



Cabinet

Date: 12 November 2018
Time: 7.00 pm
Venue: Council Chamber
District Council Offices, Queen Victoria Road, High Wycombe Bucks

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AGENDA

1. APOLOGIES FOR ABSENCE

To receive apologies for absence.

2. MINUTES

To confirm the minutes of the meeting of the Cabinet held on 8 October 2018 (attached).

3. DECLARATIONS OF INTEREST

To receive any disclosure of disclosable pecuniary interests by Members relating to items on the agenda. If any Member is uncertain as to whether an interest should be disclosed, he or she is asked if possible to contact the District Solicitor prior to the meeting.

Members are reminded that if they are declaring an interest, they should state the nature of that interest whether or not they are required to withdraw from the meeting.

Cabinet Minutes

Date: 8 October 2018

Time: 4.30 - 4.46 pm

PRESENT: Councillor Ms K S Wood (Executive Leader of the Council - in the Chair)

Councillor Mrs J A Adey	- Cabinet Member for Environment
Councillor D H G Barnes	- Deputy Leader and Cabinet Member for Strategy & Communications
Councillor S Broadbent	- Cabinet Member for Economic Development and Regeneration
Councillor D J Carroll	- Cabinet Member for Youth and External Partnerships
Councillor D A Johncock	- Cabinet Member for Planning
Councillor G Peart	- Cabinet Member for Community
Councillor D M Watson	- Cabinet Member for Finance and Resources
Councillor L Wood	- Cabinet Member for Digital Development & Customer Services

By Invitation

Councillor Z Ahmed	- Deputy Cabinet Member for Strategy and Communications
Councillor Miss S Brown	- Deputy Cabinet Member for Community
Councillor C Etholen	- Deputy Cabinet Member for Digital Development and Customer Service
Councillor A R Green	- Chairman of the Council
Councillor G C Hall	- Deputy Cabinet Member for Environment
Councillor M Harris	- Deputy Cabinet Member for Economic Development and Regeneration
Councillor D Knights	- Chairman of the Improvement and Review Commission
Councillor R Raja	- Leader of the Labour Group
Councillor A Turner	- Deputy Cabinet Member for Planning

Also present: Councillor C Whitehead

37 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs J Langley (Cabinet Member for Housing) and S Saddique (Deputy Cabinet Member for Finance and Resources).

38 MINUTES

RESOLVED: That the minutes of the meeting of the Cabinet held on 17 September 2018 be approved as a true record and signed by the Chairman.

39 DECLARATIONS OF INTEREST

There were no declarations of interest.

40 AIR QUALITY ACTION PLAN FOR WYCOMBE DISTRICT

Cabinet recalled that new Air Quality Action Areas had been declared in December 2017. The new areas covered High Wycombe, amendments to the existing M40 area, and the Marlow area. It was noted that due to legislation requirements the Council had 12 months from the date of declaring any new areas to publish an Air Quality Action Plan.

Further to the recent public consultation on the proposed Air Quality Action Plan, Cabinet was asked to consider a number of matters and to recommend to Council accordingly. The matters before Cabinet included proposals for how the Council would achieve the air quality standards or objectives for the area; and the timescales for the achievements of the measures.

The Cabinet Member for Environment thanked the officers for all their hard work in relation to producing the Air Quality Action Plan.

The following recommendation was made to ensure that Wycombe District Council complied with its obligations to produce an Air Quality Action Plan within 12 months of declaring new Air Quality Management Areas as required by Part IV of the Environment Act 1995.

Recommended: That the Air Quality Action Plan as set out in Appendix A of the report be approved and the existing action plan published in 2002 be replaced.

EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That pursuant to Regulation 4(2)(b) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 the press and public be excluded from the meeting during consideration of Minute Nos 41 and 42, because of their reference to matters which contain exempt information as defined as follows:

Minute 41 – CCTV Service

Minute 42 – Property Acquisition

Information relating to the financial or business affairs of any particular person (including the authority holding that information) (Paragraph 3, Part 1 of Schedule 12A, Local Government Act 1972)

(The need to maintain the exemption outweighs the public interest in disclosure, because disclosure could prejudice the Council's position in any future tender process or negotiations)

41 CCTV SERVICE

Cabinet had before it proposals to merge the Council's CCTV monitoring service with others across Buckinghamshire.

The following decisions were made to deliver cost effective and efficient CCTV monitoring services.

RESOLVED: That (i) the Council's CCTV control room monitoring services be merged at the location set out in paragraph 4 of the report, for the cost set out in paragraph 10 of the report; and

(ii) in principle the entry into a service level and funding agreement with Thames Valley Police for the delivery of CCTV monitoring services be approved and delegated authority be granted to the Head of Community Services, in consultation with the Cabinet Member for Community to negotiate and confirm the final terms of the agreement.

42 PROPERTY ACQUISITION

Cabinet had before it a report setting out proposals for a freehold interest in a plot of land within High Wycombe.

The following decision was made in order to release funds allocated in the Major Projects Capital Programme in order to acquire the property.

RESOLVED: That the freehold interest in the property detailed in paragraph 3 of the report be acquired.

Chairman

The following officers were in attendance at the meeting:

Greg Cartwright	- Digital Content Editor
Nigel Dicker	- Head of Environment & Housing
Carl Griffin	- Technical Officer, Control of Pollution Unit
Ian Hunt	- Democratic Services Manager
Catherine MacKenzie	- Principal Democratic Services Officer
Karen Satterford	- Chief Executive
Catherine Spalton	- Communications and Improvement Manager

Agenda Item 4.

RESPONSE TO THE REPORT AND RECOMMENDATIONS OF THE ANTI-SOCIAL BEHAVIOUR TASK & FINISH GROUP

Cabinet Member: Councillor Graham Peart

Wards Affected: All

Officer contact: Elaine Jewell Ext:3800

Email:elaine.jewell@wycombe.gov.uk

PROPOSED DECISION

That the responses to the recommendations made by the Improvement & Review Commission (IRC) through its Anti-Social Behaviour Task & Finish Group as set out below be agreed.

Reason for Decision

To respond to the recommendations made by the Anti-Social Behaviour Task & Finish Group.

Corporate Implications

1. There are no significant corporate implications arising from this report. There is a financial impact related to Recommendation 6, which will be considered as part of the Council's budget setting process.

Executive Summary

2. The IRC established a Task & Finish Group to look at anti-social behaviour across the District and how support could be provided to ensure that the Council achieved its objectives in this regard.
3. The recommendations from the Group (and IRC) were noted by Cabinet on 17 September 2018, with a commitment that a further report be presented to Cabinet in due course.

Sustainable Community Strategy/Council Priorities - Implications

4. Community Safety is a key strand for the Council in delivering against its People priority.

Background and Issues

5. The Improvement and Review Commission set up a Task and Finish Group to answer the question 'Is there a problem with anti-social behaviour in the District, and if so what can Wycombe District Council do about it?'
6. The task and finish group was established following a motion by the Leader of the Council to the Council and a resolution of Council that the matter should be considered.

7. Following the decision by Council the Improvement and Review Commission met to set up a Task and Finish Group to look into antisocial behaviour in the district. The ASB Task and Finish Group (T&FG) was established by the Improvement and Review Commission.

The Recommendations and Responses

The ASB Task and Finish Group had 10 recommendations, as follows.

The T&FG recommended that:

Wycombe District Council

Recommendation 1

WDC demonstrates its commitment to tackling ASB by:

- a) Appointing a Cabinet Member (or Deputy Cabinet Member) with specific responsibility for ASB, and that progress is reviewed at every Cabinet meeting.
- b) Identifying a single officer with lead responsibility for ASB, to be responsible for monitoring and reporting progress on tackling ASB.

Cabinet Response

The Council already has a Cabinet Member with specific responsibility for ASB, namely the Cabinet Member for Community Services. The Council also has a representative on the Police and Crime Panel, Cllr David Carroll. The Cabinet Member and Cllr Carroll both attend the Community Safety Strategy Group and receive three-monthly updates from the Police on ASB. IRC receives an annual presentation on crime and ASB within the District.

We will increase the frequency of the Community Safety Strategy Group meetings to bi-monthly as a demonstration of our commitment to a close working relationship with Thames Valley Police in particular. ASB is one among many issues that touch our residents, they cannot all be reported on at every Cabinet meeting and we propose that the Cabinet Member for Community has discretion to update Cabinet as and when he sees fit.

The Head of Community Services chairs the Community Safety Strategy Group and has the lead officer responsibility for community safety and ASB. It is not considered necessary or beneficial to move staff between Community and Environment to align them with the lead officer. The TFG itself acknowledges that this does not negatively impact on day to day work as officers work well together.

This recommendation is already supported.

Recommendation 2

That the working of the Community Safety Partnership be reviewed and tightened up to provide a stronger focus on tackling ASB through the relevant Portfolio holder and Lead officer identified in recommendation 1 above.

Cabinet Response

The Council has two different, complementary roles in relation to crime and ASB. One relates to strategy, overall direction and planning of resources and is the role performed by the Community Safety Strategy Group. The other relates to the daily,

weekly and monthly allocation of staff to achieve specific tasks. This second role is carried out in partnership with TVP, via their close working with the WDC ASB Officer. It is not the role of the Strategy Group to tackle ASB on a daily basis. For information a map of the partnership landscape is provided at Appendix A.

ASB has consistently been one of the strategic priorities set out in each annual plan – it is not a sign of failure that it has remained so but of our continued focus on this as an issue of great importance to our residents. Cabinet knows that we have comparatively low levels of ASB but we are not complacent in our commitment to reduce levels still further.

The TFG cites the presence of other priorities in the annual plan as a sign that the focus on ASB is insufficiently strong. Residents expect us to address more than one area of work at a time and are perfectly right to do so. Cabinet cannot accept that we should lessen our focus on other significant crime types, such as domestic abuse, exploitation of the vulnerable, cybercrime, to solely focus on ASB.

This recommendation is partially supported in that the frequency of meetings of the CSSG will be increased to bi-monthly. It is hoped that the partnership map allays some of the concerns the TFG has about the focus on tasking.

Recommendation 3

WDC improve the quality of data and information in relation to ASB by

- a) Creating its own database of incidents from all partners, subject to appropriate data sharing considerations, similar to the Police Repeat ASB/Signal Crime Callers and Locations report,¹ plotting their locations precisely on a map, indicating exactly where and when they occurred.
- b) Developing performance measures to enable progress in tackling ASB to be monitored.

Cabinet response

The primary point of contact for members of the public reporting incidents of ASB is TVP. WDC and housing providers in the District together will have a much smaller volume of ASB reported to them in comparison. WDC could employ a data officer to collate data from housing providers who may have a much lower volume of incidents reported but the value of WDC collecting this data is uncertain. The TFG notes issues with how data is recorded by TVP call handlers but it is unreasonable to suggest that WDC has a role in addressing this when only TVP can do so in reality. Cabinet considers that while the Council would know that the true figure is slightly higher than that reported to TVP our focus must be on working with TVP to address the majority of ASB incidents that we actually have a mandate and ability to deal with. The ASB Officer works on an average of 20-30 incidents per month but over half of these were initially reported to TVP and are being dealt with in partnership with TVP.

TVP can plot data on maps for the majority of ASB incidents across the District and it is uncertain what benefit would be provided by WDC duplicating this. Under GDPR locations need to be suitably anonymised so that individuals cannot be identified.

TVP and WDC already set partnership targets to reduce current reported levels of crime and ASB, although the national and local trend is for increasing levels of both so recommendation 3b is already supported.

Recommendation 3a is not supported.

Recommendation 4

WDC consider the implications and options for closing public toilets on an experimental basis and also consider whether pubs and local businesses could be encouraged to allow members of the public to use their toilet facilities when needed.

Cabinet Response

Some of the public conveniences operated by the Council, particularly in High Wycombe town centre, are prone to anti-social behaviour, and are frequented by drug users. The frequency of this type of abuse of the facilities is variable (and in some cases appears to be seasonal) and further work will be undertaken to identify the worst. Investigative work will be undertaken by officers with the BidCo and town centre businesses to identify the potential for customer toilets to be made available for use by the wider public. The Council could positively publicise and provide information about those businesses that are willing to be part of any such scheme, and signage to identify these participating businesses could be developed.

This recommendation will be investigated further.

Recommendation 5

Enforcement

TVP should be encouraged to tackle ASB as follows:

- a) WDC support and encourage TVP to achieve their full manning levels in Wycombe District - to match the proposed investment in Street Wardens (see items 6 & 7 below).
- b) WDC support and encourage TVP to improve responsiveness to the 101 emergency number.
- c) WDC explore options for supporting TVP to carry out successful recruitment to vacant posts including the possible provision of free parking.
- d) the feasibility of the Council having access to a TVP computer should be explored.

Cabinet Response

- a) Cabinet understands that TVP staffing levels dipped after the last restructuring saw a number of longer-serving and experienced officers leave. Cabinet is pleased that both the Marlow and Risborough rural areas are now fully staffed. However it is disappointing that police officers do not choose High Wycombe as a place to make their mark.

With regard to promoting the role of Special Constable to staff the Council has its Employer Supported Volunteering Policy which provides: -

“Up to one day (7.24 hours) paid time off per year for employee supported volunteering (pro rata for part time staff) will be allowed. Volunteering time can be taken as a single day or over a number of days (up to 7.24 hours for a full-time employee, or equivalent hours representing one day's work for staff working reduced hours). Requests for paid time off for voluntary work will be subject to manager approval and business needs”

- b) Cabinet is aware of the long wait times people are experiencing with the TVP 101 number and the Leader has already expressed concern about this to the Chief Constable and it has been raised at the Police and Crime Panel.
- c) The Council does not provide free car parking to its own staff, only to those that have a requirement to use their cars regularly for work. TVP staff are in a different position in that their work vehicles are supplied for them so they need a supply of low cost all day parking. Passes for town centre car parks can be purchased by Thames Valley Police on behalf of staff and until May 2019, when the service is due for review, the Handy Cross Park and Ride can be used free of charge.
- d) Access to the TVP system could only be via public wifi, which is insufficiently secure. The ASB Officer has access to all police stations as well as access to the TVP system. He also regularly works over in High Wycombe police station.

This recommendation has been partially supported.

Recommendation 6

WDC should consider employing Street Wardens to enforce PSPOs, who would be directed by WDC officers, but would work closely with the Police. The location and number of street wardens to be determined according to need and best practice.

Cabinet Response

Cabinet does not accept that it should step in and fund street wardens BECAUSE there are insufficient police officers. TVP are better funded than WDC to police the District and their issue is not one of funding but difficulty in recruiting officers to work in one town within the District. The Council's role is to reduce ASB and improve the environment for visitors and residents, not to take on the role or work of the Police.

Having noted that, Cabinet supports this recommendation in principle but is mindful that, while there is positive evidence of their effectiveness, there are also some places where street wardens have not been the solution. Cabinet therefore agrees to implement a one year pilot for High Wycombe town centre, as this is the area where most incidents are reported, and will include funding to employ three FTEs within the 2019/20 budget. Cabinet agrees that it is vital that street wardens work effectively with TVP and the HWBidCo to swiftly identify and tackle town centre ASB.

This recommendation is partially supported and will be the subject of a more detailed proposal to Cabinet.

Recommendation 7

The appointment of Street Wardens be accompanied by a stricter enforcement of Fixed Penalty Notices (FPNs) to demonstrate that the Council will not tolerate ASB.

Cabinet Response

Cabinet wants our town centres to be welcoming, safe and attractive. There is a balance to be struck between using fines to deter anti-social behaviour and issuing large numbers of fines for other matters such as licensing, taxi licensing, waste management, littering, illegal street traders, parks by-laws, idling motor vehicles etc. that may deter regular users of our towns. While Cabinet notes that, in theory, it could issue a large enough volume of FPNs to cover the cost of street wardens, as the TFG suggests, it is mindful that issuing such a volume of FPNs may cause an adverse public reaction. Therefore Cabinet prefers to fully fund a pilot rather than set targets for issuing numbers of FPNs to fund the pilot.

Cabinet commits to using FPNs in a responsible manner to tackle those issues that are of most concern to our residents and visitors.

This recommendation is partially supported.

Recommendation 8

FPNs continue to be issued even if only PCs and the Council's own ASB officer are authorised to issue them.

Cabinet Response

This recommendation is already supported. The Desborough PSPO has been in place, with minor revision, since it was agreed. The town centre PSPO has been revised, consultation has been completed and the revised PSPO is in place. This has not prevented WDC and TVP from issuing FPNs.

Recommendation 9

WDC put more resources into the understanding of these links (between begging, mental health and substance misuse), and actively support those agencies working to alleviate the problems.

Cabinet response

Relevant Portfolio Holders and officers within Housing, Community Services and Environmental Services are aware of the complex, multiple issues relating to vulnerable people within our town centres. The TFG encourages Cabinet to explore whether services designed to support people with addiction problems are coping, and if not why not. The TFG may not be aware that Bucks County Council is responsible for the commissioning of such treatment services locally.

The recommendation is not supported as this is not a service WDC has responsibility for. The TFG's observations will be shared with the County Council.

Recommendation 10

Communications

The Council has a co-ordinated campaign, with partners, in relation to street begging involving posters, banners, press, social media and radio to cover the whole of the District, the purpose of which would be not only to educate the public as to what the Council is doing, but also to try to remove the source of funding in the hope that it may persuade beggars to seek help from agencies and deter begging.

Cabinet Response

Cabinet has supported the HWBidCo's Sensible Change scheme to divert funding from beggars to charities and others that are in a position to provide the support people need to turn their lives around. Cabinet is keen to work with the new BidCo Manager to reinvigorate this campaign and the Communications Team is already working with Community Safety officers to publicise this area of work.

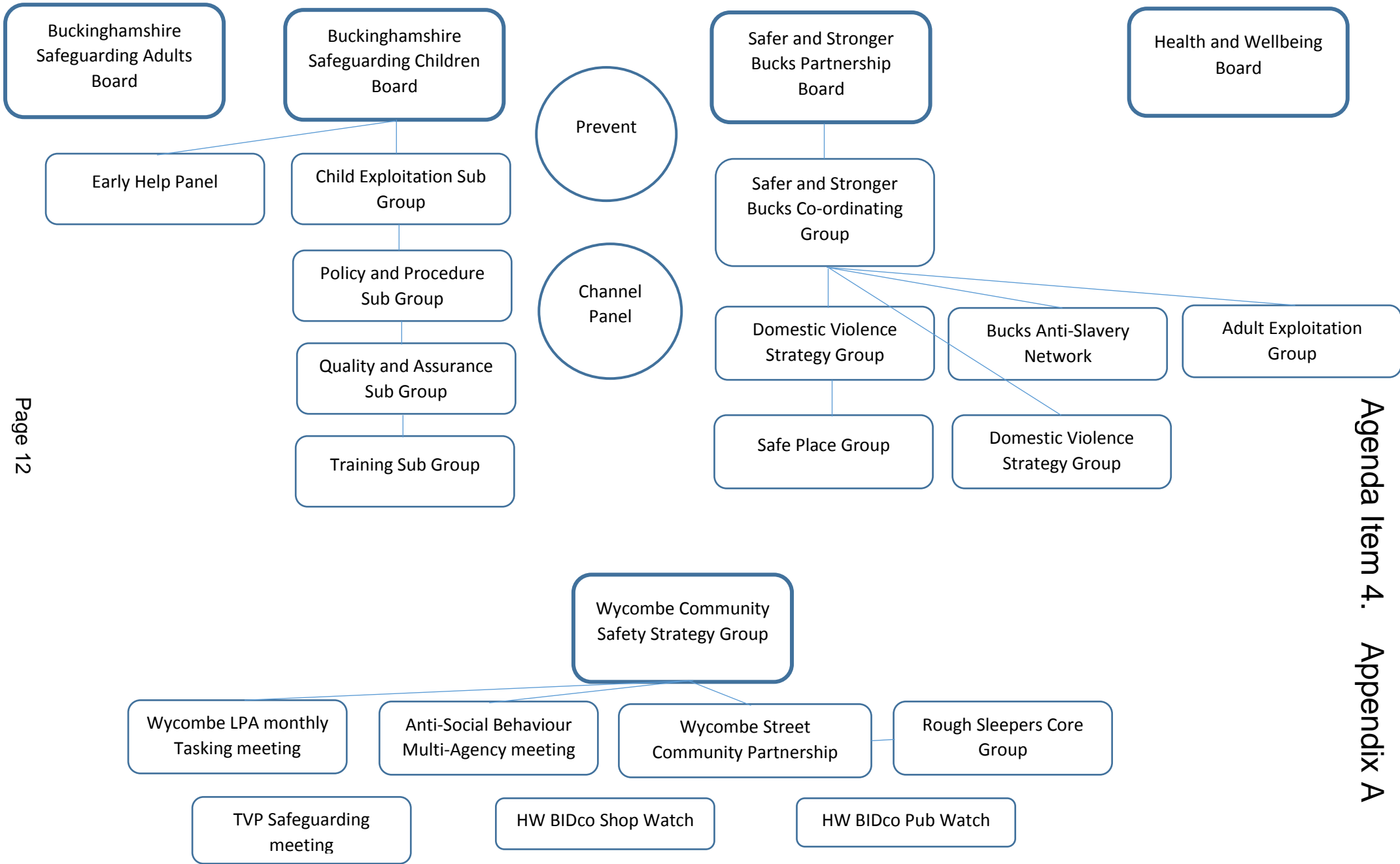
The recommendation is supported.

Background Papers

Improvement & Review Commission papers – 12 September 2018

Cabinet papers – 17 September 2018

Held in Democratic Services



Agenda Item 5.

USE OF SECTION 106 AFFORDABLE HOUSING FUNDS

Cabinet Member: Councillor Mrs Julia Langley

Wards Affected: All

Officer contact: Brian Daly Ext:3601

Email:brian.daly@wycombe.gov.uk

RECOMMENDATION TO COUNCIL

That:

(i) funding of £1,051,200 be awarded to Buckinghamshire Housing Association on the terms set out in paragraph 20 below;

(ii) funding of £1,200,000 be awarded to the Hightown Housing Association on the terms set out in paragraph 21 below;

(iii) the funding is to be provided from accrued S106 Affordable Housing contributions;

(iv) the award to Buckinghamshire Housing Association is to be paid in instalments as each property is purchased, within 12 months of completion of a funding agreement between the Council and the association;

(v) the award to Hightown Housing Association is to be paid in instalments, the final payment to be upon handover of the completed homes which are subject to a funding agreement to be completed between the Council and the association; and

(vi) the Head of Environment be granted delegated powers to enter into the funding agreements on the basis of the terms set out in this report.

Reason for Decision

The use of these funds will provide 27 much needed additional affordable housing properties for rent in the District, by utilising accrued funds secured through S106 agreements in lieu of on-site affordable housing on previous developments, and within the required timescales required for use of the funding.

Corporate Implications

1. The Council has a statutory duty to operate a housing allocations scheme, publish a summary of it, and allocate housing in accordance with that scheme.
2. Financial contributions in lieu of affordable housing have been negotiated for some developments through section 106 agreements under the Town and Country Planning Act 1990 (as amended). These funds must be spent in accordance with the terms of the relevant section 106 agreements.

Executive Summary

3. Cabinet is requested to approve funding awards to Buckinghamshire Housing Association and Hightown Housing Association in exchange for 100% nomination rights in perpetuity for 27 additional homes available at social or affordable rents, such exclusive rights to be registered with HM Land Registry.

4. Buckinghamshire Housing Association has requested grant funding totalling £1,051,200 in return for nomination rights in perpetuity for 8 two bedroom units which will be purchased from the market.
5. These units will be refurbished to a decent lettable standard and then offered to applicants on WDC's housing register at **social rents**.
6. Hightown Housing Association has requested a grant of £1,200,000 in return for nomination rights in perpetuity for 19 units of affordable housing, comprising 7 one bedroom units, and 12 two bedroom units. All of these will be new build and will be let at **affordable rents** to applicants on the housing register. Further information is set out in exempt **Appendix A**.
7. Buckinghamshire Housing Association is seeking a higher contribution from the Council per unit as it does not have any Recycled Capital Grant Fund (RCGF) available and it will also be charging **social rents** which are significantly less than market rents.
8. The Council has secured financial contributions through S106 agreements in lieu of on-site housing provisions for a number of developments in the district. These funds can only be used for additional affordable housing delivery in the district and must be spent within 10 years of collection.
9. If Cabinet approves the recommendation, WDC will be able to access more affordable accommodation for applicants on the statutory housing register.
10. If approved, the recommendation will enable the allocation and effective use of a significant proportion of the accrued S106 developer contributions for the agreed purpose of facilitating the provision of affordable housing for rent.
11. Failure to use the accrued S106 funding within the agreed timescales (usually 10 years) may result in the Council making repayments to the developers with accrued interest. Handover is estimated to be the end of the financial year 2020/21.

Background to S106 Affordable Housing Funds

Table 1 – Total funds available for the provision of affordable housing.

<i>Date Funding Rec'd</i>	<i>Source of Funding (planning reference)</i>	
-	INTEREST ON SECTION 106 Funds	-£39,646.62
May 2012	10/05635/FUL 162-166 LITTLE MARLOW	-£160,000.00
Sept 2016	14/08128/FUL Ruskin Buildings Oakridge R	-£49,538.46
Feb 2017	GreenLife Properties Ltd S106	-£1,000,000.00
Jan 2013	07/06085 Great Marlow School Bobmore Ln	-£252,500.00
Mar 2013	09/06041 2,4 & 6 Wellington Rd PRisbo	-£419,000.00
April 2014	10/05413/FUL 37 - 43 GREEN STREET	-£48,900.00
Nov 2014	13/08109/FUL FORMER PARADE COURT, BOURNE	-£52,254.10
Feb 2015	14/05473/FUL FORMER CULVER GRAPHICS	-£87,811.00
June 2017	16/07349/FUL Greensleeves Aylesbury RdPR	-£400,000.00
Feb 2018	15/06860/FUL Careys New Homes	-£168,701.00
April 2018	Marlow Police Station, Dean Street, Marlow	-£491,416.00
	TOTAL	-£3,169,767.18

12. Members have previously allocated S106 funding spending £1m in 2017/18 to secure nomination rights in perpetuity on 8 properties. In this instance the Council funded a housing association to purchase the properties and completed in 2017.
13. The remaining S106 funds must be spent within 10 years from date of receipt, with the oldest funding being received in May 2012.
14. Legal Services have confirmed that these funds may only be used for additional affordable housing and cannot be used for any other purpose.
15. The appropriate Finance and Planning Officers have confirmed the availability of accrued unallocated funding totalling £3,169,767.18.

Sustainable Community Strategy/Council Priorities - Implications

16. This proposal aligns with the Council's People and Place priorities.

Background

Housing Need in the District

17. As at the end of September 2018, there were approximately 1,300 households on the housing register with varying degrees of housing need. Approximately 970 households were seeking general needs housing and 330 households were seeking accommodation designated for the over 55's (aged persons accommodation).
18. Nearly 75% of those awaiting general needs housing are considered to be overcrowded, lacking at least one bedroom, are sharing with other family members or residing in HMO type properties. Of those waiting for general needs housing (non-aged persons), 98% require either 1, 2 or 3 bedroom homes.
19. The number of units to be delivered by the proposed schemes will provide 27 homes made up of 7 one bedroom units and 20 two bedroom units.

Proposals

20. Buckinghamshire Housing Association has requested funding totalling £1,051,200 in return for nomination rights in perpetuity to 8 two bedroom units for letting at **social rents**.
21. Hightown Housing Association have requested a grant of £1,200,000 in return for nomination rights in perpetuity for 19 units comprising 7 one bedroom units, and 12 two bedroom units. All of these will be new build and will be let at **affordable rents**.
22. The above equates to awards of approx. £131,400 per unit for Buckinghamshire Housing Association and £63,000 per unit for Hightown.
23. The main reason for the difference in funding requested is that Hightown intends to charge affordable rents and these may be up to 80% of market rents. However, the rents will be capped at Local Housing Allowance (LHA) levels, as Hightown also plans to utilise recycled capital grant fund (RCGF) to cover some of the costs of the scheme.
24. Buckinghamshire Housing Association is seeking a higher contribution from the Council per unit as it does not have any RCGF available and it will also be charging **social rents** which are significantly less than market rents.

Table 2: Comparison between the average social rent in 2016/17 and current LHA levels (Chiltern LHA rate used)

Accommodation	LHA per week	Social Rent charged by Bucks Housing currently	Difference Between Social rent And LHA per week
1 bedroom self-contained	£145.43	£95 (flat) £100 (house)	Social Rent lower by £50.43 per week for flat and lower by £45.43 for a one bed house
2 bedrooms	£187.92	£105 (flat) £120 (house)	Social Rent lower by £82.92 per week for a flat and £67.92 per week lower for a house.
3 bedrooms	£236.34	£128	Social Rent lower by £108.34 per week
4 bedrooms	£344.05	£145	Social Rent lower by £199.05 per week

25. Therefore, the difference in funding levels requested per property should be considered in the context of the amount of rent to be charged for each unit by Hightown and by Bucks Housing Association. For two bedroom flats, Hightown will receive rent at a rate of £82.92 per week more than Bucks Housing.

Options

26. Cabinet may choose not to award funding to one or both parties, however Members need to be mindful of the time constraints in that the first deadline for spending the accrued S106 funds is May 2022.
27. Cabinet may choose to award the funding requested to both parties, thereby delivering additional affordable housing in the district.
28. Cabinet may await approaches from other Registered Providers of Housing (RP's) instead of awarding the funding requests, however Members need to be mindful that no other fully developed requests for funding have been received from the RP's despite the availability of funding being made known to Registered Providers operating in the district.

Conclusions

29. Officers recommend that Cabinet approves the funding awards to both Registered Providers as they offer good value, provide access to much needed affordable housing in the district, and will utilise the accrued funds for the intended purpose.

Next Steps

30. Should Cabinet approve funding for the Buckinghamshire Housing Association and Hightown Housing Association proposals for £1,051,200 and £1,200,000 respectively, officers will then enter into contractual arrangements with both parties.

Background Papers

None

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Agenda Item 5. Appendix A

Document is Restricted

Agenda Item 6.

TREASURY MANAGEMENT MID-YEAR REPORT 2018/19

Cabinet Member: Councillor D Watson

Wards affected: All

Officer Contact: David Skinner Ext:3322

Email: David.Skinner@wycombe.gov.uk

PROPOSED DECISION

Subject to any observations from the Audit Committee, that the treasury management mid-year report for 2018/19, covering the period 1 April 2018 to 30 September 2018 be considered and noted.

Reason for Decision

To promote effective financial management and comply with the Local Authorities (Capital Finance and Accounting) Regulations 2003 and other relevant guidance.

The Audit Committee is responsible for ensuring effective scrutiny of the Treasury Management Strategy.

Corporate Implications

1. The financial implications are contained within this report.
2. The main financial risks to the Council have been reviewed as part of this report.

Executive Summary

3. The purpose of this report is specifically to meet the requirements of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management (revised 2011).
4. This is a mid-year report of Treasury Management activities. The report details progress during the year against the Strategy approved by Council on 22 February 2018.
5. It is recommended that the committee considers and notes the report. This report will be considered by the Cabinet on 12th November 2018.

Council Priorities

6. Treasury management activity plays a significant part in supporting the delivery of all the Council's corporate priorities.

Background

7. The Council operates a balanced budget, which broadly means cash raised during the year will meet its cash expenditure. Part of the treasury management operations ensure this cash flow is adequately planned, with surplus monies being invested in low risk counterparties, providing adequate liquidity initially before considering optimising investment return.
8. The second main function of the treasury management service is the funding of the Council's capital plans. These capital plans provide a guide to the borrowing need of the Council, essentially the longer term cash flow planning to ensure the Council can meet its capital spending operations. This management of longer term cash may involve arranging long or short term loans, or using

longer term cash flow surpluses, and on occasion any debt previously drawn may be restructured to meet Council risk or cost objectives.

9. Accordingly, treasury management is defined as:

“The management of the local authority’s investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.”
10. The Chartered Institute of Public Finance and Accountancy’s (CIPFA) Code of Practice on Treasury Management (revised 2011) has been adopted by this Council.
11. The primary requirements of the Code are as follows:
 - a. Creation and maintenance of a Treasury Management Policy Statement which sets out the policies and objectives of the Council’s treasury management activities.
 - b. Creation and maintenance of Treasury Management Practices which set out the manner in which the Council will seek to achieve those policies and objectives.
 - c. Receipt by the full council of an annual Treasury Management Strategy Statement - including the Annual Investment Strategy and Minimum Revenue Provision Policy - for the year ahead, a Mid-year Review Report and an Annual Report (stewardship report) covering activities during the previous year.
 - d. Delegation by the Council of responsibilities for implementing and monitoring treasury management policies and practices and for the execution and administration of treasury management decisions.
 - e. Delegation by the Council of the role of scrutiny of treasury management strategy and policies to a specific named body. For this Council the delegated body is The Audit Committee.
12. The purpose of this report is specifically to meet the mid-year reporting requirements and covers the following for the financial year 2018/19:
 - A review of the Treasury Management Strategy Statement (TMSS) (paragraph 13);
 - The Council’s Capital Expenditure and Prudential Indicator (paragraphs 14 to 18);
 - A review of the Council’s Investment Portfolio & Review of Investment Strategy (Paragraphs 19 to 23);
 - A review of the Council’s Borrowing Strategy and debt rescheduling (Paragraphs 24 to 26);
 - Other updates (Paragraphs 27 to 29)
 - An economic update (Appendix A);

Treasury Management Strategy Statement

13. The TMSS was approved by the Council on 22nd February 2018. There are no policy changes to the TMSS; the details in this report update the position in the light of the updated economic position and budgetary changes already approved.

The Council's Capital Position

14. This part of the report provides an update on:

- The Council's capital expenditure and funding plans;
- The impact of the changes in the capital expenditure plans on the prudential indicators and the underlying need to borrow; and
- Compliance with the limits in place for borrowing activity.

Capital expenditure and funding

15. The table below shows the revised estimates for capital expenditure and the expected financing arrangement for the capital expenditure.

Table 1

2018/19	Approved Programme (February 2018 Council) £000	Revised Programme £000	Forecast Outturn £000
Capital expenditure			
Community	2,111	683	830
Economic Development & Regeneration	17,856	13,392	13,596
Housing	5,038	2,232	2,232
CIL, S106 & other External funding	18,589	6,851	6,815
Planning & Sustainability	153	153	127
HR, ICT & Customer Services	1,148	795	795
Leader	463	463	460
Capitalisation of Staff cost		308	308
Total	45,358	24,877	25,163
Financed by:			
Capital receipts	20,720	16,810	15,996
Capital grants	8,595	1,480	1,480
CIL & Section106	10,900	6,587	7,687
Revenue	5,143	-	-
Total	45,358	24,877	25,163

Prudential Indicators

16. The table shows :-

- **Capital Financing Requirement (CFR)** – The CFR measures the extent to which capital expenditure has not yet been financed from either revenue or capital resources. It is essentially a measure of the Council's indebtedness and so it's underlying borrowing need. Any capital expenditure, which has not immediately been financed or paid for, will increase the CFR.
- **Authorised Limit for External Debt** – This is the limit prescribed by section 3(1) of the Local Government Act 2003 representing the maximum level of borrowing which the Council may incur. It reflects the level of external debt which, while not desired, could be afforded in the short term, but may not be sustainable in the longer term.
- **Operational Boundary** – This is the limit which external debt is not normally expected to exceed. The boundary is based on current debt plus anticipated net financing need for future years.

Capital Financing Requirements	2018/19	2018/19	2018/19
	Approved	Revised	Forecast
	£m	£m	£m
Gross Projected Debt	1.606	1.606	1.606
CFR 31st March	4.894	4.873	4.873
Under borrowing	3.288	3.267	3.267
Borrowing and Investment Limits	2018/19	2018/19	2018/19
	Approved	Revised	Forecast
	£m	£m	£m
Authorised Limit for external debt			
Borrowing and other long term liabilities	10	10	10
Operational Boundary for external debt			
Borrowing	3	3	3
Other long term liabilities	2	2	2
Total	5	5	5
Upper limit for fixed interest rate exposure			
Net principal re fixed rate borrowing	3	2	0
Upper limit for variable rate exposure			
Net principal re variable rate borrowing	0	0	0
Upper limit for principal sums invested over 364 days	40	40	40

Compliance with limits for borrowing activity

17. The first key control over the treasury activity is a prudential indicator to ensure that over the medium term, net borrowing will only be for a capital purpose. Gross external borrowing should not, except in the short term, exceed the total CFR in the preceding year plus the estimates of any additional CFR for 2018/19 and next two financial years.
18. The Head of Finance and Commercial reports that no difficulties are envisaged for the current or future years in complying with this prudential indicator. This view takes into account current commitments, existing programme and the proposals in the budget report.

Investment Portfolio

19. As at 30 September 2018, the Council did not have any external borrowing and the treasury investments were £86.8m earning an average rate of return at 1.03%. The Treasury position as at 30 September 2018 is summarised in the table below:-

	As at September 18		As at March 18	
	£m	%	£m	%
Specified Investments (up to 1 year)				
Banks & Building Societies	50.5	58%	39.55	49%
Local Authorities	5.0	6%	0.0	0%
Money Market Funds	10.8	12%	15.0	19%
Non-Specified Investments (longer than 1 year)				
Local Authorities	13.0	15%	13	16%
Property Fund	7.5	9%	7.5	9%
Gilt	0.0	0%	4.98	7%
Total Investments	86.8	100%	80.03	100%

20. The Council's budgeted investment return for 2018/19 is £539k, and performance for the year to date is above budget generating a favourable variance of £200k due to better returns than budgeted and the cash balance higher than expected due to delays in spend on the Capital Programme. The average investment return during the first six months is 1.03% compared to the 3 month LIBOR rate of 0.73% as summarised in the table below:-

Returns	Sep-18	Mar-18
Benchmark 7 day LIBID	0.43%	0.21%
Benchmark 3 month LIBOR	0.73%	0.41%
Actual	1.03%	0.73%

London Interbank Bid Rate (LIBID) – The rate at which a bank is willing to borrow from other banks.

London Interbank Offered Rate (LIBOR) – It is the average of interest rates estimated by each of the leading banks in London that it would be charged were it to borrow from other banks.

21. Council has invested £7.500m in the CCLA Property Fund in December 2017. The Dividend is paid quarterly in arrears net of management charges and the returns up to the 2nd quarter of 2018/19 are summarised below:-

Period	Net Dividend	% Net yield on Original Investment of £7.5m	% Net yield on Net Investment (less cost) of £7.025m	% Net yield on Bid Value of Investment £7.099m (September 18)
2017/18 (4 months)	105,626.44	4.23%	4.51%	4.51%
2018/19 1st Quarter	77,908.99	4.16%	4.44%	4.40%
2018/19 2nd Quarter	75,220.84	4.01%	4.28%	4.24%

22. The Treasury activity has been in compliance with the investment strategy and during the first six months of the year there have been no instances of breach of counter parties.

Review of Investment Strategy

23. In accordance with the Code, it is the Council's priority to ensure security of capital and liquidity, and to obtain an appropriate level of return which is consistent with the Council's risk appetite. As shown by forecasts in economic update in appendix A, it is a very difficult investment market in terms of earning the level of interest rates commonly seen in previous decades as rates are very low and in line with the current 0.75% Bank Rate. Given the fact that increases in Bank Rate are likely to be gradual and unlikely to return to the levels seen in previous decades, investment returns are likely to remain low.

Review of Borrowing Strategy and Debt Rescheduling

24. The Council does not have any external borrowing and none has been taken out during the six months period to 30 September 2018.
25. With low interest rates and counter party risks, the Council's strategy continues to utilise internal borrowing to support the capital programme.
26. As the Council is debt free, there are no debt rescheduling opportunities to consider.

Other Updates

27. **UK Banks – ring fencing**

The largest UK banks, (those with more than £25bn of retail / Small and Medium-sized Enterprise (SME) deposits), are required, by UK law, to separate core retail banking services from their investment and international banking activities by 1st January 2019. This is known as “ring-fencing”. Ring-fencing is a regulatory initiative created in response to the global financial crisis. It mandates the separation of retail and SME deposits from investment banking, in order to improve the resilience and resolvability of banks by changing their structure. In general, simpler, activities offered from within a ring-fenced bank, (RFB), will be focused on lower risk, day-to-day core transactions, whilst more complex and “riskier” activities are required to be housed in a separate entity, a non-ring-fenced bank, (NRFB). This is intended to ensure that an entity’s core activities are not adversely affected by the acts or omissions of other members of its group. While the structure of the banks included within this process may change, the fundamentals of credit assessment would not. The Council will continue to assess the new-formed entities in the same way that it does others and those with sufficiently high ratings, (and any other metrics considered), will be considered for investment purposes.

28. **IFRS 9 Accounting Standard – Financial Instrument**

This accounting standard came into effect from 1st April 2018. It means that the category of investments valued under the available for sale category will be removed and any potential fluctuations in market valuations may impact onto the Surplus or Deficit on the Provision of Services, rather than being held on the balance sheet. This change is unlikely to materially affect the commonly used types of treasury management investments but more specialist types of investments, (e.g. pooled funds, third party loans, commercial investments), are likely to be impacted. Currently the Council holds an investment of £7.5m in Property Pooled Fund which will be impacted by the new accounting standard.

29. The Ministry of Housing, Communities and Local Government (MHCLG), are currently conducting a consultation for a temporary override to allow English local authorities to adjust their portfolio of investments. Members will be updated on the potential impact for WDC when the result of this consultation is known.

Background papers: Treasury Management strategy approved by Council in February 2018.

Agenda Item 6. Appendix A

Economics and interest rates

Economics update

UK. The first half of 2018/19 has seen UK **economic growth** post a modest performance, but sufficiently robust for the Monetary Policy Committee, (MPC), to unanimously (9-0) vote to increase **Bank Rate** on 2nd August from 0.5% to 0.75%. Although growth looks as if it will only be modest at around 1.5% in 2018, the Bank of England's August Quarterly Inflation Report forecast that growth will pick up to 1.8% in 2019, albeit there were several caveats – mainly related to whether or not the UK achieves an orderly withdrawal from the European Union in March 2019.

Some MPC members have expressed concerns about a build-up of **inflationary pressures**, particularly with the pound falling in value again against both the US dollar and the Euro. The Consumer Price Index (CPI) measure of inflation rose unexpectedly from 2.4% in June to 2.7% in August due to increases in volatile components, but is expected to fall back to the 2% inflation target over the next two years given a scenario of minimal increases in Bank Rate. The MPC has indicated Bank Rate would need to be in the region of 1.5% by March 2021 for inflation to stay on track. Financial markets are currently pricing in the next increase in Bank Rate for the second half of 2019.

As for the **labour market**, unemployment has continued at a 43 year low of 4% on the Independent Labour Organisation measure. A combination of job vacancies hitting an all-time high in July, together with negligible growth in total employment numbers, indicates that employers are now having major difficulties filling job vacancies with suitable staff. It was therefore unsurprising that wage inflation picked up to 2.9%, (3 month average regular pay, excluding bonuses) and to a one month figure in July of 3.1%. This meant that in real terms, (i.e. wage rates higher than CPI inflation), earnings grew by about 0.4%, near to the joint high of 0.5% since 2009. (The previous high point was in July 2015.) Given the UK economy is very much services sector driven, an increase in household spending power is likely to feed through into providing some support to the overall rate of economic growth in the coming months. This tends to confirm that the MPC were right to start on a cautious increase in Bank Rate in August as it views wage inflation in excess of 3% as increasing inflationary pressures within the UK economy. However, the MPC will need to tread cautiously before increasing Bank Rate again, especially given all the uncertainties around Brexit.

In the **political arena**, there is a risk that the current Conservative minority government may be unable to muster a majority in the Commons over Brexit. However, our central position is that Prime Minister May's government will endure, despite various setbacks, along the route to Brexit in March 2019. If, however, the UK faces a general election in the next 12 months, this could result in a potential loosening of monetary policy and therefore medium to longer dated gilt yields could rise on the expectation of a weak pound and concerns around inflation picking up.

USA. President Trump's massive easing of fiscal policy is fuelling a (temporary) boost in consumption which has generated an upturn in the rate of strong growth which rose from 2.2%, (annualised rate), in quarter 1 to 4.2% in quarter 2, but also an upturn in inflationary pressures. With inflation moving towards 3%, the Fed increased rates another 0.25% in September to between 2.00% and 2.25%, this being four increases in 2018, and indicated they expected to increase rates four more times by the end of 2019. The dilemma, however, is what to do when the temporary boost to consumption wanes, particularly as the recent imposition of tariffs

Appendix A

on a number of countries' exports to the US, (China in particular), could see a switch to US production of some of those goods, but at higher prices. Such a scenario would invariably make any easing of monetary policy harder for the Fed in the second half of 2019.

EUROZONE. Growth was unchanged at 0.4% in quarter 2, but has undershot early forecasts for a stronger economic performance in 2018. In particular, data from Germany has been mixed and it could be negatively impacted by US tariffs on a significant part of manufacturing exports e.g. cars. For that reason, although growth is still expected to be in the region of 2% for 2018, the horizon is less clear than it seemed just a short while ago.

CHINA. Economic growth has been weakening over successive years, despite repeated rounds of central bank stimulus; medium term risks are increasing. Major progress still needs to be made to eliminate excess industrial capacity and the stock of unsold property, and to address the level of non-performing loans in the banking and credit systems.

JAPAN - has been struggling to stimulate consistent significant GDP growth and to get inflation up to its target of 2%, despite huge monetary and fiscal stimulus. It is also making little progress on fundamental reform of the economy.

Interest rate forecasts

The Council's treasury advisor, Link Asset Services, has provided the following forecast:

Link Asset Services Interest Rate View											
	Sep-18	Dec-18	Mar-19	Jun-19	Sep-19	Dec-19	Mar-20	Jun-20	Sep-20	Dec-20	Mar-21
Bank Rate View	0.75%	0.75%	0.75%	0.75%	1.00%	1.00%	1.00%	1.25%	1.25%	1.50%	1.50%
3 Month LIBID	0.75%	0.80%	0.80%	0.90%	1.10%	1.10%	1.20%	1.40%	1.50%	1.60%	1.60%
6 Month LIBID	0.85%	0.90%	0.90%	1.00%	1.20%	1.20%	1.30%	1.50%	1.60%	1.70%	1.70%
12 Month LIBID	1.00%	1.00%	1.00%	1.10%	1.30%	1.30%	1.40%	1.60%	1.70%	1.80%	1.80%
5yr PWLB Rate	2.00%	2.00%	2.10%	2.20%	2.20%	2.30%	2.30%	2.40%	2.50%	2.50%	2.60%
10yr PWLB Rate	2.40%	2.50%	2.50%	2.60%	2.70%	2.70%	2.80%	2.90%	2.90%	3.00%	3.10%
25yr PWLB Rate	2.80%	2.90%	3.00%	3.10%	3.10%	3.20%	3.30%	3.30%	3.40%	3.50%	3.50%
50yr PWLB Rate	2.60%	2.70%	2.80%	2.90%	2.90%	3.00%	3.10%	3.10%	3.20%	3.30%	3.30%

The flow of generally positive economic statistics after the end of the quarter ended 30 June meant that it came as no surprise that the MPC came to a decision on 2 August to make the first increase in Bank Rate above 0.5% since the financial crash, to 0.75%. However, the MPC emphasised again, that future Bank Rate increases would be gradual and would rise to a much lower equilibrium rate, (where monetary policy is neither expansionary or contractionary), than before the crash; indeed they gave a figure for this of around 2.5% in ten years' time but they declined to give a medium term forecast. We do not think that the MPC will increase Bank Rate in February 2019, ahead of the deadline in March for Brexit. We also feel that the MPC is more likely to wait until August 2019, than May 2019, before the next increase, to be followed by further increases of 0.25% in May and November 2020 to reach

1.5%. However, the cautious pace of even these limited increases is dependent on a reasonably orderly Brexit.

The balance of risks to the UK

- The overall balance of risks to economic growth in the UK is probably neutral.
- The balance of risks to increases in Bank Rate and shorter term PWLB rates, are probably also even and are broadly dependent on how strong GDP growth turns out, how slowly inflation pressures subside, and how quickly the Brexit negotiations move forward positively.

Downside risks to current forecasts for UK gilt yields and PWLB rates currently include:

- Bank of England monetary policy takes action too quickly over the next three years to raise Bank Rate and causes UK economic growth, and increases in inflation, to be weaker than we currently anticipate.
- A resurgence of the Eurozone sovereign debt crisis, possibly Italy, due to its high level of government debt, low rate of economic growth and vulnerable banking system, and due to the election in March of a government which has made a lot of anti-austerity noise. This is likely to lead to friction with the EU when setting the target for the fiscal deficit in the national budget. Unsurprisingly, investors have taken a dim view of this and so Italian bond yields have been rising.
- Austria, the Czech Republic and Hungary now form a strongly anti-immigration bloc within the EU while Italy, this year, has also elected a strongly anti-immigration government. In the German general election of September 2017, Angela Merkel's CDU party was left in a vulnerable minority position as a result of the rise of the anti-immigration AfD party. To compound this, the result of the Swedish general election in September 2018 has left an anti-immigration party potentially holding the balance of power in forming a coalition government. The challenges from these political developments could put considerable pressure on the cohesion of the EU and could spill over into impacting the euro, EU financial policy and financial markets.
- The imposition of trade tariffs by President Trump could negatively impact world growth. President Trump's specific actions against Turkey pose a particular risk to its economy which could, in turn, negatively impact Spanish and French banks which have significant exposures to loans to Turkey.
- Weak capitalisation of some European banks.
- Rising interest rates in the US could negatively impact emerging countries which have borrowed heavily in dollar denominated debt, so causing an investor flight to safe havens e.g. UK gilts.
- Geopolitical risks, especially North Korea, but also in Europe and the Middle East, which could lead to increasing safe haven flows.

Upside risks to current forecasts for UK gilt yields and PWLB rates

- President Trump's fiscal plans to stimulate economic expansion causing a significant increase in inflation in the US and causing further sell offs of government bonds in major western countries.

Appendix A

- The Fed causing a sudden shock in financial markets through misjudging the pace and strength of increases in its Fed. Funds Rate and in the pace and strength of reversal of QE, which then leads to a fundamental reassessment by investors of the relative risks of holding bonds, as opposed to equities. This could lead to a major flight from bonds to equities and a sharp increase in bond yields in the US, which could then spill over into impacting bond yields around the world.
- The Bank of England is too slow in its pace and strength of increases in Bank Rate and, therefore, allows inflation pressures to build up too strongly within the UK economy, which then necessitates a later rapid series of increases in Bank Rate faster than we currently expect.
- UK inflation, whether domestically generated or imported, returning to sustained significantly higher levels causing an increase in the inflation premium inherent to gilt yields.

Agenda Item 7.

BUDGET MONITORING REPORT FOR PERIOD 6 ENDING 30 SEPTEMBER 2018

Cabinet Member: Councillor David Watson

Wards Affected: All

Officer contact: David Skinner Ext: 3322

Email: David.skinner@wycombe.gov.uk

PROPOSED DECISION

- (i) That Cabinet consider the forecast outturn position for the financial year 2018/19 as at end of September 2018;
- (ii) Approve the revenue virements as detailed in paragraph 5; and
- (iii) Approve the revised capital programme for 2018/19 as set out in paragraph 16 table 1 and virements as detailed in paragraph 20.

Reason for Decision

The Cabinet approves a budget each year within the context of a Medium Term Financial Strategy (MTFS) to achieve the Council's priorities. This report updates Cabinet members on the 2018/19 forecast position as at Period 6.

Corporate Implications

1. The financial implications are set out in the report.
2. Under the Local Government Act 2003, the Chief Financial Officer is required to report on the robustness of the budget. This monitoring report is part of the Council's financial framework which supports this wider responsibility.
3. The main budgetary risks to the Council have been reviewed as part of this report.

Executive Summary

4. This report sets out the Council's financial position as at Period 6 2018/19 (30 September 2018). The Cabinet report reflects what has been reported to Senior Management Board.
5. There have been changes to the Personal Assistant and Business Support service which has now been consolidated within the Democratic, Policy & Legal service area. These changes are reflected in the outturn position reported in table under paragraph 9 and the virement for the same is summarised below for approval.

	Description	Reason	Amount £000
From	Community	Restructure of Personal Assistant and Business Support services	-18
From	Environment		-19
From	Finance		-72
From	Planning		-18
To	Democratic, Legal & Policy		127

6. As at period 6, the revenue position is forecasting a favourable variance of £84k as detailed in table under paragraph 9.

7. The capital programme has been re-profiled further by £16.802m reducing the current year programme to £24.877m. Further details are provided in paragraphs 16 to 20.
8. The forecast financial position is summarised in the main body of the report supported by further details in following appendices:
 - a. The progress in achieving the 2018/19 Efficiency Plan savings Appendix A;
 - b. The Capital Programme Appendix B CAP 1(Part II);
 - c. Scheme Re-profiling Appendix B CAP 2(Part II); and
 - d. Capital Receipt Appendix B CAP 3(Part II)

General Fund Revenue position

9. The net revenue forecast position at Period 6 (30 September 2018) is showing a favourable variance of £84k as summarised in the table below.

	YTD Budget £000s	YTD Actuals £000s	YTD Variance £000s	FY Budget £000s	FY Outturn £000s	Variance £000s
Community	1,554	1,556	2	2,980	2,999	19
Economic Development & Regeneration	(2,292)	(3,069)	(777)	(4,240)	(4,233)	6
Environment	3,285	3,029	(255)	6,495	6,640	145
Finance	1,185	133	(1,052)	2,349	2,518	169
Housing	158	34	(124)	2,567	2,434	(133)
HR, Digital Development & Customer Services	766	132	(634)	630	583	(46)
Democratic, Legal & Policy	1,307	1,235	(72)	2,755	2,690	(65)
Planning & Sustainability	1,547	1,432	(115)	3,416	3,472	56
Young People	39	0	(39)	78	43	(35)
Net Cost of Service	7,549	4,484	(3,065)	17,030	17,146	116
Interest Receipt				(539)	(739)	(200)
Capital Financing Charges				(2,193)	(2,193)	0
Net movement to/from Earmarked Reserves				(587)	(587)	0
Revenue Contribution to Capital				685	685	0
Payment to Parishes				94	94	0
Total Budget Requirement				14,490	14,406	(84)

10. The Cost of Services is anticipating a net overspend of £116k and significant variances are summarised below:-
 - a. **Community** – The adverse variance of £19k is mainly due to withdrawal of Prevent project grant (£100k) offset by additional income on CCTV and vacancy management across the service.
 - b. **Economic Development and Regeneration** – The overall position is a minor adverse variance of £6k.
 - c. **Environment** – This area is forecasting an overspend of £145k mainly due to the reduction in car parking income of £136k resulting from Penalty Charge Notice (£100k) and lower season ticket sales. In addition to this there is an increase in vandalism costs of £86k due to theft on car parking machines and additional security costs which is offset by £54k savings on Agency staff. There are other minor variances across the service.
 - d. **Finance** – The projected outturn is an adverse variance of £162k resulting mainly from staffing cost of £106k due to additional agency resource to

support the capital programme and vacancies being filled by interim staff pending finance restructure. This is offset by favourable variance on Housing Benefit staffing cost due to remote processing. The Housing Benefit remote processing is estimating an adverse variance of £177k which is funded by additional grant income and savings on salary cost.

- e. **Housing Benefit Payments** – The mid-year forecast is projecting reduced payment by £1,873k offset by reduction in Grant. This is mainly due to reduction in claimants compared to the number of claimants used for budgeting.
 - f. **Housing** – The service is forecasting a net underspend of £133k resulting from homeless prevention work funded by grant. This has resulted in reduction in the use of Bed & Breakfast accommodation delivering a net saving of £80k. The service is also forecasting underspend on staffing cost of £63k due to vacancy management.
 - g. **HR, Digital Development & Customer Services** – The estimated underspend is resulting from vacancy management and below budget apprentice levy.
 - h. **Democratic, Legal, Policy & Communication** – The anticipated outturn position is a favourable variance of £65k resulting mainly from vacancy management, unbudgeted Individual Electoral Registration grant (£36k) and savings on supplies and services. This is offset by overspend on members allowance due to insufficient budget provision for increase.
 - i. **Planning & Sustainability** – This service is forecasting an adverse variance of £56k resulting from staffing costs and supplies and services.
 - j. **Young People** – The estimated underspend is £35k due to late set up of youth project.
11. The overspend of £116k on Net Cost of Service is offset by Treasury Management activity which is mainly interest earned on cash balances. This is projecting a favourable variance of £200k due to better returns than budgeted and the cash balance higher than expected due to delays in spend on the Capital Programme.
12. The total approved contingency budget was £540k. As at period 6 £225k has been drawn down for Feasibility work and to correct baseline budget for capital financing cost. A further £10k has been committed for a small project. It is assumed the remaining contingency budget of £305k will be required to cover risks and mitigate unfavourable variances on some of the income streams which are volatile to economic conditions. If the contingency is not required then the forecast position would be a favourable variance of £389k.

Efficiency Plan Savings

13. A five year efficiency plan was considered by Cabinet on 11th July 2016 and approved by the Council on 18th July 2016 as part of the condition for the four year Local Government Finance Settlement. This plan was updated and reported to Cabinet in March 2017. The forecast position as at period 6 for achieving savings against the updated plan is attached at Appendix A. Targeted Savings were £535k and actual savings are £434k. The adverse position of £101k is mainly due to the delays in couple of schemes which has had an impact on the

rental income and savings. The efficiency plan forecast is incorporated within the overall outturn position.

Repairs & Renewals Programme

14. The total allocated budget for the programme is £617k which includes approved programme of £525k, carry forward commitments from 17/18 of £49k and new allocations of £43k. The forecast spend for the year is £377k. Due to the nature of the projects, which involves risks and delays any unspent budget will be considered for carry forwards at year end.
15. The condition survey has started and the completion of the surveys are expected in November 2018. The results of the survey will be used to plan future medium term programme for repairs and renewals.

Capital Programme

16. The revised Capital Programme, totalling £157m, is set out in **Table 1** below. The schemes have been reviewed by officers in detail and a further £16.802m of slippage is now being reported reducing the 2018/19 budget to £24.877m. Reasons for slippage are given in **Appendix B Cap2**.

Table 1

Capital Plan Summary
2018/19 - 2022/23

All figures in
£'000

Area	Budget 2018/2019 Q1	Q2 Additions	18/19 Slippage Q2	Revised Budget 2018 / 2019	2018/19 Projected Outturn	2018/19 Outturn Var	Draft Prog 2019 / 2020	Draft Prog 2020/2021	Draft Prog 2021/2022	Draft Prog 2022/2023	Total Budget 2018/19 - 2023/24	2018/19 to Project End Var
Community	1,373		(690)	683	830	147	2,889	280	280	140	4,575	-
Econ. Devt and Regen.	22,978		(9,586)	13,392	13,596	204	18,565	2,000	2,000	2,000	37,957	207
Housing	3,356		(1,124)	2,232	2,232	-	5,364	4,165	800	800	13,361	-
CIL, s106 & other ext. funding	12,083	170	(5,402)	6,851	6,815	(36)	8,366	11,545	17,261	7,288	51,311	(75)
Planning & Sustainability	153			153	127	(26)	15,000	15,000	15,000	-	45,153	-
HR, ICT & Customer Services	795			795	795	-	919	210	100	225	2,249	-
Leader	463			463	460	(3)	400	-	-	-	863	-
Capitalisation of Staff Costs	308			308	308	-	308	308	308	308	1,540	-
Grand Total	41,509	170	(16,802)	24,877	25,163	286	51,811	33,508	35,749	10,761	157,009	132

17. The forecast overspend of £286k relates primarily to Des Box scheme which has incurred unforeseen groundworks issues. Changes to the scheme are under review to try and bring it back within budget.
18. The update on the Capital Receipt is provided at **Appendix B CAP 3**

19. The following virements are proposed for approval

Table 2

	Cost Centre	Description	Reason	Amount £k
From	EDBD05	Kingsmead Netball & SCP	Realignment of Budgets within Regeneration Schemes	(83)
From	EDBD02	Eastern Quarter Feasibility		(89)
To	EDBC92	Ashwells		83
To	EDBD01	Bassetbury Allotments		3
To	EDBC51	Bellfield - Housing		86
From	EDBC69	Handy X New Sports Centre	Correct prior year costs incorrectly coded to marketing budget	(109)
To	EXXX02	Handy X Hub Phase 3/4 Fees(Marketing and Branding)		109
From	EDBC69	Handy X New Sports Centre	Funding for Pocket Park	(28)
To	EDBB04	Handy X Hub Nursery		28
From	EDBC44	Baker St Public Realm	Public works Realm	(109)
To	EDBB04	Baker St Aldi		109

20. The detailed revised programme is set out in **Appendix B CAP 1** by scheme.

Sustainable Community Strategy / Council Priorities - Implications

21. This report supports delivery of sustainable community strategy and council priorities.

Background Papers

Revenue Budget and Council Tax setting 2018-19 to February 2018 Cabinet and Capital Programme to February 2018 Cabinet

EFFICIENCY PLAN SAVINGS				APPENDIX A
Programmed Savings	Original Target	Forecast Outturn	Variance	Comments
	£000	£000	£000	
Community Asset Transfers	-25	-29	-4	
Sharing and Partnering of Services	-100	-50	50	CCTV project delayed until 2019/20.
Contracting out Services	-239	-239	0	As per the agreement with Places for People.
Commercial Property Investments	-171	-116	55	Fieldhouse Regeneration Scheme delayed and the rent free period has moved into 18/19 from 17/18.
Total	-535	-434	101	

Agenda Item 7. Appendix B Cap 1

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

Document is Restricted

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Agenda Item 7. Appendix B Cap 3

Document is Restricted

Agenda Item 8.

COMMUNITY INFRASTRUCTURE LEVY FUNDING ALLOCATIONS

Cabinet Member: Councillor David Johncock

Wards Affected: All

Officer contact: John Callaghan Ext:3507

Email: john.callaghan@wycombe.gov.uk

PROPOSED DECISION

That:

- (i) the recommended CIL allocations be agreed, as set out in Appendix A, in advance of setting the capital programme; and
- (ii) the release of funds be delegated to the relevant lead service when project plans are in place.

Reason for Decision

To ensure public transparency regarding the CIL funding programme which are to be implemented in order to address the impacts of developments that have taken place and to improve the infrastructure of the District.

Corporate Implications

1. The introduction of the Community Infrastructure Levy ("CIL") is provided for by Part 11 of the Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 as amended ("CIL Regulations").
2. In the context of CIL the Planning Act 2008 (Part 11, 216(2)) says that infrastructure includes:
 - (a) road and other transport facilities,
 - (b) flood defences,
 - (c) schools and other educational facilities,
 - (d) medical facilities,
 - (e) sporting and recreational facilities, and
 - (f) open spaces
3. The Community Infrastructure Levy Regulations 2010 (as amended) say that:
 - (1) A charging authority must apply CIL to funding the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of its area.
 - (3) A charging authority may apply CIL to funding the provision, improvement, replacement, operation or maintenance of infrastructure outside its area where to do so would support the development of its area.
 - (4) any reference to applying CIL includes causing it to be applied, and includes passing CIL to another person for that person to apply to funding the provision, improvement, replacement, operation or maintenance of infrastructure.
4. The District Council is the charging and collecting authority for CIL. The powers to collect CIL largely supersede funding of off-site infrastructure through pooled developer contributions, secured via planning obligations, under section 106 of the Town and Country Planning Act 1990 (as amended), and therefore CIL is vital to the future development and infrastructure provision in relation to the

Council's area.

5. The Council's CIL Charging Schedule was introduced on 1 November 2012 alongside a CIL Instalments Policy and a CIL Infrastructure (R123) List. The CIL Infrastructure (R123) list indicates which schemes may not be funded from 2016 contributions but which are likely to be funded by CIL. (Schemes that are not on the R123 list may still be eligible for CIL funding.)
6. Up to 5% of CIL is retained to fund administration costs. 15% of CIL raised is passed to relevant town and parish councils. This local allocation rises to 25% in areas with adopted Neighbourhood Development Plans, and also in Princes Risborough where the Cabinet has made a discretionary decision to increase the CIL to 25%. Cabinet has previously resolved that the High Wycombe Town Committee will make a recommendation to Cabinet annually on the use of the local allocation in the unparished wards. These must be used to support the development of the local council's area, or any part of that area, by funding:
 - a. the provision, improvement, replacement, operation or maintenance of infrastructure; or
 - b. anything else that is concerned with addressing the demands that development places on an area.
7. Section 274 of the Highways Act 1980 allows District Councils to contribute to the expenses of the Highway Authority when it is satisfied that it is to the benefit of the District.

Executive Summary

8. Cabinet is being asked to agree the projects that are being recommended to be funded from CIL. This follows an assessment of the projects that have been put forward, as outlined in Appendix A. These projects will be included in the capital programme and recommended to Council as part of the budget setting process.

Sustainable Community Strategy/Council Priorities - Implications

9. The "Place" priority of the Council's 2015-20 Corporate Plan includes the ambition to ensure supporting infrastructure is provided alongside new housing. The Council's "Prosperity" priority highlights using urban design to make our town centres better places.

Background and Issues

10. The Wycombe CIL was introduced 1 November 2012 and as at May 2018 the Council has collected £16.4m in total (including 5% administration and local allocations). The Capital Plan is currently based on the expectation of future CIL receipts averaging £4m per annum.
11. At their September 2016 meeting, Cabinet agreed a broad allocation of CIL for the next three financial years (2017/18 – 2019/20). It was agreed that after allowing for administration costs, and the local allocation, 80% of the remaining CIL would be prioritised for the category of physical and green infrastructure and 20% be prioritised for social infrastructure; split 15% for education and 5% for health.

12. September 2016 Cabinet also noted a list of priority projects for implementation over the following three years, together with the anticipated level of funding that was expected to be sought at that time; this is summarised at Appendix B.
13. Based on previous Cabinet decisions funds have been allocated to a number of projects (a list of relevant decisions and minute numbers is set out in the background papers). Appendix C outlines the current list of projects that have previously been allocated CIL (and S106 funding) by the District Council and which were confirmed by April 2018 Cabinet (This includes schemes within the unparished area of High Wycombe).
14. As set out in the Council's CIL Funding protocol and in order to avoid funding being held up on schemes that are not progressing, if projects do not progress in line with the submitted project plan, and there are no mitigating circumstances to justify the carrying forward of funding, then the Council reserves the right to withdraw the funding to allocate to other projects.
15. A small number of previously approved schemes that have not yet progressed are being reviewed using a new corporate project prioritisation tool; the outcome of this and the implications for any CIL funding will be reported to December Cabinet.
16. In addition to projects funded by the Council, and as noted, town and parish councils often have CIL available to fund local priorities. A Table showing the local allocation of CIL funds that have been distributed to town and parish councils is shown at Appendix D to use as described in paragraph 6.
17. By the end of the current financial year, and taking account of existing funding commitments, the Council should have available approx. £4.9M in CIL funding for distribution among infrastructure partners. This is the CIL that has already been received this financial year, and CIL expected during the remainder of the year, based on housing projections. It is the amount that Cabinet is being asked to allocate. Based on the broad allocation agreed in September 2016 this means that with an estimated £4.9 m CIL available the amounts available to allocate in the different categories is as shown in table 1. This is more than was anticipated earlier in the year reflecting higher levels of progress on development than previously estimated and the inclusion of income that is anticipated to be received by the end of the financial year.

Table 1: Estimated CIL funding available for 2019/20

Infrastructure Category	Allocation available
Physical and green infrastructure	£3.92m
Education	£735,000
Health	£245,000
Total	£4.9m

18. On 1 June 2018 an invitation was sent out to service providers inviting applications for CIL by 15 September in accordance with the Council's CIL Funding protocol which was refreshed in July 2018. This was also publicised in the Weekly Planning Bulletin. All Councillors were copied in on the email setting out the process.

Proposals for funding.

19. Twenty seven requests or applications for funding have been received and considered in accordance with the agreed protocol; these are set out in Appendix A together with a recommendation and in the final column a proposed funding award. Reflecting responsibilities for infrastructure delivery many schemes are led by outside organisations. The projects being recommended for funding will support the delivery of the Council's Corporate Plan objectives, the strategic objectives of the infrastructure provider, and improve infrastructure in response to housing growth and development. Where schemes are being led by outside organisations the Council agrees the terms for the expenditure prior to passing the funding onto those organisations.
20. Where the assessment process has given rise to questions, applicants have been given the opportunity to clarify issues. The assessment criteria include funding levered in/value for money, strategic alignment, and linkage to infrastructure delivery. The schemes for Health and Education have not been scored or ranked as funds up to these amounts have effectively been pre-allocated in accordance with the broad allocation agreed in 2016.
21. The other applications have been scored up to a maximum of 15 points. Based on this assessment applications have been ranked. Taking account of the applications submitted this year, applications scoring less than eight points are not being recommended to be funded from the CIL held by the district council. In some cases a partial award of funding is recommended.
22. Applications being recommended for funding include health and education infrastructure, as well as schemes supporting air quality, and proposals to improve opportunities for walking and cycling.
23. It is not recommended at present to allocate all available funding. £3.1m is nominally reserved for further implementation of the High Wycombe town centre masterplan after 2019/20. 17 September Cabinet agreed funding for a new post to develop the business case for the schemes included in the masterplan programme, and formal decisions on allocations to this programme should be made once further work has been done and members have assessed this. This level of funding is higher than has been anticipated reflecting discussions about the appropriate split of funding for this programme between CIL and the Council's own capital funding. This will be considered further as part of the capital programme but may be considered a good indication of requirements. Currently allocated CIL funding is sufficient to enable scheme development work to proceed during 2019/20.
24. A number of bids have been made which do not stem from the service or infrastructure provider – this is not necessarily an obstacle provided the bid has the support of the provider, although it may raise questions as to why a scheme has not been seen as a priority for the provider.
25. A number of projects are essentially local in character and impact, scoring less than eight points, and not considered priorities to be funded from general CIL

but may be considered appropriate to be considered for funding in whole or part by the relevant town or parish, or for consideration by the Town Committee. These projects are being highlighted to the Town Committee on November 13 to consider whether these are projects they wish to consider funding from anticipated CIL income.

Consultation

26. Significant consultation has taken place with infrastructure providers in the drafting of the Council's Infrastructure Delivery Plan which informs the programme. The Infrastructure Delivery Plan forms part of the evidence base for the emerging Local Plan, which has also been subject to extensive public consultation. Prior to implementation of specific schemes further consultation may be held by the scheme promoters.

Options

27. To support the allocation of CIL funds as set out at Appendix A (recommended).
28. To amend the allocation of CIL funds as set out at Appendix A
29. To not support the allocation of CIL funds as set out at Appendix A

Conclusions

30. Cabinet is being asked to confirm the recommended CIL allocations, as set out in Appendix A, in advance of setting the overall capital programme. In parallel a small number of previously approved schemes that have not yet progressed as well as the masterplan proposals for High Wycombe Town centre are being reviewed using a new corporate project prioritisation tool the outcome of which will be reported to December Cabinet.

Next Steps

31. In accordance with the agreed protocol, service providers are being informed of the draft programme and the reasons why any schemes put forward have not been awarded funds. Subject to the comments of Cabinet and the outcome of the parallel corporate prioritisation exercise the projects being recommended for funding will be included in the draft capital programme which will be the subject of a report to December Cabinet.
32. Implementation of the different projects lies with the various services and providers.
33. Progress against spending will be reported at future Cabinet meetings as part of quarterly financial monitoring.

Background Papers

Previous Cabinet decisions that allocated CIL (and S106 Funding) –

3 March 2014 – Minute number 97

9 February 2015 – Minute number 82

7 March 2016 – Minute number 78

19 September 2016 – Minute number 32

13 March 2017 – Minute number 79

16 April 2018 – Minute number 85

Ranking	Ref	Proposer	Title	Capital required 19/20	Capital required 20/21	Capital requested Future Yrs	Total Capital required for the project	Total CILCapital requested 19/20	Total CILRev requested	Total CIL requested	Funding /VFM	Strategic Alignment	Deliverability	Overall Score	Final recommendation	Proposed funding award
-	CIL03	Buckinghamshire County Council	Holmer Green Secondary School 2fe Expansion	600	10,000	-	10,600		525	1,575					1575 includes 3 years funding request. Support; award 735 this year (in accordance with 15% agreed as part of broad allocation). The balance next year will need to be subject to a separate bid and separate decision	735
-	CIL02	NHS Buckinghamshire Clinical Commissioning Group	Wycombe Community Hub and Surgery Development	1,650	-	-	1,650	145	-	145					Support award: this is additional to 270 last year and can be funded from within the 5% allocation agreed as part of the broad allocation)	145
1	CIL14	WDC Community Services	High Wycombe Cycle Ways Construction of cycle / pedestrian ways in two parks to improve non-car connectivity	285	254	-	539	285	30	569	4	5	5	14	Support	569
1	CIL22	Joint WDC Planning and BCC Transport	High Wycombe Town Centre Masterplan and Regeneration - ongoing design and feasibility costs	-	tbc	tbc	16,535		see note in proposed funding award		4	5	5	14	Support. Based on previous allocation of funds and work likely to be undertaken there is no requirement for additional funding in 2019/20 however the approx £3.2m (the balance of funds available) should retained/allocated for 2020/21 - 2021/22.	3181 Nominally reserved pending further work and decisions on the business case
3	CIL16	Environmental Services (Control of Pollution)	Air Quality Management Area signage	-	-	-	-	-	6	6	3	5	4	12	Support	6
4	CIL07	Buckinghamshire County Council	High Wycombe to Bourne End Cycleway Phase 2 (Woburn to High Wycombe) Land Negotiations and Detailed Design	-	-	-	-	-	140	140	2	5	4	11	Support with partial award for section between High Wycombe and Loudwater	70
4	CIL17	Environmental Services (Control of Pollution)	Air Quality Monitoring Replacement of air quality monitoring equipment	-	-	-	-	-	26	26	3	5	3	11	Support	26
6	CIL08	Buckinghamshire County Council	High Wycombe Local Cycling and Walking Infrastructure Plan (LCWIP)	-	-	-	-	-	90	90	2	4	2	8	Support with partial award to fund the work for detailed design of schemes, but not the strategy	30
7	CIL11	The Princes Risborough Centre Limited	MINIBUS Funding for a community minibus to improve access to Bourne End Centre for elderly residents	58	-	-	58	58	-	58	2	2	3	7	Support with partial award. Questions raised as to whether this constitutes infrastructure; maybe considered within the remit of health infrastructure and part funded from 5% broad allocation for Health. However, given the local community focus it is appropriate for this to be conditional upon a local allocation or other contribution from the Parish.	38
7	CIL29	Chiltern Rangers	WDC Offices River Frontage Enhancement Community Project.	26	29	3	57	55	13	68	2	2	3	7	Application not supported - this stretch of river not a priority for improvement. Other opportunities for improvement not specific. Wider study required to confirm shared priorities for river improvements.	-
7	CIL06	Buckinghamshire County Council	A40 Micro-Simulation Model Development (Part-Funding).	110	-	-	110	55	-	55	3	3	1	7	Application not supported - relates more closely to DM highways assessment of specific sites	-
7	CIL26	Cllr Julia Wassell (WDC and BCC)	Shop Parade Improvements East Wycombe.	140	-	-	140	140	10	150	2	3	2	7	Application not supported - more appropriate to invite the Town Committee to consider recommending funds	-
11	CIL12	Community Services_Community Safety_ASB	Bull Lane Service Yard Provision of security gate to reduce anti-social behaviour.	29	-	-	29	29	3	32	3	1	2	6	Application not supported - more appropriate to invite the Town Committee to consider recommending funds from the local allocation	-
12	CIL27	Cllr Julia Wassell (Bucks County Council)	Creative solutions to parking pressures Piloting creative solutions for parking pressures, including an examination of best practice elsewhere and production of guidance.	95	-	-	95	95	5	100	1	3	1	5	Application not supported - more appropriate to invite the Town Committee to consider recommending funds from the local allocation	-
12	CIL30	(blank)	Community facilities Widmer End/Terriers Conversion of Terriers Barn (listed building) to community use.	20	-	-	20	-	20	20	1	2	2	5	Application not supported - case not made	-
14	CIL01	Great Marlow Parish Council	GMPC LED Lighting Phase 2 Installation of LED lighting in remaining street lamps.	7	-	-	7	5	-	5	2	1	1	4	Application not supported - more appropriate to fund this from local allocation available to the Parish	-
14	CIL04	Chiltern Rangers CIC	Chiltern Rangers Community Hub (new Depot).	100	400	250	1,300	100	180	930	1	2	1	4	Partial award to Community Services for feasibility work on GI managment and future facilities required.	100
14	CIL05	Princes Risborough Town Council (PRTC)	Economic Regeneration Investment in a series of new events including creation of post of town centre co-ordinator to oversee the programme of events.	37	5	-	42	111	69	111	1	2	1	4	Application not supported - more appropriate to fund this from local allocation available to the Town Council	-
14	CIL09	Environment Agency	Wye Rivers Matter Restoration of degraded sections of the Wye through removal of weirs or installation of fish passages to facilitate a connection with the Thames.	200	60	200	460	50	40	230	1	2	1	4	Application not supported, but ask EA to prepare a prioritised programme of river improvement works that reflects shared priorities for future funding over the long term.	-
14	CIL15	WDC Community Services	Penn Road Cemetery - Year 3 Costs Balance of funds to complete work, previously funded from HWTC reserves and CIL.	389	-	-	389	389	-	389	1	1	2	4	Application not supported - more appropriate to invite the Town Committee to consider recommending funds from the local allocation	-
14	CIL18	Globe Business Park BID and WDC	Introduction of a bus and bike scheme on Globe Business Park.	175	-	-	175	175	2	177	1	2	1	4	Application not supported, not demonstrated at this point to be viable and effective	-
14	CIL28	Revive the Wye Partnership Steering Group (RTW)	River Wye Interpretation Board Project Installation of six new interpretation boards and renovate two further boards.	14	-	-	14	4	18	22	1	1	2	4	Application not supported - more appropriate to invite the Town Committee to consider recommending funds	-
21	CIL13	WDC Community Services in partnership with Community Impact Bucks	Daws Hill Community Cohesion Project.	16	52	53	122	121	-	121	1	1	1	3	Application not supported. Not infrastructure and case not made	-
21	CIL21	Woburn and Bourne End PC with LAF and Transport for Bucks	Station Road Bourne End Northbound Layby.	188	-	-	188	188	-	188	1	1	1	3	Application not supported - does not represent value for money	-
21	CIL23	Cllr Julia Wassell (Wycombe District Council)	East Wycombe Health Centre.	-	-	-	-	-	50	50	1	1	1	3	Application not supported- does not appear to have the support of the Clinical Commissioning Group	-
21	CIL24	Cllr Julia Wassell (Bucks Conty Council)	East Wycombe Panoramic Walkway Connection of four miles of footpaths with signage and information boards.	25	-	-	25	25	10	35	1	1	1	3	Application not supported - more appropriate to invite the Town Committee to consider recommending funds from the local allocation	-
21	CIL25	Cllr Julia Wassell (Wycombe District Council)	Reclaiming Frogmoor Creation of bandstands and fixed stalls, together with information board, fountain, and drinking fountain.	-	108	-	108	108	-	108	1	1	1	3	Application not supported - funds are already available but premature pending proposals coming forward for the Chiltern Centre	-
				4,164	10,908	506	32,254	2,139	1,237	5,401						4900

Agenda Item 8. Appendix B

Appendix B

Summary list of priority projects noted by Cabinet September 2016

Project	Potential funding request
High Wycombe Town Centre Masterplan and Public Realm Action Plan	£2.9m
“Access to Wycombe” and A40 London Road transport modelling and detailed design	£100,000
Improving travel choices	TBC
Cressex Business Park access improvement and congestion management	£500,000
Westhorpe junction and access to Globe Park	£250,000
Forward funding Princes Risborough transport improvements	£1m
Green infrastructure including return of the river	TBC
Additional school places	£1.35m
New GP provision	£450,000

Appendix C:

Part 1: Current projects allocated CIL and S106 funding being led by outside bodies

No.	Scheme	Lead WDC Service for delegation and oversight	Promoter/ Scheme delivery	Funding source	Cabinet report when allocation made	Current allocation
1.	Additional secondary school places	WDC Planning & Sustainability	Bucks CC	CIL	February 2018	£450k
2.	Bus network support including joint ticketing and promotions	WDC Planning & Sustainability	Bucks CC	CIL and S106	March 2016 and March 2017	£139k (£80k CIL; £59k S106)
3.	HW bus station – measures to increase capacity	WDC Planning & Sustainability	Bucks CC	CIL	February 2018	£100k
4.	HW to Bourne End Pedestrian/ Cycle route	WDC Planning & Sustainability	Bucks CC	S106	February 2014 and February 2015	£72k
5.	Westhorpe interchange improvements to achieve better access to Globe Business Park	Corporate Director (Growth & Regeneration)	Bucks CC (in partnership with Highways England and Globe Park BidCo)	CIL	March 2017 and February 2018	£250k
6.	Parking and environmental improvements at Globe Business Park	Corporate Director (Growth & Regeneration)	Globe Park BidCo	CIL	March 2017 and February 2018	£200k
7.	HW Town Centre enhanced maintenance	WDC Planning & Sustainability	Transport for Bucks	CIL	February 2015 and March 2016	£106k
8.	Track works to allow half hourly services on the Marlow Branch Line	WDC Planning & Sustainability	Great Western Railway/ Network Rail	CIL	March 2017 and February 2018	£350k
9.	Adaptions to GP surgeries in the District to increase capacity	WDC Planning & Sustainability	Chiltern CCG	CIL	March 2017 and February 2018	£270k
10.	Princes Risborough Community Centre extension	WDC Planning & Sustainability	Community Centre trustees	CIL	March 2016	£167k
11.	Traffic calming measures in Widmer End	WDC Planning & Sustainability	Hughenden Parish Council	S106	February 2015	£18k
12.	Spittal Street, Marlow public realm enhancements	WDC Planning & Sustainability	Marlow Town Council	S106	February 2015	£108k

No.	Scheme	Lead WDC Service for delegation and oversight	Promoter/ Scheme delivery	Funding source	Cabinet report when allocation made	Current allocation
13.	Chiltern Rangers Woodland improvements schemes incl. at Keep Hill Wood; AXA Kings Wood and Funges Meadow	WDC Community Services	Chiltern Rangers	S106	March 2016	£106k
14.	River Wye biodiversity enhancements in the east of HW	WDC Community Services	Chiltern Rangers	S106	March 2017	£20k
15.	Chiltern Conservation Board Chalk Cherries and Chairs project – green infrastructure enhancements in the Chilterns	WDC Planning & Sustainability	Chiltern Conservation Board	CIL	February 2018	£100k

Part 2: CIL, S106 and WDC Capital funding allocations with WDC as scheme delivery lead or delivery partner

No.	Scheme	Lead WDC Service for delegation and oversight	Promoter/ Scheme delivery	Funding source	Cabinet report when allocation made	Current allocation
16.	HW Town Centre Masterplan alternative route and Easton St/QVR	WDC Planning & Sustainability	Bucks CC (in partnership with WDC Planning & Sustainability)	CIL	Annual allocations since February 2015	£2,840k ¹
17.	Westbourne Street Link Road landscaping	WDC Planning & Sustainability	WDC Planning & Sustainability	CIL	March 2016	£93k
18.	Future phases of HW Town Centre Master plan and other HW Town Centre regeneration schemes	WDC Planning & Sustainability	WDC Planning & Sustainability / WDC Major Projects/ Bucks CC	CIL and WDC Capital	February 2018	£2,930k (£2m Capital; (£930k CIL)
19.	Frogmoor improvements	WDC Major Projects Executive	WDC Major Projects Executive/ WDC Community Services	S106 and WDC Capital	February 2015	£370k (£250k Capital; £120k S106)
20.	Cressex Business Park access improvements	Corporate Director (Growth &	Bucks CC (in partnership with WDC / Businesses)	CIL	March 2017 and February 2018	£500k

¹ Includes £50k allocated to remaking the river design and feasibility work

		Regeneration)				
21.	High level feasibility report into High Wycombe to Bourne End rail link	WDC Planning & Sustainability	WDC Planning & Sustainability	CIL	March 2017 and February 2018	£100k
22.	Design and transport modelling work to support the release of the reserve sites (Abbey Barns & Terriers Farm)	WDC Planning & Sustainability	WDC Planning & Sustainability / Bucks CC	CIL	March 2017 and February 2018	£115k
23.	Hughenden Quarter green infrastructure and tree planting	WDC Planning & Sustainability	WDC Planning & Sustainability	CIL	March 2016	£35k
24.	Totteridge Recreation Ground open space and community facility improvements	WDC Community Services	WDC Community Services	S106	February 2014 and March 2016	£718k
25.	New café/toilets on the Rye	WDC Community Services	WDC Community Services	S106	March 2017	£400k
26.	Risborough Springs extension	WDC Community Services	WDC Community Services	S106	February 2014	£135k
27.	Little Marlow Country Park visitor facilities	WDC Community Services	WDC Community Services/ Little Marlow Lakes Country Park Partnership/ Chiltern Rangers	CIL	February 2018	£120k

Part 3: Approved schemes to be funded from the 'local allocation' of CIL after recommendations from the High Wycombe Town Committee

No.	Scheme	Lead WDC Service for delegation and oversight	Promoter/ Scheme delivery	Funding source	Cabinet report when allocation made	Current allocation
28.	New cemetery at Queensway	WDC Community Services	WDC Community Services	CIL	March 2017	£800k
29.	Realignment of Roundabout on Hatters Lane	WDC Planning & Sustainability	Transport for Buckinghamshire	CIL	March 2017	£100k
30.	District centres public realm improvements	WDC Planning & Sustainability	WDC Planning & Sustainability	CIL	March 2017	£140k

31.	Feasibility and design for new community facility at the Pastures Church	WDC Planning & Sustainability	Pastures Church trustees	CIL	March 2016	£65k ²
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Additional S106 Open Space projects

No.	Scheme	Promoter/ Scheme delivery	Allocation	Funding source
1.	Improvements at the Rye – Woodland clearance and planting and improvements to the river banks at the Dyke.	WDC Community Services	£185,000	S106 Open Space
2.	Holmers Farm Recreation Ground – New skate park and new vehicle registration barrier	WDC Community Services	£185,000	S106 Open Space
3.	Liston Court, Marlow – lighting improvements	WDC Community Services	£6,000	S106 Open Space
4.	Desborough Recreation Ground – Car park resurfacing	WDC Community Services	£50,000	S106 Open Space
5.	Baring Road Open Space – Upgrade of the multi-use games area and play area	WDC Community Services	£30,000	S106 Open Space
6.	Plomer Hill Open Space – Upgrade of the multi-use games area	WDC Community Services	£30,000	S106 Open Space
7.	Hughenden Park – Tree trails and wood carvings	WDC Community Services	£28,000	S106 Open Space

² Corrected October 2018 – previously reported as £44k

Agenda Item 8. Appendix D

Table: local allocation of CIL funds distributed to town and parish councils since 1 November 2012 (sorted alphabetically by parish)

Town/ Parish	Funds transferred £
Bledlow cum Saunderton	67,679
Bradenham	-
Chepping Wycombe	43,584
Downley	-
Ellesborough	254
Fawley	585
Great and Little Hampden	-
Great and Little Kimble	1,687
Great Marlow	4,468
Hambleden	25,240
Hazlemere	115,252
Hedsor	193
Hughenden	26,958
Ibstone	-
Lacey Green	7,124
Lane End	66,030
Little Marlow	17,281
Longwick cum Ilmer	260,550
Marlow Bottom	20,379
Marlow Town Council	266,288
Medmenham	2,333
Piddington and Wheeler End	982
Princes Risborough	432,841
Radnage	1,467
Stokenchurch	11,116
Turville	3,572
West Wycombe	-
Wooburn and Bourne End	183,429
High Wycombe unparished area (funds held by the District Council)	£1,232,950

Agenda Item 9.

CHILTERN'S CREMATORIUM JOINT COMMITTEE – AMENDMENTS TO THE CONSTITUTION

Cabinet Member: Councillor Graham Peart

Wards Affected: All

Officer contact: Elaine Jewell Ext:3800

Email:elaine.jewell@wycombe.gov.uk

PROPOSED DECISION

That:

- (i) the powers of the joint committee to operate more than one crematorium be extended;
- (ii) provisions be incorporated in relation to disposal of assets;
- (iii) the revised constitution be agreed and adopted, subject to the agreement of the other constituent Authorities;
- (iv) delegate authority be granted to the District Solicitor, in consultation with the Head of Community and relevant Cabinet Member to make any necessary minor amendments prior to final adoption; and
- (v) the update on the new Crematorium project be noted.

Reason for Decision

The Chilterns Crematorium Joint Committee was established to operate and administer the crematorium built in Amersham. Now that the new crematorium at Bierton is under construction and is planned to open in Spring 2019 it is necessary to ensure that the Joint Committee's powers are extended to include Bierton (and any other crematoria that the Councils may develop in the future.)

Corporate Implications

1. Financial – the financial arrangements that currently apply will be extended to include the new crematorium. Any material changes that impact on the Council will be presented to Cabinet for consideration if and when the situation arises.
2. Legal – the scope and powers of the Joint Committee need to be extended to ensure that decisions taken in respect of the new (and any future crematorium) are lawful.

Executive Summary

3. The Chilterns Crematorium Joint Committee was established to operate and administer the crematorium built in Amersham. Now that the new crematorium at Bierton is under construction and is planned to open in Spring 2019 it is necessary to ensure that the Joint Committee's powers are extended to include Bierton (and any other crematoria that the Councils may develop in the future).
4. The opportunity has also been taken to incorporate provisions in relation to disposal of assets and sharing of surpluses on dissolution, which are not addressed in the current version of the constitution.

Sustainable Community Strategy/Council Priorities - Implications

5. The service supports the following Council Priorities:

People – provision of cremation services to meet the needs of the bereaved.

Progress - joint working to provide sufficient crematorium services within the Council's contributes to delivering cost- effective, customer- focused services.

Background and Issues

6. The revised Constitution is attached as **Appendix A**.
7. The proposed changes are flagged and explained by notes in the margin.
8. An exempt update on the construction of the new Berton Crematorium is included at **Appendix B**.

Consultation

9. The Council is represented on the Committee by the Deputy Leader and the Cabinet Member for Community Services. The Committee agreed the proposed changes at its meeting of 26 September 2018 and is now seeking their ratification by member authorities.

Options

10. It is essential that the Joint Committee has the necessary authority to operate and administer the new crematorium at Berton as well as the existing one at Amersham, so there is no alternative option to revising the Constitution.

Conclusions

11. Cabinet is asked to agree the proposed changes to enable the Joint Committee to function effectively.

Next Steps

12. The revised draft constitution also needs to be approved by the Cabinet of Aylesbury Vale District Council before coming into effect.

Background Papers

None

Dated.....2018

**CONSTITUTION OF
THE AYLESBURY VALE, CHILTERN AND
WYCOMBE DISTRICTS
CREMATORIA JOINT COMMITTEE**

THIS SUPPLEMENTAL AGREEMENT is made the _____ day of 2018

BETWEEN

AYLESBURY VALE DISTRICT COUNCIL of Council Offices 4 Great Western Street Aylesbury Bucks HP20 2TW of the first part

CHILTERN DISTRICT COUNCIL of Council Offices King George V Road Amersham Bucks HP6 5AW of the second part

WYCOMBE DISTRICT COUNCIL of Council Offices Queen Victoria Road High Wycombe Bucks HP11 1BB of the third part

Together referred to in this Supplemental Agreement as the Participating Councils

WHEREAS

- (1) Pursuant to Section 101(5) of the Local Government Act 1972 and all other powers in that behalf then in force, the Participating Councils resolved in 2003 to establish a joint committee with effect from 20 March 2002 known as The Chilterns Crematorium Joint Committee (“the Joint Committee”) to manage and maintain the Chilterns Crematorium, Whielden Street, Amersham.
- (2) The Constitution and Terms of Reference of the Joint Committee were embodied in the agreed Heads of Terms and Terms of Reference incorporated into an Agreement dated 25 July 2014 (“the 2014 Agreement”)
- (3) A second crematorium is being developed by the Participating Councils at Bierton, near Aylesbury and it is necessary to vary the Constitution of the Joint Committee to extend its responsibilities to include the second crematorium, and any subsequent crematoria that may be developed in the future.
- (4) The Cabinet or Executive (as the case may be) of each of the participating Councils have now resolved pursuant to the terms of the 2014 Agreement and also to Section 101(5) of the Local Government Act 1972, Section 9EB of the Local Government Act 2000 and Regulations 9 and 11 of the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 (as amended) and all other powers in that behalf to enter into this Supplemental Agreement to vary the terms of the Joint Committee and the extent of the functions delegated to it.

NOW THIS DEED WITNESSETH as follows:-

- (1) **1. IN CONSIDERATION** of all the statutory powers vested in the Participating Councils in this behalf it is hereby **AGREED AND DECLARED** that as from the date of this Supplemental Agreement the Constitution and Terms of Reference of the Joint Committee shall operate and be regulated by the Articles and Schedule hereof.

THE ARTICLES

1. Title of Joint Committee

With effect from the date of this Supplemental Agreement, the Joint Committee shall be known as the Aylesbury Vale, Chiltern and Wycombe Districts Crematoria Joint Committee.

2. Membership and Terms of Reference

The Membership and Terms of Reference of the Joint Committee shall be in accordance with the provisions set out in the Schedule hereto.

3. Term of Office

The term of office of any member of the Joint Committee shall commence on the date of their appointment to the Joint Committee by the Executive or Cabinet of which they are a member to the date that they cease to hold office as a member of the Executive or Cabinet that appointed them.

4. Casual Vacancies

As soon as is practicable after a casual vacancy arises the Executive or Cabinet of the relevant participating Council shall appoint a replacement who shall hold office for the remainder of the term of office of the member replaced.

5. Substitutes

Any member who is unable to attend a meeting of the Joint Committee for any reason may appoint another member of the Executive or Cabinet of which he is a member as a substitute member provided notification of appointment is given to the Clerk or Deputy Clerk in writing (including by electronic means) before four o'clock on the date of the meeting in question and thereon the substitute member shall be entitled to attend that meeting only and (subject to the requirements relating to the declaration of interests contained in the Code of Conduct of the Council of which he is a member) shall be entitled to speak and vote on all items of business.

6. Powers of Joint Committee

The Joint Committee shall exercise all the functions and powers of the participating Councils in relation to the provision and maintenance of the crematoria pursuant to the Cremation Acts 1902 and 1952 other than the power to levy a precept, borrow money, acquire or dispose of land or employ staff.

7. Lead Authority

- (1) Chiltern District Council has lead authority responsibility in that it shall:-
- (i) Acquire and hold land and buildings at the direction and for the use of the Joint Committee;
 - (ii) Insure and keep insured the crematoria and any additions and extensions thereto in full re-instatement value with an insurer of good repute
 - (iii) Put and keep in place such other insurances including public and employers liability insurance covering such insured risks, levels of cover and excesses as Chiltern District Council acting reasonably consider prudent ;
 - (iv) Appoint, employ and remunerate staff at the direction and for the use of the Joint Committee, including the following Office Holders :-
 - (a) The Clerk;
 - (b) The Treasurer;
 - (c) The Deputy Clerk; and
 - (d) The Deputy Treasurer.
 - (v) Provide legal, financial, personnel, technical and administrative support to the Joint Committee and without prejudice to the generality of the foregoing, provide or secure the provision of banking accountancy and audit facilities for the Joint Committee in accordance with best practice for the public sector;
 - (vi) At the direction and for the use of the Joint Committee enter into contracts and agreements for works goods and services; and
 - (vii) Compile and publish any statistics or local or national performance indicators as Chiltern District Council may be required by law to compile or publish in connection with the operation of the crematoria.

- (2) For the avoidance of doubt the insurance employment and other necessary and incidental costs and expenses directly or indirectly incurred by Chiltern District Council in the performance of the lead authority responsibilities shall be treated as an expense of the business and met out of the gross revenues of the crematoria.
- (3) Where Chiltern District Council enters into agreements or contracts for works goods and services at the direction and for the use of the Joint Committee it shall utilise and comply with its own procurement and audit procedures, including its adopted Contract and Financial Procedure Rules, subject only to any reference therein requiring officers to report to or obtain the approval or consent of the Council or the Executive being construed as if it were a reference to the Joint Committee.

7. Minutes and Annual Report

The Joint Committee shall meet on not fewer than two occasions in any Council year and as soon as is practicable thereafter a copy of the minutes of the meeting shall be given to the Executive or Cabinet of each of the participating Councils. The Joint Committee shall also prepare and send an Annual Report on the discharge of its functions and powers to the Executive or Cabinet of each of the participating Councils as soon as practicable after the end of each financial year such report to include a copy of the final accounts for that year.

8. Procedural Rules

Meetings of the Joint Committee shall be conducted according to the rules of debate applicable for the time being to meetings of ordinary committees of Chiltern District Council as the same are set out in its Council Procedure Rules but subject to such minor modifications or amendments as are desirable or appropriate to facilitate the proper conduct of the business of the Joint Committee.

9. Members Codes of Conduct

In the conduct of the business of the Joint Committee Members shall comply with the Code of Conduct for Elected and Co-opted Members adopted by the participating Council of which they are a Member.

10. Access to Information

Notwithstanding the provisions of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, or any statutory modification or re-enactment thereof, the rights of the public to agendas, reports, background papers, meetings and the minutes of meetings of the Joint Committee shall be not less than that prescribed for meetings of Principal Councils

by Sections 100A to E of the Local Government Act 1972 (as amended).

11. Scheme of Delegation to Officers

Pursuant to Section 101(5) of the Local Government Act 1972 the Joint Committee may from time to time make and publish a Scheme of Delegation to Officers to facilitate the efficient and effective management of the Crematorium. For the avoidance of doubt and subject only to any express limitation to the contrary in any Scheme of Delegation to Officers for the time being in force, Office Holders and the Crematorium Manager shall be deemed to have delegated authority to carry out such duties and responsibilities as are set out in their contracts of employment.

12 Capital Expenditure

Wherever possible, capital expenditure will be defrayed out of revenue. Any such expenditure in excess of £250,000 in any financial year will require the consent of the Executive or Cabinet of each of the Participating Councils. If it is impractical to defray capital expenditure out of revenue, the Executive or Cabinets of each of the Participating Councils will hold a joint meeting to consider the options for funding the capital expenditure proposed.

13 Surpluses and Losses

(1) Net surpluses may be retained by the Joint Committee to finance capital expenditure, redeem debt or maintain prudent contingency and/or repair and renewal funds. Any net surplus not so applied can be returned to the Participating Councils at the end of the financial year, following a decision of the Joint Committee when setting its budget, and shall take into account the advice of the Treasurer.

(2) Net losses (after expenditure of all available contingency and or repair and renewal funds) in any financial year shall be borne by the Participating Councils in the proportion which the number of cremations from the area of each participating Council bears to the total number of cremations from all the participating Councils in that year.

14 Withdrawal and Dissolution

(1) Any of the participating Councils may withdraw from the Joint Committee on giving to the other participating Councils not less than 12 months prior notice in writing, such notice to expire on 31 March in any year;

(2) The Joint Committee may be dissolved by any two of the participating Councils giving not less than 12 months prior notice

in writing to the other participating Council, such notice to expire on 31 March in any financial year.

15 Financial Adjustment on Withdrawal or Dissolution

- (1) Should any of the Participating Councils withdraw from the new Joint Committee, the following provisions shall apply:-
 - a. The Joint Committee will pay to a withdrawing Council its share of unapplied net surpluses for the year of withdrawal or the withdrawing Council will pay to the Joint Committee the agreed proportion of net losses as at the date of withdrawal (as the case may be).
 - b. Subject to sub-paragraph (a) above the withdrawing Council will have no liability for future losses or entitlement to share in future surpluses.
 - c. If the withdrawing Council is Chiltern District Council it will cease to act as lead authority and all staff employed at the direction of the Joint Committee in connection with the operation of the Chilterns Crematorium will transfer to one of the remaining participating Councils on their then current terms and conditions of employment including Pension Rights (the transferee Council to be determined by agreement between the remaining participating Councils and in default of agreement by Arbitration in accordance with Article 16 hereof).
 - d. If the withdrawing Council is Chiltern District Council and provided one of the remaining participating Councils has taken a transfer of staff in accordance with sub-clause (c) above, Chiltern District Council will continue to hold any land or buildings acquired for the purposes of the provision of Crematorium services , for the use of the joint Committee subject to the remaining Participating Councils indemnifying it against all costs losses, expenses, actions, claims and/or demands arising out of or in connection with the use of such land in connection with such services.
 - e. The remaining participating Councils will be entitled to share in future net surpluses or contribute to future net losses as set out in Article 13 above.
- (2) On any disposal of assets, any surplus after deduction of disposal costs and any other outstanding liabilities relating to the asset in question shall be divided between current and past Participating Councils in the same ratio as would have applied had the Joint Committee incurred a net loss in the financial year of the said disposal but adjusted to reflect the period during which each Participating Council was a member of the Joint

Committee whilst the asset was held on the Joint Committee's behalf.

- (3) Should the Joint Committee be dissolved:
- a. The assets held by the Lead Authority on behalf of the Joint Committee will be disposed of and any surplus after deduction of disposal costs and any other outstanding liabilities relating to the asset in question together with any accrued and retained surpluses from previous years held by the Lead Authority on behalf of the Joint Committee will be and distributed as set out in (2) above; and
 - b. the Participating Councils or the remaining Participating Councils (as the case may be) will be entitled to their respective share of the net surpluses as shown in the final accounts for the year of dissolution or will contribute the agreed proportion of net losses (including redundancy costs) for that year (as the case may be);

16 Arbitration

All disputes or differences between the Participating Councils concerning the interpretation or application of these Articles that cannot be resolved by mutual agreement shall be referred to an independent Arbitrator appointed by the parties or in default of agreement by the President for the time being of the Law Society. The Arbitration will be conducted in accordance with the Arbitration Act 1996 and the arbitrator will act as an expert whose award shall be binding on the parties.

17 Variations

Any variations to these Articles or the Terms of Reference set out in the Schedule shall be agreed by the Executive or Cabinet of each of the Participating Councils and be recorded in writing.

IN WITNESS whereof the Participating Councils have caused this Agreement to be executed as a Deed the day and year first before written

The Schedule

(Terms of Reference)

**THE AYLESBURY VALE, CHILTERN AND
WYCOMBE DISTRICTS
CREMATORIA JOINT COMMITTEE**

General

A joint committee established by Aylesbury Vale District Council, Chiltern District Council and Wycombe District Council (“the Participating Councils”) to jointly manage the crematoria situate within their joint administrative area boundaries.

Membership, Chairmanship and Quorum

Number of Members	Six – two from each of the participating Councils
Substitute Members Permitted	Yes - but must be a member of the same Executive/Cabinet as the Substituted Member
Political Balance Rules apply	No
Appointments/Removals from Office	By a resolution of the Executive/Cabinet of the participating Councils
Term of Appointment	From the date of appointment to the date that they cease to hold office as a member of the Executive/Cabinet.
Casual Vacancies	To be filled by the Appointing Council’s Executive/Cabinet (or by a member or committee of the Executive/Cabinet as each participating Council’s executive arrangements may provide) for the remainder of the term of office of the member replaced
Restrictions on Membership	Appointees must be a member of the Executive/Cabinet of the participating Councils.
Restrictions on Chairmanship/Vice-Chairmanship	None
Quorum	Three, one from each authority

Number of ordinary meetings per Council Year	Minimum of two
Extraordinary Meetings	The Chairman of the Joint Committee may call an extraordinary meeting at any time

Terms of Reference

Pursuant to the Cremation Act 1902 as amended by the Cremation Act 1952, Section 101(5) and 102(1) of the Local Government Act 1972, Section 9EB of the Local Government Act 2000 and Regulations 9 and 11 of the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 (as amended) and all other powers in this behalf, to exercise all the functions duties and powers of the participating Councils in connection with the provision and maintenance of crematoria, other than the power to appoint and remunerate staff, levy or issue a precept, borrow money or hold land.

Delegations

The matters referred to in the Terms of Reference are fully delegated subject to the terms, restrictions and reservations set out in the Constitution of the Joint Committee.

Classification: OFFICIAL

The Common Seal of Aylesbury Vale

District Council was hereunto affixed

in the presence of

Chairman of the Council

Head of Legal Services

The Common Seal of Chiltern

District Council was hereunto affixed

in the presence of

Director of Resources

The Common Seal of Wycombe

District Council was hereunto affixed

in the presence of:

Chairman

District Solicitor

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Agenda Item 9. Appendix B

Document is Restricted

Agenda Item 10.

PARKING SERVICES

Cabinet Member: Councillor Mrs Julia Adey

Wards Affected: All

Officer contact: Peter Wright Ext:3841

Email:peter.wright@wycombe.gov.uk

PROPOSED DECISION

That:

- (i) Council commence the procurement exercise to identify and source new parking equipment for all of the off street car parks together with any additional services required for the Parking Services Team to operate that equipment; and
- (ii) the decision to enter into any agreements required for (i) above to be delegated to the Corporate Director of Growth and Regeneration, in consultation with the Head of Finance and Commercial, the Cabinet Member for Environment and the Cabinet Member for Finance and Resources subject to the necessary budget being available.

Reason for Decision

The current parking equipment is not fit for purpose and is prone to failure. The customer experience is less than optimal. There are currently a number of interfaces between different systems which increase the risk of failure and make the service difficult to manage. New equipment will improve the customer experience and will increase revenue for the council.

Corporate Implications

1. A procurement process will be run in accordance with the requirements of the Public Contracts Regulations 2015 and will result in a new contract or contracts for the provision of equipment and services
2. The contract can only be awarded on completion of the procurement process and subject to budgets being available (please see exempt Appendix A for more details). A capital budget bid has been submitted for Member consideration as part of the 2019/20 budget setting process.

Executive Summary

3. In June 2018 a review into the Council's parking service was carried out. A series of recommendations was made, one being that the current, out of date equipment should be replaced.
4. This report informs Cabinet that a procurement process will begin, set out in detail in Appendix A. On completion contracts will be entered into for the supply and installation of equipment, along with any service contracts required for operation. An estimate of the total value of the contracts is as set out in Appendix A. Delegated authority is requested for entry into these contracts.

Sustainable Community Strategy/Council Priorities - Implications

5. Place – a great place to be. New parking equipment will improve the experience of customers in Wycombe District's car parks

Growth and prosperity – new equipment will be more efficient and will increase Council income, which will allow for further investment in parking and other amenities.

Efficient and effective – new equipment will allow for a more streamlined service and will enable the Council to collect better information on how its car parks are used which will in turn enable better management

Consultation

6. A public consultation has been carried out and the results will feed into the procurement process for the new equipment.

Options

7. The other option is not to procure new equipment. This will result in increased cost to the council and reduced revenues as the equipment fails. The current equipment has been in place since 2014 and has been modified to deal with the switch from ANPR to pay and display- this was always intended to be a temporary measure.

Conclusions

8. That procurement of new equipment and related services should proceed as recommended above.

Next Steps

9. The new equipment and service will be scoped and a procurement process will commence. This is estimated to take approximately 6 months so installation will take place spring/summer 2019.

Background Papers

Exempt Appendix A: Procurement strategy and estimated costs

Exempt Appendix B: Business Case

Agenda Item 10. Appendix A

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Agenda Item 10. Appendix B

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

Agenda Item 11.

EASTERN QUARTER

Cabinet Member: Councillor Steve Broadbent

Wards Affected: Abbey, Terriers and Amersham Hill

Officer contact: Peter Wright Ext:3871

Email:peter.wright@wycombe.gov.uk

PROPOSED DECISION

That:

- (i) the aspiration for the regeneration of the Eastern Quarter be noted and agreement be given in principle to compulsorily purchase the Brunel engine shed and surrounding land, subject to Member approval of the specific budget bid; and
- (ii) the decision to enter into agreements necessary for the redevelopment of the shed and surrounding land be delegated to the Corporate Director (Growth and Regeneration), in consultation with the Head of Finance and Commercial, the Cabinet Member for Economic Development and Regeneration and the Cabinet Member for Finance and Resources, subject to budgets being agreed.

Reason for Decision

The regeneration of the area around High Wycombe railway station (the 'Eastern Quarter') is vital for the prosperity of the town and the wider district. The acquisition of the Brunel engine shed and surrounding land is the first step in this process.

Corporate Implications

1. A capital bid as part of the 2019/20 budget setting process has been made to cover the acquisition and redevelopment of the shed. Details are set out in exempt Appendix A.
2. The Town and Country Planning Act 1990 gives the Council powers to acquire land in its area at Section 226(1)(a)&(b) if the authority thinks that the acquisition will "facilitate the carrying out of development, redevelopment or improvement on or in relation to the land", or where the land involved "is required for the a purpose which it is necessary to achieve in the interests of the proper planning of an area in which the land is situated." Final authority to confirm the Order rests with the Secretary of State.
3. This power is limited though Section 226 (1A) to circumstances in which the authority thinks the development etc is likely to contribute to the promotion or improvement of the economic, social or environmental well-being of their area.

Executive Summary

4. The area around High Wycombe station has long been identified as being suitable for regeneration. The lack of a sense of place and the presence of the

undeveloped Brunel shed has meant that developers are unwilling to invest. The redevelopment of the shed will raise the profile of High Wycombe as a town and will encourage investment.

Sustainable Community Strategy/Council Priorities - Implications

5. The acquisition and redevelopment of the Brunel shed fits with the Council's corporate priorities:

A great place to be – the Brunel shed will be brought back into use as a facility for the people of High Wycombe and for visitors. It will animate a previously unused area of the town and generate a sense of civic pride.

Strong communities – once it is in use it is envisaged that the Brunel shed, alongside commercial uses, will be able to be used by community groups for events.

Growth and prosperity – the Brunel shed will provide a location for start-up business, for example in the food & beverage markets, adding to the wider prosperity of the town.

Efficient and effective – the regeneration of the Eastern Quarter will be greatly assisted by the acquisition and redevelopment of the Brunel shed. It will generate publicity for the area and help to create the sense that Wycombe is 'open for business'.

Background and Issues

6. The Brunel engine shed is a Grade II listed building immediately to the south of High Wycombe railway station. It was in private ownership and used for commercial purposes up until approximately a decade ago when it was purchased by Chiltern Rail. Since then it has not been brought back into use.
7. The Brunel shed effectively blights what could be a new station square for High Wycombe and until it is brought back into use it is highly unlikely that further investment in the immediate area will be made.
8. There have been many attempts to persuade Chiltern Rail to invest in the building over the years but none have been successful and it is now clear that moving to compulsory purchase, as a final resort, is the only route available to the Council if the situation is to ever be resolved.

Consultation

9. A meeting has taken place with Chiltern Rail, informing them of the Council's intentions and timescale for a decision to be made.

Options

10. To not proceed with the compulsory purchase of the Brunel engine shed and to continue to attempt to persuade Chiltern Rail to redevelop the site. This is not recommended for the reasons set out in this report. Officers will continue to negotiate with Chiltern Rail, but authority to compulsorily purchase is required, as negotiations have proved unproductive so far.

Conclusions

11. Chiltern Rail have had 10 years to redevelop the building and have not done so – it is very unlikely that this situation will change, therefore the recommended course of action is the only one available.

Next Steps

12. The compulsory purchase process normally takes around 18 months. However, if Chiltern Rail do not object then it could be considerably shorter. Alternatively, Chiltern Rail could be in a position to negotiate a sale, in which case the process would be shorter still.
13. Following acquisition there will be a period of works of 6-12 months following which the shed will be available to use. Design, planning and survey work, along with related procurement activity can all take place in parallel with the compulsory purchase process.

Background Papers

Exempt Appendix A: background detail.

Agenda Item 11. Appendix A

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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FILE ON ACTION TAKEN UNDER DELEGATED AUTHORITY

SUPPLEMENTARY ITEMS (IF ANY)

URGENT ITEMS (IF ANY)

Notification for Press and Public
--

**Notification of Items expected to be taken in exempt session,
as required by access to information requirements.**

The meeting will be asked to resolve that the Press and Public be excluded from the meeting during consideration of the following items as they contain exempt information as defined in Regulation 4(2)(b) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, more particularly as follows:-

Item 5 Use of S106 Affordable Housing Funds – Appendix A

Item 7 Budget Monitoring Report for Period 6 Ending 30 September 2018/19 - Appendix B CAP 1, CAP 2 & CAP3

Item 9 Chilterns Crematorium Joint Committee - Amendments to the Constitution – Appendix B

Item 10 Parking Services – Appendices A and B

Item 11 Eastern Quarter – Appendix A

Information relating to the financial or business affairs of any particular person (including the authority holding that information) (Paragraph 3, Part 1 of Schedule 12A, Local Government Act 1972)

[The need to maintain the exemption outweighs the public interest in disclosure, because disclosure could prejudice the Council's position in any future tender process or negotiations]

Item 15 File on Action taken under Exempt Delegated Powers

Economic Development & Regeneration Sheet Nos: EDR/45/18 – EDR/47/18

Information relating to the financial or business affairs of any particular person (including the authority holding that information) (Paragraph 3, Part 1 of Schedule 12A, Local Government Act 1972)

[The need to maintain the exemption outweighs the public interest in disclosure, because disclosure could prejudice the Council's position in any future tender process or negotiations]

FILE ON EXEMPT ACTIONS TAKEN UNDER DELEGATED AUTHORITY

EXEMPT SUPPLEMENTARY ITEMS (IF ANY)

EXEMPT URGENT ITEMS (IF ANY)