

SOUTH BUCKS DISTRICT COUNCIL

Council - 10 November 2015

Present: Councillors Mr Anthony, Mr Bagge, Mr Bastiman, Mr Chhokar, Mr D Dhillon, Mrs Gibbs, Mr Griffin, Mr Harding, Miss Hazell, Mr Hogan, Mr Hollis, Mrs Jordan, Mr Kelly, Mr Naylor, Mr Pepler, Mr Reed, Mr Sangster, Mr D Smith, Mrs Sullivan and Mr Vincent

Apologies: Councillors Mr Bradford, Mr Egleton, Mrs Lowen-Cooper, Dr Matthews, Mr Read, Mr Samson, Mr Sandy and Mr Walters MBE

34. CHAIRMAN'S ANNOUNCEMENTS

The Chairman referred to the death of Frank Bowater who had served on the Council between 1999 and 2011 and asked the meeting to stand in a minute's silence as a tribute to his memory.

The Chairman reported on recent functions and events he had attended on behalf of the Council which included:

- Charity Golf Day which raised over £4k which had been added to the Chairman's Fund. The Chairman asked members to encourage local groups and charities to make applications to the Fund;
- St John's Ambulance Brigade Award;
- Tea with the Mayor of Windsor and Maidenhead; and
- Laying a Remembrance Day Wreath at Gerrards Cross

The Chairman reminded members of the following events:

- Joint Member Workshop on Declarations of Interests on 23 November at CDC; and
- All member briefing session on issues relating to the Local Plan on 1 December at 6pm at SBDC

The Chairman also announced the invitation from the Chairman of CDC to attend their Council meeting on 15 December at 6.30pm followed by refreshments

35. MINUTES

The minutes of the meetings of the Council held on 21 July and 16 September 2015 were confirmed and signed by the Chairman.

36. QUESTIONS

No questions had been received under Council Procedure Rule 10.

37. CABINET MEETING

The Leader, Mr Bagge, presented the minutes of the meeting of the Cabinet held on 13 October 2015. The following minutes were the subject of a recommendation to Council:

Minute 22 – Joint Business Plan Refresh

RESOLVED that the refreshed business plan be approved.

Minute 28 – Sustainable Development/Minute 20- Local Development Scheme

Following a question from Councillor Reed, Councillor Naylor confirmed that housing needs for SBDC would be identified as part of the process of developing the Local Plan and that proposals for meeting these needs would be included in the draft Joint Local Plan which would be submitted to both CDC and SBDC for adoption therefore securing member involvement in the issue.

Councillor Bagge urged members to attend the Member Briefing Session on 1 December to obtain a greater understanding of the process to be followed in developing the Joint Local Plan and to ask how specific issues such as housing will be addressed.

RESOLVED that

1. Subject to agreement by Chiltern District Council, South Bucks District Council agrees to the preparation of a joint Chiltern and South Bucks Local Plan (2014 – 2036) under Section 28 of The Planning and Compulsory Purchase Act 2004 and for the preparation of a joint Chiltern and South Bucks Local Development Scheme to this effect.
2. Subject to agreement by Chiltern District Council, approval be given to a joint Chiltern and South Bucks Local Development Scheme timetable such that the timetable comprises the following:
 - a) public consultation on a joint Local Plan in accordance with Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012 commencing in January/February 2016 incorporating an 'Issues and Options' consultation.
 - b) a preferred options consultation commencing in October/November 2016.
 - c) pre-submission consultation on the Local Plan in accordance with Regulation 19 of The Town and Country Planning (Local Planning) (England) Regulations 2012 commencing in March/April 2017.
 - d) submission of the Plan to the Secretary of State in accordance with Regulation 22 of The Town and Country Planning (Local Planning) (England) Regulations 2012 in September 2017.
 - e) anticipated examination in December 2017
 - f) anticipated adoption in June 2018
 - g) on-going Duty to Co-operate
 - h) review the need for a combined Chiltern and South Bucks community infrastructure levy at the most relevant point between September 2016 and July 2017.
3. the establishment of a Joint Chiltern and South Bucks Council Local Plan Member Reference Group be agreed with:-
 - a) The Group to consist of equal membership from the two councils, namely respective cabinet members with responsibility for planning plus up to five other members nominated by each council. Other than for the cabinet members there will be no substitutes and the cabinet members will be free to nominate a substitute member as and when necessary.

- b) Meetings will not be open to the public and agendas, reports, documents and any notes of the meeting will be kept confidential amongst the two councils.
 - c) Other members of the councils will be able to attend the meetings and will be able to contribute to the meeting with the agreement of the Chairman.
 - d) The Group to have no decision making powers but to provide advice and a steer on the preparation of planning policy matters. Meetings will be arranged as required in order to progress the joint Local Plan to the Local Development Scheme Timetable, associated matters and other Local Plan related matters after the Local Plan has been adopted with due notice being given.
 - e) To be quorate, the meeting will require at least two appointed members from each Council to be present.
 - f) The terms of reference for the Group to be agreed at the first Group meeting.
 - g) Meetings as far as practicable will generally alternate between Chiltern and South Bucks offices. Both councils to elect a Chairman at the first meeting, with the chairmanship of meetings alternating between the two Councils (i.e. one chairing one meeting and the next chairing the next meeting).
4. arising from 3a) above the following SBDC members be appointed to serve on the on the Group and to remain on the Group unless otherwise determined by Council:

B. Gibbs, J Lowen - Cooper, W Mathews, P.Kelly, R. Bagge and N. Naylor.

Minute 32 - Gambling Act 2005 Licensing Statement of Principles - 2015 Revision

RESOLVED that the draft Statement of Principles be adopted for publication at least 4 weeks prior to coming into effect for the period 31 January 2016 to 30 January 2019.

AND further

RESOLVED that the minutes of the meeting on 13 October 2015 be received.

38. **APPOINTMENTS TO COMMITTEES AND OUTSIDE BODIES**

Following the invitation from Bucks County Council to appoint a representative to the Buckinghamshire Health and Wellbeing Board it was

RESOLVED that Councillor Bagge be appointed to serve on the Buckinghamshire Health and Wellbeing Board.

39. **PLANNING COMMITTEE**

The minutes of the meetings of the Planning Committee held on 22 July, 19 August and 16 September 2015 were presented.

RESOLVED that the minutes be received.

40. **OVERVIEW AND SCRUTINY COMMITTEE**

The minutes of the meeting of Overview and Scrutiny Committee on 5 October 2015 were presented.

In connection with minute 11 – Medium Term Financial Strategy – Councillor Bagge thanked members of the Committee for all the work they had carried out on savings proposals via the three meetings of the Panel held between 19 and 28 October.

Councillor Hollis referred to Minute 12 – Local Plan/ Core Strategy and felt that the Council was being rushed into developing the Local Plan in the fear that the government will intervene if the deadline for completion is missed. Councillor Hollis felt that such intervention was very unlikely in which case the rush was unnecessary.

The Council should therefore provide more time for the development of what will be an extremely important document the contents of which will significantly affect the District and its residents for years to come. Member involvement in its development was therefore crucial and Councillor Hollis was worried that the proposed arrangements for such involvement via the Members Reference Group were inadequate and needed to be expanded to secure involvement of, and consultation with, all the PAGs and the Overview and Scrutiny Committee. .

In response. the Portfolio Holder clarified a number of issues:

1. Whilst the risk of the government sending in its own staff to write the Council's local plan in the event of the deadline being missed may be minimal there was a need to mitigate this risk and ensure that the Council maintained control over the local plan by making every effort to meet the deadline and so avoid the possibility of government intervention with the consequential loss of control and costs.
2. The Council was not being rushed into writing a new Joint Local Plan without proper procedure or governance as the report circulated with the agenda setting out the procedures and arrangements to be followed testified.
3. The Council recognised the importance of engaging all members in the process of developing the local plan as reflected in the Terms of Reference of the Member Reference Group, meetings of which were open for all members to attend with access to the agenda papers via the extra net site. The draft Local Plan would also be the subject of extensive public consultation in which all members (County, District and Town/Parish) will be able to participate.

RESOLVED that the minutes be received.

41. **LICENSING COMMITTEE**

The minutes of the meeting of the Licensing Committee held on 7 October 2015 were presented.

Following consideration of the recommendation in Minute 18 – Gambling Act 2015 Licensing Statement of Principles – 2015 Revision - it was

RESOLVED that the minutes be noted and agreement be given to adopt the draft Gambling Act 2005 Statement of Principles for publication at least 4 weeks prior to coming into effect for the period 31 January 2016 to 30 January 2019.

42. **AUDIT COMMITTEE**

The minutes of the meeting of the Audit Committee held on 24 September 2015 were presented.

Following consideration of the recommendation in Minute 34 – Proposed Amendment to the Contracts Procedure Rules - it was

RESOLVED that the minutes be noted and agreement be given to amend the Contracts Procedures Rules to comply and better align with the Public Contracts Regulations.

43. **PERSONNEL COMMITTEE**

The minutes of the meeting of the Personnel Committee held on 24 August and 27 October 2015 were presented.

RESOLVED that the minutes be received.

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

The minutes of the meeting of the Chiltern and South Bucks Joint Committee held on 26 October 2015 were presented.

RESOLVED that the minutes be received and the recommendation in minute 42 be adopted.

45. **JOINT APPOINTMENTS AND IMPLEMENTATION COMMITTEE**

The minutes of the meeting of the Joint Appointments and Implementation Committee held on 20 July 2015 were presented.

RESOLVED that the minutes be noted.

46. **MEMBERS' REPORTS**

The report from David Pepler was noted.

47. **PLANNING POLICY SHARED SERVICE REVIEW RECONSIDERATION**

The Council considered a report seeking agreement to the recommendations arising from the Planning Policy Shared Service Review Reconsideration as set out in a private report.

RESOLVED that

1. authority be delegated to the Head of Sustainable Development to carry out staff and Unison consultation, consider the consultation responses, determine the review outcome in consultation with both Council Cabinet Members for Sustainable Development and Personnel Committee Chairmen and to carry out all necessary action to implement the Planning Policy shared service.
2. subject to consultation with staff and a formal agreement between the Councils, the services of staff in South Bucks District Council's Planning Policy Service be put at the disposal of Chiltern District Council under Section 113 of the Local Government Act 1972 so they can work across the two local authority areas.
3. the Acting Chief Executive in consultation with the Cabinet Leader and the

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Head of Legal and Democratic Services be authorised to finalise the terms of any legal documentation required to give effect to recommendation 2 above.

48. EXCLUSION OF PUBLIC

RESOLVED that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Part I of Schedule 12A to the Act. The paragraph number is given under each heading

49. AUDIT COMMITTEE

Paragraph 2

The Part II minutes of the meeting of the Audit Committee held on 24 September 2015 were received.

RESOLVED – that the minutes be noted.

50. PLANNING POLICY SHARED SERVICE REVIEW RECONSIDERATION

Paragraphs 1 and 3

The Council noted the private report whilst considering the recommendations referred to in minute 47.

The meeting terminated at 6.37 pm