

## **SOUTH BUCKS DISTRICT COUNCIL**

**Council - 23 May 2017**

Present: Councillors Anthony, Bagge, Bastiman, Bradford, Chhokar, Dhillon, Egleton, Gibbs, Griffin, Hazell, Hogan, Hollis, Jordan, Kelly, Lewis, Lowen-Cooper, Naylor, Pepler, Read, Reed, Sangster, Smith and Sullivan

Apologies: Councillors Harding, Matthews, Samson, Sandy and Walters MBE

### **56. ONE MINUTE SILENCE**

The Council stood for one minute silence in memory of the victims who tragically lost their lives in the horrendous terrorist attack in Manchester. Our thoughts and prayers are with the victims and all those who have been affected.

### **57. ANNOUNCEMENTS**

#### **a) Chairman's Announcements**

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

19 Mar	County Chairman's Civic Service at All Saints High Wycombe
25 Mar	Grand Opening and ribbon cutting of new tennis courts at Dukes Wood LTC
22 Apr	Charity Dinner with the Mayor of Bracknell Forest
3 May	Attend opening of new science wing at Beaconsfield High School with HRH Duchess of Kent
5 May	Attend the Mayor of Beaconsfield Annual Reception
6 May	Charity Gala with the Mayor of Royal Borough of Windsor and Maidenhead
20 May	Give support at the Better Club Games in Oxfordshire

The Chairman thanked everyone for the support he had received over the last year as Chairman and wished the new Chairman, who would be elected at the Annual Meeting, every success in their new role.

#### **b) Announcements from the Leader of the Cabinet**

The Leader announced that there would be a Joint Member Session taking place on 13 September at Amersham. Light refreshments would be available at 6pm with the briefing session starting promptly at 6.30pm.

#### **c) Announcements from the Head of Paid Service**

There were no announcements from the Head of Paid Service.

58. **MINUTES**

The minutes of the meeting of the Council held on 1 March 2017 were confirmed and signed by the Chairman.

59. **DECLARATIONS OF INTEREST (IF ANY)**

There were no declarations of interest.

60. **QUESTIONS**

Notice having been given under Council Procedure Rule 10, the following question was put by a member of the public Mr Martland to the Leader of the Council:

*As a resident of the Iver Conservation Area, and in light of the correspondence I have shared with you regarding HGV volumes and dangerous driving practices on Thorney Lane North, I would like to understand when SBDC requested the last traffic safety audit be undertaken on this road by BCC and what pressure you are putting on BCC to address this, especially given the additional HGV volumes forecast from major infrastructure projects planned in the area?*

Councillor Bagge having acknowledged the seriousness of the issue and stating that he would take this issue forward in his role as Bucks County Councillor, invited Councillor Naylor as the Portfolio Holder for Sustainable Development to answer the question.

Councillor Naylor, The Portfolio Holder for Sustainable Development replied as follows:

*Firstly it is helpful to clarify that Bucks CC is the Highways Authority and South Bucks DC do not have any statutory responsibility for highways safety including undertaking safety audits. Such requests need to be directed to Transport for Buck's network safety team. However as the Local Planning Authority we do work closely with Bucks CC on transport planning issues and in particular those related to the Iver area.*

*South Bucks District Council is working closely with Buckinghamshire County Council on testing options in the Iver area to reduce the existing HGV traffic problems, managing and mitigating against anticipated new HGV pressures such as connected with national infrastructure projects and considering the implications from potential planned development in the area. This work is on-going and will be published in due course as part of the evidence base supporting the emerging Chiltern and South Bucks Local Plan and South Bucks District Council's input into the emerging Buckinghamshire County Council Waste and Minerals Local Plan. This evidence base will include:*

- *an Iver Traffic and Transport Study (being prepared by the County Council and funded by the LEP),*
- *an update of the Draft Iver Topic Paper (early draft on the website, <http://www.chiltern.gov.uk/CHttpHandler.ashx?id=7788&p=0>)*
- *a Sustainability Appraisal.*

61. **CABINET MEETING**

The Leader, Councillor Bagge, presented the minutes of the meeting of the Cabinet held on 25 April 2017.

With regards to minute 74 – Flats at Grand Union House, Iver – Councillor Sangster raised the following question:

*With respect to the potential purchase of the accommodation at Grand Union House for the homeless in The Ivers, can I have a categorical assurance that SBDC will have the processes in place to ensure that no one with a criminal record including all those related to class A/B & C Drugs will be offered accommodation at this location?*

Councillor Kelly, Portfolio Holder for Healthy Communities, replied as follows:

*The Council cannot give a categorical assurance that if it acquires Grand Union House for temporary accommodation purposes that any placements made will not include individuals with a criminal record. If a person has been properly accepted as being in housing need then the Council will aim to meet that need as best it can, and has to be mindful of equality legislation.*

*Some of the individuals in temporary accommodation may have particular vulnerabilities that could be reflected in a criminal record. The key issue is how any temporary accommodation facility is managed, and what other support of services are put in place for some of the residents who may have particular vulnerabilities. This is something that the Council would pay particular attention to if this project is implemented, in order to achieve the best outcomes for the individuals but also recognising any implications for the local community. The Council or the organisation managing the facility would reserve the right to move an individual from the accommodation if they undertook any criminal or anti-social activity whilst living there.*

Councillor Sangster having highlighted the many issues facing Iver, raised the following supplementary question and requested that a written response be circulated following the meeting:

*What will the priorities be from this Council for The Ivers through the next two years that we can relay to our residents given the experiences of the past two years?*

The Leader thanked Councillor Sangster for his supplementary question and his comments, which would be taken into consideration. The Leader advised that a written answer would be circulated to all Members following the meeting.

**RESOLVED** that the minutes of the 25 April 2017 be received.

62. **ECONOMIC DEVELOPMENT STRATEGY**

Council considered a report on the Economic Development Strategy for Chiltern and South Bucks Councils 2017-2026.

At its meeting on 8th February 2017, Cabinet considered and approved the Economic Development Strategy for Chiltern and South Bucks Councils 2017 to 2026 in order that it may be considered by its Overview and Scrutiny Committee on 20 March 2017, who would also receive the initial Action Plan.

At its meeting on 7th February 2017, Chiltern District Council's Cabinet resolved that the Strategy be adopted, subject to no changes being suggested during consultation with the Chiltern Services Overview Committee and South Bucks Overview and Scrutiny Committee and Cabinet meeting.

Due to links with the emerging Local Plan, the Strategy was also referred to the Joint Planning Policy Member Reference Group at its meeting on 8th March 2017 for consideration.

At its meeting of 25th April 2017, Cabinet considered the response of the Overview and Scrutiny Committee and The Planning Policy Joint Member Reference Group to the proposed Economic Development Strategy for Chiltern and South Bucks Councils 2017-2026 (Appendix 1), noted the initial Action Plan (Appendix 2) and resolved to recommend to Council the adoption of the Economic Development Strategy for Chiltern and South Bucks Councils 2017 to 2026.

Chiltern District Council approved the adoption of the Strategy at its Council meeting on 16 May subject to the approval of South Bucks District Council.

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

**RESOLVED** that the Economic Development Strategy for Chiltern and South Bucks Councils 2017-2026 be adopted.

63. **JOINT BUSINESS PLAN REFRESH 2017-20**

Council was asked to consider, as part of the Budget and Policy Framework, the refreshed Joint Business Plan 2017-2020, which links to the Sustainable Community Strategy, and replaces the former Chiltern's Aims and Objectives document and South Bucks' Corporate Plan. The Cabinet at its meeting on 25 April 2017, agreed to recommend to Council the approval of the refreshed Plan.

Members were advised that the 'our values' section of the Plan had been updated to reflect the new values which were now in place and the priorities, goals and promises on pages 6 and 7 have had a light refresh this year, making reference to the Economic Development Strategy. South Bucks District Council's aims and objectives now also included improving air quality and tackling homelessness.

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Chiltern District Council approved the refreshed Joint Business Plan 2017-2020 at its Council meeting on 16 May subject to the approval of South Bucks District Council.

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

**RESOLVED** that the refreshed Joint Business Plan 2017-2020 be approved.

### 64. **COMMUNITY AND WELLBEING PLAN**

Council received a report containing the South Bucks Community and Wellbeing Plan 2017-2020, attached as an Appendix. The report detailed how the Healthy Communities service would work with the community and alongside partners over the next 3 years.

Members were advised that South Bucks' new Community and Wellbeing Plan would help provide a clear vision as to how the Council in partnership with a range of agencies and local voluntary groups would support communities over the next three years. The plan was important as it would help build and develop community infrastructure and directly support the Council achieve its key strategic objectives in relation to improving health and wellbeing, enabling a vibrant local economy, protecting the local environment and reducing crime and disorder. This asset based approach to community development would empower community organisations and would support their development and growth to deliver improved services to local residents.

The attached plan had taken into account the advice of the Portfolio Holder and comments arising from the PAG and the Overview and Scrutiny Committee. The Cabinet at its meeting on 25 April 2017 agreed to recommend to Council that the Plan be adopted.

It was moved by Councillor Kelly, seconded by Councillor Sullivan and

**RESOLVED** that South Bucks Community and Wellbeing Plan 2017 – 2020 be approved.

### 65. **VACATING CAPSWOOD**

Council received a report which sought Members' views on vacating the remainder of Capswood1 and the possibility of sub-leasing the space together with the potential costs and income.

The Cabinet, at the meeting on 25 April 2017, received a report (attached as a part II to the Council agenda) which asked Members to consider whether to vacate the remainder of Capswood 1 and the possibility of sub-leasing the space together with the potential costs and income. Having considered the report, the Cabinet resolved that:

- 1) Capswood1 be vacated completely within 2017;
- 2) the expenditure of £20,000 to market the ground floor space be approved;
- 3) the potential capital expenditure of £115,000 to decant and refurbish the ground floor of Capswood1 be approved and added to the Capital Programme, subject to the agreement of Council;
- 4) authority be delegated to the Head of Environment in consultation with the Portfolio Holder to negotiate a sub-lease for the ground floor of Capswood1 and to spend the £115,000 in point 3 above, subject to a letting being achieved; and

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- 5) to undertake the tender process for works and refurbishments as soon as practicable.

And accordingly Cabinet agreed to recommend to Council that the sum of £115,000 be added to the approved Capital Programme to decant and refurbish the ground floor of Capswood1.

It was moved by Councillor Egleton, seconded by Councillor Bagge and

**RESOLVED** that the sum of £115,000 be added to the approved Capital Programme to decant and refurbish the ground floor of Capswood1.

### 66. **UPDATE ON STATION ROAD CAR PARK, GERRARDS CROSS**

Council received a report which updated Members on the progress of the Station Road Car Park project.

The Cabinet, at the meeting on 25 April 2017, received a report (attached as appendix to the report) which provided Cabinet with an update on the progress of the project. Cabinet noted the following:

- 1) the decision on the planning application for the project has been delayed;
- 2) the payments approved by the Council in November 2016 are having to be made in advance of the decision on the planning application; and
- 3) following the outcome of the revised capacity study, the design and subsequent business case would be presented to Members.

And accordingly the Cabinet agreed to recommend to Council that it approves the additional spend of £200,000 under the agreement with Balfour Beatty and for other professional fees as set out in the report.

It was moved by Councillor Egleton, seconded by Councillor Naylor and

**RESOLVED** that the additional spend of £200,000 under the agreement with Balfour Beatty and for other professional fees as set out in the report be approved.

### 67. **AUDIT COMMITTEE**

The minutes of the meeting of the Audit Committee held on 16 March 2017 were presented.

**RESOLVED** that the minutes of the 16 March 2017 be received.

### 68. **LICENSING COMMITTEE**

There were no minutes to receive as the Licensing Committee which was scheduled for 22 March 2017 was cancelled.

69. **OVERVIEW AND SCRUTINY COMMITTEE**

The minutes of the meeting of the Overview & Scrutiny Committee held on 20 March 2017 were presented.

**RESOLVED** that the minutes of the 20 March 2017 be received.

70. **PERSONNEL COMMITTEE**

The minutes of the meeting of the Personnel Committee held on 3 April 2017 were presented.

**RESOLVED** that the minutes of the 3 April 2017 be received.

71. **PLANNING COMMITTEE**

The minutes of the meetings of the Planning Committee held on 15 February 2017, 15 March 2017 and 12 April 2017 were presented.

Councillor Lowen-Cooper thanked the officers and her fellow councillors for the support she has received during her time as Chairman of the Planning Committee. A particular note of thanks was given to Benjamin Temple, the new Enforcement Manager, for the changes made by the Enforcement Team to improve the service.

**RESOLVED** that the minutes of the 15 February 2017, 15 March 2017 and 12 April 2017 be received.

72. **MEMBERS' REPORTS**

The meeting received the following reports from Members:

- Councillor Matthews – Health and Adult Social Care Select Committee Update February 2017.
- Councillor Pepler – Meeting of the Buckinghamshire Healthcare Trust held on 29 March 2017.

73. **ESTABLISHMENT OF A CONSTITUTION AND GOVERNANCE COMMITTEE**

Council considered a proposal to establish a committee with authority to consider and advise Full Council on revisions/updates to the Constitution and deal with requests for Community Governance Reviews, electoral issues and council functions not delegated to existing committees.

Under the Local Government Act 2000 and accompanying Functions and Responsibilities Regulations adopting and amending the Council's Constitution is reserved to the Council, together with functions under the Local Government and Public Involvement in Health Act 2007 (as amended) dealing with community governance reviews and the Electoral Registration and Administration Act 2013 dealing with electoral issues. As these functions have not been delegated to a committee of the council for consideration, all matters have

been reported direct to Full Council for decision without the opportunity for prior review, or the formulation of recommendations by members in committee. Members were advised that best practice would be to delegate these powers to a committee which elsewhere was often known as a General Purposes Committee or Constitutional Review Committee. Draft terms of reference for such a Committee were attached at Appendix 1 for consideration.

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

**RESOLVED** that

1. pursuant to section 101 of the Local Government Act 1972 the Council agrees to establish a Governance and Electoral Arrangements Committee with the terms of reference and membership as set out in Appendix 1 to this report;
2. the Scheme of Members Allowances be amended to include a Special Responsibility Allowance for the Chairman of a Governance and Electoral Arrangements Committee and the Independent Remuneration Panel be consulted on the level of the allowance; and
3. the Constitution be amended to reflect the above changes.

**74. REVIEW OF JOINT APPOINTMENTS AND IMPLEMENTATION COMMITTEE AND PERSONNEL COMMITTEE**

Council considered a proposal to replace the existing Joint Appointments and Implementation Committee (JAIC) and Personnel Committees at both Chiltern and South Bucks Councils with a single Joint Staffing Committee.

As a joint workforce has now been created for almost all council services, it was proposed that a more efficient and effective arrangement would be to replace JAIC and the respective Personnel Committees at each Council with a single joint committee to:-

- deal with the appointment of the senior management team;
- make recommendations to each Council on the appointment of the Head of Paid Service; and
- deal with all matters relating to the joint employment of the joint workforce which are not delegated to officers.

Draft terms of reference for a Joint Staffing Committee were attached in appendix A for consideration.

Members were advised that it was proposed that any staffing matters that were specific to SBDC officers e.g. staff at the South Buckinghamshire, would be considered by a Sub-Committee of the Joint Staffing Committee comprising SBDC members only.

Chiltern District Council approved the recommendations set out in the report at its meeting on 16 May subject to the agreement of South Bucks District Council.



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

**RESOLVED** that

1. pursuant to section 102 of the Local Government Act 1972 the Council agrees to establish a Joint Staffing Committee with Chiltern District Council with authority to exercise the Council's employment functions as set out in the terms of reference at Appendix A to this report;
2. the rules of procedure for the Joint Staffing Committee be agreed as set out in Appendix A;
3. the Joint Staffing Committee replaces the Personnel Committee and supersedes JAIC with immediate effect and the Inter Authority Agreement between the Councils be amended accordingly;
4. if a Joint Staffing Committee is established to also appoint a sub-committee comprising the members of each respective Council on the Joint Staff Committee to discharge employment functions specific to each Council and which are not delegated to officers; and
5. the Council's constitution be amended to reflect these changes and the Head of Legal and Democratic Services be authorised to make the necessary amendments to the IAA to reflect the above decisions in consultation with the Chief Executive and Leaders.

### 75. **HIGH SPEED 2 - MEMBERS INFORMATION GROUP - TERMS OF REFERENCE**

Council considered a report which set out the proposed Terms of Reference for the HS2 Members Information Group.

This report follows the report to Cabinet dated 25th April 2017 in which Members agreed to the approach to handling Schedule 17 submission/approvals. This included the creation of a Members Information Group to allow Officers to provide regular updates on Schedule 17 submissions and provide an opportunity for Members to ask questions. In order to progress the creation of the Members Information Group, the attached Terms of Reference had been drafted to be agreed by Council.

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

**RESOLVED** that

1. the Terms of Reference for the HS2 Members Information Group as set out in this report be agreed; and
2. the relevant Cabinet Portfolio Holder nominates and appoints the permanent Members of the MIG.

76. **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 Paragraph

Paragraph 3 Information relating to the financial or business affairs of any particular persons (including the authority holding that information).

77. **VACATING CAPSWOOD - PART II REPORT**

This item was considered in connection with minute 65

The meeting terminated at 6.36 pm