

## **CABINET (SBDC)**

### **Meeting - 7 February 2018**

Present: N Naylor, J Read, B Gibbs, P Kelly, D Smith and L Sullivan

#### **79. MINUTES**

The minutes of the meeting of Cabinet held on 13 December 2017 were agreed and signed by the Cabinet Leader as a correct record.

#### **80. DECLARATIONS OF INTEREST**

There were no declarations of interest.

#### **81. 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.

**RESOLVED** that the 28 Day Notice and Forward Plan be noted.

#### **82. REVENUE BUDGET & COUNCIL TAX 2018/19**

Cabinet received a report which provided information affecting the Council's revenue budget for 2018/19 in order for the Cabinet to make recommendations to Council on 27 February regarding the Council's budget and council tax for 2018/19.

The report was divided into 5 Sections as follows:

- Section A - Financial Context and Base Budget position
- Section B - Investment Income, Borrowings and Grants
- Section C - Budget Requirement and Council Tax Issues
- Section D - Medium Term Financial Strategy Update
- Section E - Advice of Director of Resources

The report also attached the following appendices:

- Appendix A - Chief Financial Officer Report
- Appendix B - Budget Sensitivity Analysis
- Appendix C - Fees and charges for 2018/19
- Appendix D - Farnham Park Trust Budgets 2018/19

Section A of the report reminded the Cabinet of the approach they had agreed to budget making in the light of the funding position facing the Council in the coming years. The following table in this section showed the key figures for 2018/19:

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	2014/15 £'000	2015/16 £'000	2016/17 £'000	2017/18 £'000	2018/19 £'000
Business Rate Baseline	11,701	11,925	12,024	11,712	12,200
Business Rate Tariff	-10,716	-10,921	-11,012	-10,680	-11,136
Baseline Need	985	1,004	1,012	1,032	1,064
Revenue Support Grant	1,161	871	436	57	0
Transitional Grant	0	0	80	80	0
<b>Total</b>	<b>2,146</b>	<b>1,875</b>	<b>1,528</b>	<b>1,169</b>	<b>1,064</b>
Year on Year Change (£k)		-271	-347	-359	-105
Year on Year Change (%)		-13%	-19%	-23%	-9%

Section B explained that the Council's Treasury Management Strategy for 2018/19 aims to deliver an investment income for 2018/19 of £150k. This was a significant reduction on historic figures due to the Council's strategic decision to undertake prudential borrowing as part of the funding strategy for its Capital Strategy and Medium Term Financial Strategy.

Section C set out the amendments to the draft budget made since the December Cabinet meeting and the overall effect of these changes was summarised in a table in paragraph 4.13 of the report. The Budget Requirement of £7,398k would result in a council tax increase of £5 (3.3%) which was the maximum permitted for the Council by the Government. The draft budget proposes using earmarked reserves as follows:

- Local Development Document (LDD) reserve, £392,651. This was to fund the estimated costs in 2018/19 of progressing the joint Local Plan (£248,700), the estimated cost of investigating setting up a Community Infrastructure Levy (£42,042), costs associated with the shared service implementation (£32,991) and Planning Digitalisation costs (£68,918).
- National Infrastructure Reserve, £5,000
- Economic Development Reserve, £42,000

The proposed 2018/19 budget did not require any use of the General Reserve which was an improvement on the position reported to Cabinet in December.

In connection with Section D, the Cabinet's attention was drawn to the key principles of the Medium Term Financial Strategy. The table in paragraph 4.20 set out the current Medium Term Financial projections which showed a future funding gap for the Authority that would need to be addressed from 2019/20 onwards. The Cabinet noted the importance of ensuring that officers and members work together to review the Medium Term Financial Strategy and the proposed savings within it before the detailed budget work for 2019/20 commences, in order to address the current forecast gap. The Cabinet welcomed the setting up of an Overview and Scrutiny Task and Finish Group to consider the Medium Term Financial Strategy and savings options.

The Cabinet congratulated the Director of Resources and the Finance Team for setting a budget which does not require any use of the General Reserve and thanked the team for all their hard work.

After considering the advice of the Director of Resources as set out in detail in Section E which also set out the key strategic risks facing the Council, the Cabinet

**RECOMMENDED** to Full Council that

- 1) the Revenue budget for 2018/19 as summarised in the table in paragraph 4.13 be approved.
- 2) the following use of earmarked reserves for 2018/19 be agreed.
  - Local Development Plan, £393k
  - Economic Development Reserve, £42k
- 3) a budget requirement of £7,398k, which will result in a District council tax of £158.00 for a Band D property be approved.
- 4) the level of fees and charges for 2018/19 as set out in Appendix C be confirmed.
- 5) the advice of the Director of Resources as set out in Appendix A be noted.
- 6) the comments in the report on the Council's financial position in respect of the years following 2018/19 and the updated Medium Term Forecast be noted.
- 7) the revenue and capital budgets for 2018/19 for the Farnham Park Trust as summarised in Appendix D 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 27th February, 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.

83. **CAPITAL STRATEGY AND CAPITAL PROGRAMME 2018/19 TO 2022/23**

The Cabinet considered a report on the Capital Strategy and proposed Capital Programme for 2018/19-2022/23.

As part of the Council's budget process, the Capital Programme is reviewed in order to assess, as part of the overall financial strategy of the Authority, what the scale and composition of the programme should be and the consequential funding implications for the financial strategy. In recent years decisions have been undertaken to embark on a number of significant capital projects. These projects have changed the scale and composition of the capital programme, creating the need to finance these projects from borrowing.

After indicating its support for the Capital Strategy and proposed Capital Programme as set out in Appendix A, the Cabinet

**RECOMMENDED** to Full Council that the Capital Strategy including the Capital Programme for 2018/19-2022/23 as set out in appendix A be approved.

84. **REPORT OF THE PORTFOLIO HOLDER FOR RESOURCES**

(a) Treasury Management Strategy 2018/19

The Cabinet received a report on the Treasury Management Strategy for 2018/2019 and related policies and were asked to consider whether to recommend to Council that the strategy and associated policies be adopted.

The Council was required to formally review its treasury management policies each year as part of determining what level of returns will be achieved from investments. In line with Government guidance, security of investments would be prioritised over liquidity and returns. The format of the treasury management policies was defined by the Code of Practice adopted by the Council, and was required to be approved by the Council on recommendation from the Cabinet.

The treasury management policies underpin the strategy for the year in question, which seek to achieve a level of investment return and efficiently manage any borrowing. The Cabinet were advised that external borrowing which was planned in 2017/18 to facilitate a major capital project would not be required. However, in order to facilitate the planned capital programme in 2018/19 it would be necessary to borrow funds, and this would be in accordance with the Capital Strategy. The Council has been debt free for many years so this would represent a substantial change in approach.

After indicating its support for the Treasury Management Strategy and associated policies, the Cabinet

**RECOMMENDED** to Full Council that the Treasury Management Strategy 2018/19 and associated policies as listed below, be approved:

- Appendix 1A - Annual Investment Strategy Policies
- Appendix 1B - Prudential Indicators including the borrowing limits
- Appendix 1C - the MRP method to be used in 2018/19

85. **SERVICE PLAN SUMMARIES 2018-19**

The Cabinet received a report which provided a summary of the service plans produced by service areas within the Council.

The service plans, which were jointly produced per service area for both Chiltern and South Bucks, provided a summary of achievements from the current year and an overview of what each service aims to deliver for 2018-19. As well as looking at aims and achievements, services were asked to look at a range of areas including:

- Shared Services Programme
- Know your customer and equalities
- Performance indicators and risks
- Costs and cost comparison information.

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The Cabinet were advised that this year in order to ensure that the Service Planning process had been more robust than in previous years, the internal consultation process had been extended to include all managers within service areas, plus other staff as appropriate, prior to sign-off from Heads of Service. This process would continue to be refined in coming years.

The Cabinet noted the improvements which were due to be made to the format of how these service plans were to be presented in the future.

**RESOLVED** that the report be noted.

### 86. **PERFORMANCE REPORT QUARTER 2 2017-18**

The Cabinet received a report outlining performance of council services against indicators and service objectives during Quarter 2 of 2017-18.

Members noted from the report that of the total 48 PIs, 2 were seen to be off target (one of these was a priority PI) with further details of these within the two detailed performance tables accompanying the report:

- Appendix A – Priority indicators Q2 2017-18
- Appendix B – Quarterly corporate performance indicators Q2 2017-18

The Cabinet discussed the continuing issue of temporary accommodation and long term sickness absence. With regards to long term sickness absence, the Cabinet were reassured that all long-term absence was being managed by managers, with HR support, alongside occupational health. It was also being closely monitored by the Joint Staffing Committee.

The Chief Executive agreed to report back to Cabinet Members with more information as to why the number of complaints received (cumulative, quarterly) in Business Support and Customer Services was over the target of 40.

**RESOLVED** that the report be noted.

### 87. **NATIONAL INFRASTRUCTURE COMMISSION, THE OXFORD - MILTON KEYNES - CAMBRIDGE CORRIDOR**

The Cabinet considered a report which set out the proposal to establish a Growth Board for the Central Area which would contribute to the wider economic ambitions for the Oxford – Milton Keynes – Cambridge corridor. Cabinet were also asked to consider whether the Council should play an active role in the Growth Board.

The report set out the reasons for the establishment of a Growth Board for the Central Area, with the draft terms of reference for the Board attached as appendix 1 to the report. The report also set out the current position with regards to the whole corridor (Oxford – Milton Keynes – Cambridge) and the Bucks Growth Strategy.

The Cabinet were advised that the recommendations in the report were the preferred way forward as this would place the Council at the heart of the decision making and influence

regarding future growth strategies for the area and would also enable the Councils to have an influence on future proposals to Government for investment in essential infrastructure.

Having considered the recommendations in the report, the Cabinet

**RESOLVED** that

- 1) a Central Area Growth Board in the form of a Joint Committee be established and that it be agreed to work with partners with the aim of accelerating and increasing growth and securing investment in infrastructure across the area;
- 2) that the draft Terms of Reference for the Central Area Growth Board, attached as Appendix 1, be agreed and the Director of Services be authorised in consultation with the Leader to agree any final wording;
- 3) that pursuant to s101 (5) and 102 of the Local Government Act 1972, s9EB of the Local Government Act 2000 and (where applicable) to the Local Authorities (Arrangement for the Discharge of Functions) (England) Regulations 2012, the Council agrees to participate in the Central Area Growth Board Joint Committee and to delegate its executive functions in so far as they relate to accelerating and increasing growth and securing investment in infrastructure across the Central Area;
- 4) that the Leader, or another member of the Cabinet nominated by the Leader, be the representative for the Council at future meetings of the Growth Board; and
- 5) that the current position with regards to the whole corridor (Oxford – Milton Keynes – Cambridge) and the Bucks Growth Strategy be noted.

**88. CUSTOMER SERVICES AND BUSINESS SUPPORT**

There were no reports to consider under this portfolio.

**89. ENVIRONMENT**

**90. SOUTH BUCKS CAR PARKS REVIEW**

The Cabinet received a report which asked Members to consider options for amending the off street parking in the District.

There was a requirement to regularly review the car park estate to ensure the parking supply, along with restrictions and associated tariffs, continually support the local community. To enable the car parks to continue to be effectively managed and to provide investment for future car park development, a number of recommendations had been set out in the report along with the reasons for these recommendations.

The Cabinet were advised that if the proposals were agreed, a public consultation would commence with notices being published in the local press/car parks. Notices would also be sent to Bucks County Council as the highway authority, Thames Valley Police, and affected Town and Parish Councils, who would also have the opportunity to make comments and/or objections.

The Cabinet were advised that Members of the Policy Advisory Group, at the PAG meeting on 31 January, had been in support of the recommendations set out in the report. If agreed by

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Cabinet the schedule of fees and charges that is part of the budget papers will be updated accordingly.

The Cabinet thanked Julie Rushton, Parking Manager, and the Car Parking Team for all the hard work that they have carried out on this review.

### **RESOLVED**

- 1) to proceed with the following:

#### Beaconsfield

- a) Amend the 8 hour tariff across all Beaconsfield car parks to 9 hours.

#### Gerrards Cross:

- b) Introduce a 9hr tariff on Packhorse Road and Station Road car parks.

#### All Car Parks (proposed for 2018/19)

- c) Introduce new car park charges as outlined in Appendix A.
  - d) Restrict season tickets to residents, local businesses and local workers.
  - e) Increase season ticket prices for Burnham and Farnham Common to maintain daily charge versus season ticket cost ratio.
  - f) Amend season ticket refunds so the higher charge is applicable and return full calendar months only.
- 2) that the Head of Environment be authorised to publish the necessary statutory Notice of proposed Amendments to the Off Street Parking Places Order;
  - 3) that, if no valid objections are received in response to publication of the Notice, the Director of Services be authorised to make and publicise the necessary Amendment Order.
  - 4) that if valid objections are received in response to publication of the Notice, the Director of Services be authorised 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.

### **91. LITTLEWORTH COMMON OWNERSHIP UPDATE**

The Cabinet received a report which sought approval to acquire land at Littleworth Common following consideration by the Environment and Resources Policy Advisory Groups.

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The Cabinet were advised that the Council currently did not own the land at Littleworth Common but manages it on behalf of the current owner under an adopted Scheme of Management. The site is a Site of Special Scientific interest (SSSI) so Natural England has specific requirements about the way that the site is managed. The current owners have no working interest in the site and have agreed to transfer the site to South Bucks District Council at no cost to guarantee the future of the site. Following confirmation that ownership of the Common has been formally registered at HM Land Registry, the proposed acquisition was supported by the Environment PAG and Resources PAG.

The Cabinet thanked the officers from Environment and Legal Services for all their work on this matter and accordingly

**RESOLVED** that the Council takes a transfer of the freehold ownership of Littleworth Common shown edged black on the plan attached to the report and that final agreement of the transfer terms be delegated to the Head of Environment in consultation with the Head of Legal and Democratic Services.

### 92. **HEALTHY COMMUNITIES**

### 93. **REDEVELOPMENT OF FORMER GERRARDS CROSS POLICE STATION SITE**

The Cabinet received a report which provided Members with an update on the current position regarding the redevelopment of the former Gerrards Cross Police Station site and that set out the draft business case for the proposed redevelopment of the former Police Station site in Gerrards Cross to deliver 34 rented apartments.

Cabinet were advised that the current expenditure to progress the project to date was £352,000. The site was purchased for £4M. An estimated £8,529,286 of additional investment was required to progress the project based on the recommended brick and block cavity construction. It was proposed that the project be financed using a fixed rate loan from the Public Works Load Board. The annual net rental income was estimated to be £297,125. The final business case would be subject to Cabinet approval at a later meeting.

The Cabinet noted that Members of the Healthy Communities and Resources PAG, who held a joint meeting on 29th January to discuss the matter, had expressed concern with the difference in the build cost from initial estimates and that these seemed to be at the high end for such developments, and had requested that the overall cost per square metre should be reviewed.

**RESOLVED** that the current position and draft business case be noted.

### 94. **PLANNING AND ECONOMIC DEVELOPMENT**

### 95. **STATEMENT OF COMMUNITY INVOLVEMENT**

The Cabinet received a report regarding the Statement of Community Involvement (SCI). Members were aware that the Government signalled its intent to legislate to require local plans to be regularly reviewed in last year's White Paper 'Fixing our broken housing market'. The purpose of this report was to explain the implications of the Government's intentions

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connected with the above for statements of community involvement and implications for the Council's SCI.

It was noted that Local planning authorities were required to publish a document called a Statement of Community Involvement (SCI). The SCI set out the minimum requirements of how councils would involve the public and interested parties in their planning policy formulation. It also sets out how councils would involve the public in the determination process for major planning applications.

The Cabinet were advised that the SCI was not part of the existing delegation by Cabinet to the Joint Committee on issues relating to the Local Plan. As such the report recommended that powers related to the SCI and other joint planning policy related matters be added to the delegated powers to Joint Committee as part of Shared Service and decision making arrangements.

The Cabinet noted that the Policy Advisory Group, at its meeting on 1<sup>st</sup> February, were in support of the recommendations in the report.

Having considered the recommendations set out in the report, the Cabinet

**RESOLVED** that

- 1) the production of a joint Statement of Community Involvement as part of the Chiltern and South Bucks Planning and Economic Development Shared Service arrangements be agreed;
- 2) authority be delegated to the Director of Services (in the absence of a permanent Head of Planning and Economic Development), in agreement with the Cabinet Member for Planning and Economic Development to prepare and publish a joint Statement of Community Involvement for Chiltern and South Bucks District Councils based on the issues set out in the report; and
- 3) the Local Development Scheme be amended by the insertion of a timetable specifically covering the update and review of the Statement of Community Involvement and that authority be delegated to the Director of Services, in the absence of a permanent Head of Planning and Economic Development, to determine and amend as necessary the timetable.

And further

**RECOMMENDED** to Full Council that the powers delegated to the Joint Committee by the Inter Authority Agreement be extended to include updates to the Statement of Community Involvement (after Recommendation 1 above has been implemented), Community Infrastructure Levy and other Planning Policy matters considered relevant to the Joint Committee under the Shared Service arrangements.

### 96. **COMMUNITY INFRASTRUCTURE LEVY TIMETABLE**

The Cabinet received a report which recommended a revised timetable for the introduction of a Community Infrastructure Levy (CIL), following announcements in the Housing White Paper and the Autumn Budget.

Cabinet were advised that the Community Infrastructure Levy allowed Local Authorities to raise funds from development in order to deliver infrastructure to support development in their area. There had been uncertainty as to the future of the Community Infrastructure Levy system nationally, however following an announcement in the Autumn Budget it was clear that there were no plans to replace it, therefore the implementation of Community Infrastructure Levy in Chiltern and South Bucks Districts could be resumed.

The Cabinet noted that the Policy Advisory Group, at its meeting on 1<sup>st</sup> February, were in support of the recommendation in the report.

Having considered the recommendation in the report, the Cabinet

**RESOLVED** that a timetable as part of the Local Development Scheme for the preparation of the necessary Community Infrastructure Levy Documents, as set out in Appendix 1 to this report, be published.

**97. EXEMPTION TO CONTRACTS PROCEDURE RULES - INSTRUCTING COUNSEL AND EXPERT ADVISERS**

The Cabinet received a report which informed Members of an exemption to the Contracts Procedure Rules which had been granted by Management Team to permit Counsel (Mr Simon Bird QC) and Expert Advisers to be instructed as required on behalf of the Council regarding the proposed redevelopment at Wilton Park, Beaconsfield, HP9 2RL.

In order to comply with the Contracts Procedure Rules, exemptions authorised by Management Team must be reported to the next appropriate Cabinet Meeting.

The report set out the details of the exemption and the reasons why it had been agreed by Management Team.

**RESOLVED** that it be noted that Management Team has agreed an Exemption to the Contracts Procedure Rules, to permit Counsel (Mr Simon Bird QC) and Expert Advisers to be instructed as required on behalf of the Council regarding the proposed redevelopment at Wilton Park, Beaconsfield, HP9 2RL.

**98. RESOURCES**

There were no other part I reports to consider under this portfolio.

**99. POLICY ADVISORY GROUP MINUTES**

The Cabinet received the minutes of the following Policy Advisory Group (PAGs) meetings:

Customer and Business Support PAG	20 November 2017
Environment PAG	20 November 2017
Healthy Communities PAG	30 November 2017
Planning and Economic Development PAG	30 November 2017

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

None.

101. **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).

Paragraph 5 Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

102. **REVENUE BUDGET & COUNCIL TAX 2018/19 - APPENDIX D FARNHAM PARK TRUST BUDGETS 2018/19 FEES AND CHARGES PART II**

This appendix was considered in relation to minute item 82.

103. **HEALTHY COMMUNITIES AND RESOURCES PART II**

104. **REDEVELOPMENT OF FORMER GERRARDS CROSS POLICE STATION SITE - CONFIDENTIAL APPENDIX**

This appendix was considered in relation to minute item 93.

105. **PLANNING AND ECONOMIC DEVELOPMENT PART II**

106. **MEMORANDUM OF UNDERSTANDING WITH HEATHROW AIRPORT LTD**

The Cabinet received a report which asked Members to consider whether to delegate authority to the Chief Executive, in consultation with the Head of Legal Services to agree the terms of the proposed Memorandum of Understanding between the Council and Heathrow Airport Ltd.

The Cabinet were advised that, following their selection as the Government's preferred scheme for meeting the need for additional runway capacity in the South East, Heathrow Airport Ltd were agreeing Memorandums of Understanding with host authorities which would last for approximately two years. These Memorandums guarantee that Heathrow would work in partnership with host authorities towards joint interests. The issues covered included noise mitigation, improved transport links, landscape enhancements and limits to the impact on local ecology and air quality.

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The Cabinet noted that the Policy Advisory Group, at its meeting on 1<sup>st</sup> February, were in support of the recommendation in the report.

The Cabinet thanked Jane Griffin, Principal Planner Officer Policy, for all the work she has done in securing the Memorandum.

**RESOLVED** that authority be delegated to the Chief Executive, in consultation with the Head of Legal Services to agree the terms of the proposed Memorandum of Understanding between the Council and Heathrow Airport Ltd and such variations as may be required to reflect changes in circumstances as referred to in the report.

The meeting terminated at 6.50 pm