

CABINET

Meeting - 17 October 2018

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

153. MINUTES

The minutes of the meeting of Cabinet held on 27 June 2018 were approved and signed by the Leader as a correct record.

154. DECLARATIONS OF INTEREST

Cllrs Gibbs and Hogan declared a personal and prejudicial interest in item 170 as Directors of the Charitable Organisation and left the room whilst this item was discussed.

155. 28 DAY NOTICE OF EXECUTIVE DECISIONS

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

RESOLVED that the 28 Day Notice be noted.

156. PERFORMANCE REPORT QUARTER 1 2018-19

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.

Members noted from the report that of the total 32 Performance Indicators (PIs), which had been reported this quarter, 29 were on target, 1 was slightly off target and 2 off target. The off target PIs related to the number of food business inspections which was because officers had had to undertake significant enforcement involving court action for poor hygiene standards at a number of premises. The number of calls to ICT helpdesk being resolved in the agreed timescales was slightly below target due to resources being pulled from the team to cope with the Vworkspace rollout. Members were pleased with the performance from Quarter 1 of the year.

The Cabinet wanted to pass on their congratulations to the Head of Service and her Customer Services Team who had won an award accredited by the Institute of

Revenues, Ratings and Valuation as the best District Council Revenues & Benefits Team in the Country.

RESOLVED that Cabinet note the performance reports.

157. **DELEGATION ARRANGEMENTS IN PLANNING ENFORCEMENT**

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. The revised delegations would provide a mechanism for effective delivery of the Local Enforcement Plan in allowing officers to act in a timely manner on all enforcement matters and not just in cases of urgency.

The Portfolio Holder for Planning and Economic Development reported that the recommendations had been supported at the Planning Committee on 10 October 2018 and the CDC Planning Committee on 4 October 2018.

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

158. **THE ENVIRONMENTAL ASSESSMENT OF PLANS AND PROGRAMMES REGULATIONS 2004 - DELEGATED POWERS**

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

The Portfolio Holder for Planning and Economic Development highlighted the amendment in the recommendation to refer to Regulation 9. This recommendation had also been agreed at Chiltern District Council's Cabinet.

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.

159. **COMMUNITY INFRASTRUCTURE LEVY (CIL)**

Cabinet received a report which sought the agreement of Cabinet to consult on the Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule with the aim to consult later this year. Implementing CIL would enable the Council to receive funding from development to fund and/ or improve infrastructure and support growth within the District.

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.

160. HEATHROW AIRPORT UPDATE

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. Cabinet welcomed the report.

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.

161. JOINT HOUSING STRATEGY

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.

The Director of Resources reported that both Strategies needed 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. The draft Strategy had been reviewed by the Overview and Scrutiny Committee. The Strategies provided an overview of the work and duties of both Authorities in responding to affordable housing need and meeting statutory homelessness duties.

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

162. **CHILTERN AND SOUTH BUCKS PLAYING PITCH STRATEGY**

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.

The Director of Resources reported that the Strategy helped inform the newly emerging Local Plan by providing a comprehensive evidence base as well as identifying current and future shortfalls in provision. Members had requested that it be subject to an additional round of public consultation with the District's Town and Parish Councils, sports clubs and the appropriate sports governing bodies. The Overview and Scrutiny Committee had been fully supportive of the Strategy.

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

163. **CHILTERN AND SOUTH BUCKS OPEN SPACE STRATEGY**

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. This Strategy had also been subject to an additional round of public consultation with the District's Town and Parish Councils and other key stakeholders and would be a key document in helping inform the new Local Plan. The Strategy had been fully supported by the Overview and Scrutiny Committee.

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.

164. **GAMBLING ACT 2005 - STATEMENT OF PRINCIPLES REVIEW**

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. The document was reviewed every three years. Three responses had been received and had been reviewed by the Licensing Committee on 26 September 2018 following which the Statement was now being recommended to Council for adoption.

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.

165. **GERRARDS CROSS CAR PARK**

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.

It was reported that the original design had been modified to 'soften' the exterior appearance of the building and to set the building back by two metres with some planting at the front to enhance its appearance.

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

166. **REDEVELOPMENT OF GERRARDS CROSS POLICE STATION**

Cabinet received a report which sought approval to 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 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.

Cabinet noted that the project would be completed in May 2020 and welcomed the consent for 14 affordable rent apartments to meet the 40% affordable housing requirement.

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).

167. POLICY ADVISORY GROUP MINUTES (AVAILABLE IN SUPPLEMENT PACK)

The Policy Advisory Group Minutes were noted as follows:-

Planning and Economic Development PAG - 13 September 2018

Customer Services PAG - 17 September 2018

Resources PAG - 25 September 2018

Healthy Communities PAG - 2 October 2018

168. EXCLUSION OF PUBLIC

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

169. **HS2 UPDATE REPORT**

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. Members were informed that these proposals would speed up responses times and improve efficiency in relation to local projects, the costs of which would be reimbursed by HS2 in full.

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.

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

Cabinet considered an application for Discretionary Rate Relief as set out in the report. Members decided that Discretionary Rate Relief should not be awarded as this

organisation already received 80% Mandatory Rate Relief and it was not considered appropriate for the Council to exercise its discretion in granting the application for the 20% Discretionary Rate Relief.

RESOLVED that the Discretionary Rate Relief be refused.

171. **APPLICATION FOR DISCRETIONARY RATE RELIEF (2)**

Cabinet considered an application for Discretionary Rate Relief as set out in the report. Members considered that whilst the organisation only met part of the relevant criteria listed for non-profit organisations agreement should be given for an award of 25% because this applicant's activities met some of the Council's objectives in the Joint Business Plan.

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

172. **BAD DEBT WRITE OFF REQUEST**

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

RESOLVED that the write off of the debt be authorised.

The meeting terminated at 6.37 pm