

## **SOUTH BUCKS DISTRICT COUNCIL**

**Council - 19 July 2017**

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

Apologies: Councillors Mr Bastiman, Mr Bradford, Mr Chhokar, Mr Harding, Mr Hollis and Mrs Jordan

### **8. ONE MINUTE SILENCE**

The Council paid tribute to Councillor Alan Samson, who sadly passed away this morning. Councillor Alan Samson was first elected to the Council in 2011 and will be remembered as a well-respected and hard working Councillor who always strove to do his best for the residents of his ward and the wider District. The meeting stood for one minute's silence, as a tribute to his memory.

### **9. ANNOUNCEMENTS**

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

The Chairman thanked Councillor Smith, on behalf of the Council, for the way he had carried out his duties as Chairman over the past two years including the numerous events he had attended as Chairman and his contribution to the Chairman's Fund.

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

- Annual Visit to Burnham Beeches followed by luncheon at Dorneywood 09/06/2017
- Bucks Scouts County Beaveree 10/06/2017
- Vice – Chairman Cllr Pepler attended The Buckinghamshire and Milton Keynes Armed Forces Day 17/06/2017
- GSF Award Ceremony – GLL 29/06/2017
- Vice – Chairman Cllr Pepler attended Samaritans Slough Branch AGM 29/06/2017
- Bucks New University 125<sup>th</sup> Anniversary reception 05/07/2017
- Bucks & Milton Keynes School Games Finals 07/07/2017
- 120<sup>th</sup> Anniversary Reception to commemorate the King of Siam's visit to Taplow Court 15/07/2017

The Chairman asked Members to raise the profile of the Chairman's Community Fund in their areas.

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

The Leader of the Council informed Members that the Buckinghamshire Memorandum of Understanding between Aylesbury Vale District Council, Wycombe District Council, Chiltern District Council, South Bucks District Council, and Buckinghamshire Thames Valley Local Enterprise Partnership, relating to the unmet housing needs in the District, had been signed. This, the Leader explained, was an important step in the development of the Local Plan.

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

The Chief Executive was pleased to announce the appointment of Steve Bambrick as Director of Services from 2 August 2017. Steve who was the Director and Deputy Chief Executive at North West Leicester District Council would be bringing with him a wealth of experience and relevant expertise.

The Chief Executive thanked Anita Cacchioli, whose interim role would come to an end at the end of July, for all her hard work and help she had provided over the last 18 months which had been greatly appreciated by all.

**10. MINUTES**

The minutes of the meeting of the Ordinary meeting of Council and Annual Council held on 23 May 2017 were confirmed and signed by the Chairman.

**11. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**12. QUESTIONS**

The following question was asked of the Cabinet Portfolio Holder for Healthy Communities by Councillor Sangster in accordance with Council Procedure Rules 9 and 10:

*"The proposed acquisition of Grand Union House for a hostel for the homeless, at an asking price of £10M, is now off our Agenda. Pressure remains to secure such a location.*

*As the Gerrards Cross Police Station cost half this amount why are we not considering converting this building for a hostel for the homeless? If not, why not?"*

The Cabinet Portfolio Holder, Councillor Kelly, replied as follows:

The delivery of affordable housing in South Bucks is limited by the financial viability of sites with few opportunities to deliver affordable housing through the planning system. In response to the viability challenge the Council identified an opportunity to develop the Gerrards Cross Police Station site to deliver a planning policy compliant scheme. Whilst that scheme design is being developed the current site is enabling 8 homeless households to be accommodated pending investigation or whilst awaiting permanent housing. To enable alternative provision for temporary housing the Council is seeking to deliver temporary

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housing units for emergency housing, and increase the range of short and medium term accommodation through working with Registered Providers, and private landlords.

Councillor Sangster raised a supplementary question which related to a Council site which was part of the Strategic Asset Review that was carried out by Savills on all the Council's property assets, and was advised this would be responded to in writing. It was also confirmed that all Members of the Council would be copied into the response.

### 13. **APPOINTMENTS TO COMMITTEES AND OUTSIDE BODIES**

Having noted that there was a vacancy on the HS2 Information Group and HS2 Steering Group, it was moved by Cllr Bagge, seconded by Councillor Naylor and

**RESOLVED** that Cllr Luisa Sullivan be appointed to the HS2 Information Group and HS2 Steering Group.

### 14. **CABINET MEETING**

The Leader, Councillor Bagge, presented the minutes of the meeting of the Cabinet held on 28 June 2017.

In response to a question regarding minute 12 (Review of Affordable Housing Payments) and the allocation of the £3.6M, the Portfolio Holder for Healthy Communities assured members that there would be member input via the Healthy Communities PAG as to how these resources would be deployed.

With regards to minute 15 (Replacement of Theatre Floor at Beacon Centre), the Portfolio Holder for Healthy Communities agreed to further investigate the suggestion made that the Beacon Centre Liaison Committee should be reconstituted given the large sum of money which was involved in the project.

Following a concern raised regarding the incursion of Travellers in Beaconsfield and Denham, the Portfolio Holder for Sustainable Development assured members that the Council was working with its partners to tackle incursions in the District and that discussions were taking place with the Police over the need for them to use greater powers that they already possess.

The Portfolio Holder for Resources and the Portfolio Holder for Healthy Communities had met with the new Local Area Commander to express concern over the way the Police were handling incursions in the District and to discuss how to effectively deal with any future incursions.

In response to a request that a letter be sent to the local MP asking that trespassing be made a criminal offence as was the case in other European Countries, the Portfolio Holder for Sustainable Development agreed to raise the issue of trespassing with the local MP.

**RESOLVED** that the minutes of the 28 June 2017 be received.

### 15. **FOOD AND HEALTH AND SAFETY BUSINESS PLANS**

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The Council received a report asking for approval of the joint Food and Health and Safety Service Plan and the Food and Health and Safety Enforcement Policies. The Cabinet at its meeting on 28 June 2017, agreed to recommend the approval of the joint plan and policies to Full Council.

The Council were advised that Chiltern District Council approved the joint plan and policies at its Council meeting on 11 July 2017.

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

**RESOLVED** that the joint Food and Health and Safety Service Plan and the Food and Health and Safety Enforcement Policies be approved.

### 16. **CORPORATE ENFORCEMENT POLICY**

The Regulators' Code, which came into statutory effect on 6 April 2014, requires the Council to have an enforcement policy explaining how it responds to regulatory non-compliance. With the majority of services now being shared across both Chiltern and South Bucks District Councils, the Council received a report explaining that the opportunity had been taken to review the enforcement policies and draft a joint Corporate Enforcement Policy setting out the guiding principles of how regulatory services would engage with those they regulate.

The Regulator's Code is based on 6 broad principles and the Council noted what was expected of the regulator in each of the 6 cases. The Council also noted how the local authority would respond to non-compliance, one of the key actions required to ensure compliance with the Code. The Cabinet at its meeting on 28 June 2017, agreed to recommend the approval of the policy to Full Council.

The Council were advised that Chiltern District Council approved the policy at its Council meeting on 11 July 2017.

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

**RESOLVED** that the draft Corporate Enforcement Policy for regulatory compliance and enforcement services at Appendix 1 be approved.

### 17. **ESTABLISHMENT OF PROPERTY DEVELOPMENT AND MANAGEMENT COMPANY**

At the Cabinet meeting held on 28 June, Members considered a report presenting for approval the business case for setting up a local authority trading company, focusing on Property Development and Management, and seeking formal agreement to the setting up of this company. The Cabinet report and appendices were attached for information.

The Cabinet had approved the recommendations in the report and recommended the technical change to the Council's Treasury Management Policy, that Council adopt the Minimum Revenue Provision (MRP) policy as detailed in Appendix C.

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

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**RESOLVED** that a new Minimum Revenue Provision (MRP) policy as detailed in Appendix C be adopted.

### 18. BATH ROAD DEPOT

The Cabinet, at the meeting on 28 June 2017, received a report (attached as a part II to the Council agenda) which asked Members to discuss long term development opportunity at Bath Road Depot and consider possible options to acquire adjacent land plots. Having considered the report, the Cabinet resolved that:

- 1) the Head of Environment [in consultation with the Portfolio Holder] be authorised to enter into discussions with the owners of the land identified in the report and to agree the terms of option agreements to purchase the land in due course;  
And that
- 2a) the Head of Environment be authorised to appoint external consultants to carry out relevant surveys and initial design proposals; and
- 2b) approval be given for up to £28,000 of the existing approved capital budget to be used for this purpose, including the expenditure incurred to date.
- 3a) the Cabinet is satisfied that the Bath Road Depot site is no longer required for the purpose for which it is currently held; and
- 3b) in the light of 3a) above, the site be appropriated under section 122 of the Local Government Act 1972 for planning purposes as defined in the Town and Country Planning Act 1990 (as amended)

And accordingly agreed to recommend to Council to make additional provision in the capital budget of £1,010,000 for the proposed potential acquisition of the land referred to in the report.

It was moved by Cllr Egleton, seconded by Councillor Kelly and

**RESOLVED** that an additional £1,010,000 be made available in the capital budget for the proposed acquisition of the land referred to in the attached part II Cabinet report.

### 19. AUDIT COMMITTEE

The minutes of the meetings of the Audit Committee held on 23 May and 5 July 2017 were presented.

**RESOLVED** that the minutes of the meetings held on 23 May and 5 July 2017 be received.

### 20. REVIEW OF POLICY ON GIFTS AND HOSPITALITY

The Council was asked to consider the recommendation of the Audit Committee on 5 July to adopt the Protocol on the receipt of gifts and hospitality attached as an appendix.

The Monitoring Officer informed the Council that the proposed protocol would consolidate existing sources of advice and guidance, set out general principles which members should apply when deciding whether it would be proper to accept any gift or hospitality, provide

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examples of low value items that may be accepted, together with a procedure for recording and obtaining specific consent for the acceptance of other gifts and hospitality.

It was moved by Councillor Smith, seconded by Councillor Anthony and

**RESOLVED** that the Protocol on Gifts and Hospitality, attached as an appendix, be adopted.

### 21. **APPOINTMENT OF INDEPENDENT PERSON**

The Council were asked to consider the recommendation of the Audit Committee on 5 July to extend the term of office of one of the Council's two Independent Persons. This must be approved by a majority of members of the Council.

It was moved by Councillor Smith, seconded by Councillor Anthony and

**RESOLVED** by a majority of members (20) that the term of office of Mr Trevor Dobson as an Independent Person be extended for a further 2 years.

### 22. **LICENSING COMMITTEE**

The minutes of the meeting of the Licensing Committee held on 23 May 2017 were presented. The Council noted that the Licensing Committee meeting which was scheduled for 21 June 2017 was cancelled.

**RESOLVED** that the minutes of the 23 May 2017 be received.

### 23. **OVERVIEW AND SCRUTINY COMMITTEE**

The minutes of the meetings of the Overview and Scrutiny Committee held on 23 May and 22 June 2017 were presented.

**RESOLVED** that the minutes of the meetings held on 23 May and 22 June 2017 be received.

### 24. **JOINT STAFFING COMMITTEE**

The minutes of the meetings of the Joint Staffing Committee held on 3 July 2017 were presented.

**RESOLVED** that the minutes of the meetings held on 3 July 2017 be received.

### 25. **LOCAL GOVERNMENT PENSION SCHEME DISCRETIONARY POLICY STATEMENT**

Members considered a report seeking approval of the discretionary policies that can be exercised by the Councils, as Employers within the Local Government Pension Scheme (LGPS). The report was considered by the Joint Staffing Committee (JSC) meeting held on 3 July and an appendix was attached containing the minor amendments that had been made by the Committee at that meeting.

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

**RESOLVED** that the Local Government Pension Scheme Discretionary Policy Statement as set out in Appendix 1 be approved.

**26. LOCALLY DETERMINED PAY MECHANISM (REPORT IN PART II)**

The Council received a report seeking approval of the proposed arrangements for the introduction of locally determined pay for all staff below the Heads of Service on harmonised terms and conditions of employment.

Each year, Councils needed to consider whether they wish to offer a pay increase to staff. Local Government has a national collective bargaining system by which representatives of the employers meet with the trade union representatives regularly to discuss pay and conditions of service. This arrangement was called the National Joint Council (NJC) for Local Government Services. Under the terms of the Collective Agreement between Chiltern and South Bucks District Councils and UNISON of 1st July 2014 (which applied to all posts below Head of Service level) it was agreed in July 2017 that the Councils would review the Councils' pay arrangement under a locally determined pay scheme.

The Joint Staffing Committee meeting held on 3 July 2017 considered and recommended the proposed arrangements for a locally determined pay mechanism, and subject to the Councils' agreement, the next step was to put the proposed locally determined pay mechanism to UNISON.

In response to a question regarding inflation, the Chief Executive explained that consideration of inflation would be determined by the Joint Staffing Committee but that options involving CPI and RPI would be considered.

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

**RESOLVED** that the arrangements for a locally determined pay mechanism, as set out in the report, be agreed.

**27. PLANNING COMMITTEE**

The minutes of the meetings of the Planning Committee held on 17 May, 23 May and 14 June 2017 were presented.

**RESOLVED** that the minutes be received.

**28. MEMBERS' REPORTS**

The meeting received a report from Councillor Pepler on the meeting of the Buckinghamshire Healthcare Trust held on 31 May 2017.

**29. 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

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they involved the likely disclosure of exempt information as defined in Part I of Schedule 12A to the Act Paragraphs:

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

Paragraph 4 Information relating to any consultation or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter raising between the authority or a Minister of the Crown employees of, or office holders under, the authority.

### **30. BATH ROAD DEPOT**

This item was considered in connection with minute 18.

### **31. LOCALLY DETERMINED PAY MECHANISM**

This item was considered in connection with minute 26.

The meeting terminated at 6.40 pm