

South Bucks District Council

Cabinet Decision Notice

Notice is given that the following decisions have been taken by Cabinet on Wednesday, 26 February 2020

5.1 **To award a contract for the provision of waste collection, recycling and street cleansing services**

(a) DECISION:

Cabinet received a report which updated Members on the procurement project to deliver a new waste collection, recycling and street cleaning contract covering the current Council areas of Chiltern, South Bucks and Wycombe and also sought approval to the necessary financial commitment to enable the award of the contract.

RESOLVED

1. That progress on the waste, recycling and street cleansing contract procurement project be noted.
2. That the contract be awarded to the preferred bidder for a new waste collection, recycling and street cleansing contract for the Chiltern, South Bucks and Wycombe areas having regard to the procurement and financial information contained within the report and the confidential Appendix.

(b) REASON FOR DECISION:

To ensure the continued delivery of an effective waste collection, recycling and street cleaning service after the current contracts have expired and ensure that statutory requirements are met for the new Buckinghamshire Council. In addition to safeguard the financial position of the new Buckinghamshire Council in relation to its expenditure on waste collection services.

(c) ALTERNATIVE OPTIONS CONSIDERED:

If the tender from the preferred bidder is not accepted, this will present a significant financial risk, a possible legal challenge and may result in a high risk of service interruption.

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

None

5.2 **Proposed Landscape Scale Habitat Enhancements at Littleworth Common and Burnham Beeches**

(a) DECISION:

Cabinet received a report about a proposed landscape scale project centred on Littleworth Common Site of Special Scientific Interest (SSSI) - owned by South Bucks District Council - and Burnham Beeches, owned by the City of London Corporation, to be progressed with support and possible funding from the Heathrow Airport Limited extension project.

RESOLVED that the Council supports the progression of the proposed landscape scale project centred on Littleworth Common Site of Special Scientific Interest (SSSI) at SBDC owned land at Littleworth Common and at Burnham Beeches.

(b) REASON FOR DECISION:

- The proposed project would enhance the habitats at Littleworth Common and surrounding areas.
- South Bucks District Council has a duty under the Natural Environment and Rural Communities (NERC) Act 2006 to enhance biodiversity. (The NERC Act states that "The public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity. Conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat.")
- The project would also help towards the 20% target for Biodiversity Net Gain in Buckinghamshire (stated in the Bucks Natural Environment Partnership - NEP - Biodiversity Action Plan 2010 – 2020.)
- This project would involve no funding from the Council other than officer time and would help to achieve the Councils environmental objectives.

(c) ALTERNATIVE OPTIONS CONSIDERED:

To do nothing and not support the progression of the project.

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

None

6.1 Public Spaces Protection Order - Dorney Rowing Lake

(a) DECISION:

The Cabinet were asked to consider the proposal for Dorney Rowing Lake to be subject to a Public Spaces Protection Order following a request from Thames Valley Police in response to a high number of incidents of anti-social behaviour at Dorney Rowing Lake. They also noted that Buckinghamshire Council would be responsible for undertaking the three yearly review of the Order and implementing any changes required.

RESOLVED that

1. the draft Public Spaces Protection Order and associated map of the 'Restricted Area' be approved; and
2. a three yearly review of the Public Spaces Protection Order be undertaken and any changes implemented as required.

(b) REASON FOR DECISION:

In September 2019, Thames Valley Police requested that Dorney Rowing Lake be subject to a Public Spaces Protection Order (PSPO) in order to manage and control the anti-social behaviour that local residents and other lake users were experiencing as a result of groups of people gathering at the lake during periods of warm weather and causing harassment and alarm to local residents and lake users by their behaviour. A PSPO is an effective tool to manage anti-social behaviour and puts in place certain restrictions which can be enforced either by Fixed Penalty Notice or prosecution.

The penalty for a breach of the restrictions of a PSPO within the Restricted Area is either by the issue of a Fixed Penalty Notice or prosecution, the maximum fine for which is £1000. A Fixed Penalty Notice can be issued by a police constable, Police Community Support Officer or an authorised person authorised by the local authority.

Once introduced, a PSPO has to be reviewed within three years, at which time

a PSPO can be extended, varied or discharged. A similar consultation process has to be undertaken at this time and it was noted that this would become the responsibility of Buckinghamshire Council after reorganisation on 1 April 2020.

(c) ALTERNATIVE OPTIONS CONSIDERED:

To not approve the Public Spaces Protection Order.

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

None

6.2 Affordable Housing Contributions Update

(a) DECISION:

Cabinet received a report that provided Members with an annual update on the position of the Affordable Housing Contributions received by the Council (via Section 106 agreements) and which sought approval for the allocation of available funding to schemes specified in the report.

RESOLVED that

1. the update on Affordable Housing Contributions be noted;
2. the uncommitted funds be allocated as follows:
 - i. Your Choice Equity Loan Scheme = £336,885
 - ii. Funding of Major Void Works -Retention of L&Q Housing Stock to secure move-on accommodation for temporary accommodation = £250,000
 - iii. Provision of Additional Affordable Housing = £366,322 (Allocations to specific schemes from this sum would be subject to the approval of the Head of Healthy Communities in consultation with the Healthy Communities Portfolio Holder); and
3. Affordable Housing Contribution income and underspend from any existing commitments be allocated generally to support the provision of additional affordable housing with specific schemes subject to the approval of the Head of Healthy Communities in consultation with the Healthy Communities Portfolio Holder.
4. Cabinet expressed the desire that future Affordable Housing Contributions received from development in South Buckinghamshire will continue to be reinvested in the provision of affordable housing in South Buckinghamshire.

(b) REASON FOR DECISION:

To ensure that the income from Affordable Housing Contributions is allocated effectively to support the provision of additional affordable housing and the retention of existing stock (in order to meet local housing needs and provide move-on accommodation for homelessness households in temporary accommodation).

(c) ALTERNATIVE OPTIONS CONSIDERED:

The options for allocating the funding were considered.

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

None

7.1 Farnham Park Charity Budget 2020/2021

(a) DECISION:

The Cabinet received a report which asked Members to consider the draft budgets for the Charitable Trusts activities for 2020/21, including the proposed fees & charges.

RESOLVED that the overall operating budget of £167,455, as shown in para 3.7 of the report, and the fees and charges as set out in Appendix A of the report be agreed.

(b) REASON FOR DECISION:

The Cabinet was required as a corporate trustee to agree a budget for the operation of the Charity which was divided into two areas; 1) the Golf course and the ancillary catering activities, and 2) the Playing Fields.

(c) ALTERNATIVE OPTIONS CONSIDERED:

The main deficit was as a result of the cost of the Playing Fields which was the major challenge facing the Charity including the facts that some of the buildings on the site were approaching the end of their useful lives and needed replacing in the near future. In the short term there were no options to reduce the deficit which would be a key issue for the new Buckinghamshire Council, who would undertake a Leisure Review in its first year.

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

None

8.1 Heathrow Update - towards a Statement of Common Ground

(a) DECISION:

Cabinet received a report on the progress made by South Bucks District Council in negotiation with Heathrow Airports Limited to work towards an agreement on a final package of mitigation measures for the new Buckinghamshire Council.

RESOLVED that

1. the detailed report and the progress that has been made by South Bucks District Council in developing a Statement of Common Ground with Heathrow Airports Limited to mitigate the impacts of the Heathrow expansion on South Bucks District and to secure the opportunities from that expansion for local communities and businesses be noted.
2. Cabinet recommend that the new Buckinghamshire Council build upon the progress made by South Bucks District Council in concluding the final Statement of Common Ground between Buckinghamshire and Heathrow Airport Limited for submission to PINS as part of the Development Consent Order package setting out the proposed expansion of Heathrow.
3. That the Acting Chief Executive be authorised, in consultation with the Portfolio Holder, to finalise the wording of the final Statement of Common Ground for submission to Buckinghamshire Council.

(b) REASON FOR DECISION:

The Heathrow Development Consent Order is the largest DCO application in the UK to date, proposing a major expansion of the airport with consequences for the District in terms of land use, transport and quality of life due to noise and pollution, all of which need to be mitigated.

(c) ALTERNATIVE OPTIONS CONSIDERED:

There are no alternative options. The report shows what has been agreed so far between South Bucks Council and HAL. The proposed Heathrow expansion is led by HAL and neighbouring Councils are engaging with HAL to shape and mitigate the impacts of the proposed development.

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

None

11.1 Bad Debt Write-Offs

(a) DECISION:

The Cabinet received a report which sought authorisation for the write-off of 5 debts over £10,000 in accordance with the Council's write-off policy.

RESOLVED that the position regarding the debts listed in the report be noted and that the 5 debts be written off on the Council's books.

(b) REASON FOR DECISION:

The debts were at this point non recoverable due to insolvency action.

(c) ALTERNATIVE OPTIONS CONSIDERED:

In four cases, there was no alternative other than to write the debts off as due to insolvency they were all irrecoverable. In the case of one debt, the debt could be left on the Council's books however it was considered that it would be more appropriate for it to be written off.

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

None

Date Published:	26 February 2020	Call in Deadline Midnight on	4 March 2020
Date to be implemented: 5 March 2020			
*recommendations to Full Council are not subject the call in procedure			