

SOUTH BUCKS DISTRICT COUNCIL

Council - 23 February 2016

Present: Councillors Mr Anthony, Mr Bagge, Mr Bastiman, Mr Bradford, Mr D Dhillon, Mr Egleton, Mrs Gibbs, Mr Griffin, Miss Hazell, Mr Hogan, Mr Hollis, Mrs Jordan, Mr Kelly, Mrs Lowen-Cooper, Dr Matthews, Mr Naylor, Mr Pepler, Mr Read, Mr Reed, Mr Samson, Mr Sandy, Mr Sangster, Mr D Smith, Mrs Sullivan, Mr Vincent and Mr Walters MBE

Apologies: Councillors Mr Chhokar and Mr Harding

51. DEATH OF EX COUNCILLOR PETER ADAMS

The Chairman paid tribute to ex Councillor Peter Adams who passed away in November 2015. Peter Adams was first elected to the Council in 1991 – 2007 and had been instrumental in bringing about the changes required under the Licensing Act 2003. Peter served as Chairman of the Council and will be remembered as a well-respected ward Councillor. The meeting stood in a minute silence as a tribute to his memory.

52. ELECTION OF VICE CHAIRMAN

It was proposed by Councillor Bagge, seconded by Councillor Naylor and

RESOLVED that Councillor Dr Wendy Matthews be elected Vice-Chairman of the Council for remaining of the Municipal Year.

After making the statutory declaration of acceptance of office, Councillor Dr Wendy Matthews thanked the Council for electing her.

53. CHAIRMAN'S ANNOUNCEMENTS

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

- 100th birthday party for a resident at Denham Garden Village, Denham on 1st December
- Aylesbury Vales Chairman Christmas Quiz at the Oculus on 3rd December
- Thames Hospice Charity Event with Mayor of Windsor on 4th December
- South Bucks Hospice Carol Service on 8th December
- Chinese New Year Event at High Wycombe on 7th February

The Chairman also reminded Members of the Chairman's Reception due to take place on Friday 26 February. He also advised members of his intention to run the Windsor & Eton Half Marathon on 19 March to raise funds for the South Bucks Hospice.

54. MINUTES

The minutes of the meeting of the Council held on 10 November 2015 were confirmed and signed by the Chairman.

55. VACANCIES ON COMMITTEES AND OUTSIDE BODIES

The Council considered a report setting out appointments to Committees, Groups, Joint Committees and Outside Bodies.

RESOLVED that

1. The following membership of Cabinet be noted

Cllr Bagge	Leader
Cllr Luisa Sullivan	Environment
Cllr Paul Kelly	Healthy Communities
Cllr Trevor Egleton	Resources
Cllr Nick Naylor	Sustainable Development

2. The following membership of PAG's and Committees be agreed

Joint Appointments and Implementation Committee	Cllr Kelly
Joint Appointments and Implementation Committee	Cllr Egleton
Chiltern and South Bucks Joint Committee	Cllr Kelly
Healthy Communities PAG	Cllr Anthony
Planning Committee	One vacancy
Sustainable Development PAG	One vacancy
Licensing	One vacancy
Personnel Committee	Cllr Bastiman

3. The following membership of Outside Bodies be agreed

Healthy Communities Partnership	Cllr Kelly
Padstones	Cllr Kelly

56. QUESTIONS

Notice having been given under Council Procedure Rule 10, the following question was put by member of the public Mrs Jo Brar (Chair School Lane & Hockley Lane RA) to Councillor Lowen-Cooper. the Chairman of Planning Committee.

In light of the decision by the Secretary of State to grant prior approval to Khalsa Secondary Academy to use the Green Belt site at Pioneer House, Stoke Poges as a Free School, will the Council be seeking legal advice and if appropriate take whatever legal action is necessary to challenge the decision to protect our environment and amenities of our community?

The Chairman of Planning Committee Councillor Lowen-Cooper, replied as follows:

I am very disappointed that the Secretary of State has once again decided to overturn the decision of the Council's Planning Committee to refuse prior approval for the use of Pioneer House by The Khalsa Academy. In so doing he has once again failed to follow the recommendation of the Planning Inspector that prior approval should not be granted, a view overwhelmingly shared by the majority of the Stoke Poges community.

I also share the concern and frustration felt by local residents about the decision and I can confirm that officers were immediately instructed to seek legal advice from specialist planning Counsel on the soundness of the Secretary of State's decision.

Further action by the District Council will be informed by that advice which I expect to be reported to the next meeting of the Planning Committee on 9 March

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With the agreement of the Chairman, the Leader, Councillor Bagge endorsed the reply made by the Chairman of Planning Committee,

The Leader agreed that this development on the Green Belt was totally unacceptable and that there were clear grounds for the Planning Committee to refuse especially in relation to noise nuisance. He went on to say that the inspector on appeal had listened to the evidence about the noise and had also recommended refusal. The Leader was disappointed at the Secretary of State's decision and said that the Council shared the residents' frustration. The Leader concluded by reiterating the point made by the Chairman of Planning Committee that the Council was seeking advice and would act in the light of this advice.

57. BUDGET AND COUNCIL TAX 2016/17

Members had before them the following three reports together with minutes of the Cabinet meeting held on 9 February 2016:

- Budget and Council Tax Report 2016/17 as submitted to Cabinet on 9 February,
- Additional report of the Leader on Budget and Council Tax Report 2016/17
- Capital Programme 2016/17

The Leader, after referring to Cabinet Minute 44, also referred members to the additional report that contained the final information from the precepting authorities leading to the total Council Tax for the area which the Council was required to approve at this meeting.

During his speech the Leader of the Council made a number of points including

- The Government's intention to allow full business rate retention by councils by 2019/20
- the Council could benefit by continuing the pooling arrangements with other Bucks authorities if business rates growth is sustained
- the Government's announcement to review the New Homes Bonus with the intention to reduce scheme
- the importance of increasing the council tax base in the context of the medium term financial position
- the shared working arrangement with CDC which was not only enabling us to improve service quality to our residents, achieving higher levels of resilience by combining small teams but also delivering cash reductions to our operating budgets compared to last year.
- The many challenges facing the Council such as providing temporary accommodation for homeless families and the revenue incurred in running the Academy golf facilities.
- The proposal to create an Economic Development reserve of £50,000 to enable the mitigation works associated with such developments as Western rail access to Heathrow and HS2
- The capital programme which will provide amongst other things for renewal of the Council's computing platform jointly with Chiltern.

In commending the budget, financial strategy and capital programme and thanking members of the Overview & Scrutiny Committee of their contribution toward the budget process the Leader reminded members that with the Revenue Support Grant disappearing, Council tax revenue was becoming more significant. South Bucks Council tax was in the lowest 25% of English councils. He also pointed out that the government was allowing shire districts to increase their Council tax by £5 per year on a Band D home.

In accordance with the budget council tax proposals the District council tax for a band D property in South Bucks would be £148.00 per annum, an increase of £5 from the previous council tax year

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Council Procedure Rule required the names of members voting for or against or abstaining from voting to be recorded in the Minutes. The motion as moved by the Leader and seconded by the Deputy Leader was put to the meeting and declared CARRIED with the votes cast being as follows:

FOR (26) – Councillors Anthony, Bagge, Bastiman, Bradford, Dhillon, Egleton, Gibbs, Griffin, Hazell, Hogan, Hollis, Jordan, Kelly, Lowen-Copper, Matthews, Naylor, Pepler, , Read, Reed, , Samson, Sandy, Sangster, Smith, Sullivan, Vincent and Walters and

AGAINST: None

ABSTENTIONS: None

Accordingly it was

RESOLVED

1. that it be noted that the following amounts for 2016/17 have been determined under delegated authority and in accordance with regulations made under the local Government Finance Act 1992:

a) **31,987.7** being the amount calculated by the Council, in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as its Council Tax Base for the year.

b) The amounts calculated by the Council, in accordance with regulation 6 of the Regulations, as the amount of its Council Tax Base for the year for dwellings in those parts of its area to which one or more special items (i.e. Parish precepts) relate, are shown below.

Council Tax Base 2016/17	
Beaconsfield	6,175.0
Burnham	4,876.9
Denham	3,324.8
Dorney	374.1
Farnham	3,043.7
Fulmer	351.8
Gerrards Cross	4,555.5
Hedgerley	387.3
Iver	4,600.3
Stoke Poges	2,312.8
Taplow	1,071.4
Wexham	914.1
	31,987.7

2. That the Council calculates the following amounts for 2016/17 in accordance with Sections 31A, 31B and 34 to 36 of the Local Government Finance Act 1992 (as amended by the Localism Act 2011):

a) **£32,127,116** being the aggregate expenditure which the Council estimates for the items set out in Section 31A(2) (a) to (f) of the Act (including the General Fund and Parish Precepts).

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b) **£25,373,650** being the aggregate income which the Council estimates for the items set out in Section 31A(3) (a) to (d) of the Act.

c) **£6,753,466** as its council tax requirement for the year including Parish Precepts being the amount by which the aggregate expenditure at 2(a) above exceeds the aggregate income at 2(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act.

d) **£211.13** as the basic amount of its Council Tax for the year, being the council tax requirement at 2(c), divided by the Council Tax Base for the year (31,987.7) at 1(a) above, calculated by the Council, in accordance with Section 31B(1) of the Act.

e) **£2,019,286** being the aggregate amount of all special items referred to in Section 34(1) of the Act (i.e. Parish Precepts, there being no other special items).

f) **£148.00** as the basic amount of its Council Tax for dwellings in its area, excluding Parish Precepts, being the amount at 2(d) above less the result given by dividing the amount at 2(e) above by the amount at 1(a) above, calculated by the Council, in accordance with Section 34(2) of the Act.

g) The amounts given by adding to the amount at 2(f) above the amounts of the Parish Precepts for the relevant Parish divided in each case by the Council Tax Base for the Parish at 1(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in each Parish is:

2016/17 BASIC COUNCIL TAX £		
	Parish Amount	SBDC + Parish Amount
Beaconsfield	47.74	195.74
Burnham	101.85	249.85
Denham	31.17	179.17
Dorney	55.08	203.08
Farnham Royal	39.67	187.67
Fulmer	66.52	214.52
Gerrards Cross	53.18	201.18
Hedgerley	51.38	199.38
Iver	100.80	248.80
Stoke Poges	80.65	228.65
Taplow	14.93	162.93
Wexham	33.91	181.91

h) The amounts given by multiplying the basic amounts for each Parish 2(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

3. That it be noted that for the year 2016/17 the main precepting authorities have stated the following amounts in precepts issued to the Council, in accordance with s40 of the Local Government Finance Act 1992.

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Band	Bucks County Council Precept £	Bucks & Milton Keynes Fire Authority Precept £	Police & Crime Commissioner for Thames Valley £	Total Preceptors £
A	773.46	39.80	111.31	924.57
B	902.37	46.43	129.86	1,078.66
C	1,031.28	53.07	148.41	1,232.76
D	1,160.19	59.70	166.96	1,386.85
E	1,418.01	72.97	204.06	1,695.04
F	1,675.83	86.23	241.16	2,003.22
G	1,933.65	99.50	278.27	2,311.42
H	2,320.38	119.40	333.92	2,773.70

4. That, having calculated the aggregate in each case of the amounts of the District's and preceptors requirements, in accordance with s30(2) of the Local Government Finance Act 1992, hereby sets amounts of the council tax for the year 2016/17 for each category of dwelling as follows.

Band	District & Parishes Council Tax £	Total Preceptors £	Total 2016/17 Council Tax £
A	140.75	924.57	1,065.32
B	164.21	1,078.66	1,242.87
C	187.67	1,232.76	1,420.43
D	211.13	1,386.85	1,597.98
E	258.05	1,695.04	1,953.09
F	304.97	2,003.22	2,308.19
G	351.88	2,311.42	2,663.30
H	422.26	2,773.70	3,195.96

The council tax for each category of dwelling by parish is as follows.

	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Beaconsfield	1,055.06	1,230.90	1,406.75	1,582.59	1,934.28	2,285.96	2,637.65	3,165.18
Burnham	1,091.14	1,272.99	1,454.85	1,636.70	2,000.41	2,364.11	2,727.84	3,273.40
Denham	1,044.02	1,218.01	1,392.02	1,566.02	1,914.03	2,262.02	2,610.04	3,132.04
Dorney	1,059.96	1,236.61	1,413.28	1,589.93	1,943.25	2,296.56	2,649.89	3,179.86
Farnham	1,049.68	1,224.63	1,399.58	1,574.52	1,924.41	2,274.30	2,624.20	3,149.04
Fulmer	1,067.58	1,245.51	1,423.44	1,601.37	1,957.23	2,313.08	2,668.95	3,202.74
Gerrards Cross	1,058.69	1,235.13	1,411.59	1,588.03	1,940.93	2,293.81	2,646.72	3,176.06
Hedgerley	1,057.49	1,233.73	1,409.99	1,586.23	1,938.73	2,291.21	2,643.72	3,172.46
Iver	1,090.44	1,272.17	1,453.92	1,635.65	1,999.13	2,362.60	2,726.09	3,271.30
Stoke Poges	1,077.00	1,256.50	1,436.00	1,615.50	1,974.50	2,333.49	2,692.50	3,231.00
Taplow	1,033.19	1,205.38	1,377.59	1,549.78	1,894.18	2,238.56	2,582.97	3,099.56
Wexham	1,045.84	1,220.15	1,394.46	1,568.76	1,917.37	2,265.98	2,614.60	3,137.52

5. Determine that the Council's basic amount of Council Tax for 2016/17 is not excessive, in accordance with principles approved under Section 52ZB of the Local Government Finance Act 1992, [and thus there is no need to hold a Council Tax referendum].

58. CAPITAL PROGRAMME 2016/17

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Arising from minute 45, of the 9 February 2016 Cabinet meeting the Leader introduced the report of Capital Programme 2016/17 – 2019/20 which had also been discussed under minute 57.

RESOLVED the Capital Programme 2016/17 – 2019/20 as set out in Appendix A of the report be approved.

59. COUNCIL TAX SUPPORT SCHEME

The Leader introduced this report which sought to continue the current scheme into 2016/2017.

RESOLVED that the Council Tax Support Scheme for 2016/17 remains unchanged other than the uprating of premiums, allowances, non dependant deductions and any other changes to the national pension age scheme that need to be reflected in the Councils scheme.

60. CHILDREN AND YOUNG PEOPLE AND VULNERABLE PERSON SAFEGUARDING POLICIES

The Council received the report seeking adoption of the Children and Young People and Vulnerable Persons Safeguarding Policies.

Councillors Hazel declared a personal interest being the Bucks County Council Cabinet Member for Children's Services, Councillor Reed declared a personal interest being a Bucks County Council Member of the Health and Adult Social Care Select Committee and Councillor Matthews declared a personal interest being the Councils representative on the Bucks Health and Adult Social Care Select Committee.

RESOLVED that

1. the current Buckinghamshire Multi- agency policy and procedures for safeguarding vulnerable adults.as set out in Appendix 1 of the report be adopted.
2. the joint Chiltern and South Bucks Child Protection Policy as set out in Appendix 2 of the report be adopted.
3. Authority be delegated to the Chief Executive, in consultation with the Leader of the Council, to adopt revisions to the Buckinghamshire Multi- agency policy and procedures and the Chiltern and South Bucks Child Protection Policy following legislative changes or decisions by either the adult or children and young people Safeguarding Boards

61. CABINET MEETING

The Leader presented the minutes of the meetings held on 17 December 2015 and 9 February 2016 which contained the recommendations:

Meeting 17 December 2015 - Minute 39 – Chiltern and South Bucks Local Plan 2014 – 2036 – Regulation 18 and Issues and Options Consultation.

Following consideration of the report which sought an amendment to the Inter Authority Agreement. It was

RESOLVED that the Inter Authority Agreement between Chiltern and South Bucks District Councils dated 19 January 2012 be amended to incorporate the new terms of reference for the Chiltern and South Bucks Joint Committee.

Meeting 9 February 2016 – Minute 48 – Treasury Management Strategy 2016/17

Following consideration of the recommendation of Cabinet it was it was

RESOLVED that the Treasury Management Strategy for 2016/17 be adopted.

62. **PLANNING COMMITTEE**

The minutes of the meetings of the Planning Committee held on 14 October 2015, 11 November 2015, 9 December 2015 and 13 January 2016 were presented.

RESOLVED that the minutes be received.

63. **OVERVIEW AND SCRUTINY COMMITTEE**

The minutes of the meeting of the Overview & Scrutiny Committee held on 1 February 2016 were presented.

RESOLVED that the minutes be received.

64. **AUDIT COMMITTEE**

The minutes of the meeting of the Audit Committee held on 21 January 2016 were presented.

RESOLVED that the report be noted.

65. **PERSONNEL COMMITTEE**

The minutes of the meeting of the Personnel Committee held on 18 January 2016 were presented.

Following consideration of the recommendation in Minute 26 – Pay Policy Statement - it was

RESOLVED that the minutes be noted and the recommendation in Minute 26 be agreed.

66. **MEMBERS' REPORTS**

The report from David Pepler was noted. In addition Councillor Egleton congratulated Frimley Health NHS Foundation Trust on the results of inspection carried out by the Care Quality Commission which had recognised the remarkable improvements made at Wexham Park Hospital.

67. **REVIEW OF MEMBERS ALLOWANCE - APPOINTMENT OF INDEPENDENT REMUNERATION PANEL**

The Acting Chief Executive introduced the report following which it was

RESOLVED that

1. an Independent Remuneration Panel be constituted comprising a minimum of 3 people appointed following a public advertisement for a term of 5 years.
2. an annual allowance of £200 be paid to Panel members, together with travelling expenses and a discretionary meeting allowance

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3. authority be delegated to the Director of Resources, in consultation with the Head of Legal and Democratic Services, to make the necessary arrangements :-
 - (a) To invite applications from local people to sit on the Panel and agree the appointment of a minimum of 3 eligible applicants ;
 - (b) To convene meetings of the Panel to review the Scheme of Members Allowances and make recommendations to Council.

68. CALENDAR OF MEETINGS

The Council received a draft calendar of meetings for 2016/17 following which it was

RESOLVED that the calendar of meetings for 2016/17 be adopted.

69. REVENUE AND BENEFITS SHARED SERVICE BUSINESS CASE

The Council considered the recommendations arising from the shared services review of Revenues and Benefits, following which it was:

RESOLVED that

1. the case for a shared Revenues and Benefits Service is proven and that both Councils should proceed to establish a shared Revenues and Benefits Service
2. subject to consultation with staff and a formal agreement between the Councils, the services of staff in South Bucks District Council's Revenues and Benefits 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 Head of Legal and Democratic Services be authorised to finalise the terms of any legal documentation required to give effect to recommendation 2 above.

70. 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 Paragraphs 1 & 3.

71. REVENUE AND BENEFITS SHARED SERVICE BUSINESS CASE

The appendix was considered in connection with minute 15.

The meeting terminated at 6.42 pm