



Extraordinary Overview and Scrutiny Committee

Thursday, 8 November 2018 at 6.00 pm

Room 6, Capswood, Oxford Road, Denham

A G E N D A

Item

1. Evacuation Procedure
2. Apologies for Absence
3. Declarations of Interest
4. Chairman's Introduction

The Chairman will explain how this Special Meeting will be conducted.

5. Station Road Car Park, Gerrards Cross - Call-in of Cabinet Decision (*Pages 5 - 8*)

A valid call in request was received from six Members on 25 October 2018 under Part B, Section D4 of the Constitution. The reasons for the call-in request are outlined in the attached report.

The Committee will consider the submission from the District Councillors who called in the decision, followed by an opportunity for the Committee to ask any questions and clarify any issues with District Councillors requesting the call-in.

Appendix 1 Overview and Scrutiny Procedural Rules (Pages 9 - 14)

Appendix 2 Cabinet Report (Pages 15 - 24)

Appendix A Site Plan Gerrards Cross Car Park (Pages 25 - 26)

Appendix B Business Case Gerrards Cross Car Park (Pages 27 - 28)

Appendix C Communications Plan Gerrards Cross Car Park (Pages 29 - 30)

Appendix D Cabinet Decision Sheet (Pages 31 - 44)

6. Response to the Call-In

The Leader of the Cabinet, Cllr Naylor will attend the meeting to explain the reasons behind the Cabinet's decision as set out in the Cabinet Decision Notice dated 18 October 2018 and to respond to the call-in request in relation to Station Road Car Park, Gerrards Cross. Following this there will be an opportunity for the Committee to ask questions and clarify any issues.

7. Committee Deliberation

Having considered the valid call-in request and written and verbal submissions heard during the meeting the Committee will consider the recommendations set out in the report.

8. Exclusion of the Public (if required)

The Chairman to move the following resolution:-

“that under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in part 1 of Schedule 12A to the Act.”

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: Overview and Scrutiny Committee

Councillors: M Bradford (Chairman)
P Bastiman (Vice-Chairman)
M Bezzant
D Dhillon
T Egleton
M Lewis
D Saunders
P Kelly

Date of next meeting – Tuesday, 29 January 2019

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SUBJECT	Station Road Car Park, Gerrards Cross - Call-in of Cabinet Decision
RELEVANT MEMBER	Leader – Cllr Nick Naylor/ Cabinet Member for Resources- Cllr Barbara Gibbs
RESPONSIBLE OFFICER	Mat Bloxham Democratic & Electoral Services Manager 01494 732143; mat.bloxham@southbucks.gov.uk
REPORT AUTHOR	Clare Gray Senior Democratic Services Officer 01895 837529 clare.gray@southbucks.gov.uk
WARD/S AFFECTED	All

1. Purpose of Report

To enable the Overview and Scrutiny Committee to review the decision taken by Cabinet on 17 October to approve the final business case for provision of additional parking in Station Road Car Park, Gerrards Cross, following a valid notice of call-in received by the Democratic and Electoral Services Manager.

RECOMMENDATION:

That the Overview and Scrutiny Committee is invited to consider which of these recommendations it wishes to agree:-

- a. Over-rule the call-in and allow the Cabinet's decision relating to Station Road Car Park in Gerrards Cross to stand and for implementation to proceed; or**
- b. remit the matter back to Cabinet for reconsideration at the next appropriate meeting with an explanation of the Committee's concerns and any specific considerations that need to be taken into account on re-consideration.**

2. Executive Summary

The Cabinet took a decision relating to the Gerrards Cross Car Park and approved the following recommendations:-

1. the final business case for the project be approved.
2. the construction period would be January-December 2020 unless agreement could be reached to allow the car park to be closed over the 2019 Christmas trading period, be noted.
3. the Head of Environment be authorised to conclude the delivery agreement between Balfour Beatty and the Council for the construction phase.

4. the Head of Finance be authorised to carry out the necessary arrangements to obtain the loan finance.

The Cabinet also recommended to Council that the Capital Programme for the Station Road Car Park be amended to £5,000,000 for 2019/20 and £8,051,000 for 2020/21.

The decision was published in a Cabinet Decision Notice dated 18 October 2018 and called-in within the timescale by six Councillors in accordance with the Council's Overview and Scrutiny Procedure Rules.

3. Reasons for Recommendations

The Council's Overview and Scrutiny Procedure Rules provide at paragraph 4.1 that where a Cabinet decision is called-in to the Overview and Scrutiny Committee for consideration the Committee can either over-rule the call-in and allow the earlier decision to stand and implementation to proceed, or remit the matter back to Cabinet for reconsideration at the next appropriate meeting with an explanation of the Committee's concerns and any specific considerations that need to be taken into account in re-consideration.

4. Content of Report

4.1 Call-in provides a mechanism for councillors to review a decision made by Cabinet. The relevant rules adopted by the Council for call-in are attached at Appendix 1 for ease of reference and provide that a Cabinet decision can be called-in by a request received from at least 5 members of the Council within 5 working days of the decision being published.

4.3A Notice of the decisions taken by the Cabinet meeting on 17 October was published on 18 October and the call-in period expired at midnight on 25 October 2018.

4.4A valid notice of call-in was received from Councillors Chhokar Dhillon, Harding, Hollis, Reed and Sandy in respect of the Cabinet's decision on Station Road Car Park in Gerrards Cross. A copy of the relevant decision and the report to Cabinet are attached at Appendix 2.

4.5 The following reasons for the call-in were given:-

- Concerns regarding the business case which were discussed recently at the Resources Policy Advisory Group on 25 September 2018. Two Members at this meeting expressed concern over the assumptions of usage and consequently whether this scheme was a good use of taxpayer's money.

- Communications and consultation with local residents
- Concerns regarding the amount of money being borrowed for the Project and the risks associated with this, should be considered by the Overview and Scrutiny Committee, particularly bearing in mind the possibility of Local Government reorganisation.
- Concerns that the full details of alternative schemes and options have not been fully considered by Members and the reasons for rejecting them e.g. a mixed use scheme would be more appropriate for the locality and proportionate to the actual likely demand for car parking, which could reduce in the future due to new technology.

4.6 Under the Overview and Scrutiny procedure Rules a meeting of the Overview and Scrutiny Committee must be convened within 15 days of receipt of the call-in request. As no ordinary meeting of the Committee was due to be held during this period an extraordinary meeting has been convened in consultation with the Chairman of the Committee. Members of the Committee are therefore asked to review the decision taken by Cabinet on 17 October 2018.

4.7 The procedure to be followed during the meeting is set out in the Procedure Rules as follows:-

- Members who requested the call-in will be invited to attend to explain the ground/s for the call in request and refer to any written representations. The written reasons for the request are included in paragraph 4.5 above.
- The Leader/Deputy Leader in the absence of the relevant Portfolio Holder (Cabinet Member for Resources) will also be invited to attend the meeting to respond to the call-in request and set out the case for the decision made.
- The Committee will consider any written representations and verbal evidence they have heard during the meeting.
- A vote can be taken to decide whether the Committee wish to recommend a) or b) as listed under the above recommendation.

5 Consultation

Not Applicable

6 Options (if any)

The options for Overview and Scrutiny Committee are set out in the above recommendations

7. Corporate Implications

Not applicable

8. Links to Council Policy Objectives

In terms of the call- in process the Service Plan states that all business is carried out in accordance with law and the Council's constitution.

9. Next Steps

- If the Overview and Scrutiny Committee decide that the decision should stand then implementation can proceed.
- If the matter is referred back to Cabinet for reconsideration the next meeting of Cabinet is on 12 December 2018, unless Cabinet requires more time to consider the Committee's recommendations. If so the Chairman of the Overview and Scrutiny Committee can agree to such a request after consultation with the Members of the Committee.
- If Cabinet considers that no changes should be made to the earlier decision Cabinet will notify Council of its decision.
- A decision can only be called in once, unless the original decision is substantially amended other than in accordance with the Committee's recommendation/s.

PART B
SECTION D: Overview and Scrutiny Procedure Rules

1. Application of Rules

These rules apply to the Overview and Scrutiny Committee and to any of its Sub-Committees or Panels.

2. Composition and Terms of Reference

These are described in Part A of this Constitution.

3. Work Programme and Agenda Items

- 3.1 The Overview and Scrutiny Committee and where appropriate its sub-Committees and Panels, will be responsible for setting their own work programme. That work programme will be published annually to the Council and will incorporate consultation with the Cabinet on any issues the Cabinet and any Committee may wish to request the Overview and Scrutiny Committee to consider.
- 3.2 Any Member of the Committee or of its Sub-Committees and Panels shall be entitled to give notice to the Proper Officer if they wish an item relevant to the functions and remit to be included on the agenda for the next available meeting.
- 3.3 Any Member of the Council who is not a member of the Overview and Scrutiny Committee may give written notice to the Proper Officer that they would like the Committee to consider any particular item for inclusion in their work programme. The Overview and Scrutiny Committee will then decide whether to include that item.
- 3.4 Where the Cabinet or Council request an area of the Council's activity to be reviewed, the Overview and Scrutiny Committee will adjust their work programme to the extent necessary to carry out that review and report back to either the Cabinet or the Council in written form.

4. Call-ins

- 4.1 Any five Members of the Council who are not members of the Cabinet may, by written notice to the Democratic and Electoral Services Manager, require that a key or non-key decision of the Cabinet, Portfolio Holder or a key decision of an Officer not be implemented until it has been considered by the Overview and Scrutiny Committee. The call-in procedure is a statutory right – Section 21(3) Local Government Act 2000. Such written notice must be given within five working days of the electronic mail dissemination of the relevant Cabinet minutes or Portfolio Holder/Officer decision notice. The validity of the call-in notice will be determined by the Democratic and Electoral Services Manager in consultation with the Head of Legal and Democratic Services as a preliminary issue.

Where a valid notice of call-in has been received, the Democratic and Electoral Services Manager shall convene an extraordinary meeting of the Overview and Scrutiny Committee as soon as possible but in any event within 15 working days of receipt of the call-in request

unless an ordinary meeting is scheduled to take place within that period – in which case the subject matter of the call-in request will be added to that agenda and taken as an urgent item as necessary. The Democratic and Electoral Services Manager will notify the Cabinet and any other Members and Officers of the call-in and the date on which it will be considered.

Unless implementation of the decision is considered urgent – see paragraph 4.2 until the matter has been considered by the Overview and Scrutiny Committee, and unless the Overview and Scrutiny Committee resolve that it is content with the decision, the decision the subject of the Call-In Request may not be implemented before the decision making body or person has reconsidered the decision having regard to the views of the Overview and Scrutiny Committee.

The call-in request will be discussed by the Overview and Scrutiny Committee. The Members who requested the call-in will be invited to attend to explain the ground/s for the request - and the appropriate decision maker will also be invited to attend the meeting.

The Overview and Scrutiny Committee can then make one of the following 2 decisions:

- a) Over-rule the call-in and allow the earlier decision to stand and implementation to proceed.
- b) Remit the matter back to the decision-making body or decision maker for reconsideration at the next appropriate meeting if applicable – with an explanation of the Committees concerns and any specific considerations that need to be taken into account on re-consideration.

If the decision-making body or decision maker requires more time to consider the Committees recommendations, the Chairman of the Overview and Scrutiny Committee can agree to such request after consultation with the members of the Committee.

If after reconsideration the decision maker does not consider any changes should be made to the earlier decision, then the decision maker shall recommend accordingly to Cabinet setting out the reasons why no changes are considered necessary – or where the decision maker was the Cabinet – it shall notify the Council of its decision.

The call-in procedures will not apply where the decision is taken by the full Council on the basis of a recommendation - and shall not apply where the decision is urgent.

A decision can only be called in once, unless the original decision is substantially amended other than in accordance with the Committee recommendation.

4.2 In the Case of Urgency

In the case of urgent implementation, the procedure shall be that the Leader and the relevant Portfolio Holder(s) /Officer will obtain the written agreement of the Chairman of the Overview and Scrutiny Committee (or suitable alternate in his/her absence) that implementation of the decision is genuinely urgent. The Portfolio Holder/Officer must then make the decision in consultation with

the Leader. If the decision is one that falls to the Cabinet as a whole, then the same procedure must be followed but the final decision will be made by the Cabinet.

Decisions taken as a matter of urgency must be reported to the next available meeting of the Cabinet/Council together with the reasons for urgency.

Note: The urgency procedure set out above is separate from the urgency procedure under The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 to (i) include a key decision on the 28 Day Notice which has already been published; and (ii) to enable the Cabinet to make a key decision when compliance with (i) is impracticable - see paragraph 17 of Access to Information Procedure Rules in Part B of this constitution for procedure.

5. The Conduct of Meetings

- 5.1 The Overview and Scrutiny Committee and any sub-Committees and Panels shall consider the following business in the following order:
- a) Minutes of the last meeting.
 - b) Any declarations of interest.
 - c) Any response from the Cabinet to a previously forwarded report.
 - d) The business otherwise set out in the agenda for meeting.
- 5.2 When the Overview and Scrutiny Committee or one of its Sub-Committees or Panels is conducting a review or investigation, it shall have the right to documents and other information as described in the Access to Information Procedure Rules set out in Part B of this Constitution.
- 5.3 The Overview and Scrutiny Committee or any of its Sub-Committees or Panels (in relation to matters falling within their terms of reference) may scrutinise and review decisions made or actions taken in connection with the discharge of any Council functions. It may require the Leader and any member of the Cabinet, the Head of Paid Service and any Director or Head of Service to attend before it to explain, in matters in relation to their remit, the following:
- a) Any particular decision or series of decisions and the reasons for them.
 - b) The extent to which any action or lack of action affects the Council and/or implements Council policy.
 - c) Performance and outcomes in relation to the areas under their control.

It is the duty of those persons to attend if required, but such attendance will follow written notice from the Democratic and Electoral Services Manager, who will give at least seven days notice in writing or by electronic mail of the meeting at which he/she is required to attend. The notice will indicate the nature of the item and whether there is a requirement to produce any papers or other background information, or whether a report is required.

If, exceptionally, the relevant Member or Officer is unable to attend on the required date, an alternative date may be arranged by mutual agreement, but this must take place within a maximum of six weeks of the date of the original request.

5.4 The Overview and Scrutiny Committee or its Sub-Committees and Panels may invite persons other than those set out above to give evidence, including individuals from outside the Council or from other organisations. There is no requirement on these individuals to attend.

If there is a wish for Officers below Head of Service to give evidence, then that attendance shall be at agreement of the Head of Paid Service or the relevant Director.

5.5 The Overview and Scrutiny Committee may require information from and for:

- a) Any person to attend from any partner authority designated in Section 104 of the Local Government and Public Involvement in Health Act 2007 – as amended from time to time; or
- b) Any officer or employee of a responsible authority or a co-operating person or body as defined by section 5 of the Crime and Disorder Act 1988 in relation the scrutiny of a crime and disorder function.

5.6 A member who has raised a matter referred to the Overview and Scrutiny Committee may attend the meeting of the Overview and Scrutiny Committee where the matter is discussed unless the matter to be discussed includes confidential or exempt information. The Overview and Scrutiny Committee will in any event notify the relevant member of its decision and the reasons for it - subject the exclusion of confidential or exempt information.

5.7 In relation to scrutiny of a crime and disorder function – additional members may be co-opted if they are an employee, officer or member of a responsible authority or co-operating person or body – and shall only be able to vote if the Overview and Scrutiny Committee so permit.

5.8 Where the Overview and Scrutiny Committee completes its consideration of a matter it will:

- a) Decide whether to make any recommendations to Cabinet/Council/publish its report
- b) With regard to CCfA matter – report/make recommendations in accordance with the Local Government Act 2000 as amended
- c) In relation to a crime and disorder matter – comply with the reporting requirements under the Police and Justice Act 2006 – as amended.

5.9 The Overview and Scrutiny Committee will receive and consider petitions – in particular hearing evidence from Senior Officers in relation to petitions received – as set out in the adopted Petition Scheme in Part C.

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SUBJECT:	Station Road Car Park Redevelopment Gerrards Cross Business Case	
REPORT OF:	Resources Portfolio Holder - Cllr Barbara Gibbs	
RESPONSIBLE OFFICER	Chris Marchant	Head of Environment
REPORT AUTHOR	Linda Newell Rodney Fincham	Estate Manager Head of Finance
WARD/S AFFECTED	Primary Gerrards Cross	

1. Purpose of Report

1.1. The purpose of the report is to:

- Present the final business case for provision of additional parking in Station Road Gerrards Cross, and
- Seek approval to progress the project.

RECOMMENDATIONS:

- 1 That Cabinet approve the final business case for the project.**
- 2 That Cabinet note that the construction period will be Jan-Dec 2020 unless agreement can be reached to allow the car park to be closed over the 2019 Christmas trading period.**
- 3 That Cabinet recommends to Council 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
- 4 That the Head of Environment be authorised to conclude the delivery agreement between Balfour Beatty and the Council for the construction phase.**
- 5 That the Head of Finance be authorised to carry out the necessary arrangements to obtain the loan finance.**

2. Executive Summary

- 2.1. Planning consent has been granted for expanding the Station Road Car Park to provide a total of 442 parking spaces.
- 2.2. To enable this project to proceed to completion, the Council will need to invest a further estimated £13.051m.
- 2.3. The proposal is for the project cost to be financed by way of a loan from the Public Works Loan Board (PWLB).
- 2.4. The expanded car park is expected to increase annual income by £431,000.
- 2.5. The reason for expanding the car park is to meet current and future parking need in the Town. The business case indicates that in the longer term the development will cover its costs.

3. Reasons for Recommendations

- 3.1. Recent surveys indicate that there is a need for an extra 375 non commuters car park spaces in Gerrards Cross, to provide sufficient car parking to meet predicted local parking needs.
- 3.2. Other options have been considered but expanding the Station Road car park is considered to be the best option currently available to meet this need.

4. Background

- 4.1. The Council currently operates a surface car park at Station Road, Gerrards Cross providing 122 spaces.
- 4.2. The site is shown edged in red on the plan at **Appendix A**.
- 4.3. The proposed development comprises a multi storey car park providing a total of 442 parking spaces.

5. Planning Permission

- 5.1. Planning Permission for the Station Road car park was issued on the 16 August 18 subject to 14 conditions, 3 of which have to be discharged prior to commencement. (Planning Application Ref PL/18/2173/FA).
- 5.2. Balfour Beatty has reviewed these conditions and are taking steps to comply with these. Overall the conditions are unlikely to have a significant impact on the project.

6. Agreement with Waitrose

- 6.1. The Waitrose / John Lewis surveyor is in the process of obtaining necessary approvals to Heads of Terms covering variations to the current legal documents for Waitrose's trolley bays in the car park.
- 6.2. Until the Heads of Terms are agreed this remains a risk to the project timetable.

7. Construction Period

- 7.1. The aspiration was to construct the car park between January and December 2019.
- 7.2. However, correspondence from local residents indicates that a Judicial Review challenge is likely to be lodged.
- 7.3. It is therefore recommended that construction should not commence until the time limited Judicial Reviews periods have ended and / or any Judicial Review is concluded. As if a Judicial Review is lodged this would effectively delay the project and mean that £200k+ of abortive costs would be incurred, even if ultimately the judicial review was unsuccessful.
- 7.4. If agreement can be reached with Waitrose it may be possible to start the construction during 2019. However this would mean that the car park would be closed over the crucial 2019 Christmas trading period, and Waitrose have so far indicated that they would not agree to this.
- 7.5. This business case has therefore been based on a construction period of January to December 2020.

8. Cost of Development

- 8.1. Construction costs have changed since the scheme was last considered, and Balfour Beatty has now provided updated construction costs.
- 8.2. The current estimated cost to completion is set out in the table below. There are still a number of cost items that are being reviewed / challenged, however this is the best cost estimate currently available.

	£	£
Construction		9,058,535
Contractor Preliminaries		928,414
Forecast Change Control Notices Allowance		87,500
Remaining Project Design Team Fees etc (£88k already paid)		70,625
Risk allowance - Contractor		396,000
Risk allowance - Client		250,000
Remaining Pre-Construction works (£600k already paid)		71,873
Associated framework fees		1,297,702
Repricing costs (as works delayed) – Estimate		100,000
Estimated Build Inflation (c5%) - Estimate		500,000
		<u>12,760,649</u>
Other costs payable by SBDC		
Railtrack - Payable upon planning implementation	85,000	
Building Control Fee (payable to SBDC)	8,000	
BCC 106 Agreement	15,000	
Party Wall - Estimate	150,000	
Legal Fees	20,000	
Waitrose	7,500	
Tesco fees	5,000	
		<u>290,500</u>
		<u>13,051,149</u>

- 8.3. Included in the total cost is a project contingency / risk allowance of £396k for contractor risks and £250k for client risks. The client risk allowance is for any further expenditure to cover risks such as design changes once the Delivery Agreement has been signed.
- 8.4. Also included is a 5% build inflation allowance, to reflect a construction period of January to December 2020.
- 8.5. In order to fund this project, it will be necessary to amend the Capital Programme to reflect the latest costs.

8.6. Cabinet is therefore asked to recommend to Council 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

9. Business case

9.1. The current business case is detailed in **Appendix B**.

9.2. In summary the current business case figures are as follows.

Number of car park spaces	442
Extra Spaces	320
Current Cost Estimate	13,931,149
Figure includes £880k of costs already incurred	
Income	
Car Parking Income (year 3)	588,000
Less current income	-175,000
Extra income	413,000
Extra income as percentage of build cost	2.96%
Business Case Model	40 yrs
IRR - should be more than borrowing cost	2.73%
Net Present Value - negative is good	6,535,359
(Profit) / Loss - negative is good	-1,273,481

9.3. In the initial years the scheme will not generate extra net income for the Council as the extra income (£413k) is not sufficient to cover the cost of the loan (£555k).

9.4. In the longer term as the income will grow with inflation, but the cost of the loan does not, the development will cover its costs and provide a return to the Council.

9.5. In summary a commercial operator would be unlikely to develop this scheme as the payback period is too long. However as the purpose is to meet parking need the Council can decide to take a longer term view.

10. Assumptions Regarding Car Park Charges

- 10.1. The Station Road parking charges have recently been increased to £8 (9.5 hours) and £10 (24 hour charge) in order to deter long stay parking. The main station car park charges £8.50 a day. Orchehill Rise and the upper station car parks charge £6 a day.
- 10.2. When the new Station Road car park is opened it has been assumed that the Station Road charges will be brought in line with surrounding car parks - as there will be greater capacity and thus longer stay parking will no longer need to be discouraged.
- 10.3. Furthermore it has been assumed that prices will rise in regular increments of 50p averaging about 4% a year over the next 40 years.

11. Sensitivity analysis

- 11.1. The Business Case is based on various assumptions. Changing any of the assumptions will affect the return. For instance

- If the build cost goes down, the profitability goes up
- If the loan rate goes down, the profitability goes up
- If we increase the take up assumptions, the profitability goes up
- If we increase the charges, the profitability goes up

And of course vice versa.

Income Predictions are made on the basis of £6 for long stay up to 9.5 hours and £8 for 10 hours which are subject to Cabinet approval.

- 11.2. The following table shows the effect on the Internal Rate of Return, Net Present Value and Profitability figures if we change some of these assumptions.

	Base Model	Interest rate 0.25% higher	Income estimate 2% higher
Build Cost (Including sunk costs)	£13,931,149	£13,931,149	£13,931,149
Loan Interest Rate	2.58%	2.83%	2.58%
Extra income per year	-£413,000	-£413,000	-£421,260
Internal Rate of Return (Should be above loan interest rate)	2.73%	2.73%	2.85%
Net Present Value over 40 years (Negative is good)	£6,535,359	£7,184,489	£6,230,092
Total Surplus over 40 years (Negative is good)	-£1,273,481	-£293,428	-£1,858,492

12. Funding

- 12.1. This project will be funded by borrowing from the Public Works Loan Board (PWLB).
- 12.2. The financing cost is based on borrowing at a fixed rate from the PLWB, on an annuity basis, over 40 years. The rate as at 22 August 18 is 2.58%. The actual rate will be fixed on the day the loan is organised. The precise timing and structure of the loan will be determined by the Director of Resources.
- 12.3. The Treasury Management Strategy that was approved by full Council on 27 February 18 set an Authorised Borrowing Limit of £35m and an Operational Borrowing Limit of £30m for 2018/19.
The Authorised Limit for South Bucks represents the maximum temporary borrowing limit. The Operational Limit is the limit beyond which external debt is not normally expected to exceed. SBDC does not currently have any borrowing. Given the likely timetable for the project the Treasury Management impact will be in 2019/20, and the Strategy that will come to members as part of the budget process will reflect the impact of this project.

13. Communication Plan

- 13.1. A proposed communication plan is attached at **Appendix C**.

14. Risks

- 14.1. Once the Delivery Agreement has been signed the contractor takes on the majority of the construction risks.
- 14.2. However there are certain risks which remain with SBDC and a contingency sum must be kept aside for these risks. The table below sets out the key risks which remain with SBDC.

Risk	Cost /mitigation
Delay of project due to Judicial Review or injunctions	<p>Not controllable by SBDC. Can be submitted any time within six weeks / three months of relevant decision.</p> <p>Potential claim for loss of light not controllable by SBDC. There is no time limit for such an action. Can be taken even after car park constructed. Currently the likelihood of any claim being successful is considered to be low.</p>

Risk	Cost /mitigation
Costs from judicial Review from concerned parties	If a challenge/claim is successful, the Council would be liable for the claimant's costs as well as its own.
Predicted usage	Many factors influence future usage and hence affect income. Charges can be changed with demand also change number of permit holders.
Waitrose agreement	Completion of documentation prior to signing of delivery agreement. Heads of Terms not yet signed off and further concession from Waitrose to extend construction over Christmas period 2019 being sought.
Party Wall agreements	Specialist instructed but cost budgeted at £50k which may change. Overall cost could increase to £150K subject to discussion with neighbouring occupants and contents of any Party Wall Awards. SBDC are required to pay all fees.
Fire strategy preparation	Following Liverpool car park fire it has been necessary to improve cladding to side elevation and a requirement to have a fire strategy in place. This fire strategy has not yet been completed.
Service Diversions	No allowance has been made for diversion of any services which have not been found during the standard detection methods.
Client changes	Any design changes initiated by client.
Unforeseen issues le ordnance	Unlikely to occur.
Potential payment to Waitrose if completion is delayed.	Damages may be payable to Waitrose if completion is delayed, not all of which may be covered by the main contractor.

15. Options

15.1. SBDC has the following options.

- Progress with this scheme now. This option seeks to meet the parking need as quickly as possible, but risks significant abortive costs if legal proceedings are lodged.
- Delay the project in order to resolve any legal challenges and / or have more time to complete all contractual agreements and / or seek alternative build prices. This would delay meeting the parking need, and is likely to result in an increase in the build cost due to the impact of construction inflation.
- Decide not to progress with the scheme. This option would not meet the parking need and the expenditure to date would be abortive costs.

16. Corporate Implications

16.1. Financial – The detailed business case is shown in **Appendix B**.

16.2. Legal – The Council has power to provide off-street parking places, including additional spaces at the Station Road car park, under section 32 of the Road Traffic Regulation Act 1984. This is a general power which enables local authorities to provide off-street parking places if it “appears necessary in order to relieve or prevent congestion of traffic”.

16.3. The Council is satisfied that a need for additional parking places in Gerrards Cross has been identified, first in the report undertaken by Yes Engineering Ltd in 2014 and subsequently in a survey and report into future demand prepared by Peter Brett Associates in May 2017. In response to the 2014 report the Council made the provision of increased off-street parking in Gerrards Cross to meet future need a council priority in the Business Plan 2015-20. Therefore it has been Council policy since 2015, based on identified need, to provide additional parking places in Gerrards Cross.

16.4. As part of the Transport Assessment for the 2016 planning application Peter Brett Associates carried out a further assessment of future parking demand in the town. This report concludes that there will be demand for additional short and long stay parking in and around Gerrards Cross up to 2053 and that the proposed redevelopment of the Station Road car park would help to meet the forecast demand for short stay parking. These conclusions have been accepted by the highway authority.

17. Links to Council Policy Objectives

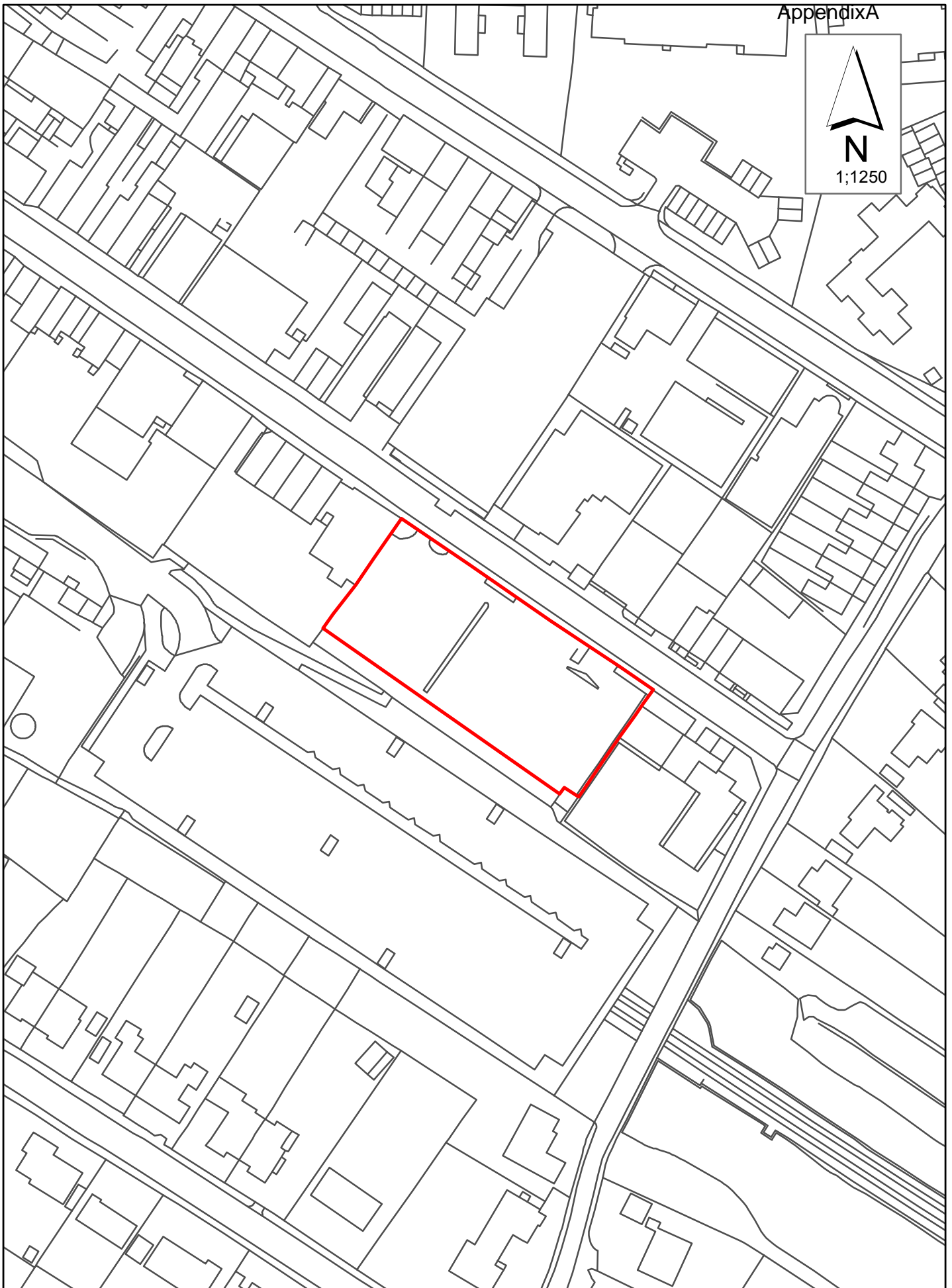
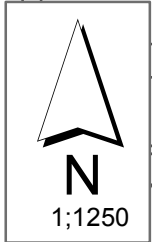
- 17.1. This matter is related to the Councils corporate aims to deliver cost effective customer focused services and to promote local communities.
- 17.2. This report progresses the aims of the Council's asset management plan.

18. Next Steps

- 18.1. The proposed programme is as follows:

Activity	Date
Cabinet	17 th Oct 18
Council Meeting to approve change to Capital Programme	14 th Nov 18
Sign Delivery Agreement	Mid 19
Mobilisation and enabling works start	Late 19
Main start on site	Jan 20
Handover	Dec 20
Project completion	Dec 20

Background Papers:	Cabinet report 25 Oct 16 Cabinet report 17 Apr 18 SBDC Planning Application Ref PL/18/2173/FA
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Station Car Park Gerrards Cross

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Year			Estimated Capital Expenditure (Excluding VAT) A	Additional R&M and NDR Inflationary rise 3.00% B	Additional Car Park Income C	Total Cashflow Before Loan Int D=A+B+C	40 year PWLB Loan Interest 2.58% E	Total Cashflow After Loan Int F=D+E	Net Present Value (NPV) Discount Rate 3.00% F Discounted	Repayment of Capital / Depreciation G	Annual (Surplus) / Loss H=B+C+E+G	Return on Investment
£	£	£	£	£	£	£	£	£	£	£	£	£
Sunk	2015/16	Preliminary Works	13,000									
Sunk	2016/17	Preliminary Works	633,000									
Sunk	2017/18	Preliminary Works	134,000									
Sunk	2018/19	Preliminary Works	100,000									
0	2019/20	Construction start Jan 20	5,000,000		43,750	5,043,750		5,043,750	5,043,750		43,750	
1	2020/21	Construction end Dec 20	8,051,149		116,667	8,167,816		8,167,816	8,167,816	195,164	671,254	
2	2021/22	Car Park Open		52,969	-276,395	-223,426	359,424	8,527,239	8,527,239	200,199	331,161	-4.1%
3	2022/23			54,558	-375,293	-320,736	354,388	130,962	127,148	200,199	331,161	-2.9%
4	2023/24			56,194	-443,115	-386,920	349,223	28,487	26,852	205,364	233,852	-2.1%
5	2024/25			74,271	-461,398	-387,127	343,925	-42,995	-39,347	210,663	167,667	-2.1%
6	2025/26			76,499	-473,229	-396,730	338,490	-48,638	-43,214	216,098	167,460	-2.1%
7	2026/27			78,794	-490,760	-411,966	332,914	-63,816	-55,048	221,673	157,858	-2.0%
8	2027/28			81,158	-503,344	-422,186	327,195	-84,771	-70,994	227,392	142,622	-1.8%
9	2028/29			83,593	-520,122	-436,529	321,329	-100,857	-82,000	233,259	132,402	-1.6%
10	2029/30			86,100	-533,458	-447,358	315,310	-121,219	-95,691	239,277	118,058	-1.5%
11	2030/31			88,684	-549,484	-460,800	309,137	-138,221	-105,935	245,451	107,230	-1.3%
12	2031/32			91,344	-563,573	-472,229	302,804	-157,996	-117,564	251,783	93,788	-1.2%
13	2032/33			94,084	-578,845	-484,761	296,308	-175,920	-127,089	258,279	82,359	-1.0%
14	2033/34			96,907	-593,688	-496,781	289,645	-195,116	-136,850	264,943	69,827	-0.9%
15	2034/35			99,814	-608,207	-508,393	282,809	-213,971	-145,704	271,778	57,807	-0.7%
16	2035/36			102,808	-623,802	-520,994	275,797	-232,595	-153,773	278,790	46,195	-0.6%
17	2036/37			105,893	-637,569	-531,676	268,605	-252,389	-161,569	285,983	33,594	-0.4%
18	2037/38			109,070	-653,917	-544,847	261,226	-270,450	-168,535	293,361	22,912	-0.3%
19	2038/39			112,342	-653,917	-541,575	253,658	-291,190	-176,174	300,930	9,741	-0.1%
20	2039/40			115,712	-653,917	-541,575	245,894	-295,681	-173,682	308,694	13,013	-0.2%
21	2040/41			119,183	-696,292	-580,580	245,894	-295,681	-173,682	308,694	13,013	-0.2%
22	2041/42			122,759	-714,146	-594,963	237,929	-342,651	-195,409	316,658	-25,993	0.3%
23	2042/43			126,441	-714,146	-594,963	229,760	-365,203	-202,204	324,828	-40,375	0.5%
24	2043/44			130,235	-755,016	-624,781	221,379	-370,008	-198,898	333,209	-36,799	0.5%
25	2044/45			134,142	-774,375	-640,233	212,782	-415,792	-216,999	341,805	-73,987	0.9%
26	2045/46			138,166	-813,739	-675,573	203,964	-440,177	-223,034	350,624	-89,553	1.1%
27	2046/47			142,311	-834,604	-692,293	194,918	-445,316	-219,066	359,670	-85,646	1.1%
28	2047/48			146,580	-834,604	-688,024	185,638	-489,935	-233,996	368,950	-120,985	1.5%
29	2048/49			150,978	-872,463	-721,485	176,119	-516,174	-239,347	378,469	-137,706	1.7%
30	2049/50			155,507	-894,833	-739,326	166,355	-521,669	-234,850	388,233	-133,436	1.7%
31	2050/51			160,172	-894,833	-734,661	156,338	-565,147	-247,012	398,249	-166,897	2.1%
32	2051/52			164,977	-931,186	-766,208	146,063	-593,263	-251,749	408,524	-184,739	2.3%
33	2052/53			169,927	-955,063	-785,136	135,523	-599,138	-246,837	419,064	-180,073	2.2%
34	2053/54			175,025	-955,063	-780,038	124,712	-641,497	-256,591	429,876	-211,621	2.6%
35	2054/55			180,275	-989,909	-809,634	113,621	-671,515	-260,774	440,967	-230,548	2.9%
36	2055/56			185,684	-1,015,292	-829,608	102,244	-677,794	-255,546	452,344	-225,450	2.8%
37	2056/57			191,254	-1,015,292	-824,038	90,573	-719,061	-263,208	464,014	-255,046	3.2%
38	2057/58			196,992	-1,048,633	-851,641	78,602	-751,006	-266,895	475,986	-275,020	3.4%
39	2058/59			202,901	-1,075,521	-872,619	66,321	-757,716	-261,437	488,266	-269,450	3.3%
40	2059/60			208,988	-1,075,521	-866,532	53,724	-797,917	-267,289	500,864	-297,053	3.7%
	2060/61			215,258	-1,075,521	-860,263	40,802	-831,818	-270,529	513,786	-318,032	4.0%
							27,546	-838,986	-264,913	527,041	-311,945	3.9%
							13,948	-846,314	-259,443	540,639	-305,675	3.8%
Including sunk costs			13,931,149	5,078,549	-29,090,124	-10,960,426	8,806,944	-2,153,481	6,535,359	13,931,149	-1,273,481	

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Loan Repayment Annuity			
Opening Balance	Loan Repayment	Principal + Interest	Closing Balance
£	£	£	£
13,931,149			13,931,149
13,931,149	-195,164	-554,588	13,735,985
13,735,985	-200,199	-554,588	13,535,786
13,535,786	-205,364	-554,588	13,330,421
13,330,421	-210,663	-554,588	13,119,759
13,119,759	-216,098	-554,588	12,903,661
12,903,661	-221,673	-554,588	12,681,988
12,681,988	-227,392	-554,588	12,454,595
12,454,595	-233,259	-554,588	12,221,336
12,221,336	-239,277	-554,588	11,982,059
11,982,059	-245,451	-554,588	11,736,608
11,736,608	-251,783	-554,588	11,484,825
11,484,825	-258,279	-554,588	11,226,546
11,226,546	-264,943	-554,588	10,961,603
10,961,603	-271,778	-554,588	10,689,825
10,689,825	-278,790	-554,588	10,411,035
10,411,035	-285,983	-554,588	10,125,052
10,125,052	-293,361	-554,588	9,831,691
9,831,691	-300,930	-554,588	9,530,761
9,530,761	-308,694	-554,588	9,222,067
9,222,067	-316,658	-554,588	8,905,408
8,905,408	-324,828	-554,588	8,580,580
8,580,580	-333,209	-554,588	8,247,372
8,247,372	-341,805	-554,588	7,905,566
7,905,566	-350,624	-554,588	7,554,942
7,554,942	-359,670	-554,588	7,195,272
7,195,272	-368,950	-554,588	6,826,322
6,826,322	-378,469	-554,588	6,447,854
6,447,854	-388,233	-554,588	6,059,621
6,059,621	-398,249	-554,588	5,661,371
5,661,371	-408,524	-554,588	5,252,847
5,252,847	-419,064	-554,588	4,833,783
4,833,783	-429,876	-554,588	4,403,907
4,403,907	-440,967	-554,588	3,962,940
3,962,940	-452,344	-554,588	3,510,596
3,510,596	-464,014	-554,588	3,046,582
3,046,582	-475,986	-554,588	2,570,596
2,570,596	-488,266	-554,588	2,082,330
2,082,330	-500,864	-554,588	1,581,466
1,581,466	-513,786	-554,588	1,067,681
1,067,681	-527,041	-554,588	540,639
540,639	-540,639	-554,588	0

Additional Car Park Income					
Income Estimate Without price rise	9.5 hour Charge	24 hour Charge	Cumulative Inflationary Increase	Dip in usage Following price rise	Income Estimate With price rise
£	£	£	%		£
-276,395	6.00	8.00		1.00	-276,395
-358,757	6.50	8.50	7.29%	0.98	-375,293
-413,000	6.50	8.50	7.29%	1.00	-443,115
-413,000	7.00	9.00	14.58%	0.98	-461,398
-413,000	7.00	9.00	14.58%	1.00	-473,229
-413,000	7.50	9.50	21.88%	0.98	-490,760
-413,000	7.50	9.50	21.88%	1.00	-503,344
-413,000	8.00	10.00	29.17%	0.98	-520,122
-413,000	8.00	10.00	29.17%	1.00	-533,458
-413,000	8.50	10.50	36.46%	0.98	-549,484
-413,000	8.50	10.50	36.46%	1.00	-563,573
-413,000	9.00	11.00	43.75%	0.98	-578,845
-413,000	9.00	11.00	43.75%	1.00	-593,688
-413,000	9.50	11.50	51.04%	0.98	-608,207
-413,000	9.50	11.50	51.04%	1.00	-623,802
-413,000	10.00	12.00	58.33%	0.98	-637,569
-413,000	10.00	12.00	58.33%	1.00	-653,917
-413,000	10.00	12.00	58.33%	1.00	-653,917
-413,000	11.00	13.00	72.92%	0.98	-696,292
-413,000	11.00	13.00	72.92%	1.00	-714,146
-413,000	12.00	14.00	87.50%	0.98	-755,016
-413,000	12.00	14.00	87.50%	1.00	-774,375
-413,000	13.00	15.00	102.08%	0.98	-813,7

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Appendix C

GX Car Park action plan / proposed communications activities

Key dates	Activity	Who/what is involved
25 September 2018	Resources PAG	Estates team/PHs
27 September 2018	End of six weeks planning JR period	
17 October 2018	Cabinet	Estates team/PHs/SBDC Comms team – social media/media statement
25 October 2018	End of Call In period	
TBC if needed	Overview & Scrutiny Committee if Call In activated	
14 November 2018	Council meeting to approve change to Capital Programme	Estates team/PHs/SBDC Comms team – social media/media statement
17 January 2019	End of business case JR period (can be submitted any time within three months decision)	
Mid 2019	Sign Delivery Agreement	Balfour Beatty/SBDC Comms team/PHs - photo opp/press release
Late 2019	Mobilisation and enabling works start	Balfour Beatty / SBDC Comms team - press release
January 2020	Main works start on site	Balfour Beatty/ SBDC Comms team to liaise with BB during build for PR opportunities
TBC	Topping out ceremony	Balfour Beatty/SBDC Comms Team – photo opp/press invite/press release
December 2020	Handover	Balfour Beatty/SBDC/Comms team
December 2020	Project completion	Balfour Beatty/ SBDC Comms team – opening ceremony/photo opp/press release
2020 onwards	Joint comms with BCC on new on- street arrangements	Bucks CC/SBDC Comms team – details TBC

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South Bucks District Council

Cabinet Decision

Notice is given that the following decisions have been taken by Cabinet on Wednesday, 17 October 2018

5.1 Performance Report Quarter 1 2018-19

(a) DECISION:

Cabinet received a report which outlined the annual performance of Council services against pre-agreed performance indicators and service objectives for Quarter 1 of 2018-19.

RESOLVED that Cabinet note the performance reports.

(b) REASON FOR DECISION:

Management Team, Cabinet and Overview and Scrutiny Committee received regular updates detailing progress towards service plan objectives, performance targets and strategic risks, in line with the Performance and Improvement Framework.

(c) ALTERNATIVE OPTIONS CONSIDERED:

Not applicable

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

None

6.1 Delegation Arrangements in Planning Enforcement

(a) DECISION:

Cabinet received a report which recommended changes to the delegation arrangements on Planning Enforcement matters to take account of the recent approval of the Local Enforcement Plan.

RECOMMENDED to Council that the revised delegations as set out in the Appendix to the report be agreed.

(b) REASON FOR DECISION:

The recommended revised arrangements had been considered and supported by the Planning and Economic Development PAG and the Planning Committee and would provide the mechanism for the effective delivery of the Local Enforcement Plan.

(c) ALTERNATIVE OPTIONS CONSIDERED:

There were a variety of options for delegating decision-making for enforcement matters based on a combination of factors including the ability of officers to serve an extensive or a more restricted range of notices. The proposed delegations are based on national best practice and seek to ensure that the Council can deliver the recently introduced Local Enforcement Plan in an effective and timely manner.

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

None

6.2 **The Environmental Assessment of Plans and Programmes Regulations 2004 - delegated powers**

(a) DECISION:

Cabinet received a report which sought delegated authority to determine the need for environmental assessment of plans, specifically neighbourhood plans.

RESOLVED that the statutory requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 in relation to neighbourhood planning be delegated to the Head of Planning and Economic Development in consultation with the Portfolio Holder for Planning and Economic Development in respect of determinations under Regulation 9.

(b) REASON FOR DECISION:

The Council was required to undertake environmental assessments of neighbourhood plans. The timing of neighbourhood plan production is in the hands of the neighbourhood plan groups and as such whilst the District Councils have a duty to assist and to make decisions within timeframes as set out in the regulations it is difficult to programme the need for an environmental determination decision into a Cabinet meeting timetable. Most

other aspects of neighbourhood planning as defined in the Localism Act have been delegated already. Therefore it is logical and practicable to include environmental assessment of plans in the Scheme of Delegation.

(c) ALTERNATIVE OPTIONS CONSIDERED:

If powers were not delegated all environmental assessment determinations of neighbourhood plans would need to be determined by Cabinet and due to the need to meet certain timeframes in the neighbourhood planning process this could mean the need for Special Cabinets to be called to deal with the issue within the timeframe and this is not a practicable option.

Delegation to officers, in consultation with the Portfolio Holder, would allow the Council to meet their statutory duties to assist the neighbourhood planning process and the need to seek agreement of the consultation bodies would avoid any risk to the Council of potentially allowing a plan to proceed that could have an environmental impact.

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

None

6.3 Community Infrastructure Levy (CIL)

(a) DECISION:

Cabinet received a report which sought the agreement of Cabinet to consult on the Community Infrastructure Levy Preliminary Draft Charging Schedule with the aim to consult later this year.

RESOLVED that the consultation on the Community Infrastructure Levy Preliminary Draft Charging Schedule be agreed and final wording of the draft Schedule be delegated to the Head of Planning and Economic Development in consultation with the Portfolio Holder.

(b) REASON FOR DECISION:

The District Councils are in the process of producing a new combined Local plan 2036. It was therefore prudent to introduce the Community Infrastructure Levy (CIL) at the current time so that it could be demonstrated how the CIL and associated Regulation 123 list would support delivery of the Local Plan 2036. The CIL was a tool for local authorities to help deliver infrastructure to support a new development. The Regulation 123 list was a list of infrastructure

that would be, or may be, wholly or partly funded by CIL.

(c) ALTERNATIVE OPTIONS CONSIDERED:

There was an option not to introduce the Community Infrastructure Levy but this was not recommended as it was important that infrastructure to support the sustainable growth of the Districts was provided in a timely way. CIL was the only mechanism which allowed funding for infrastructure to be collected from sites of up to 10 homes and was a clear and consistent mechanism for collecting developer contributions which provided certainty to the development industry.

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

None

6.4 Heathrow Airport Update

(a) DECISION:

Cabinet received the report which provided an update on the expansion proposals of Heathrow Airport Ltd (HAL) which set out the Council's support for expansion and the mitigations and opportunities the Council was seeking from HAL.

RESOLVED

1. that the Government's position in regards to the Heathrow Airport Limited (HAL) expansion proposals, the Council's position towards this and the areas the Council was seeking mitigation and opportunities from HAL, be noted
2. noting the above, South Bucks District Council wishes to move its position from neutral to support for the HAL expansion proposals
3. that the Council invite HAL to continue to actively work with officers at all levels to ensure that the potential benefits to the District are realised.

(b) REASON FOR DECISION:

The National Policy Statement had been designated and therefore South Bucks District Council needed to consider what the next steps were in terms of securing maximum gains and mitigation for the District and communities. The Leader and Chief Executive, together with senior technical staff at the Council continue to work with HAL to ensure Council objectives were secured.

(c) ALTERNATIVE OPTIONS CONSIDERED:

Not applicable.

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

None

7.1 **Joint Housing Strategy****(a) DECISION:**

Cabinet received a report which sought authority to publish and implement the finalised version of the Chiltern District Council and South Bucks District Council Joint Housing Strategy (Affordable Housing and Homelessness) 2018-2021.

RECOMMENDED to Council

1. that the final Joint Housing Strategy (Affordable Housing and Homelessness) 2018 – 2021 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 Healthy Communities Portfolio Holder

(b) REASON FOR DECISION:

The current Housing and Homelessness Strategies for Chiltern District Council and South Bucks District Council need to be reviewed and updated in view of the current housing situation across the two Districts and new statutory requirements that have come into force.

(c) ALTERNATIVE OPTIONS CONSIDERED:

The Council has a specific statutory duty to publish a Homelessness Strategy. Therefore, if the Council does not proceed with preparing and authorising this Joint Housing Strategy then it would still have to draft a Homelessness Strategy. The Council could choose to continue to operate its own separate Housing Strategy and policies but this would mean that the Councils would not benefit from efficiencies in taking a joint approach to addressing current housing issues.

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

None

7.2 Chiltern and South Bucks Playing Pitch Strategy**(a) DECISION:**

Cabinet received a report on the proposed Chiltern and South Bucks Playing Pitch Strategy which would help to improve the quality and access to sports local playing pitches and directly contribute to improving the health and wellbeing of residents.

RESOLVED that the proposed 2018-2036 Chiltern and South Bucks Playing Pitch Strategy for submission to Sport England for external accreditation be approved.

(b) REASON FOR DECISION:

Having this Strategy would help inform the newly emerging Local Plan by providing a comprehensive evidence base to withstand public scrutiny, provide a joined-up approach to develop sustainable facilities that supported increased participation and provide a robust evidence source to support local community groups and Town and Parish Councils to access external funding.

(c) ALTERNATIVE OPTIONS CONSIDERED:

Whilst there was no statutory requirement for the Council to have a Playing Pitch Strategy, the Strategy was an important reference document as part of other statutory and community planning processes. Having a shared, strategic approach to playing pitches, including comprehensive planning policies would help improve the health and wellbeing of residents, social inclusion and community cohesion.

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

None

7.3 Chiltern and South Bucks Open Space Strategy

(a) DECISION:

Cabinet received a report on the draft Chiltern and South Bucks Open Space Strategy which detailed the Strategy's key findings and recommendations in relation to the quality and supply of open spaces/parks across the District.

RESOLVED that the South Bucks and Chiltern Open Space Strategy be approved and that its findings be utilised to support the implementation of the new Chiltern and South Bucks Local Plan.

(b) REASON FOR DECISION:

The South Bucks and Chiltern Open Space Strategy was a key document in helping inform the new Local Plan and help local community groups and Town and Parish Councils to attract inward investment by providing robust evidence of existing shortfalls in provision. Improving access and the quality of open space provision would contribute directly to improving the health and wellbeing of residents.

(c) ALTERNATIVE OPTIONS CONSIDERED:

Whilst there was no statutory requirement for the Council to have an Open Space Strategy, the Strategy was an important reference document as part of other statutory and community planning processes. Comprehensive planning policies for open space were fundamental to social inclusion, community cohesion, health and well-being. A shared, strategic approach to open space maximises its potential to contribute to a more inclusive and sustainable future at local, regional and national level.

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

None

7.4 **Gambling Act 2005 - Statement of Principles Review**

(a) DECISION:

Cabinet received a report on the final revised draft Gambling Act 2005 Statement of Principles. The function of the Statement was to reflect locally specific gambling concerns and to reflect the Council's wider strategic objectives. It aimed to make clear the Council's expectations of gambling operators who have premises in the local area and allowed operators to respond to locally specific requirements and adjust their own policies and procedures as required.

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

(b) REASON FOR DECISION:

The adoption of the revised Statement of Principles was a shared function under the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 9 (as amended) and therefore needed to be considered by Cabinet and Council.

(c) ALTERNATIVE OPTIONS CONSIDERED:

The Council had a statutory requirement to review its adopted Statement of Principles every 3 years. The draft Statement of Principles could be recommended for adoption with or without modifications.

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

None

8.1 **Gerrards Cross Car Park**

(a) DECISION:

Cabinet received a report which sought approval for the final business case for provision of additional parking in Station Road Gerrards Cross. Planning consent had been granted for expanding the Station Road Car Park to provide a total of 442 parking spaces and to enable this project to proceed the Council would need to invest a further estimated £13.051m. The proposal was for this to be financed by way of a loan from the Public Works Loan Board. The expanded car park was expected to increase annual income by £431,000.

RESOLVED that

1. the final business case for the project be approved.
2. the construction period would be January-December 2020 unless agreement could be reached to allow the car park to be closed over the 2019 Christmas trading period, be noted.
3. the Head of Environment be authorised to conclude the delivery agreement between Balfour Beatty and the Council for the construction phase.
4. the Head of Finance be authorised to carry out the necessary arrangements to obtain the loan finance.

RECOMMENDED to Full Council 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

(b) REASON FOR DECISION:

Recent surveys indicated that there was a need for an extra 375 non commuters car park spaces in Gerrards Cross, to provide sufficient car parking to meet current and predicted growth in local parking needs.

(c) ALTERNATIVE OPTIONS CONSIDERED:

The following options were available :-.

- Progress with this scheme now. This option seeks to meet the parking need as quickly as possible, but risks significant abortive costs if legal proceedings are lodged.
- Delay the project in order to resolve any legal challenges and / or have more time to complete all contractual agreements and / or seek alternative build prices. This would delay meeting the parking need, and is likely to result in an increase in the build cost due to the impact of construction inflation.
- Decide not to progress with the scheme. This option would not meet the parking need and the expenditure to date would be abortive costs.

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

None

8.2 Redevelopment of Gerrards Cross Police Station**(a) DECISION:**

Cabinet received the report which sought approval for the final business case for the design and construction of the scheme. Planning consent had been granted for the redevelopment of the Gerrards Cross Police Station site for 34 apartments which would provide 20 private rent apartments and 14 affordable rent apartments – to meet the 40% affordable housing requirement. The proposal for the project cost was to be financed by way of a loan from the Public Works Loan Board. The business case indicated that the rental return on this development would be sufficient to repay the capital expenditure over the lifetime of the asset.

RESOLVED that

- 1 the final business case for the project be approved.
- 2 the total proposed spend of £8.331m, which would be funded from the current approved Capital Budget for this scheme be noted.
- 3 the Head of Environment be authorised to conclude the delivery agreement between Wilmot Dixon and the Council for the construction phase.
- 4 the Head of Finance be authorised to carry out the necessary arrangements to obtain the loan finance.
- 5 the Head of Environment be authorised to negotiate and conclude any necessary agreements to allow the development to proceed through to completion and note that the Head of Environment has exercised his delegated authority to make an application to the Secretary of State for Transport for a stopping up order pursuant to Section 247 of the Town and Country Planning Act 1990.
- 6 the Director of Resources be authorised to dispose of the development to Consilio (the Council's wholly owned subsidiary).

(b) REASON FOR DECISION:

The Council needed to maximise income generating opportunities in order to counter reductions in Government grant. This development opportunity could deliver a financial return whilst also meeting housing need with the provision of 40% affordable housing, although this had been consistently challenged by developers on other sites.

(c) ALTERNATIVE OPTIONS CONSIDERED:

The following options were available:-

- Progress with this scheme now. This option provides additional homes and an income stream as quickly as possible.
- Delay the project in order to have more time to complete all contractual agreements and / or seek alternative build prices. This would delay generating rental income, and may not result in a reduction in build cost due to the impact of construction inflation.
- Decide not to progress with the scheme. This option would not provide additional homes and would not provide an income stream.

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

None

9.1 **HS2 Update Report****(a) DECISION:**

Cabinet received a report which provided Members with an update on the work for the HS2 project and asked for approval to adjust the current Scheme of Delegation in relation to Schedule 17 of the HS2 Act.

RESOLVED that

- (i) the functions for the determination of any submissions pursuant to Schedule 17 of the HS2 Act be delegated to the Head of Planning and Economic Development. In the absence of the Head of Planning and Economic Development, that these functions be delegated to the Development Management Manager and/or an Area Team Leader under Regulation 3 of the Local Authorities Arrangements for the Discharge of Functions Regulations 2012 and the delegations and Constitution are updated accordingly;

- (ii) the functions for the determination of any submission pursuant to conditions attached to any Schedule 17 approval that have been imposed by the Local Planning Authority be delegated to the Head of Planning and Economic Development. In the absence of the Head of Planning and Economic Development, that these functions be delegated to the Development Management Manager and/or an Area Team Leader and/or a Principal Planning Officer under Regulation 3 of the Local Authorities Arrangements for the Discharge of Functions Regulations 2012 and the delegations and Constitution are updated accordingly; and
- (iii) the functions for the determination of any request for non-material changes to approvals under paragraph 21 of Part 3 of Schedule 17 of the HS2 Act be delegated to the Head of Planning and Economic Development. In the absence of the Head of Planning and Economic Development, that these functions be delegated to the Development Management Manager and/or an Area Team Leader and/or a Principal Planning Officer under Regulation 3 of the Local Authorities Arrangements for the Discharge of Functions Regulations 2012 and the delegations and Constitution are updated accordingly.

(b) REASON FOR DECISION:

The recommendations in so far as they relate to amendments to the Scheme of Delegation would help to ensure that decisions relating to Schedule 17 of the HS2 Act and conditions attached to those decisions and requests for non-material changes to approvals were issued expeditiously and in line with obligations on the Council associated with its role as a Qualifying Authority.

(c) ALTERNATIVE OPTIONS CONSIDERED:

That delegated authority was not authorised. However, if authority was delegated this would ensure that decisions could be made promptly, in the spirit of the established working relationship with HS2 and the obligations on the Council associated with its Qualifying Authority status.

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

None

9.2 Application for Discretionary Rate Relief (1)**(a) DECISION:**

Cabinet considered an application for Discretionary Rate Relief as set out in the report.

RESOLVED that the Discretionary Rate Relief be refused.

(b) REASON FOR DECISION:

Having regard to the fact that this organisation already received the 80% Mandatory Rate Relief it was not considered appropriate for the council to exercise its discretion in granting the application for the 20% Discretionary Rate Relief.

(c) ALTERNATIVE OPTIONS CONSIDERED:

Section 47 of the Local Government Finance Act allowed Discretionary Rate Relief to be awarded at any level between 0% and 20%.

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

Cllrs Gibbs and Hogan declared a personal and prejudicial interest as Directors of this Charitable Organisation and left the room whilst this item was discussed.

9.3 Application for Discretionary Rate Relief (2)**(a) DECISION:**

Cabinet considered an application for Discretionary Rate Relief.

RESOLVED that an award of 25% Discretionary Rate Relief be awarded for one year.

(b) REASON FOR DECISION:

Whilst the organisation only met part of the relevant criteria listed for non-profit organisations an award of 25% was considered appropriate because this applicant's activities met some of the Council's objectives in the Joint Business Plan.

(c) ALTERNATIVE OPTIONS CONSIDERED:

Section 47 of the Local Government Finance Act allowed Discretionary Rate Relief to be awarded at any level between 0% and 100%.

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

None

9.4 **Bad Debt Write Off Request****(a) DECISION:**

Cabinet was requested to write off the debt detailed in the report.

RESOLVED that the write off of the debt be authorised.

(b) REASON FOR DECISION:

The debt needed to be written-off as it was not recoverable.

(c) ALTERNATIVE OPTIONS CONSIDERED:

The debt collection could be pursued but it was likely that there would be a successful legal challenge to this. The record of this debt would be kept on file so if recovery action became possible in the future it could still be pursued.

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

None

Date Published:	18 October 2018	Call in Deadline Midnight on:	25 October 2018
Date to be implemented 26 October 2018			
*recommendations to Full Council are not subject the call in procedure			