

## **SOUTH BUCKS DISTRICT COUNCIL**

**Council - 14 November 2018**

Present: Councillors D Anthony, R Bagge, P Bastiman, M Bezzant, M Bradford, D Dhillon, T Egleton, B Harding, P Hogan, G Hollis, J Jordan, P Kelly, M Lewis, J Lowen-Cooper, Dr W Matthews, N Naylor, D Pepler, J Read, R Reed, G Sandy, R Sangster, D Saunders, D Smith and L Sullivan

Apologies: Councillors S Chhokar, B Gibbs, P Griffin and L Hazell

### **23. ONE MINUTE SILENCE**

A minute's silence was observed in memory of former Councillor Dr John Kennedy who recently passed away. Councillor Dr John Kennedy was first elected as District Councillor for Taplow on 2 May 1991, and was re-elected in 1999. He was Chairman of South Bucks District Council from 2000 to 2003 and also elected to Taplow Parish Council in 2007.

### **24. PRESENTATION FROM THE PROGRAMME MANAGER OF THE WILLOW PROJECT**

Astrid Lambregts, the Buckinghamshire Coordinator for the Willow Project attended the meeting to provide a presentation on Human Trafficking and Exploitation. The charity identified and provided support to those who have been affected by exploitation. During the presentation Members were informed of what crimes were covered under modern slavery, sexual, financial, criminal and other exploitation and how to spot indicators of these crimes. Modern day slavery cost the country approximately £4.5 billion a year. The Willow Project have had 30 referrals since they were set up in September 2018. They also provided a four hour training session to inform professionals on the signs for exploitation.

Following the presentation the following points were noted in response to questions:-

- Houses in multiple occupation (HMO) were defined as a property rented out by at least three people who shared facilities such as the bathroom and kitchen and if a house was rented out as a HMO a licence was required. Emphasis was made on ensuring that checks were undertaken to ensure that these properties were properly licensed and that there were no signs of exploitation.
- In terms of referrals, they could be made through a number of avenues e.g. people who were homeless and often it meant talking to people a number of times before they were able to confide any details of exploitation. The charity liaised with schools and safeguarding teams and met with children at school premises to discuss any concerns.
- A Member made reference to debt bondage and the need for victim support by Government bodies and health care professionals. Through the Willow

## Council - 14 November 2018

Project training was given to a wide variety of professionals, including GPs and in a variety of ways e.g. requests for specific training or through conferences.

The Chairman thanked Astrid Lambregts for attending the meeting.

### 25. MINUTES

The minutes of the meeting of Full Council held on 17 July 2018 were approved and signed by the Chairman as a correct record.

### 26. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 27. ANNOUNCEMENTS

The Chairman reported on recent functions and events she had attended on behalf of the Council including an additional engagement, laying a wreath on behalf of the Council at the RAF Film Production Unit memorial located at Pinewood Studios. The Chairman's Charity Golf day had been a great success where over £5,000 was raised and she thanked everyone who had contributed to this.

#### Engagements July - November 2018

<b>Queen's Award Presentation Ceremony – Lord Lieutenant of Buckinghamshire</b>	26/07/18	Chairman attended
<b>Maidenhead Regatta – Mayor of Royal Borough of Windsor &amp; Maidenhead</b>	11/08/18	Chairman attended
<b>Punting Championships – Thames Punting</b>	12/08/18	Chairman attended
<b>Dragon Boat Charity Race – Ricoh &amp; Princes Trust</b>	31/08/18	Chairman attended
<b>Lord Dannatt's Round Britain Challenge – The Jubilee Sailing Trust</b>	01/09/18	Chairman attended
<b>Graduation Ceremony – Vice Chancellor, Bucks New University</b>	04/09/18	Chairman attended
<b>Big Night Out – Action4Youth</b>	12/09/18	Chairman attended
<b>Chairman's Charity Golf Day</b>	14/09/18	Chairman attended

**Council - 14 November 2018**

<b>Reading Challenge – Iver Heath Infant School</b>	20/09/18	Chairman attended
<b>Official Opening of The Barn – Wexham Court Primary School</b>	27/09/18	Chairman attended
<b>Heathrow Primary School Challenge - Heathrow Airport Limited</b>	03/10/18	Chairman attended
<b>Tour of the Battle of Britain Operations Room (The Bunker) at the former RAF Uxbridge – Mayor of Hillingdon</b>	04/10/18	Chairman attended
<b>Celebrating the Work of the Berkeley Foundation</b>	11/10/18	Chairman attended
<b>Justice Service – High Sheriff of Buckinghamshire</b>	14/10/18	Chairman attended
<b>Reading Challenge Prize Giving – Iver Village Infants School</b>	16/10/18	Chairman attended
<b>SERFCA Awards Ceremony – Lord Lieutenant of Buckinghamshire</b>	18/10/18	Chairman attended
<b>Charity Quiz Night – Chairman of Aylesbury Vale District Council</b>	19/10/18	Vice Chairman attended
<b>Charity Afternoon Tea – Mayor of Royal Borough of Windsor &amp; Maidenhead</b>	25/10/18	Chairman attended
<b>Afternoon in Champagne – Chairman’s Charity Event</b>	27/10/18	Chairman attended
<b>Civic Service – Chairman of Buckinghamshire County Council</b>	28/10/18	Chairman attended
<b>Official Opening of Taplow Riverside Bridge – Berkeley Homes</b>	02/11/18	Chairman attended
<b>Private Reception – Thames Valley Hospice</b>	08/11/18	Vice Chairman attended
<b>WWI Speaking Competition – Beaconsfield Town Council</b>	09/11/18	Vice Chairman attended

<b>WWI Commemorations – Lord Lieutenant</b>	11/11/18	Chairman attended
<b>Battle’s Over – WWI Beacons of Light – Iver Parish Council and Royal British Legion (Iver Heath) Branch</b>	11/11/18	Chairman attended
<b>British Empire Medal Investiture Ceremony- Lord Lieutenant of Buckinghamshire</b>	14/11/18	Chairman attended

The Leader of the Cabinet announced that the Secretary of State for Housing, Communities and Local Government, James Brokenshire had published a statement on 1 November 2018 announcing that he was supporting a new single unitary district council that would cover the whole of Buckinghamshire, excluding Milton Keynes. The Leader explained that the statement referred to a new ‘Unitary District Council’, this would be an entirely new Council formed with no continuation of any of the existing five Councils within Buckinghamshire. The Leader explained that this would create the opportunity to ensure the best culture was embedded throughout the new authority.

Until 1 April 2020 the authorities would remain sovereign entities with a shadow authority expected to be formed which would consist of all elected Members from each authority. Following discussions with the Secretary of State, a Parliamentary Structural Change Order would be laid in January 2019 to detail governance arrangements of the new authority and discussions were ongoing between each Council and the Ministry for Housing, Communities and Local Government.

The Leader thanked staff for their continued excellent service delivered to communities and residents and made clear that information would be shared at the earliest opportunities. The Council was in a strong position having had recent experience of implementing significant change which had been successful and had always treated partners equally regardless of their size.

The Chief Executive advised that there would be a Special Council meeting arranged for Wednesday 28 November 2018 at 6 p.m., preceded by a special Cabinet meeting at 5.00 p.m. to make decisions in relation to modernising local government arrangements.

**28. COMMITTEE RECOMMENDATIONS**

The Chairman reminded Members that the agenda for this Council meeting reflected the changes to the Council’s constitution, as agreed by Council on 27 February 2018 so that Minutes of Committee meetings would no longer be moved at Council meetings.

29. **LICENSING ACT 2003 POLICY REVIEW 2018**

Full Council received a report which required the adoption of the revised draft Licensing Act 2003 Policy Statement which was attached at Appendix 1 of the report. The Chairman of the Licensing Committee reported that the responses had been considered at their meeting on 21 June 2018 and as a result, some minor amendments to the draft Policy as proposed by officers were agreed by Members, as were the recommendations stated in the report. The Policy was reviewed every five years.

A Member referred to 1.10 of the draft Policy which stated that the District was primarily a residential area whose amenity the Council had a duty to protect. It also stated in 1.9 that the Council recognised that the licensed entertainment business sector and community licensed facilities in the District contribute to the local economy and social infrastructure. He commented that in some rural areas in South Bucks some pubs play loud music late at night so that 30 decibels could sound very loud. The Chairman of the Licensing Committee reported that the Environmental Health Department would monitor any harmful levels of noise emissions and acknowledged in rural areas that this could have a bigger impact. If there were any reported concerns about noise levels this would be investigated.

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

**RESOLVED** that the draft Policy attached to Appendix 1 of the agenda be adopted to come into effect on 10 December 2018.

30. **CABINET MEETING**

Members noted that the Cabinet Minutes of 17 October 2018 were part of the supplement pack.

31. **DELEGATION ARRANGEMENTS IN PLANNING ENFORCEMENT**

Full Council was asked to agree the revised delegation arrangements on Planning Enforcement matters as set out in the appendix to the report, following consideration by the Planning Committee on 10 October 2018 and Cabinet on 17 October 2018. The changes to the delegation arrangements had been undertaken to take account of the recently approved Local Enforcement Plan.

Councillor Harding asked the following question and it was agreed that a written response would be sent to him.

“Please can you give Members written assurance that there are no enforcement issues over the past 12 months still to be addressed ? If there are any please can you inform us how many there are ?”

A Member asked how information would be fed back to Members on what actions had been taken. The Head of Legal and Democratic Services clarified that the changes would mean that the majority of enforcement matters would be dealt with under delegated authority however Members could request specific matters for consideration by the Planning Committee. Members of the Planning Committee and local members would continue to expect a degree of engagement in the wider process and that senior officers would ensure that they raise issues with ward members as would be appropriate to the proposed notice or action concerned.

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

**RESOLVED** that the revised delegations as set out in the Appendix to the report be approved.

32. **REVIEW OF THE COUNCIL'S GAMBLING ACT 2005 - STATEMENT OF PRINCIPLES REVIEW 2018**

Full Council was asked to agree for the revised Gambling Act 2005 Statement of Principles, which could be seen at Appendix 1 to be adopted to come into effect on 31 January 2019 following consideration by the Licensing Committee on 26 September 2018 and Cabinet on 17 October 2018. The Chairman of the Licensing Committee reported that there was a statutory duty to review this document every three years.

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

**RESOLVED** that the Council adopts the draft Statement of Principles for publication at least 4 weeks prior to coming into effect for the period 31 January 2019 to 30 January 2022.

33. **JOINT HOUSING STRATEGY**

Full Council was asked to agree to the publication and implementation of the finalised version of the Chiltern District Council and South Bucks District Council Joint Housing Strategy (Affordable Housing and Homelessness) 2018 – 21 following consideration by the Healthy Communities Policy Advisory Group on 2 October 2018 and Cabinet on 17 October 2018.

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

**RESOLVED:**

1. That the final Joint Housing Strategy (Affordable Housing and Homelessness) 2018-2021 document be approved.

2. That the Head of Healthy Communities be authorised to make any final amendments to the document agreed by Members and to publish it in consultation with the Portfolio Holder for Healthy Communities.

34. **GERRARDS CROSS CAR PARK**

Full Council received a report which updated Members on the Cabinet decision in relation to the Station Road Car Park redevelopment and business case. Members were informed that at the Overview and Scrutiny meeting on 8 November 2018 a call in request was considered in relation to this item, which was overruled and therefore the Cabinet decision stood and the recommendations to Council could be considered.

Some Members put forward concerns regarding this decision as follows:-

- The project should not be taken forward in view of the recent decision to form a single Unitary District Council.
- The decision had not been properly scrutinised.
- The comments of local residents had not been taken into account.
- The figures for the Public Works Loan Board were out of date and that the figure in the table at 11.2 of the report stating 2.58% should be 3%. When the loan was organised it was not clear what the interest rate would be at that time and clarity should be given on whether this additional cost would be funded from reserves. A question was asked on whether the funding would be drawn down from the loan on the completion of the works or before the works were started.

The Director of Resources reported that the business case was based on various assumptions which were outlined in the Cabinet report and also the key ones were referred to under the sensitivity analysis. This showed the effect of a variance in the interest rate. The funding would be drawn down once the construction works were due to commence taking into account the Council's forecast cashflow and the prevailing interest rate environment.

In response to a further question, the Leader confirmed that the construction would commence in January 2020 and that the Council would discharge its statutory duties until the new Unitary District Council was established in April 2020.

Following a request from six Members, a recorded vote was taken with 16 Members voting for the motions, 6 abstaining and 2 voting against the motion as follows :-

For :-

Cllrs Bagge, Bastiman, Bezzant, Bradford, Egleton, Hogan, Jordan, Kelly, Lewis, Dr Matthews, Naylor, Pepler, Read, Saunders, Smith, Sullivan

Against  
Cllrs Harding, Reed,

Abstain  
Cllrs Anthony, Dhillon, Hollis, Lowen-Cooper, Sandy, Sangster,

**RESOLVED** that the Capital Programme for the Station Road Car Park be amended to the following:-

2019/20	£5,000,000
2020/21	£8,051,000

### 35. QUESTIONS

Notice having been given under Council Procedure Rule 10, the following questions were put by Councillor Harding and responses were given by Councillor Naylor (question 3 was responded to by the Leader of the Council in the absence of the Portfolio Holder for Resources.)

1. *'Given last week's welcome announcement by the Secretary of State regarding local government reorganisation in Buckinghamshire and that a single Unitary Authority is the correct way forward for local government in Buckinghamshire and of course the future:-*

*a) Can the Leader now confirm that he will now fully endorse the will and decision from the Secretary of State?*

Response: I am disappointed that the Secretary of State has decided to confirm a single Unitary Council for Buckinghamshire. This Council's position has been that whilst recognising that change was needed, a more appropriate conclusion would have been to create 2 Unitary authorities in Buckinghamshire.

I am encouraged however that the Secretary of State has confirmed that the single Unitary will be a District Unitary Council and not a continuation of the County Council taking on District responsibilities which was of course the approach promoted by Buckinghamshire County Council. This is an important distinction as it will mean that the single Unitary will be a brand new Council which this Council will have an important role in shaping in Shadow form for the benefit of our residents, town and parish councils, businesses and other key stakeholders.

*b) That SBDC Council taxpayers will now not be expected to fund any aspirational wishes to judicially review the decision of the Secretary of State to merely satisfy the Leader's previous held view that Buckinghamshire would be best served by a dual unitary option?*



Response: Until more information is available, including the detailed contents of draft parliamentary orders, it is premature to determine what would be the most appropriate next steps for this Council to take to ensure the best interests of our residents and others are best represented.

In response to a supplementary question from Councillor Harding, the Leader replied that he had previously indicated that a decision to challenge the Secretary of State's decision will be a matter for this Council and will keep Council informed as more information becomes available.

2. *In view of the recent welcome news regarding a Unitary for South Bucks can we please have a positioning statement regarding the ongoing projects that are in the planning or early progress stages that were to be undertaken by South Bucks District Council details to include responsibility for expenditure and funding.-*

*namely Gerrard's Cross Car Park, and the former Thames Valley Police Station Gerrard's Cross.*

Response: A Cabinet Decision has been made in regard to proceeding with the Gerrard's Cross car park redevelopment. The current timetable is that this project will commence in January 2020.

A Cabinet Decision has also been made to proceed with the redevelopment of the former Police Station at Tatling End. The delivery agreement with the contractor is being finalised for signing, finance being arranged and any other matters finalised. Pre-construction works are expected to commence on site in January 2019.

The responsibility for both of these projects, including for financing and borrowing will remain with South Bucks District Council until such a time as the Council is replaced by a new District Unitary Council. At that point the new Council will take on responsibility for the projects.

Both of these projects have been considered by Cabinet and will be meeting identified needs, either for car parking or affordable housing, and the very clear intent is to ensure they remain on track and are delivered accordingly.

3. *Can the Resources Portfolio Holder please update and confirm to council the situation* *regarding:-*

*a) Payments made to Chiltern District Council for Office space/use*

Response: No payments are made to CDC for Office space / Use. The partnership agreement between the two Councils which has been in place since 2012 does not require the cross charging of accommodation costs between the two councils, each authority bears the cost of its main office.

*b) That South Bucks District Council is in receipt of rental income for office space no longer in use at Capswood. ?'*

Response: The Council is in receipt of all rental income for office space no longer used by the Council.

Councillor Harding asked a supplementary question relating to the level of rent that SBDC were receiving and whether it covered costs. The Leader reported that the income helped offset the cost of the lease and there was a net outflow, or cost to the Council. The lease for the building had been signed in 2000 when the office rental market in the area was different to that currently existing.

**On Supplementary Agenda 1:**

4. *"As funding from the Public Works Board is essential to finance development projects that are being undertaken by South Bucks District Council".*

*Can the portfolio holder please confirm who will ultimately be responsible for the debt? Will it be SBDC or Consilio?*

Response: Public Works Loan Board (PWLB) loans will be taken out by SBDC. Therefore SBDC will be responsible for the repayments to PWLB.

However in the case of the Tatling End Housing Development, it is likely that SBDC will have a back-to-back agreement with Consilio. Ie SBDC will loan money from PWLB, and at the same time also lend money to Consilio to finance the purchase of the investment.

Repayments from Consilio to SBDC will then service the PWLB loan.

The following question was put by Councillor Reed:-

*'What has been the total cost to the South Bucks Council taxpayer of all expenditure related to SBDC Membership of the Local Government Association since May 2015?'*

Response: Since May 2015, SBDC has paid the LGA £31,691.84. The majority of the cost is the annual subscription £6,649.

This includes the annual subscription, attendance at the annual conference, and provision of legal advice in respect of the national issue of personal search fees for local land charges.

A major part of the support is the offer to each council and fire and rescue service to have a corporate peer challenge (at no charge). The LGA does a lot of good work on behalf of the public sector and the subscription represents good value for money.

Councillor Reed asked a supplementary question relating to expenses and Councillor Naylor responded that this funding did include the cost for Members attending events organised by the LGA.

Notice having been given under Council Procedure Rule 11, the following questions were put by a Member of public and responses were given by Councillor Hogan.

1. *'Are members of the Armed Forces allowed access to the Council's Armed Forces Champion without their Commanding Officer being present?'*

Response: It is not the usual role or custom of the Armed Forces Champion to meet with members of the armed forces to discuss their individual issues. However where it is considered appropriate to meet an individual member of the armed forces that may be on the condition that that person is accompanied by his Commanding Officer or his representative. Each case would be judged on its own merits.

2. *'What is the role of the Armed Forces Champion? Does it include addressing concerns of Armed Forces personnel and their families within Buckinghamshire?'*

Response: The role of the Armed Forces Champion is referred to in the Government's Local Authority guide on the Armed Forces Covenant and Armed Forces Champion job description. These are not prescriptive and it is therefore for the Council and Champion to determine how the role is to be delivered.

The role aims to promote and raise awareness of the Buckinghamshire Armed Forces Community Covenant which provides an opportunity to work more strategically and collaboratively with the armed forces community. It is a two-way arrangement and the Armed Forces Community is encouraged to do as much as they can to support their community. The role of the Armed Forces Champion is a liaison and representative role and not one involving dealing with individual case work, and nor is it the Council's usual practice to use the Armed Forces Champion in this way. Instead it is intended to help ensure that the needs of the armed forces community in relation to Council policies and service delivery are taken into account.

3. *'What are the names of the military bases, and if possible the names of the military individuals, that Armed Forces families within South Bucks can raise their concerns with so that the Council's AFC represents those concerns to the wider council?'*

Response: We are not aware of any current military bases or armed forces service accommodation in South Bucks District. The site previously owned by the MoD at Wilton Park in Beaconsfield has now been decommissioned and sold.

Members of the armed forces with concerns regarding Council policies, in relation to their role as a member of the armed forces or their family, should contact their senior officer who can then liaise with the relevant Council department and/or Armed Forces Champion.

36. **VERBAL REPORTS FROM THE LEADER, CABINET MEMBER OR CHAIRMAN OF A COMMITTEE (IF ANY)**

The Portfolio Holder for Customer Services and Business Support congratulated the Head of Service and her Customer Services Team who had won an award accredited by the Institute of Revenues, Ratings and Valuation as the best District Council Revenues and Benefits Team in the Country. Members also noted that there was a workshop for the Customer Experience Strategy which was being held on 26 November 2018 at Chiltern District Council Offices.

37. **MOTIONS (IF ANY)**

Councillor Harding asked if he could move a Motion without Notice under Council Procedure Rule 13 (i) to hold a recorded vote on a motion of no confidence in the Leader and was informed by the Head of Legal and Democratic Services as the proposed motion without notice to hold a recorded vote did not relate to an Agenda item it could not be moved at this meeting of Council.

38. **MEMBERS' REPORTS**

The meeting received the following members' reports:

Bucks Health and Social Care Select Committee Update – July and October 2018  
Report of the Buckinghamshire Healthcare Trust – 26 September 2018

The meeting terminated at 7.18 pm



Sent via email to:  
Councillor Barry Harding  
CC: All SBDC Members

Councillor John Read  
Portfolio Holder for Planning & Economic  
Development

[Cllr.John.Read@SouthBucks.gov.uk](mailto:Cllr.John.Read@SouthBucks.gov.uk)

23 November 2018

### **Question on Planning Enforcement – Question asked by Cllr Harding**

Dear Councillor Harding,

Further to the question you asked under item 8.1 (Delegation Arrangements in Planning Enforcement) at Full Council held on 14 November 2018 please find below the written response to that question:

#### **Question:**

*Please can you give Members written assurance that there are no enforcement issues over the past 12 months still to be addressed ? If there are any please can you inform us how many there are ?*

#### **Response:**

"There are currently a total of 168 'open' investigations logged on the planning enforcement database for the South Bucks District. Of these cases, 57 were received by the Council before 1<sup>st</sup> November 2017 and are therefore now more than 12 months old.

Please note that these cases are the open and active investigations and do not include cases where an enforcement notice has already been issued. A full review and analysis of the database content is being undertaken and will form the part of a caseload review and throughput management by the recently appointed team manager".

Yours sincerely,

A handwritten signature in black ink, appearing to read 'J. P. A. Read'.

Councillor John Read  
Portfolio Holder for Planning & Economic Development

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