

## SOUTH BUCKS DISTRICT COUNCIL

Council - 27 February 2019

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

Apologies: Councillors S Chhokar, T Egleton and G Hollis

*Councillor Bastiman entered the meeting at 6.50pm*

### 41. MINUTES

The minutes of the meeting of Full Council held on 14 and 28 November 2018 were approved and signed by the Chairman as a correct record.

### 42. DECLARATIONS OF INTEREST

Dispensations under Section 33 of Localism Act 2011 had been granted to all Members previously in relation to the setting of Council Tax, agenda item 7.1. There were no other declarations of interest.

### 43. ANNOUNCEMENTS

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

#### Engagements November 2018 – February 2019

<b>Sports Awards Ceremony – Bucks &amp; Milton Keynes Partnership</b>	22/11/18	Chairman attended
<b>Official opening of the Iver Parish Hub</b>	27/11/18	Chairman attended
<b>Annual General Meeting – Buckinghamshire Mind</b>	30/11/18	Chairman attended
<b>Pre-Christmas Celebration Charity Dinner – Mayor of Royal Borough of Windsor &amp; Maidenhead</b>	30/11/18	Chairman attended
<b>Christmas Carols – Chief Fire Officer, Bucks &amp; Milton Keynes Fire Authority</b>	06/12/18	Chairman attended

<b>30<sup>th</sup> Anniversary Event – CEX Paradigm Housing</b>	10/12/18	Vice Chairman attended
<b>Christmas Production – Iver Heath Junior School</b> St Margaret's Way, Iver Heath	11/12/18	Chairman attended
<b>Christmas Service – Pinewood Studios</b>	18/12/18	Chairman attended
<b>Christmas Carols Concern – Iver Heath Junior School</b>	19/12/18	Chairman attended
<b>Reading Challenge Medal Presentation – Iver Heath Junior School</b>	17/01/19	Chairman attended
<b>Official Opening Retirement Homes – McCarthy &amp; Stone</b>	24/01/19	Chairman attended
<b>Charity Chinese Themed Quiz Night – Mayor of Hillingdon</b>	30/01/19	Vice Chairman attended
<b>Thanksgiving Service – Lord Carrington Westminster Abbey, London</b>	31/01/19	Vice Chairman attended
<b>Chinese New Year Celebration – Buckinghamshire Chinese Association</b>	03/02/19	Chairman attended
<b>Civic Service – Mayor of Hillingdon</b>	17/02/19	Chairman to attend
<b>Chiltern &amp; South Bucks Mini Club Games – GLL</b>	21/02/19	Chairman to attend
<b>Formal Music &amp; Charity Social Event – Kings Church</b>	23/02/19	Chairman to attend

Members were asked if to complete their Annual Declaration of Related Party Transactions form circulated at the meeting.

44. **COMMITTEE RECOMMENDATIONS:**

Members noted the Minutes of Committee meetings which were included in a supplement pack separate from the main agenda.

45. **PAY POLICY STATEMENT 2019/20**

The Localism Act 2011 required all Councils to produce and publish a Pay Policy Statement each year. The statement should be approved by 31 March each year, at a meeting of Full Council, and then published on the website. As such, Full Council was asked to agree the Pay Policy Statement 2019/20, as recommended by the Joint Staffing Committee meeting held on 28 January 2019.

The 2019/20 Pay Policy Statement, which was attached as an Appendix, set out:

- An introduction by way of context
- Information about the remuneration of chief officers which included a comparison with other officers
- Information on the lowest paid employees

It was moved by Councillor N Naylor, seconded by Councillor J Read and

**RESOLVED** that the Pay Policy Statement 2019/20 be adopted.

46. **PROPOSED AMENDMENTS TO CONTRACTS PROCEDURE RULES**

Full Council were asked to agree a number of changes to the Contracts Procedure Rules detailed in the Appendix. It was noted that the Audit and Standards Committee had discussed and recommended the proposed changes. The recommendation was moved by Councillor Anthony and seconded by Councillor Hogan.

A Member referred to paragraph 16 of the revised Contracts Procedure Rules which had changed from reporting exemptions to the next appropriate Cabinet meeting to informing the appropriate Portfolio Holder. Councillor Anthony reported that this was for purposes of expediency and accountability. Councillor Harding commented that he felt this reduced accountability and transparency and therefore Councillors Harding and Reed asked that their dissent to this recommendation be recorded and following this it was

**RESOLVED** that the revised Contracts Procedure Rules contained in Appendix A be approved.

47. **ANNUAL REVIEW OF THE CODE OF CONDUCT**

The Audit and Standards Committee undertook an annual review of the Code of Conduct at its meeting held on 27th September 2018 and recommended that additional wording be included at paragraph 6 to clarify the effect of declaring a personal interest. As such, Full Council was asked to amend the Code of Conduct accordingly.

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

**RESOLVED** that paragraph 6 of the Code of Conduct be amended to clarify that a Member who declares a personal interest was still entitled to speak and vote on the item of business as shown in the Appendix.

48. **APPOINTMENT OF INDEPENDENT PERSON**

Full Council was asked to approve a recommendation from Audit and Standards Committee that the term of office of one of the Council's two Independent Persons be extended until 31 March 2020. Extending Mr Dobson's term of office for a further 9 months would ensure that the Council continued to have two experienced Independent Persons available to deal with any complaints received and to comply with the requirements of the Employment Procedure Amendment Regulations 2015. The Head of Legal and Democratic Services reported that this recommendation required the agreement of a majority of the Members of the Council present at the meeting.

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

**RESOLVED** by a majority of Members that the extension of office of Mr Trevor Dobson until 31 March 2020 be agreed.

49. **COMMUNITY GOVERNANCE REVIEW**

Full Council was asked to agree the Governance and Electoral Arrangements Committee final recommendations on the Community Governance Review. It was moved by Councillor Hogan, seconded by Councillor Smith and

**RESOLVED** that the Governance and Electoral Arrangements Committee's final recommendations on the Community Governance Review be agreed as follows:

- a) Denham Parish Council – Removal of all Parish Wards (as shown on map - Appendix 3 of the report)
- b) Stoke Poges Parish Council – Reduce the size of the Council from 13 to 11 Parish Councillors
- c) Farnham Royal Parish Council – Remove 1 Parish Ward (by combining Farnham Royal South with Farnham Royal Central) to create a total of 2 Parish Wards called Farnham Royal North and Farnham Royal South (as shown on map - Appendix 3 of the report).

50. **CABINET RECOMMENDATIONS**

Members noted the Cabinet Minutes of 28 November, 12 December 2018, 9 January, 25 January and 6 February 2019 were part of the Minutes supplement pack.

51. **REVENUE BUDGET AND COUNCIL TAX 2019/20**

Full Council had before them the following two reports:

- Budget and Council Tax Report 2019/20 as submitted to Cabinet on 6 February 2019
- Additional report of the Leader on Council Tax 2019/20

The Leader, after referring to the Budget and Council tax report which was submitted to Cabinet on 6 February 2019, also referred Members to the additional report that contained the final information from the precepting authorities leading to the total Council Tax for the area which Full Council was required to approve at this meeting.

During his speech, the Leader of the Council commented that whilst this would be the last budget and council tax that would be set for the South Bucks District, it continued to be based on the principles of delivering value for money and quality services for residents. SBDC would bequeath to the new Unitary District Council a sound financial position and high performing services which was testimony to the hard work by Officers and Members working together since 1974 in the best interests of residents. Over the next year the Council would continue to:

- tackle the issue of homelessness by providing temporary accommodation units at Bath Road, Taplow and building affordable housing on the former Police Station Site at Tatling End.
- work on the redevelopment of the former nine-hole golf course which will be made into an exciting Country Park with the support of the British Cycling Federation.
- Move forwards with the joint waste contract with Chiltern and Wycombe District Councils covering the whole southern part of Buckinghamshire.
- Work on the Joint Local Plan with the new Economic Development Unit supporting local businesses and ensuring that opportunities were taken up with the expansion of Heathrow.
- The increase in Council Tax for a Band D property would result in a District council tax of £163.00.

In commending the Budget, the Leader recognised the contributions made by Members of the Policy Advisory Groups and Overview and Scrutiny Committee in the budget process.

Council Procedure Rules required the names of Members voting for or against or abstaining from voting to be recorded in the Minutes. Furthermore all Members had been granted dispensation under Section 33 of Localism Act 2011 to speak and vote on the Council Tax setting. The motion as moved by Councillor Naylor and seconded by Councillor Read was put to the meeting and declared carried with the votes cast as follows:-

FOR (22) – Councillors D Anthony, R Bagge, M Bezzant, M Bradford, B Gibbs, P Griffin, L Hazell, P Hogan, 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

AGAINST (0)

ABSENCES (1) Councillor B Harding

Accordingly it was

**RESOLVED** that

Revenue Budget 2019/20

1. the Revenue budget for 2019/20 as summarised in the table in paragraph 4.11 be approved.
2. the following use of earmarked reserves for 2019/20 be agreed:

- Local Development Plan	£315k
- Economic Development Reserve	£45k
- National Infrastructure Reserve	£5k
3. the contribution of £300k to the Local Development Plan Reserve from the General Fund to support expenditure on the Plan in 2020/21 be agreed.
4. the creation of a new earmarked reserve of £1,552k for unitary implementation costs be agreed. Part of this reserve will be drawn down in 2019/20 after approval by the Shadow Authority.
5. a budget requirement of £7,642k be approved, which will result in a District council tax of £163.00 for a Band D property.
6. the level of fees and charges for 2019/20 be confirmed (Appendix C).
7. the advice of the Director of Resources (Appendix A) be noted.
8. the comments in the report on the Council's financial position in respect of the years following 2019/20 and the updated Medium Term Forecast be noted.

Council Tax 2019/20

1. That it be noted that the following amounts for 2019/20 have been determined under delegated authority and in accordance with regulations made under the local Government Finance Act 1992:

**Council - 27 February 2019**

a) **33,185.80** being the amount calculated by the Council, in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as its Council Tax Base for the year.

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

<b>Council Tax Base 2019/20</b>	
Beaconsfield	6,278.10
Burnham	4,981.10
Denham	3,445.70
Dorney	372.20
Farnham Royal	3,139.10
Fulmer	343.70
Gerrards Cross	4,694.20
Hedgerley	405.80
Iver	4,791.90
Stoke Poges	2,348.80
Taplow	1,465.30
Wexham	919.90
	<b>33,185.80</b>

2. That the Council calculates the following amounts for 2019/20 in accordance with Sections 31A, 31B and 34 to 36 of the Local Government Finance Act 1992 (as amended by the Localism Act 2011):

a) **£31,876,962** being the aggregate expenditure which the Council estimates for the items set out in Section 31A(2) (a) to (f) of the Act (including the General Fund and Parish Precepts).

b) **£23,800,170** being the aggregate income which the Council estimates for the items set out in Section 31A(3) (a) to (d) of the Act.

c) **£8,076,792** as its council tax requirement for the year including Parish Precepts being the amount by which the aggregate expenditure at 2(a) above exceeds the aggregate income at 2(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act.

d) **£243.38** as the basic amount of its Council Tax for the year, being the council tax requirement at 2(c), divided by the Council Tax Base for the

**Council - 27 February 2019**

year (33,185.80) at 1(a) above, calculated by the Council, in accordance with Section 31B(1) of the Act.

e) **£2,667,507** being the aggregate amount of all special items referred to in Section 34(1) of the Act (i.e. Parish Precepts, there being no other special items).

f) **£163.00** as the basic amount of its Council Tax for dwellings in its area, excluding Parish Precepts, being the amount at 2(d) above less the result given by dividing the amount at 2(e) above by the amount at 1(a) above, calculated by the Council, in accordance with Section 34(2) of the Act.

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

<b>2019/20 BASIC COUNCIL TAX £</b>		
	Parish Amount	SBDC + Parish Amount
Beaconsfield	54.35	217.35
Burnham	108.01	271.01
Denham	111.99	274.99
Dorney	60.57	223.57
Farnham Royal	50.33	213.33
Fulmer	133.84	296.84
Gerrards Cross	61.43	224.43
Hedgerley	49.04	212.04
Iver	124.56	287.56
Stoke Poges	85.89	248.89
Taplow	25.93	188.93
Wexham	33.70	196.70

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



**Council - 27 February 2019**

3. That it be noted that for the year 2019/20 the main precepting authorities have stated the following amounts in precepts issued to the Council, in accordance with s40 of the Local Government Finance Act 1992.

<b>Band</b>	<b>Bucks County Council Precept £</b>	<b>Bucks &amp; Milton Keynes Fire Authority Precept £</b>	<b>Police &amp; Crime Commissioner for Thames Valley £</b>	<b>Total Preceptors £</b>
<b>A</b>	886.43	43.05	137.52	1,067.00
<b>B</b>	1,034.16	50.22	160.44	1,244.82
<b>C</b>	1,181.90	57.40	183.36	1,422.66
<b>D</b>	1,329.64	64.57	206.28	1,600.49
<b>E</b>	1,625.12	78.92	252.12	1,956.16
<b>F</b>	1,920.59	93.27	297.96	2,311.82
<b>G</b>	2,216.07	107.62	343.80	2,667.49
<b>H</b>	2,659.28	129.14	412.56	3,200.98

4. That, having calculated the aggregate in each case of the amounts of the District's and preceptors requirements, in accordance with s30(2) of the Local Government Finance Act 1992, hereby sets amounts of the council tax for the year 2019/20 for each category of dwelling as follows.

<b>Band</b>	<b>District &amp; Parishes Council Tax £</b>	<b>Total Preceptors £</b>	<b>Total 2019/20 Council Tax £</b>
<b>A</b>	162.25	1,067.00	1,229.25
<b>B</b>	189.30	1,244.82	1,434.12
<b>C</b>	216.34	1,422.66	1,639.00
<b>D</b>	243.38	1,600.49	1,843.87
<b>E</b>	297.46	1,956.16	2,253.62
<b>F</b>	351.55	2,311.82	2,663.37
<b>G</b>	405.63	2,667.49	3,073.12
<b>H</b>	486.76	3,200.98	3,687.74

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

**Council - 27 February 2019**

	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>
	£	£	£	£	£	£	£	£
Beaconsfield	1,211.90	1,413.87	1,615.86	1,817.84	2,221.81	2,625.77	3,029.74	3,635.68
Burnham	1,247.67	1,455.61	1,663.56	1,871.50	2,287.39	2,703.28	3,119.17	3,743.00
Denham	1,250.33	1,458.70	1,667.10	1,875.48	2,292.26	2,709.03	3,125.81	3,750.96
Dorney	1,216.05	1,418.71	1,621.39	1,824.06	2,229.41	2,634.75	3,040.11	3,648.12
Farnham	1,209.22	1,410.74	1,612.29	1,813.82	2,216.90	2,619.96	3,023.04	3,627.64
Fulmer	1,264.89	1,475.70	1,686.52	1,897.33	2,318.96	2,740.59	3,162.22	3,794.66
Gerrards Cross	1,216.62	1,419.38	1,622.15	1,824.92	2,230.46	2,636.00	3,041.54	3,649.84
Hedgerley	1,208.36	1,409.74	1,611.14	1,812.53	2,215.32	2,618.10	3,020.89	3,625.06
Iver	1,258.71	1,468.48	1,678.27	1,888.05	2,307.62	2,727.18	3,146.76	3,776.10
Stoke Poges	1,232.93	1,438.40	1,643.90	1,849.38	2,260.36	2,671.33	3,082.31	3,698.76
Taplow	1,192.95	1,391.77	1,590.60	1,789.42	2,187.07	2,584.72	2,982.37	3,578.84
Wexham	1,198.13	1,397.81	1,597.50	1,797.19	2,196.57	2,595.94	2,995.32	3,594.38

5. Determine that the Council's basic amount of Council Tax for 2019/20 is not excessive, in accordance with principles approved under Section 52ZB of the Local Government Finance Act 1992, and thus there is no need to hold a Council Tax referendum.
  
6. No changes are made to the Council's current Council Tax Support scheme in respect of 2019/20 apart from applying annual uprating.

**52. CAPITAL STRATEGY AND CAPITAL PROGRAMME 2019/20 TO 2023/24**

The Leader introduced a report on the Capital Programme and Repairs & Renewals Programme 2019/20 to 2023/24 which was reviewed as part of the Council's budget process in order to assess, as part of the overall financial strategy of the Authority, what the scale and composition of the programme should be and the consequential funding implications for the financial strategy.

Full Council noted that the Cabinet at its meeting on 6 February 2019, agreed to recommend the approval of the strategy and the programme to Full Council.

It was moved by Councillor N Naylor, seconded by Councillor J Read and

**RESOLVED:**

1. That the Capital Strategy, including the Capital Programme for 2019/20-2023/24 (Appendix A), be approved.
2. That the Repairs & Renewals Programme for 2019/20 – 2023/24 (Appendix B) be approved.

53. **TREASURY MANAGEMENT STRATEGY 2019/20**

The Council was required to formally review its treasury management policies each year as part of determining what level of returns will be achieved from investments. The format of the treasury management policies was defined by the Code of Practice adopted by the Council, and was required to be approved by the Council on recommendation from the Cabinet. As such, the Cabinet agreed at the meeting held on 6 February 2019 to recommend that the Treasury Management Strategy 2019/20, including its appendices, be adopted by the Council.

The treasury management policies underpin the Strategy for the year in question, which sought to achieve a level of investment return and efficiently manage any borrowing. The expected return for 2019/20 from the proposed Strategy was £100,000. Borrowing would be required in order to deliver the Council's Capital Strategy and its related Capital Programme.

It was moved by Councillor N Naylor, seconded by Councillor J Read and

**RESOLVED:**

That the Treasury Management Strategy 2019/20 including the following appendices to the Treasury Management Strategy (Appendix 1) be adopted by the Council:

- Appendix 1A - Annual Investment Strategy Policies
- Appendix 1B - Prudential Indicators including the borrowing limits
- Appendix 1C - the MRP method to be used in 2019/20.

54. **FARNHAM PARK TRUST BUDGETS FEES AND CHARGES**

Full Council considered the draft budgets for the Farnham Park Charitable Trusts activities for 2019/20, including the proposed fees and charges in the confidential appendix. It was moved by Councillor Read, seconded by Councillor Gibbs and

**RESOLVED** that the revenue and capital budgets for 2019/20 for the Farnham Park Trust as summarised in the report be agreed.

55. **REPORT ON SPECIAL URGENCY**

As set out in section 4.2 of the Council's Overview and Scrutiny Procedure Rules, decisions taken as a matter of urgency must be reported to the next available meeting of Council, together with the reasons for urgency. Urgent items were considered by Extraordinary Cabinet meetings held on 9 January 2019 and 25 January 2019. Details of the decisions and reasons for urgency were set out in the report.

**RESOLVED** that the report be noted.

56. **QUESTIONS**

Notice having been given under Council Procedure Rule 9, the following questions were put by Councillor Harding and responses given by Councillor Naylor:-

1, Can the Leader please confirm what meetings he has attended and who he has met with specifically concerning the ongoing discussion and dialogue regarding the formation of the Shadow Executive and New Unitary Authority in Buckinghamshire, since our last council meeting.

Response:

Councillor Naylor reported that he had two meetings with the Buckinghamshire County Council (BCC) Leader and he had met regularly with the Leaders of Buckinghamshire District Councils. They continued to offer to meet with the BCC Leader ahead of the transition to a Unitary District Council however, the BCC Leader was not prepared to meet with the District Leaders. A private meeting had been held with the Minister of Housing, Communities and Local Government. The draft Buckinghamshire (Structural Changes) 2019 was currently being drafted and it was expected that this would be laid in Parliament in early March 2019. Until the Order was in force there was no legal basis for the Shadow Executive and therefore it was important for the Leaders of the Buckinghamshire Authorities to meet to discuss the transition to a Unitary District Council.

Councillor Harding asked a supplementary question on which Members would be selected for the Shadow Executive to represent South Bucks District Council. Aylesbury Vale and Wycombe District Councils had both announced the Members who had been selected for the Shadow Executive. Councillor Naylor repeated that until the Order was in force there was no legal basis for a Shadow Executive. However, Members would be informed as soon as a decision had been made.

2, Can the Leader share with us here as local Councillors and more widely the Residents of South Bucks, What he is doing specifically to make local government reorganisation work in Buckinghamshire for our residents, Despite his activities in being Petulant, disruptive and downright obstructive towards the Shadow Executive and the decision taken by the Secretary of State. Instead prioritising his own agenda of self service and political aspiration to become the Deputy Leader of the New Unitary and seeking to help achieve the ambitions of the Leader of Chiltern in becoming the Leader of the New Unitary.

Response:

Councillor Naylor responded that there was no evidence supporting the claims that Councillor Harding had made in his statement. He repeated his earlier statement that

## Council - 27 February 2019

the Shadow Executive had no basis in law. All District Leaders were happy to meet with the BCC Leader on a consensual basis to ensure that local services were not adversely affected by the transition to a new Unitary District Council. As the Order was currently drafted the make-up of the Shadow Executive would mean that the decisions of the BCC Leader could not be challenged, which was not democratically tenable as he had not been elected.

Councillor Harding asked a supplementary question and referred back to the Council minutes of 28 November 2019 and the previous supplementary question he had raised in relation to question (1b) where the Leader had indicated that a decision to challenge the Secretary of State's decision would be a matter for the Council and he would keep the Council informed as more information became available. Councillor Harding expressed concern that this decision had been taken by Cabinet rather than Full Council.

Councillor Naylor assured Members that the proper governance process had been followed when Cabinet had agreed to participate in the judicial review.

Notice having been given under Council Procedure Rule 10, the following questions were read out by the Chairman on behalf of the member of the public (their first question had been withdrawn).

2 How much has SBDC spent on legal costs relating to planning applications since 2014?

Response to Question 2 from the Portfolio Holder for Resources, Councillor Gibbs:

The Council's expenditure on legal costs relating to planning applications since 1 January 2014 is £150,060 excluding VAT. This figure covers costs paid to external barristers and solicitors for giving legal advice on planning applications and planning appeals, including advocacy at public inquiries and hearings and for legal advice and advocacy on High Court challenges and judicial review proceedings, as well legal costs paid to third parties.

3 If the SBDC planning committee unanimously votes to refuse a planning application which was recommended for approval by a planning officer in a 'minded to' decision, can the council disregard/ignore the decision of the honourable elected Cllrs and state to the Planning Inspectorate that the Council's position is that it would grant permission?

Response to Question 3 from the Portfolio Holder for Planning and Economic Development, Councillor Read:

When it is necessary having regard to the terms of the Council's Constitution to report a planning application to Planning Committee for determination, the final

decision rests with the Planning Committee and it is the Planning Committee that take the decision having regard to their officers' recommendations.

The Planning Committee as part of the democratic process is perfectly entitled to disagree with the officer recommendation, which is only a recommendation.

The Planning Committee's decision is the final decision of the Council as local planning authority and this would be the decision supported by the Council when dealing with any appeal to the Planning Inspectorate.

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

The Portfolio Holder for Customer Services and Business Support reported that there would be a demonstration of the Customer Experience Strategy at 6.30pm after the Customer Services and Business Support PAG on 4 March 2019. A further demonstration was being held at Chiltern District on 28 February 2019.

The Portfolio Holder for Planning and Economic Development reported that the Airspace and Future Operations Consultation had closed on 4 March 2019 and referred Members to the website for more information. He also referred to the housing delivery test and that South Bucks District had risen to the challenge and delivered the homes that the community required with a target of 123%.

**58. MOTIONS**

Councillor Harding read out his Notice of Motion as follows:-

"I would like to place a Motion before Council that this Council after hearing the replies from the Leader to written questions at this Council meeting, with particular regard to his position on local government re-organisation in Buckinghamshire and more recently under his leadership the cavalier attitude towards significant expenditure for a Judicial Review against the Secretary of State. The use of a Judicial Review will now only lead to delay and impasse of the important work that needs to be done by the Shadow Executive. Therefore I propose a vote of no confidence in the Leader Councillor Naylor."

Councillor Sandy seconded the Motion commenting that the Council should take more care when spending taxpayer's money and again expressed concern that the decision had been taken by Cabinet.

In response Councillor Naylor reported that a letter had been sent to the Minister for Housing, Communities and Local Government and to the Leader of the Buckinghamshire County Council on the judicial review. The Council had followed the correct governance process to take part in legal action and had followed the urgency

## Council - 27 February 2019

procedures in the Constitution. As part of the Overview and Scrutiny Procedure Rules he had consulted with the Chairman of the Overview and Scrutiny Committee. Any Council Member could also attend the Cabinet Meeting where this item was discussed. He was not trying to frustrate the process and was still working with District and County colleagues on the transition to a Unitary District Council.

Members spoke in support of Councillor Naylor commenting that the Leader had been open and transparent about his decision making and referred to the fact that no backbenchers had attended the Cabinet meeting where this decision had taken place. Members had been updated at each stage on modernising local government. Other Councillors spoke in favour of Councillor Naylor commenting on the great work that the Leader had carried out in support of residents.

In response to Councillor Harding's Motion a Member asked whether the letter relating to the judicial review had been circulated to Members. It was noted that this could not be circulated as the information was subject to legal privilege.

In support of his Motion, Councillor Harding commented that Councillor Naylor's motives were clear in that he did not agree with the Secretary of State and was not working with Bucks County Council, using any means possible to frustrate the process and cost council tax payers money. Councillor Harding expressed concern that the decision to participate in the judicial review was taken by Cabinet and not Full Council and without any proper scrutiny and no information had been provided to Members and partners on the decision to participate. Councillor Harding also commented that Councillor Naylor was not working with partners and was using taxpayer's money to frustrate the process of moving to a Unitary District Council. There had been no proper debate by the Full Council to participate in the judicial review or scrutiny undertaken which was undemocratic. He expressed concern about the leadership of the Council and also referred to previous Leaders.

Following a request from one quarter of the Members present, a recorded vote was taken with 2 voting for the Motion, 4 abstaining and 18 voting against the Motion as follows:-

FOR (2) Councillor B Harding, R Reed

ABSENTIONS (4) Councillors P Griffin, L Hazell, J Lowen-Cooper, G Sandy

AGAINST (18) Councillors D Anthony, R Bagge, P Bastiman, M Bezzant, M Bradford, B Gibbs, P Hogan, J Jordan, P Kelly, M Lewis, Dr W Matthews, N Naylor, D Pepler, J Read, R Sangster, D Saunders, D Smith and L Sullivan

Accordingly it was

**RESOLVED** that the Motion was not carried.

59. **MEMBERS' REPORTS**

The meeting received the following members' reports:

Bucks Health and Social Care Select Committee update – 20 November 2018

Buckinghamshire Health Trust – 28 November 2019

60. **PRESENTATION ON DEMENTIA FROM NHS BUCKINGHAMSHIRE CLINICAL COMMISSIONING GROUP**

Dr. Sian Roberts, Mental Health and Learning Disability Clinical Director, NHS Buckinghamshire CCG, gave a presentation to Council on Dementia, its prevalence in Buckinghamshire and the importance of raising awareness of the illness.

Council was advised that over one third of the UK's population suffered from a form of dementia. The scale of the challenge nationally was displayed with over two million expected to have been diagnosed by 2050. In Buckinghamshire it had been estimated that 6,500 people over 65 were likely living with dementia with 4,200 people actually diagnosed. This was often due to people not approaching their GP until the later stages of dementia and a lack of awareness and/or willingness to accept a diagnosis. Whilst dementia was not a curable condition, factors could be modified to allow people to live independently for two years longer where an early diagnosis was made.

The presentation, which would be published as a supplement to the agenda pack on the Council's website, also detailed the Prime Minister's Challenge on Dementia 2020; a range of facts and figures; diagnosis options; post diagnostic support; information on dementia friendly communities; raising awareness; and the importance of maintaining good overall health.

In response to questions, the following points were noted:-

- Residents were encouraged to attend the NHS Health checks, particularly in view of the fact that prevention should start at the age of 40 with people looking after their weight and blood pressure, reducing smoking and cholesterol and undertaking the right amount of exercise. Health checks were held at a variety of venues including GP practices, libraries, town halls and churches. GPs should invite patients every 5 years.
- A Member commented that not all pathways into dementia services were easy and therefore some patients went into crisis. Dr Roberts reported that the work they were undertaking was to prevent this occurring and also to provide support in the early stages of dementia to ensure that residents could stay in their own homes as long as possible.



## Council - 27 February 2019

- Reference was made to the Prime Minister's Challenge on Dementia 2020. Dr Roberts responded that one of the biggest challenges was proper funding for dementia and investment in research.
- A Member commented that there were a number of different charities relating to dementia and suggested it would be helpful for those charities to join together to raise awareness about dementia. He also referred to the David Walliams book 'Grandpa's Great Escape' which should be used as a tool to help awareness. Dr Roberts also informed Members that they worked closely with the Public Health Team and other partners on dementia.
- The Council was providing Wellbeing Sessions for staff so that they could be proactive in leading a healthy lifestyle.

Dr Roberts was thanked for her informative presentation.

### 61. **CALENDAR OF MEETINGS 2019/20**

It was moved by Councillor N Naylor, seconded by Councillor J Read and

**RESOLVED** that the Calendar of Meetings for 2019/20 be agreed.

The meeting terminated at 7.40 pm