERNATIVE OPTIONS CONSIDERED**

To continue with the current funding arrangements for community organisations.

**d) CONFLICT OF INTEREST/DISPENSATIONS**

None.

**Joint Private Sector Housing Strategy and Financial Assistance Policy**

**a) DECISION**

The Cabinet received a report which updated Members on the outcome of the consultation on the draft joint Private Sector Housing Strategy and associated policies covering financial assistance, Houses in Multiple Occupation and housing enforcement across South Bucks District Council and Chiltern District Council. The Cabinet were asked to consider the minor amendments made to the Strategy and Action Plan following the consultation for onward submission to Council.

Having considered the advice of the Portfolio Holder, the Cabinet noted the outcome of the consultation and **RESOLVED** to agree the minor amendments to the Strategy and Action Plan following the consultation for onward submission to Council.

**And RECOMMENDED to Council that**

- a) the Joint Private Sector Housing Strategy and Financial Assistance Policy be adopted; and**
- b) delegated authority be given to the Head of Healthy Communities to make future minor amendments to the policies in consultation with the Portfolio Holder.**

## **b) REASON FOR DECISION**

The Private Sector Housing Strategy forms part of the Council's Policy and Budget Framework. The Consultation process had now been completed and a number of minor amendments have been made to the draft policy as a result. New regulations regarding additional enforcement tools and penalties were expected to be published during 2017 under the Housing and Planning Act 2016, and an extension to mandatory licensing of Houses in Multiple Occupation was also anticipated, though timescales were unknown. Accordingly, the HMO and Enforcement Policies may require amendment in the short term future to reflect these. It would be expedient if the Head of Healthy Communities was able to agree any such amendments to policy in consultation with the Portfolio Holder, provided they were not a major departure to existing policy.

## **c) ALTERNATIVE OPTIONS CONSIDERED**

The option to proceed to adopt the original version of the strategy given the lack of response to the consultation and the minor nature of the suggested amendments.

The option to wait for the publication of the new regulations under the Housing and Planning Act 2016 and for further details to be provided about the changes to mandatory licensing of Houses in Multiple Occupation before adopting the strategy.

## **d) CONFLICT OF INTEREST/DISPENSATIONS**

None.

## **Chiltern District Council and South Bucks District Council Temporary Accommodation Framework**

### **a) DECISION**

The Cabinet received a draft joint framework document setting down the principles and process for identifying, securing and allocating temporary accommodation to meet the Council's statutory duties under Part 7 of the Housing Act 1996.

Having noted that the Cabinet at Chiltern District Council had approved the framework at its meeting in December and having considered the advice of the Portfolio Holder, the Cabinet **RESOLVED** that

- a) the draft Temporary Accommodation Framework Document be noted; and
- b) the Head of Healthy Communities be authorised to publish and implement a finalised Temporary Accommodation Framework Document in consultation with the Portfolio Holder for Healthy Communities.

### **b) REASON FOR DECISION**

To ensure that the Council is compliant with the advice of the Supreme Court and has a clear framework for fulfilling its temporary accommodation duties at a time of high demand.

**c) ALTERNATIVE OPTIONS CONSIDERED**

The various principles and processes proposed in the Temporary Accommodation Framework were considered.

**d) CONFLICT OF INTEREST/DISPENSATIONS**

None.

10 **Environment**

**Garden Waste Collection Charges 2017-18**

**a) DECISION**

Cabinet received a report setting out the proposal to update the subscription arrangements and annual charge.

Having considered the advice of the Portfolio Holder, the Cabinet **RESOLVED** that a rolling programme of subscriptions at a charge of £38 be adopted by the garden waste service with immediate effect.

**b) REASON FOR DECISION**

To streamline the subscription process to make the charge more comparable with other districts and to increase the convenience for residents.

**c) ALTERNATIVE OPTIONS CONSIDERED**

The option to continue with current arrangements was considered and was rejected as this would not offer up a more flexible service to customers and would not optimise efficiencies within the Joint Waste Team.

**d) CONFLICT OF INTEREST/DISPENSATIONS**

None.

**Waste Containers**

**a) DECISION**

Cabinet received a report setting out the proposal to introduce charges to developers for waste containers provided to new developments with immediate effect as set out in the fees and charges for 2017/18.

Having considered the advice of the Portfolio Holder, Cabinet **RESOLVED** that a charge to developers for waste containers for new properties be introduced at the rate of £92.50 per set.

**b) REASON FOR DECISION**

To ensure that the charges were set at a reasonable level which would help to mitigate against the increasing financial pressures that all local authorities were facing and to streamline the administration of services and to achieve greater consistency and efficiency across the southern districts.

**c) ALTERNATIVE OPTIONS CONSIDERED**

The option to continue with current arrangements was considered and rejected due to the increased cost to the Council of at least £26k per year.

**d) CONFLICT OF INTEREST/DISPENSATIONS**

None.

11 **Resources**

**Establishment of a Local Authority Trading Company**

**a) DECISION**

Cabinet received a report which set out the proposal that the Council ("SBDC") establishes a trading company, wholly owned by the Council, to enable the Council to take advantage of the powers to trade for profit introduced under the Local Government Act 2003 and the Localism Act 2011.

Having considered the advice of the Portfolio Holder, the Cabinet **RESOLVED** that

- 1) the establishment of a local authority trading vehicle to allow the Council to exercise the power to trade contained in the Local Government Act 2003 and the Localism Act 2011 to facilitate income generation be approved in principle;
- 2) the Interim Director of Services and Head of Legal and Democratic Services be authorised to engage suitable external experts to advise on the detail of the governance and funding arrangements of the proposed company and to assist in the preparation of a business case as referred to in the report;
- 3) budgetary provision of £25,000 be made to commission the work referred to in Recommendation 2 above, to be funded from general reserves; and
- 4) a further report on the business case and recommended governance and funding arrangements be brought back to the Cabinet at the first available opportunity.

**b) REASON FOR DECISION**

To allow the Council to undertake trading activities in order to generate additional income.

**c) ALTERNATIVE OPTIONS CONSIDERED**

It was noted that the setting up of a company was a statutory requirement if the Council wishes to undertake trading activities and that the potential income generation would be unlikely to be realised using other powers available.

**d) CONFLICT OF INTEREST/DISPENSATIONS**

None

**Gerrards Cross Police Station**

**a) DECISION**

The Cabinet received a report, which detailed the indicative business case for the Council's purchase and development of the Gerrards Cross Police Station Site.

**Having considered the advice of the Portfolio Holder, the Cabinet RECOMMENDED to Council to:**

- a. make budgetary provision of £4,222,500 from the Capital Receipts Reserves to enable the continued purchase of the site and meet the associated expenditure required by the Council to meet its obligations in acquiring the site; and**
- b. add £5.3M budgetary provision to the Capital Programme, which will result in additional borrowing to enable the site to be redeveloped for housing and to authorise the Head of Environment to draw down expenditure up to £800k from the Capital Programme to initiate the scope of works required to bring the site to development.**

And **RESOLVED** that

- a. the Head of Environment be authorised to undertake the procurement process for the demolition of the current police station and ex-police houses on a phased basis, following the receipt of planning permission;
- b. a project manager and developer be appointed through the Scape framework agreement, to obtain detailed design and planning approval for housing on the Gerrards Cross Police station site and to provide the detailed business plan at an estimated cost of £800k. A further report to be presented on the detailed business plan before moving to the development phase;

- c. the Head of Healthy Communities be authorised to enter in to agreement with Buckinghamshire Housing Association to continue to manage the ex-police houses for use as emergency accommodation for a 12 month period from; 1st June 2017, with the option to extend for further rolling 3 month periods; and
- d. the Head of Healthy Communities, in consultation with the Head of Environment, be authorised to spend £10k to develop a business plan and planning proposals for emergency accommodation to be delivered on Council owned land or through the acquisition of property in the district.

**b) REASON FOR DECISION**

- To support the Council's Medium Term Financial Strategy
- To appoint a developer to design and apply for planning permission and build out the site to enable housing to be delivered on site reducing the risk of increases in building costs
- To enable continued occupation and management of the ex-police houses by persons in need of emergency accommodation until the site is redeveloped
- To enter in to a tender process to demolish the existing police station reducing exposure to Business Rates on vacant properties.
- To mitigate the loss of the ex-police houses for use as temporary accommodation through developing opportunities to deliver affordable housing on alternative sites owned by the Council or through the acquisition of property in the district.

**c) ALTERNATIVE OPTIONS CONSIDERED**

The options for funding and whether or not to proceed with the purchase and develop the police station site was considered.

**d) CONFLICT OF INTEREST/DISPENSATIONS**

None

15 **Part II Resources**

**Review of Discretionary Rate Relief**

**a) DECISION**

A report was received by the Cabinet detailing the option for reviewing the current Discretionary Rate Relief scheme.

Having considered the advice of the Portfolio Holder, the Cabinet **RESOLVED** that

the policy as appended to the report be adopted and the decision-making protocol to be brought into line with Chiltern District Councils:

Up to £2,500 pa	Head of Service
£2,500 - £5,000 pa	Portfolio Holder and Head of Service
Over £5,000 pa	Cabinet

**b) REASON FOR DECISION**

To bring the protocol and process in line with Chiltern District Council making administration simpler across the shared service.

**c) ALTERNATIVE OPTIONS CONSIDERED**

Continuing with the current protocol and processes was considered.

**d) CONFLICT OF INTEREST/DISPENSATIONS**

None

**Bad Debt Write Off**

**a) DECISION**

To obtain member authorisation for the write-off of two outstanding debts.

Having considered the advice of the Portfolio Holder, the Cabinet **RESOLVED** that the two outstanding debts of £18,684.54 due to bankruptcy and £17,040.88 due to erroneous administration of the debt be written off.

**b) REASON FOR DECISION**

The Council was unable to pursue the outstanding debt any further in one case due to bankruptcy and it would be unreasonable to pursue the debt due to erroneous administration of the debt be written off.

**c) ALTERNATIVE OPTIONS CONSIDERED**

The options available for the recovery of the outstanding debts were considered.

**d) CONFLICT OF INTEREST/DISPENSATIONS**

None

## **Building Services, Maintenance, Cleaning and Associated Services at CDC and SBDC**

### **a) DECISION**

Cabinet noted the outcome of a joint procurement process for the future provision of building plant maintenance and cleaning services for the main offices of Chiltern and South Bucks District Councils.

It was noted that Chiltern District Council had agreed to award the contract to Derwent FM at its meeting of Cabinet on 13 December 2016 subject to the agreement of South Bucks District Council.

Having considered the advice of the Portfolio Holder, Cabinet **RESOLVED** that the contract for providing building plant maintenance and cleaning services for Chiltern and South Bucks District Councils be awarded to Derwent FM.

### **b) REASON FOR DECISION**

To provide a more efficient and effective service to the staff and customers of both council's at a reduced cost as recommended and agreed as part of the recent service review to form a joint team serving CDC & SBDC.

### **c) ALTERNATIVE OPTIONS CONSIDERED**

The outcome of the procurement exercise was considered and it was noted that Derwent FM were the successful tenderer.

### **d) CONFLICT OF INTEREST/DISPENSATIONS**

None

## 16 **Part II Sustainable Development**

### **High Speed 2 Update**

#### **a) DECISION**

The Cabinet received a report updating Members on:

- The Parliamentary Process Update
- SBDC Issues and Assurances
- Qualifying Authority status
- SLA Update resource implications and delegations
- Finance

Having considered the advice of the Portfolio Holder, the Cabinet noted

- 1) That the Council has signed the Planning Memorandum enabling the Council to become a "Qualifying Authority" for the purposes of the Bill and the Act subsequently;
- 2) The progress made on the Colne Valley Regional Park Panel;
- 3) The updated position on assurances received from HS2 on the Iver issues; and
- 4) The on-going negotiations with HS2 to agree a Service Level Agreement.

And **RESOLVED** that the Cabinet functions for the determination of any Schedule 17 Approvals under the Bill and Act after royal assent, be delegated to the Head of Sustainable Development and/or the Development Management Managers under Regulation 3 of the Local Authorities Arrangements for the Discharge of Functions Regulations 2012; and

**RECOMMENDED** to Council that these new delegations be updated accordingly in the Constitution.

**b) REASON FOR DECISION**

To allow for continued work and expenditure.

**c) ALTERNATIVE OPTIONS CONSIDERED**

The statutory requirements were considered together with the effective discharge of the Council's functions.

**d) CONFLICT OF INTEREST/DISPENSATIONS**

None

<b>Date Published:</b>	13 February 2017	<b>Call in Deadline Midnight on</b>	20 February 2017
<b>Date to be implemented:</b> 21 February 2017			