



Council (SBDC)

Tuesday, 17 July 2018 at 6.00 pm

Council Chamber, Capswood, Oxford Road, Denham

S U P P L E M E N T A G E N D A

Item

7. Committee Recommendations (*Pages 3 - 38*)

There are no recommendations from the Committees of the Council for consideration at this Council meeting.

Members are therefore asked to note that the following meetings have taken place since the last Council meeting, and that the Minutes are available to view in the supplement: Minute set.

1. Overview & Scrutiny Committee – 19 June
2. Audit & Standards Committee – no meetings held (next meeting 23 July)
3. Governance & Electoral Arrangements Committee – 26 June
4. Licensing Committee – 21 June
5. Planning Committee – 23 May (23 June meeting cancelled)
6. Joint Staffing Committee – no meetings held (next meeting 18 July)
7. Joint Overview & Scrutiny Committee – no meetings held
- 8.** Cabinet – 27 June 2018

Note: All reports will be updated orally at the meeting if appropriate and may be supplemented by additional reports at the Chairman's discretion.

Membership: Council (SBDC)

Councillors: Dr W Matthews (Chairman)
D Pepler (Vice-Chairman)
D Anthony
R Bagge
P Bastiman
M Bezzant
M Bradford
S Chhokar
D Dhillon
T Egleton
B Gibbs
P Griffin
B Harding
L Hazell
P Hogan
G Hollis
J Jordan
P Kelly
M Lewis
J Lowen-Cooper
N Naylor
J Read
R Reed
G Sandy
R Sangster
D Saunders
D Smith
L Sullivan

Date of next meeting – Wednesday, 14 November 2018

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OVERVIEW AND SCRUTINY COMMITTEE (SBDC)

Meeting - 19 June 2018

Present: M Bradford (Chairman)
P Bastiman, M Bezzant, T Egleton, M Lewis, D Saunders and
P Kelly

Also Present:

Apologies for absence: D Dhillon

55. MINUTES

The minutes of the Overview and Scrutiny Committee held on 19 March 2018 were approved and signed by the Chairman of the Committee.

56. DECLARATIONS OF INTEREST

There were no declarations of interest.

57. VIABILITY ASSESSMENTS

Members of the Overview and Scrutiny Committee received a report which set out the current arrangements on viability assessments. It also anticipated future arrangements as the updated National Planning Policy Framework (NPPF) was introduced later this year. Viability was an important part of the planning system. The existing NPPF identifies that development proposals should be capable of implementation and that local planning authorities should not impose significant burdens that would cause the proposal to become unviable.

Several larger developments in recent years have been accompanied by viability assessments. In their different ways these assessments have identified unusual site or development costs and how these costs impact on the ability of the scheme concerned to meet the usual developer contributions. Where appropriate, the Council engages specialist consultants to assess and challenge the viability assessments submitted by the developer. The District Valuer has traditionally been the Council's consultant on such matters. In certain specialist cases the Council will use planning consultants to test the cases being put forward by developers.

The emerging updates to the NPPF highlight the importance of viability in the planning process. The emerging updates to the NPPF bring a sharp focus to delivery in general and to the delivery of housing in particular. This has been compounded by the recent High Court judgment on the Parkhurst Road Limited case (London Borough of Islington) which provides greater comfort for local planning authorities on the importance of developers pursuing policy-compliant schemes.

A Member made reference to a development in his area where planning permission has been approved subject to a condition that affordable housing was made available. However, this was an expensive road in the area and it was unlikely that any families would be able to afford to live there. In response to this Members noted that once the updated NPPF has been published, a further report would be submitted to this Committee.

RESOLVED that the report be noted and that a further report be submitted to the Overview and Scrutiny Committee once the updated NPPF had been published.

58. **REFRESHED JOINT BUSINESS PLAN 2018-2020**

Members received the refreshed Joint Business Plan 2018-2019 at Appendix 1 of the report. Members expressed their thanks to the Performance and Policy Officer for the new user friendly presentation of the business plan.

RECOMMENDED to Cabinet that the refreshed Joint Business Plan be approved.

59. **2017/18 END OF YEAR PERFORMANCE REPORT**

The Committee received a report outlining the annual performance of Council services against pre-agreed performance indicators (PIs) and service objectives for Quarter 4 (end of year 2017-18).

The Quarter 4 Priority and Corporate PIs were at Appendices A and B respectively. Members noted that priority PI relating to household waste sent for reuse, recycling and composting was slightly under the target of 53% at 52.7%. Further, that some of the long-term absence cases detailed at 4.2.1 had been resolved. Through the survey feedback, it is apparent that the Licensing team were working hard to provide good customer service. However, as the response level to the survey was low officers would do more to publicise the survey the following year. Availability of ICT systems to staff was under target because of issues with vWorkspace, however these issues have now been resolved.

The Committee were advised that following the previous meeting it was being proposed that Members would receive the performance reports informally prior to committees to ensure that they received the figures in a more timely manner.

Members were pleased to note the new format of the Annual Report at Appendix C of the report.

During discussion the following points were raised:-

Overview and Scrutiny Committee (SBDC) - 19 June 2018

- A Member referred to the Homelessness performance indicators and was pleased to see that there were now regular updates to this Committee following the recommendations made by the Task and Finish Group.
- In the Annual Report information had been provided on the 3,542 tonnes of garden waste collected in Chiltern and Wycombe and this would be amended to refer to South Bucks.
- Reference was then made to the development at Pinewood which was the highest business ratepayer in the Districts.
- A Member commented that it was difficult to control long term sickness absence but this was being managed by managers, with support from HR and occupational health. Another Member commented that there were higher sickness levels in the public sector than the private sector. The Director of Resources reported that comparative figures with other Councils of similar size were presented to the Joint Staffing Committee for consideration. A suggestion was made to revisit the sickness policy. The Director of Resources stated that the current policy was fit for purpose but that they were working with Managers to ensure that the policy was enforced effectively, for example training was being provided on this area. Another Member made reference to the health and wellbeing of staff and the importance of analysing this through the staff survey. The Director of Resources reported that manager training was also in place for this area and recent mental health sessions had been held for all staff which had been organised through MIND. A Member suggested that it would be helpful to have a further discussion on this area including what improvements were being made since the new process had been implemented and more detail on the sickness management policy.

RESOLVED that the performance reports be noted and that a further report be submitted to the Committee on the management of the sickness policy.

60. **OVERVIEW AND SCRUTINY TASK AND FINISH GROUP - DRAFT REPORT ON MEDIUM TERM FINANCIAL STRATEGY**

The Committee received the draft report of the Financial Strategy Task and Finish Group and suggested the following amendments :-

Slide 5

The Inquiry Group was set up to review the Medium Term Financial Strategy (MTFS) in order to provide the Cabinet with the Group's views, following discussion with officers on how to bridge the funding gap currently identified by the Strategy. They considered the following elements and the basis of the assumptions underpinning them:-

The Group considered if any material expenditure pressures have been omitted and if other savings options could be explored.

Slide 7

1. Cabinet should review opportunities to bring in revenue from advertising across all Council assets

Slide 8

1. Cabinet need to closely monitor the cost of homelessness as this is the most significant key cost pressure going forward. Measures are already in place to address historic issue.
2. Cabinet need to ensure that appropriate resources are put into preventing homelessness, as this avoids SBDC having to house families that are homeless in nightly paid accommodation. There needs to be clarity and responsibility for purchasing properties for this purpose outside existing arrangements with Housing Associations.
3. Cabinet need to address the volume of affordable housing stock by looking at opportunities through the Local Plan, and the housing numbers in the Plan. It will be important to ensure that they deliver appropriate numbers of affordable homes.

Slide 9

1. All non-statutory fees and charges should be reviewed annually, to ensure that they fully cover the Council's costs, and are in line with the average charge or higher from neighbouring authorities.
2. Cabinet should review the green waste fee, to see if there is scope to increase this.
3. Cabinet should consider having a single long term joint waste contract with all three District councils to obtain economies of scale – CDC currently have lower costs than SBDC because of the nature of their contract, which SBDC could benefit from in the future.
4. Actively explore scope to increase cemetery charges and burial capacity, including facilities for the non Christian communities and marketing these outside of the area and the use of Stoke Poges Memorial Gardens

Slide 10

4. Cabinet should review underutilised car parks e.g Burnham as these assets could be more effectively used for the Council's objectives.
5. Cabinet should review the use of recycling facilities in car parks as this space could generate extra income. In addition removal of these facilities would reduce the amount of flytipping.

Slide 12

1. That further planning income should be identified through the Proceeds of Crime and administration of Section 106 agreements and CIL if introduced.
2. Once the Local Plan has been finally submitted, the Head of Planning should critically review the size of the planning policy team to ensure it is appropriately resourced to meet the (hopefully reduced) requirements going forward.

Slide 13

1. That Cabinet responds in writing to each of the recommendations made by the Task and Finish Group by the beginning of September to allow the response to be considered at the October meeting of the Committee.
2. One of the recommendations relates to a challenge/scrutiny session with Portfolio holders. This could be achieved by the Portfolio Holders discussing with O&S members their draft budgets that will be presented to the PAGs. Part of this process could include the extent to which they have taken on board the recommendations of this Task and Finish Group.
3. That the Joint Overview and Scrutiny Committee establish a Work Programme which could include a review of all Joint Service arrangements to clarify whether the project outcomes have been achieved and to monitor new joint working programmes e.g. Customer Experience Strategy and ICT Strategy.

Members asked that a slide be added on medium term financial projections.

RESOLVED that the report be submitted to Cabinet for consideration with the changes outlined above.

61. **PRESENTATION BY NHS CHILTERN CLINICAL COMMISSIONING GROUP**

Dr Sian Roberts, GP Dementia Lead and Maxine Foster Commissioning Manager, from Buckinghamshire Clinical Commissioning Group (CCG) (Aylesbury and Chiltern formally merged in April 2018) gave a presentation on dementia.

During the presentation the main points were noted by Members:-

- Dementia was defined as a decline in memory or other thinking skills severe enough to reduce a person's ability to perform everyday activities.
- There are 850,000 living with dementia and this was expected to rise to over 1 million by 2025.
- The Prime Minister challenge on dementia 2020 is to maintain a diagnosis rate of at least two thirds, increase the numbers of people receiving a dementia diagnosis within six weeks of a GP referral and improve the quality of post-diagnosis treatment and support for people with dementia and their carers.
- A dementia diagnosis will aid the understanding of care workers, family members and friends, leading to better support of the person with dementia. It can lead to more appropriate care and support, may give the person with dementia the opportunity to plan for the future and depending on the type and stage of dementia specific treatments or interventions may be available.
- 6,500 people over 65 in Bucks are probably living with dementia.
- Diagnosis can be undertaken through the Memory Clinic at Amersham Hospital, memory assessment closer to home (Denham Medical Centre) or screening in care homes.

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- A Memory Support Service was offered via Alzheimers Society. There was also support from Carers Bucks, GPs, Older Adults Community Mental Health Teams and the Dementia road map.
- There was a my life my memories project which was focusing on dementia in the different communities within the Buckinghamshire area.
- There was a mobile virtual dementia tour and living with joy workshops.

Members discussed the following points:-

- A Member referred to a local example where it was very difficult to get a referral. Another Member referred to another example and also commented that the trigger mechanism for a referral did not work. Having clarified the timescale for these issues Dr Roberts reassured Members that dementia services had changed significantly and it was much easier to get a referral. GPs now had received training on dementia diagnosis and with the help of the screening tool, the memory clinic and accessibility of services across localities this should no longer be an issue.
- In answer to a question on monitoring, Dr Roberts informed Members that the CCG commission Oxford Health Foundation Trust (OHFT) to provide Memory Assessment Services. The contract with OHFT was monitored monthly with key performance indicators (KPIs).
- They received detailed information for monitoring purposes, including on providers of services such as Older Adults Community Mental Health Teams and also looked at patient choice. Referrals were prioritised according to need but they worked towards the target of six weeks. Innovative work was being undertaken to get people to ask for help. If a patient was having difficulty in obtaining a referral they should contact their GP.
- A Member expressed concern about carers receiving information from GPs because of confidentiality. GPs were able to confirm what services had been put in place but could not disclose any personal information without the patient's consent. Reference was made to the need to obtain power of attorney in certain situations.
- In terms of the Government campaign there was recognition around the difficulties with dementia and to destigmatise the illness and raise awareness. Ideally dementia would be diagnosed and supported from an early stage – assessment was key. If patients had to be hospitalised this was undertaken locally where possible. A Member referred to the Annual Review carried out by GP surgeries and the opportunity to help identify any issues at this appointment.
- Reference was made to a project on dementia partnered by Carers Bucks which looked at the impact of their unique family intervention service on carers and families of those suffering from dementia.
- GPs in the past had felt helpless in treating dementia however there was now an education programme and support available so GPs were more confident in diagnosing dementia and referring to support services.

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- BME patients were less likely to be diagnosed as some families in different cultures were more reluctant to ask for help.
- A Member referred patients not being able to attend an appointment and there being a difficulty in rebooking appointments. There could sometimes be a disconnect between hospital and GP services and it was important that one organisation took ownership of the patient's care. Dr Roberts reassured Members that hospital appointments could be rebooked online but would clarify the rebooking of appointments with the Mental Health teams.

Members thanked Dr Roberts and Maxine Foster for attending the meeting and welcomed the excellent presentation and discussion. They asked Dr Roberts to attend a future SBDC Council meeting so that all Members could hear the presentation.

RESOLVED that the report be noted.

62. BUCKS HEALTH AND ADULT SOCIAL CARE SELECT COMMITTEE

Members received the Minutes of the meeting(s) of the Buckinghamshire County Council Health and Adult Social Care Select Committee held on 20 March, 24 April and 22 May 2018

It was **RESOLVED** that the Minutes of the Buckinghamshire County Council Health and Adult Social Care Select Committee be noted.

63. BUCKS CHILDREN'S SOCIAL CARE AND LEARNING SELECT COMMITTEE

Members received the Minutes of the meeting(s) of the Buckinghamshire County Council Children's Social Care and Learning Select Committee held on 27 March and 15 May 2018.

It was **RESOLVED** that the Minutes of the Buckinghamshire County Council Children's Social Care and Learning Select Committee be noted.

64. MEMBERS QUESTIONS AND ANSWERS

There were no questions.

65. WORK PROGRAMME

The Committee considered the Overview and Scrutiny Work Programme.

RESOLVED that the Overview and Scrutiny Work Programme be agreed.

The meeting terminated at 8.10 pm

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GOVERNANCE AND ELECTORAL ARRANGEMENTS COMMITTEE

Meeting - 26 June 2018

Present: P Hogan (Chairman)

Dr W Matthews, D Anthony, J Lowen-Cooper, D Pepler and D Smith

25. MINUTES

The minutes of the Governance and Electoral Arrangements Committee meetings held on 7 March and 16 May 2018 were approved and signed by the Chairman as a correct record.

26. DECLARATIONS OF INTEREST

There were no declarations of interest.

27. POLLING DISTRICT AND POLLING PLACE REVIEW

On 19 July 2017 the Council commenced a voluntary review of polling district and polling places. This was prompted by comments received after the UK Parliamentary General Election on 8 June 2017 relating to some of the buildings currently used as a polling station.

Comments and submissions on all polling districts and polling places in South Bucks District were invited from 19 July 2017 to 13 March 2018. Following consideration of those comments and submissions a report was published on 18 May 2018 proposing a change to one polling place. Comments and submissions were then invited on the proposals.

Members were asked to consider the proposal in the report to re-designate St Andrews United Reformed Church as the polling place for the polling district Iver Richings Park. This was considered a suitable building for use as a polling station and would replace the existing polling place, St Leonards Church Hall, which was used daily by Iver Village Infant School nursery and closed when polling took place. During the discussion it was felt that St Andrews United Reformed Church provided improved accessibility over the current building although positioned in a less central location.

The report also proposed retaining The Orchards Residential Park as the polling place for The Orchards Polling District. This was considered the most suitable venue for the polling district. A comment had been received from polling staff regarding the suitability of the building; however a review of the building had confirmed that

accessibility and access were suitable. There were limited alternative venues in the locality. It was noted that Harvey Memorial Hall had previously been used as an alternative venue; however lack of available public transport made this venue less convenient for some electors. Members supported the proposal to use The Orchards Residential Park as this was considered the most suitable location for electors in that polling district.

RESOLVED:

That St Andrews United Reformed Church be designated the polling place for the polling district (SIR) Iver Richings Park.

28. SBDC PARISH COUNCILS - COMMUNITY GOVERNANCE REVIEW

The Council received correspondence from Denham, Stoke Poges and Farnham Royal Parish Councils requesting that the electoral arrangements for their respective parish be changed. The requests related to council size (number of councillors) and warding arrangements.

A community governance review was the relevant mechanism for reviewing and proposing any changes to parish electoral arrangements. The purpose of a review was to secure an arrangement which would bring about improved community engagement, better local democracy and result in more effective and convenient delivery of local services. South Bucks District Council was the responsible authority for conducting the review.

The Committee were asked to decide whether or not to review the electoral arrangements of the parishes that had made requests.

During the discussion Members noted the statutory provisions and had regard to the guidance issued by the Secretary of State. Members considered whether the timing of a review was appropriate in light of the anticipated announcement from the Secretary of State regarding local government reorganisation in Buckinghamshire. There was a suggestion that the review be deferred pending the Secretary of State's decision. Members felt however that the Council should continue to carry out its functions and not delay a decision due to uncertainty surrounding local government reorganisation, particularly as one parish council had requested that the review conclude in time to take effect before the district and parish elections due to take place in May 2019.

RESOLVED:

- 1. That the correspondence received from Denham, Stoke Poges and Farnham Royal Parish Councils be noted.**

- 2. That the Council conducts a Community Governance Review on the electoral arrangements for Denham, Stoke Poges and Farnham Royal Parish Councils.**
- 3. That authority to agree the Terms of Reference of the Community Governance Review, referred to in resolution 2, be delegated to the Head of Legal and Democratic Services in consultation with the Chairman of the Governance and Electoral Arrangements Committee.**

The meeting terminated at 6.46 pm

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PLANNING COMMITTEE (SBDC)

Meeting - 23 May 2018

Present: J Jordan (Chairman)*
D Anthony*, M Bezzant*, T Egleton*, B Gibbs*, P Hogan*, M Lewis*
and D Smith*

**attended site visits*

Apologies for absence: R Bagge and Dr W Matthews

1. MINUTES

The minutes of the Planning Committee held on 18 April 2018 were approved and signed by the Chairman as a correct record.

2. DECLARATIONS OF INTEREST

Cllr P Hogan declared a Personal Interest in item 18/00520/FUL under the Council's Code of Conduct as he was a Member of Beaconsfield Town Council who had made representations about this application. Cllr Hogan confirmed that he had not attended any meetings when this application was discussed by the Parish Council nor expressed a view on the application and had not pre-determined the application.

3. APPLICATIONS AND PLANS

Key to the following decisions:

ADV - Consent to Display Adverts; ARM - Approval of Reserved Matters; CI - Certificate of Lawfulness Issued; CON - Conservation Area Consent; D - Deferred; D (INF) - Deferred for Further Information; D (SV) - Deferred for Site Visits; D (PO) - Deferred for Planning Obligation; D (NEG) - Deferred for Negotiations; FCG - Consent for Tree Work; PCR TPO Part Consent/Part Refusal; LBC - Listed Building Consent; OP - Outline Planning Permission; P - Application Permitted; R - Refused or Rejected; R (AO) - Refused against Officer recommendation; RC - Removal of Condition; TC - Temporary Consent; TP - Temporary Permission; ULBC - Unconditional Listed Building Consent; UP - Unconditional Permission; VG - Variation Granted; W - Application Withdrawn.

Planning Committee (SBDC) - 23 May 2018

(A) COMMITTEE DECISION REQUIRED FOLLOWING A SITE VISIT AND/OR PUBLIC SPEAKING:

		Decision
Plan Number:	17/01853/FUL	P
Applicant:	Mr & Mrs R Pomeranke	
Proposal:	Redevelopment of site to provide 8 detached dwellings with integral garages at Cut Heath House, Parsonage Lane, Farnham Common, Buckinghamshire, SL2 3PA	
<p>Notes:</p> <ol style="list-style-type: none"> 1. A site visit was undertaken by Members. 2. Prior to consideration, Maggie Minasian and Peter Lomax, on behalf of the objectors addressed the meeting and Robert Clarke, on behalf of the applicant addressed the meeting. 3. The decision was made on the basis of an informative being added to note that the Committee's decision was made by balancing the need for affordable housing in the area against the high density of housing proposed and the resolution to approve was only made on the basis that three affordable dwellings would be provided onsite by the applicant. <p>It was accordingly</p> <p>RESOLVED that subject to the inclusion of the above informative, the application be delegated to the Director of Services to approve subject to the satisfactory prior completion of a Section 106 Planning obligation agreement relating to the provision of three on site affordable houses. If the Section 106 agreement cannot be completed, the application be refused for such reasons as the Director of Services considers appropriate.</p>		
		Decision
Plan Number:	18/00519/OUT	P
Applicant:	Mr James McMahon	
Proposal:	Outline application for: Construction of detached dwelling with associated amenity area, parking and vehicular access at Land Rear of Somerset Way, Iver, Buckinghamshire, SL0 9AF.	
<p>Notes:</p> <ol style="list-style-type: none"> 1. A site visit was undertaken by Members 2. Prior to consideration, Carol Gibson, on behalf of the objectors addressed the meeting. <p>It was accordingly</p> <p>RESOLVED that the application be permitted.</p>		

(B) COMMITTEE DECISION REQUIRED WITHOUT A SITE VISIT OR PUBLIC SPEAKING:-

		Decision
Plan Number:	18/00520/FUL	P
Applicant:	Mr & Mrs T and L Cole	
Proposal:	Two storey side extension and dropped kerb at 38 Heath Road, Beaconsfield, Buckinghamshire, HP9 1DG	
Notes:		
<p>1. The Planning Officer clarified that this application was being heard by the Planning Committee due to the applicant being a member of staff of the Council.</p> <p>It was accordingly</p> <p>RESOLVED that the application be permitted.</p>		

(C) COMMITTEE OBSERVATION REQUIRED ON APPLICATIONS TO OTHER AUTHORITIES

None

(D) APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY

The Committee received for information a list of the applications dealt with under delegated authority by the Head of Sustainable Development.

4. ENFORCEMENT

No updates were reported in relation to enforcement notices.

5. PLANNING APPEALS AND SCHEDULE OF OUTSTANDING MATTERS

The Committee received for information a progress report which set out the up-to-date position relating to Planning Public Inquiries, Hearings and Court Dates.

RESOLVED that the report be noted

The meeting terminated at 5.05 pm

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CABINET

Meeting - 27 June 2018

Present: B Gibbs, P Hogan, N Naylor, J Read, D Smith and L Sullivan

135. MINUTES

The minutes of the meeting of Cabinet held on 17 April 2018 were approved and signed by the Cabinet Leader as a correct record.

136. DECLARATIONS OF INTEREST

There were no declarations of interest.

137. RECOMMENDATIONS OF THE OVERVIEW & SCRUTINY TASK & FINISH GROUP - MEDIUM TERM FINANCIAL STRATEGY

The Cabinet received a presentation which set out the recommendations of the Task and Finish Group established by the Overview and Scrutiny Committee following their review of the Financial Strategy. The Director of Resources reported that over the next few years the Council could face a funding gap because of the reduction in Government funding to local authorities.

The Task and Finish Group had considered the following elements and the basis of the assumptions underpinning them:-

- External Funding – Government Tariff payments, Business Rates, New Homes Grant
- Expenditure pressures
- Savings plans – a) Corporate b) Service specific

Cabinet noted the need to maximise income from the New Homes Bonus/Business Rates Retention Scheme and in particular whether the Council should adopt a more enabling approach to encouraging housing and business growth in the District. Reference was made to the recent development in Pinewood which produced the highest business rates and also further development was expected.

One of the recommendations related to Cabinet reviewing the use of recycling facilities in car parks as this space could generate extra income. The Cabinet Member for Environment made reference to a public consultation which was being carried out in the Autumn on recycling facilities which would support this recommendation.

In relation to the recommendation relating to the development of Consilio, Cabinet Members recognised that it was an ambitious programme and that it was important that it was resourced appropriately to ensure the right professional advice could be given on increasing returns and taking advantage of market opportunities.

The report asked for a response in writing to each of the recommendations referred to in the presentation by the beginning of September to allow the response to be considered at the October meeting of the Committee.

The Leader expressed his thanks to the Members of the Financial Strategy Task and Finish Group for their Inquiry work and the thorough nature of their investigation. He commented that Cabinet Members would look at the recommendations in more detail to report back in the Autumn. A Cabinet Member commented that it would be helpful to have some timelines from officers of when future strategies would be discussed at Cabinet so that this could be fed back to the Overview and Scrutiny Committee.

RESOLVED that

- 1) A written response to each of the recommendations made by the Task and Finish Group in the report be given by the beginning of September to allow the response to be considered at the October meeting of the Overview and Scrutiny Committee.
- 2) A challenge/scrutiny session with Portfolio holders be agreed. This could be achieved by the Portfolio Holders discussing with Overview and Scrutiny members their draft budgets that will be presented to the PAGs. Part of this process could include the extent to which they have taken on board the recommendations of the Task and Finish Group.
- 3) That the Joint Overview and Scrutiny Committee establish a Work Programme which could include a review of all Joint Service arrangements to clarify whether the project outcomes have been achieved and to monitor new joint working programmes e.g. Customer Experience Strategy and ICT Strategy.

138. 28 DAY NOTICES OF EXECUTIVE DECISIONS

The Cabinet received a copy of the 28 day Notice and Forward Plan prepared in accordance with Regulation 9 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 setting out the key (and non-key) decisions the Cabinet was intending to make at public and private meetings.

The Cabinet also received a copy of the 28 day Notice setting out the key (and non-key) decisions the Chiltern and South Bucks Joint Committee were intending to make at public and private meetings.

RESOLVED that the 28 day Notices and Forward Plan be noted.

139. **CABINET APPOINTMENTS**

The Cabinet received a list of Cabinet appointments to be confirmed by Cabinet.

RESOLVED that

- a) the following Cabinet appointments be confirmed:

Representation of Joint Committees and other bodies:

Chiltern and South Bucks Joint Committee ~

1. B. Gibbs
2. P. Hogan
3. N. Naylor
4. J. Read
5. D. Smith
6. L. Sullivan

(Plus CDC Members, see CDC appointments)

The Cabinet Leader of the Council hosting the meeting will chair the meeting

Joint Waste Collection Committee ~

1. (Cabinet Member) Luisa Sullivan
2. (Non-Cabinet Member) – Vacancy

(Plus CDC and WDC Members)

Chairman/Vice-Chairman to be elected at the first meeting of the Municipal Year, except where an appointment has been made for two years

Evreham Sports Centre Joint Management Committee ~

- South Bucks representatives:
1. J. Jordan
 2. P. Hogan (Portfolio Holder)
 3. R. Sangster

Buckinghamshire County

- Representatives:
1. Require confirmation from Bucks County Council
 2. Require confirmation from Bucks County Council

Chairman/Vice-Chairman to be elected at the first meeting of the Municipal Year

The South Buckinghamshire Members Advisory Panel (8) ~

1. J. Read (Chairman)
2. R. Bagge
3. M. Bradford
4. T. Egleton
5. B. Gibbs
6. L. Hazell
7. P. Hogan
8. N. Naylor

OUTSIDE BODIES

Outside Body <i>Executive functions ~</i>	Representative[s]	Relevant Portfolio	Officer Contact
Buckinghamshire Advantage	Nick Naylor	Leader	Bob Smith
District Council's Network	Nick Naylor	Leader	Bob Smith
Buckinghamshire Thames Valley Local Enterprise Partnership	Nick Naylor	Leader	Bob Smith
Bucks Planning Group	John Read	Planning and Economic Development	Andrew Ashcroft (Interim)
Chiltern and South Bucks Strategic Partnership	Nick Naylor Paul Kelly Ralph Bagge John Read	Leader	Rachel Prance
Colne Valley Park Community Interest Company	Luisa Sullivan	Environment	Chris Marchant
Country Parks and Green Spaces Liaison Group	Luisa Sullivan	Environment	Chris Marchant
Groundwork South Trust Ltd	Luisa Sullivan	Environment	Simon Gray
Healthy Communities Partnership	Patrick Hogan	Healthy Communities	Martin Holt
Heathrow Airport Community Engagement Board	John Read	Planning and Economic Development	Tracy Farrell
Local Government Association	Nick Naylor John Read (Deputy)	Leader	Bob Smith
L & Q Shires Neighbourhood Committee	Patrick Hogan	Healthy Communities	Michael Veryard

Outside Body <i>Executive functions ~</i>	Representative[s]	Relevant Portfolio	Officer Contact
Natural Environment Partnership	Luisa Sullivan	Environment	Chris Marchant
New Denham Minerals Liaison Group	Luisa Sullivan	Environment	Tracy Farrell
Padstones	Patrick Hogan Wendy Matthews [Deputy]	Healthy Communities	Michael Veryard
Park Lodge Farm Liaison Committee	Luisa Sullivan	Environment	Tracy Farrell
Pinewood Community Liaison Group	Ralph Bagge Malcolm Bradford Wendy Matthews Luisa Sullivan	Leader	Bob Smith
South East England's Council	Ralph Bagge <i>on behalf of Leader</i>	Leader	Bob Smith

140. **REVIEW OF THE COUNCIL'S CONSTITUTION**

The Cabinet received a report asking for agreement to the rules and delegations in the revised Constitution that relate to executive (Cabinet) functions following Full Council approval on 27 February to the overall Constitution. The Head of Legal and Democratic Services outlined the changes including the revision to the Protocol on the operation of Policy Advisory Groups to clarify that PAGs could now comprise of up to five Members, updating the Framework to refer to the new Joint Policy documents and changes to the Schemes of Delegations.

The Cabinet expressed their thanks to the Governance and Electoral Arrangements Committee which was chaired by Cllr Hogan for their work on the constitution.

RESOLVED that the proposed revisions to the Constitution relating to Cabinet functions as recommended by Governance and Electoral Arrangements Committee be agreed.

141. **REFRESHED JOINT BUSINESS PLAN 2018-19**

The Cabinet received a report which sought approval for the refreshed Joint Business Plan 2018 – 2019 as set out in the Appendix to the report. Members noted that as this was part of the budget and policy framework this would need to be recommended to Council for approval. A Cabinet Member asked that the new Head of Planning photograph be updated for the structure chart.

RECOMMENDED to Council that the refreshed Joint Business Plan be approved.

142. **2017/18 END OF YEAR PERFORMANCE REPORT**

Cabinet receive a report which outlines the annual performance of Council services against pre-agreed performance indicators and service objectives for Quarter 4 and end of year for 2017-18.

The Quarter 4 Priority and Corporate PIs were at Appendices A and B respectively. Members noted that priority PI relating to household waste sent for reuse, recycling and composting was slightly under the target of 53% at 52.7%. Further, that the long-term absence cases detailed at 4.2.1 had been resolved. Through the survey feedback, it is apparent that the Licensing team were working hard to provide good customer service. However, as the response level to the survey was low officers would do more to publicise the survey the following year. Availability of ICT systems to staff was under target because of issues with vWorkspace, however these issues have now been resolved. The Leader asked Cabinet Members to look at their own service areas to identify performance improvements where required.

Cabinet Members were pleased to note the new format of the Annual Report at Appendix C of the report.

RESOLVED that Cabinet note the performance reports.

143. **PLANNING AND ECONOMIC DEVELOPMENT**

(a) Western Rail Link to Heathrow (WRLtH) Consultation

The Cabinet received a report which provided additional technical comments in response to the WRLtH consultation. The PAG 11 June 2018 report attached at Appendix 1 to the report provides the necessary background to the consultation.

The Director of Services reported that this was a significant infrastructure project which would have an impact on South Bucks District Council and in particular would affect Iver. The response had included the impact on Iver, including the cumulative impact of other projects in the area and it was important to ensure that there was appropriate mitigation from Network Rail such as a contribution to the Iver Relief Road. He referred to the proposed closure of Hollow Hill Lane which would have a significant impact on traffic in this and surrounding areas as local roads were already congested. The response commented that Network Rail should undertake model runs using the Chiltern and South Bucks model to test impacts from construction traffic.

The Cabinet Members welcomed the proposed response and continued dialogue with Network Rail. The Council would work in partnership with Network Rail to try and minimise the impact on the community.

RESOLVED that

- 1 the proposed response to the WRLtH consultation outlined in the report and appendices together with any comments made by the Planning and Economic Development PAG be agreed.
- 2 the final wording of the response be delegated to the Director of Services in consultation with the Portfolio Holder for Planning and Economic Development based on the comments raised by the Cabinet and PAG.

144. **CUSTOMER SERVICES AND BUSINESS SUPPORT**

(a) South Bucks District Council Arrears Collection Project

Cabinet received a report to update Members on the progress of the project to recover arrears of Council Tax, Business Rates and Housing Benefit overpayments.

The Director of Resources updated Cabinet Members on the progress of the project to recover arrears of Council Tax, Business Rates and Housing Benefit overpayments. When the business case for the Joint Service was submitted in November 2015 the estimated income to be achieved was £98,096. The project commenced in August 2016 and was planned to last two years. At the final stages of the project the total net income is £140,000 and the expected income figure has been exceeded by over 42%. However, in some circumstances the only option available to the Council is to write the debt off as the companies in question no-longer exist and the debtors cannot be traced. Members were asked to write off 19 non domestic rates debts that have a balance outstanding of over £10,000 each as set out in the confidential appendix.

The Leader asked that the Joint Customer Services Team be thanked for their hard work on this project which had exceeded targets in a difficult area of work.

RESOLVED that

1. the progress of the South Bucks District Council Recovery Project be noted
2. the write off of specified non domestic rates debts with values over £10,000 where all previous recovery attempts have failed and there are no further routes of recovery as set out in the confidential appendix be authorised.

(b) Credit Card Payments for Council Tax and Business Rates

Cabinet received a report to ask Members to consider revising the current policy not to accept credit card payments in respect of Council Tax and Business Rates.

The Director of Resources informed Cabinet of the reasons to revise the current policy not to accept credit card payments in respect of Council Tax and Business Rates. Historically this Council have had a policy not to accept credit cards and in addition it previously attracted an additional charge. However, in response to the views of some taxpayers on the desirability of having the option to pay by credit card it would be consistent with the Customer Experience strategy to offer this choice, alongside all the other payment means.

RESOLVED that credit card payments in respect of Council Tax and Business Rates be accepted.

145. **ENVIRONMENT**

(a) Waste Contract - Joint Working

The Cabinet received a report which sought approval of the Cabinet for South Bucks District Council, Chiltern District Council and Wycombe District Council to work together to procure the delivery of waste collection, recycling and street cleansing services at the expiry of the current contracts with Serco and Biffa. The Cabinet Member for Environment commented that these recommendations aligned with one of the recommendations in the Overview and Scrutiny Financial Strategy review.

RESOLVED that

- (i) the report is noted;
- (ii) the longer term strategy to procure a three way single joint contract for South Bucks District Council, Chiltern District Council and Wycombe District Council be agreed;
- (iii) an Inter District Authority Agreement (IDAA) reflecting the Heads of Terms at Appendix 1 of the report be agreed;
- (iv) authority be delegated to the Head of Environment in consultation with the Head of Legal and Democratic Services and the relevant Portfolio Holder to approve the detailed terms of the IDAA.

146. **HEALTHY COMMUNITIES**

(a) Designation of an Air Quality Management Area (AQMA) In Iver

In 2017, the Healthy Communities Policy Advisory Group received an update on air quality where it was noted that further additional monitoring in the Iver area was required to confirm the requirement for an Air Quality Management Area (AQMA).

Upon conclusion of the additional monitoring, the findings were debated at the PAG of 22nd February 2018 where 3 options for an AQMA were considered, with a

recommendation for a parish wide AQMA being taken forward to formal consultation. This consultation ran from the 1st March to the 31st March 2018.

Over 90% of respondents agreed that the boundary should be aligned with the Parish Boundary, However, in light of two supplementary responses, the matter returned back to the PAG on the 12th June 2018 to allow the full range of consultation responses to be considered by Members. At this PAG after further careful consideration it was agreed that the parish wide AQMA remained the best option based on local circumstances to present to Cabinet for approval.

Cabinet Members referred back to the item on Network Rail and the cumulative impact from infrastructure projects that were impacting on Iver. They also commented on the AQMA on the M25 and the need to be co-terminous. Members agreed that this report was very timely and referred to the high response from residents on this issue.

RESOLVED that an AQMA be declared based on the Iver Parish boundary as consulted upon under section 83 (1) of the Environment Act 1995 with the final wording of the necessary order be delegated to the Head of Legal & Democratic Services.

(b) Joint Food and Health and Safety Business Plan

The Cabinet received a report which sought approval for the adoption of the joint Food and Health and Safety Service Plan and Food and Health and Safety Enforcement Policies for the year 2018/2019.

The Food Standards Agency's (FSA) Code of Practice and the Health and Safety Executive (HSE) required local authorities to produce and publish an annual service plan that demonstrated how the authorities were working to deliver its food safety and health and safety services. The Office for Product Safety and Standards also required local authorities to produce and publish their enforcement policies and to ensure that they complied with the Regulator's Code.

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

(c) Unauthorised encampments

The Cabinet received a report which sought approval for the adoption of the Thames Valley police and Buckinghamshire County Council protocols for dealing with unauthorised encampments. The Director of Services reported that this protocol should clarify responsibilities from different agencies and stated that District Councils had limited powers in this area. With reference to identifying a tolerated temporary site this could be anywhere in Buckinghamshire and would provide an area for police

to move travellers onto should there be an incursion on private land which would be beneficial for residents.

Cabinet Members commented on the clarity of the flowchart diagram for unauthorised encampments. Members also welcomed the multi agency approach to this issue in dealing with unauthorised encampments in communities swiftly and sensitively.

RESOLVED that

1. the final decision to adopt the Thames Valley Police (TVP) and Local Authority Joint Protocol and the Buckinghamshire Councils' and TVP Memorandum of Understanding on unauthorised encampments be delegated to the Head of Healthy Communities in consultation with the Portfolio Holder for Healthy Communities.

2 the Council works with all Bucks authorities to see if there is any scope to identify a tolerated temporary site(s) somewhere in Bucks to support the move on of unauthorised encampments

(d) Asylum Seekers

The Cabinet received a report which sought approval to adopting an agreement in principle with the Home Office to accommodate Asylum Seekers. All Local Authorities were required to participate in the resettlement programme.

RESOLVED that the final decision to adopt an 'in principle agreement' with the Home Office to accommodate Asylum Seekers be delegated to the Head of Healthy Communities in consultation with the Portfolio Holder for Healthy Communities.

(e) 2017/18 Grant funding review and future proposals

The Cabinet received a report with information on the 2017/18 grants programme and which also sought approval to introduce Crowdfunder as an additional mechanism to increase funding to local community groups. Cabinet welcomed this innovative project which would provide improved opportunities for communities.

RESOLVED that

1. the 2018/19 grant funding through Heart of Bucks continue to be delivered with a contribution of £10,000 to be match funded
2. a project to deliver a crowd funding initiative in South Bucks in partnership with Heart of Bucks and Chiltern District Council be established to enable improved opportunities for the community, to be funded from resources within the existing community projects budget.

(f) Leisure Centre Operator Contract Renewal

The Cabinet received a report informing Members of the requirement to commence with the process of retendering the leisure centre operator contract and advise the way forward in order to secure best value in appointing the next operator. If a joint procurement with Chiltern District Council is advised, a further recommendation to agree to a formal joint procurement would be required by both Councils. Following specialist advice a report would be brought back to Cabinet.

RESOLVED to seek specialist advice on whether integrating the retendering of the next leisure centre operator contract with the Chiltern District Council procurement framework would secure best value for the Council.

(g) Dog and Pest Control Contract

The Cabinet received a report which sought approval to continue with the joint arrangements with the other Buckinghamshire authorities for dog control, stray dog collection and kennelling and pest control and to tender for a new Framework Agreement to commence in June 2019.

RESOLVED that

1. a new Service Level Agreement for services be called off under the existing terms and conditions comprising dog control, stray dog collection and pest control from the existing Framework Agreement between Chiltern DC, Aylesbury Vale DC, Wycombe DC and South Bucks DC.
2. the development of a new joint Buckinghamshire Framework Agreement between Chiltern DC, Aylesbury Vale DC, Wycombe DC and South Bucks DC for services comprising dog control, stray dog collection, kennelling and rehoming and pest control be approved to commence from 1st June 2019.
3. the Council agrees to enter into an Inter District Authority Agreement (IAA) reflecting the Heads of Terms to be agreed by the Head of Healthy Communities in consultation with the Head of Legal and Democratic Services and the relevant Portfolio Holder. To note the principles of the apportionment of procurement costs are within existing budgets and if additional funds are required then further approval is sought from Members.
4. delegated authority be given to the Head of Healthy Communities in consultation with the Head of Legal and Democratic Services and the relevant Portfolio Holder to approve the detailed terms of the IAA.
5. a four year Framework Agreement be tendered for to commence from 1st June 2019 with the ability to call off Service Level Agreements for dog control, stray dog collection, kennelling and rehoming and pest control services.
6. the Head of Healthy Communities be authorised to draw up tender documents for the agreed services to commence from 1st June 2019.
7. the Head of Healthy Communities, in consultation with the Portfolio Holder for Healthy Communities, be authorised to accept the tender that represents best value and to call off specific Service Level Agreements for dog control, stray dog collection, kennelling and rehoming and pest control services.
8. That the Head of Healthy Communities, in consultation with the Portfolio Holder for Healthy Communities be authorised to call off additional Service Level Agreements for dog control, stray dog collection, kennelling and rehoming and pest control services within the period of the Framework Agreement on receipt of good performance.

(h) Affordable Housing Contributions Update

The Cabinet received a report which provided an update of the receipt and expenditure of section 106 Affordable Housing Contributions (AHCs), and to identify funds that are available for opportunities to deliver affordable housing, temporary or move-on accommodation.

An area of focus was to explore affordable housing opportunities and ways to move people out of temporary nightly paid accommodation and this was welcomed by

Cabinet Members. The recommendation had been amended to also include consultation with the Cabinet Member for Resources which was agreed.

RESOLVED that

1. the update on receipt and expenditure of Affordable Housing Contributions and the status of the existing schemes be noted
2. £358,248 of allocated funding be withdrawn as it is no longer required by existing schemes.
3. £462,636 be allocated to temporary or move-on accommodation initiatives subject to final decisions on schemes including the terms of any necessary funding agreements with Housing Associations being delegated to the Head of Healthy Communities in consultation with the Portfolio Holders for Healthy Communities and Resources.

147. **RESOURCES**

(a) Redevelopment of former Gerrards Cross Police Station site

The Cabinet received a report which update Members on key matters of concern regarding construction cost reported to the SBDC joint Resource PAG 22 Mar 2018 and Cabinet 17 April 2018. Cabinet Members clarified the increase in recommendation 4 and were reassured that this was not extra funding but was a timing issue to move the project forward. The final business case would be submitted to Cabinet at a future meeting.

RESOLVED that

1. the current position be noted.
2. the draft business case for the project be noted.
3. the anticipated fixed cost of £7,831,569 is in line with the amount approved in the current Capital Programme.
4. the current approved pre-construction budget be increased from £800,000 to £950,000 to allow detail design to be developed. However, this does not reflect an increase in the total estimated project cost but is merely a timing issue to allow the works to proceed to programme.

(b) Treasury Management Annual Report 2017/18

The Cabinet received a report on the Treasury Management performance of the Council for 2017/18 as required under the Code of Practice for Treasury Management. The Director of Resources highlighted that the weighted average interest rate earned on fixed rate investments in the year was 0.58% and that there was an underachievement of £37k from the budget during 2017/18.

RESOLVED that the Treasury Management performance for 2017/18 as required by the Code of Practice for Treasury Management be noted.

(c) Farnham Park Playing Fields Strategy

The Cabinet received a report which set out the recommendations of the South Buckinghamshire Panel for the future of the Farnham Park Playing Fields. It seeks agreement for funding to undertake some initial work related to the recommendation. Members of the South Buckinghamshire Panel were strongly of the view that they would like to the Playing Fields to continue as a public sports facility, despite the need for significant investment to improve its usage and to be financially sustainable. However, this would be challenging as the whole site is in the Green Belt and it would be necessary to argue very special circumstances for any enabling development. Therefore if Members were minded to consider the enabling development a specialist planning consultant would need to be appointed to put forward a case on how a development would link to re-providing sporting facilities to improve usage and sustainability.

Cabinet Members supported this proposal as this was an important community asset, and important in the context of the Open Spaces and Playing Fields Strategy, including being used by people outside the area.

RESOLVED that

1. the options considered by the Panel and their recommended course of action be noted.

RECOMMENDED to Council that

2. a budget of up to £50,000 funded from the General Reserve, to explore the feasibility of an enabling development be agreed.

148. **POLICY ADVISORY GROUP MINUTES**

The Policy Advisory Group Minutes were noted as follows:-

Environment PAG – 7 June 2018

Planning and Economic Development PAG – 11 June 2018

Healthy Communities PAG – 12 June 2018

Resources PAG – 13 June 2018

Customer Services and Business Support PAG – 18 June 2018

149. **EXCLUSION OF PUBLIC**

RESOLVED that under section 100 (A) (4) of the Local Government Act 1972 (as amended) the public be excluded from the meeting for the following item(s) of business on the grounds that they involved the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act.

150. **WASTE CONTRACT OPTIONS APPRAISAL**

The Cabinet received a report on the options for procuring the delivery of waste collection, recycling and street cleansing services at the expiry of the current contracts with Serco and Biffa.

The report had been considered by the Chiltern, South Bucks & Wycombe Joint Waste Collection Committee on 23 April 2018. The Joint Waste team currently managed two contracts and agreement was sought for a long-term strategy for a 3 way contract. A contract option review had been carried out by independent consultants and the results presented to Portfolio Holders in March 2018. It was noted that the current contract with Biffa would expire in October 2021 and could not be extended. Chiltern and Wycombe's contract would end earlier in March 2020, although there was a possibility of extension. The benefits of a 3 way Inter District Authority Agreement (IDAA) included cost efficiencies, risk sharing (particularly regarding the sale of recyclables) and economies of scale that would make the contract more attractive to bidders.

The IDAA is the formal governance mechanism that covers 3 phases; the pre contract phase, the active procurement phase and post contract operational commencement. This would set out the way costs would be apportioned and mutual indemnity.

RESOLVED that:

1.
 - (i) Chiltern and Wycombe should negotiate a contract extension with Serco until the end of October 2021 to align the termination date with the South Bucks/Biffa contract, provided that such extension is compliant with the Public Contract Regulations 2015, and the three Councils should commence the procurement of a single joint three-way contract to commence in November 2021. However, if the said negotiations are unsuccessful, to commence the procurement of a single joint three-way contract with a staggered commencement of March 2020 in Chiltern and Wycombe and November 2021 in South Bucks.
 - (ii) authority be delegated to the Head of Environment, in consultation with the Head of Legal and Democratic Services, Head of Finance and the relevant Portfolio Holder, to take the steps necessary to progress the option selected under Recommendation (i) above.
 - (iii) authority be delegated to the Head of Environment in consultation with the Portfolio Holder to finalise the specification of the services to be delivered.
 - (iv) authority be delegated to the Head of Environment in consultation with the Head of Legal and Democratic Services and the relevant Portfolio Holder to determine the procurement method under the Public Contract Regulations 2015.
- (v) **RECOMMENDED** to Council that an initial budget of up to £300,000 be approved to fund the

resources referred to in 2 (i) below, to be funded by the three Authorities in proportion to the number of households in each district (SBDC - 20.46%; CDC - 28.12%; WDC - 51.42%), with the release of funds to be delegated to the Head of Environment and Head of Finance in consultation with the relevant Portfolio Holder.

2. the decision of the Chiltern, South Bucks & Wycombe Joint Waste Collection Committee be noted and that:
 - (i) authority be delegated to the Head of Environment to procure sufficient professional and technical resources to enter into initial discussions and to prepare for and support the procurement project/s.

151. **APPLICATION FOR DISCRETIONARY RATE RELIEF (1)**

The Cabinet received a report which sought approval for an application for rate relief on hardship grounds.

RESOLVED that relief should not be awarded in this instance.

152. **APPLICATIONS FOR DISCRETIONARY RATE RELIEF (2)**

The Cabinet received a report to consider an application for Discretionary Rate Relief in respect of two premises occupied by the organisation.

RESOLVED

Reference 21108673

that an award of £19,763.38 be made under S49 LGFA 1989 in respect of periods prior to 1 April 2017

that 50% Discretionary Rate Relief be awarded under S47 LGFA 1989 from 1 April 2017

Reference 21108666

That an award of £21,968.78 be made under S49 LGFA 1989 in respect of periods prior to 1 April 2017

that 50% Discretionary Rate Relief be awarded under S47 LGFA 1989 from 1 April 2017

The meeting terminated at 7.52 pm

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LICENSING COMMITTEE (SBDC)

Meeting - 21 June 2018

Present: T Egleton (Chairman)
D Anthony, J Jordan, M Lewis, D Pepler, R Sangster and D Smith

Also Present:

Apologies for absence: P Griffin, P Hogan and G Sandy

18. APOLOGIES FOR ABSENCE

19. MINUTES

The minutes of the Licensing Committee held on 24 January 2018 and 16 May 2018 were approved and signed by the Chairman as a correct record.

20. DECLARATIONS OF INTEREST

There were no declarations of interest.

21. LICENSING ACT 2003 POLICY REVIEW: CONSULTATION OUTCOME

The Committee considered the outcome of the consultation on the revised draft Licensing Act 2003 Policy Statement ("the draft policy") and discussed the responses received. It was noted that the Council had a statutory responsibility to review the Licensing Policy at least every 5 years and this would require adoption of the draft policy at Council on 14 November 2018 in order for the approved policy to come into effect from 10 December 2018.

Having considered the responses to the consultation, Councillor Pepler proposed that the draft policy with modifications as attached at Appendix 1 be recommended for adoption by Council on 14 November 2018 with effect from 10 December 2018. This proposal was seconded by Councillor Jordan and agreed at a vote.

RESOLVED

The draft policy with modifications as attached at Appendix 1 be recommended for adoption by Council on 14 November 2018 with effect from 10 December 2018.

Note: Councillor R Sangster entered the meeting at 6.05 pm during the above item and did not take part in the debate or vote.

22. REVIEW OF THE COUNCIL'S GAMBLING ACT 2005 STATEMENT OF PRINCIPLES

Members considered the revised draft Gambling Act 2005 Statement of Principles attached at Appendix 1 which had the proposed changes shown in red. It was noted that a consultation period of

Licensing Committee (SBDC) - 21 June 2018

6 weeks was recommended by the Gambling Commission guidance and a revised Statement of Principles was required to be in place by 21 January 2019.

It was noted that there were only minor amendments being recommended since the last review and the Committee considered the more notable recommended changes as set out in the report. These included a change in the wording to allow the Head of Healthy Communities in consultation with the Chairman of the Licensing Committee to make minor amendments to the Statement of Principles including those related to legislation to make such amendments quicker and more straightforward.

With regard to the Casino Resolution made under Section 166 of the Act, it was noted that the Government had already issued the 17 permitted licences available under the Act and therefore there was no necessity to resolve not to issue casino premises licences in the District.

Members also considered that there was a trend currently for online betting rather than for betting premises and it was thought unlikely that there would be applications for more than the current 7 gambling licenced premises in the district.

The local area profile shown in Appendix 2 was intended to be a standalone document and would not need to go through the full review process in future. It had been recommended as part of the Gambling Commission guidance but was not a statutory requirement.

The officer recommendations set out in the report were put to the Committee by the Chairman and agreed at a vote.

RESOLVED

1. That the draft Statement of Principles attached at Appendix 1 be approved for consultation for a period of 6 weeks.
2. That the results of the consultation exercise be reported back to Licensing Committee at its meeting on 26 September 2018 for consideration.
3. That it be stated in the draft Statement of Principles that there is no necessity for the Council to make a resolution under Section 166 of the Act not to issue a casino licence at this time.
4. That Members note that it was intended to report to Cabinet on 17 October 2018 and then to Council on 14 November 2018 for adoption of the final Statement of Principles.

23. **EXCLUSION OF THE PUBLIC (IF REQUIRED)**

RESOLVED that under section 100 (A) (4) of the Local Government Act 1972 (as amended) the public be excluded from the meeting for the following item(s) of business on the grounds that they involved the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act.

The meeting terminated at 6.20 pm