



Special Council

Date: 21 November 2013
Time: 5.30 pm
Venue: Council Chamber
District Council Offices, Queen Victoria Road, High Wycombe, Bucks

You are hereby summoned to attend a Special Meeting of the Council to be held in the Council Chamber, District Council Offices, Queen Victoria Road, High Wycombe on 21 November 2013 at 5.30 pm to consider the business set out in the Agenda below.

Ms K Satterford
Chief Executive

Agenda

Item		Page
1	APOLOGIES FOR ABSENCE To receive apologies for absence	
2	MINUTES To approve as a correct record the minutes of the meeting of the Council held on 7 October 2013	1 - 16
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.	
4	CABINET To receive the minutes of and consider any recommendations from the following meetings:	17 - 26

Item**Page**

Cabinet	4 November 2013
Special Cabinet	21 November 2013 (To follow)

For further information, please contact Iram Malik on 01494 421204, or email iram_malik@wycombe.gov.uk

Council Minutes

Date: 7 October 2013

Time: 6.30 - 7.47 pm

PRESENT: Councillor I L McEnnis (in the Chair)

Councillors Mrs J A Adey, Z Ahmed, M Angell, D A Anson MBE, M C Appleyard, D H G Barnes, I Bates, W J Bendyshe-Brown, Mrs L M Clarke OBE, A D Collingwood, R B Colomb, C A Ditta, R Farmer, M A Foster, R Gaffney, J Gibbs, S Graham, A R Green, G C Hall, M Hanif, C B Harriss, A E Hill, A Hussain JP, M Hussain, M Hussain JP, D A Johncock, Mrs G A Jones, M E Knight, Ms R Knight, S P Lacey, Mrs J D Langley, Ms P L Lee, Mrs W J Mallen, J A Malliff, N B Marshall, H L McCarthy, Mrs M L Neudecker, S F Parker, Mrs K M Peatey MBE, B R Pollock JP, J L Richards OBE, J A Savage, R J Scott, C Shafique MBE, D A C Shakespeare OBE, A Slater, T Snaith, Mrs J E Teesdale, A Turner, P R Turner, Ms J D Wassell, D M Watson, R Wilson and Ms K S Wood

Also Present: Honorary Aldermen J M Blanksby and Mrs P Priestley.

38 ONE MINUTE SILENCE

The Chairman requested all Members to stand for a minute`s silence in memory of ex Councillors Peter Morris and Patricia O`Rourke who sadly recently passed away.

39 APOLOGIES FOR ABSENCE

Apologies for absence were received from Honorary Aldermen E H Collins, D A E Cox, A J Hurst, M B Oram and Mrs K M Peatey MBE. Councillors: K Ahmed, D J Carroll, D V E Morgan and B Pearce.

40 MINUTES

RESOLVED: That the minutes of the meeting of the Council held on 16 July 2013 be approved as a true record and signed by the Chairman.

41 DECLARATIONS OF INTEREST

No declarations of interest were received.

42 CHAIRMAN`S ANNOUNCEMENTS

(a) Woodland Service Transfer

The Chairman announced that on 24 July 2013, the Brush Hill Nature reserve transfer of the Woodland Service to the Chiltern Society at Princes Risborough had taken place.

(b) Community Champion Awards

The Chairman reported on the latest Community Champion Awards which took place in High Wycombe on 26 September 2013. It was reported that there had been some excellent entries and very well deserved winners.

(c) Battle of Britain

The Chairman informed Members that he had attended a Battle of Britain Service and that the turnout had been very good. He thanked Members for their help and support in this matter.

(d) Memorial Service

The Chairman of the Council encouraged all Members to attend the Memorial Service for Roger Emmett on Wednesday 6 November at 2.30pm to be held at All Saints Parish Church, High Wycombe.

(e) Welcome

The Chairman extended a warm welcome on behalf of the whole Council to the newly elected Councillor Roger Metcalfe to his first Council Meeting. Councillor Metcalfe had been elected to the Hambleden Valley Ward on 5 September 2013.

(f) Congratulations

The Chairman took pleasure in congratulating Councillor Rachel Knight on her recent exam success in obtaining her legal degree.

(g) Lesley Clarke

The Chairman of the Council congratulated the Vice-Chairman of Council on recently receiving the OBE honour.

Leaders Announcement

The Leader of the Council rose to welcome Councillor Metcalfe to the Council, which he said had been a very good victory for his group. He also welcomed Councillor Shafique who had crossed the floor into the ranks of the Conservative Party.

43 QUESTIONS FROM MEMBERS OF THE PUBLIC

(a) Question from Mr G Brown to the Cabinet Member for Community

“When was the last time you met with the Chief Executive and Chairman of Red Kite to discuss their delivery on their promises on the decent home standards?”

Response from Councillor J M Gibbs (Cabinet Member for Community)

“The Council meets with Red Kite on a regular basis looking at various areas of mutual benefit and interest, such that are of a strategic or partnership nature. However we do not act as police officers or enforcer of their day to day operations. We do discuss progress in respect of them meeting their programme of improvements, which at the last review was deemed to be quite acceptable.

I would like to reiterate that our job as the Local Authority is to focus on the more strategic housing issues.”

Supplementary Question

“My wife and I have been told by Red Kite that our property is fit for living, but it is not. My wife is a post operation kidney transplant patient and is susceptible to the cold, and there is mould in the winter. Red Kite have been fumbling with resolving the issue.

Please could someone come and look at our property.”

Supplementary Response

“Thank you for your question. A decent home is required to meet 4 criteria in accordance with the Housing Act 2004. This includes (a) meeting the current statutory minimum standard for Housing, (b) being in a reasonable state of repair, (c) having reasonable modern facilities and services, (d) providing a reasonable degree of thermal comfort. However I think it is inappropriate to discuss individual cases here, and so I invite you to meet with me regarding the issue outside of this meeting.

44 QUESTIONS FROM MEMBERS

(a) Question from Councillor S Parker to the Leader of the Council

“Whilst recent signs of an upturn in the economy are most welcome, a recent survey by Citi Analysts concluded that the UK is going through an "unprecedented squeeze on living standards," thanks to falling incomes and rising costs of necessities like energy and utilities. Could the Leader of the Council assure us that all steps necessary are being taken to ensure that the burden of such a squeeze is being borne equally across the community?”

Response from Councillor R J Scott (Leader of the Council)

“I too welcome the recent upturn in the economy and, although you refer to a national report, recent local indicators are also promising. Wycombe District has seen 542 new company formations in the first six months of this year and the claimant count locally continues to fall, with the latest figure dropping to 2%. The Council is pressing on with its regeneration and growth plans and I am pleased to report to Members that we now on-site and have commenced the enabling works for the Handy Cross redevelopment scheme. The new sports and leisure centre is on course to open in summer 2015. This, and other regeneration projects, are all contributing to the creation of up to 2,000 new jobs by 2016.

In respect of Council services, I would highlight that this Council has not increased the level of Council Tax for the last three years. We continue to review and transform our services, as well as seeking out other sources of income, to provide value for money to local residents and maintain and improve services as much as we can. In answer to your very broad question,

we always try to strike the right balance to ensure any burdens are equally shared, whilst taking into account the interests of all Council taxpayers.

By helping our local economy to grow and the actions this Council is taking I believe we are ensuring that peoples' living standards are maintained and improved as far as we can, recognising that we are having to respond to the demands of Government and the global economy.”

Supplementary Question

“Thank you for the response.

We are always pleased to hear of economies made on behalf of taxpayers, but of course should always be seen to be playing our part.

In the wake of the deepest recession in living memory, those in the most need have effectively lost income, notably due to the changes in the administration of Council Tax Benefit and the introduction of the Spare Room Subsidy.

Many others are finding that with increases in the cost of living consistently outstripping rises in incomes, they are effectively working harder and longer to achieve the same income.

Last year the Leader’s predecessor took the view that members of the ruling party should show a degree of solidarity with the suffering public, and reduced the Special Responsibility Allowances paid to cabinet members to £7,000.

This year, as living standards struggle to keep pace with inflation, the current cabinet decided to reverse the decision of the previous year, and to revert to the levels recommended by the Independent Remuneration Panel.

The effect of this is quite startling. The SRA paid to a cabinet member has increased from £7000 to £9029, an increase of almost 28%. Deputy cabinet ministers have seen a doubling of their allowance, and the Leader and Deputy Leader have also benefited from significant increases.

Notwithstanding the reduction in size of cabinet, and the increased workload incurred, can the Leader honestly claim that he could look someone in the eye, having lost £5 a week of this £60 in job seekers allowance, and repeat the chancellor’s much quoted phrase “We’re all in this together?”.”

Supplementary Response

We have reverted to the national levels of pay for a very hard working cabinet. Since becoming Leader I have also reduced the size of the Cabinet.

(b) Question from Councillor I Bates to the Cabinet Member for Planning and Sustainability

“How much money has WDC received from developers and planning applicants over the last 10 years through Section 106 Agreements and Community Infrastructure Levy? How much has actually been spent in support of initiatives to benefit the communities where developments have taken place?”

Response from Councillor N B Marshall (Cabinet Member for Planning & Sustainability)

“WDC has received £12,635,400 from developers and planning applicants over the last 10 years through Section 106 Agreements. This information has been regularly reported to Cabinet in finance update reports.

As at 01 October 2013 £197,950 has actually been received in the form of Community Infrastructure Levy. You will be aware that this is a new system, introduced at the end of last year and there is a lead in time.

£6,996,450 has actually been spent in support of initiatives to benefit the communities where developments have taken place and the schemes have been agreed each year through Cabinet decisions. This autumn we have commenced a new regime to handle bids for the use of available funds and this will culminate in a report to Cabinet in February 2014.”

Supplementary Question

“In the period I have just mentioned, that is since 2003, has WDC been obliged to refund any developer contributions because of the expiry of time limits on spending? What is the total amount of money that WDC has had to hand back? At the current time are any developer contributions at risk of having to be returned, say within the next six months?”

Supplementary Response

“A lot of this work preceded my time as Cabinet Member for this area, I will send you a written response.”

(c) Question from Councillor T Snaith to the Cabinet Member for Planning and Sustainability

“I’m sure Members appreciate the latest changes that planning have made to make the process easier. Have the changes under the DELCH process and the way planning applications are referred to Planning Committee improved to the point where members and residents can be satisfied that the outcomes are fair. Can we be assured that when residents and members request applications to be presented to Planning Committee we can see the scrutiny and debate of the application is in public?”

Response from Councillor N B Marshall (Cabinet Member for Planning & Sustainability)

“I am satisfied that we have a very fair and robust system for determining planning applications, even if every party does not agree with the final decision. All planning applications, whether determined by Planning Committee or under ‘delegated powers’, are carefully considered against our adopted policies and in the light of all representations received.

We target the valuable time of the Planning Committee at those applications where the scrutiny of the Committee can add real value to the process. This is part of ensuring cost effective and robust decision making.

The 'DELCH' process to which you refer captures more contentious applications and when local members put forward sound planning reasons and request consideration of an application at Planning Committee this request is considered in consultation with the Chairman. A decision is then reached on whether to allow the application to be decided under delegated powers, or whether it raises issues of such significance that it should be referred to the Planning Committee for additional scrutiny.

Under Cllr Johncock's chairmanship the Planning Committee has recently reviewed its procedures and, subject to consideration by Regulatory and Appeals Committee, has agreed refinements to the 'DELCH' arrangement. This should further improve the process and the involvement of ward members. However, this does not mean that all requests for 'call ups' can be acceded to as there needs to be judgment applied on whether there are sound planning issues to debate. I see that the Chairman is well placed to make that judgment."

Supplementary Question

"Address the point asked regarding can ward members and residents be satisfied that the process is fair, is it?

I have been supplied by Planning Department the applications for the period April 2012 to date with members call up requests for items to come to Planning and the number that Chairman of Planning refused to bring to Planning Committee despite Members' request opted to DELCH the decisions and refuse the public scrutiny of the merits of the planning case.

The data shows out of 38 planning applications 18 were DELCH and 20 were sent to Planning Committee. This seems reasonable on the face of it.

However when viewed as High Wycombe Town (unparished wards) rural wards the finding are disturbing.

Rural – 7 DELCH and 13 sent to Planning

Unparished town wards – 11 DELECH and 7 sent to Planning

Without opening up debate to specific planning reasons unparished High Wycombe wards do not appear to be getting a fair hearing.

There is great disparity between what was allowed to be referred by Unparished High Wycombe ward Members and rural Members.

What can you offer to alleviate the concerns of Members and comments from residents that this Council is showing an undue bias to the rural areas when it comes to allowing for public scrutiny of application's at Full Council"

Supplementary Response

"You have raised this issue many times previously during my chairmanship of the Planning Committee. I would assert that perhaps it is the quality of the applications and requests that determines the matter.

(d) Question from Councillor M Hanif to the Cabinet Member for Community

“As a result of central government cuts some local authorities are preparing to invest in charity-run food banks to cope with demand for crisis help from residents hit by reductions in their benefits.

Families in this town are affected as local food banks report massive increases in demand for their help. What is WDC doing to help such families?”

Response from Councillor J M Gibbs (Cabinet Member for Community)

“There are food banks in the area and we are working with agencies to assist households affected by the welfare reforms in a number of ways. These include, Discretionary Housing Payments, housing and homelessness assistance, Bucks and Oxon single homeless project work, debt advice and are working with the County Council to assist affected households. We work closely with The One Can trust who operate in the area, and have made a number of referrals to them for families who have been in for advice and they have been grateful for the help received.”

Supplementary Question

“A recent study supported by Joseph Rowntree Foundation, Oxfam and Trussle Trust said that up to half of all people turning to food banks are doing so as a direct result of having benefit payments delayed, reduced, or withdrawn altogether and changes to the benefit system are the most common reasons for people using the food banks.

They called on the government and local authorities to improve the monitoring and recording of the data on food poverty.

You regard this Council as caring and responsible local authority, can you please tell me what is being done for effective monitoring and recording of such data on food poverty in this town.”

Supplementary Response

“The Joseph Rowntree Foundation is a socialist organisation. We look at the bigger picture. I can report that as in the month of July, in the first quarter, £62,000 was given in discretionary housing payments. Next April personal allowance for tax will be increased getting people into work.

(e) Question from Councillor R B Colomb to the Leader of the Council

“Would the Leader please list the judicial reviews in which the Council appears as defendant and the costs incurred so far?”

Response from Councillor R J Scott (Leader of the Council)

“There are two judicial review matters in which the Council is currently involved.

The first is the challenge by the Daws Hill Neighbourhood Forum to the decision taken by Cabinet on 31 July 2012 to exclude the RAF Daws Hill site and the Handy Cross Sports Centre site from the proposed Daws Hill Neighbourhood Area. The Forum strongly objected to the Cabinet's reduction of the proposed Neighbourhood Area, although the Council has received

advice that it was entitled to do so and this was supported by the High Court Judge, who ruled in the Council's favour. The costs incurred in the proceedings so far are £25,925. The Council is having to incur further costs (estimated at around £25,000) in defending the matter in the Court of Appeal. The hearing is scheduled to take place in February 2014.

The second judicial review case is the challenge by the owners of the Eden Shopping Centre to the grant of planning permission on 16 July 2013 (following the Planning Committee's decision of 5 June 2013) to Next plc for retail development on part of the Cressex Island site. Eden are concerned with the potential impact of the proposal on the Town Centre. They allege that the grant of permission is unlawful and have applied for the permission to be quashed. If the matter proceeds to the full hearing in the High Court, costs estimated to be incurred are £32,780. The costs incurred to date are £9,180."

There was no supplementary question.

(f) Question from Councillor Ms R Knight to the Cabinet Member for Community

"Can the cabinet member please tell us how much in community funding has been allocated for the support of victims of domestic violence in our district and whether this has increased or decreased over the past ten years?"

Response from Councillor J M Gibbs (Cabinet Member for Community)

"While domestic violence work is co-ordinated by Bucks County Council, as a member of the Community Safety Partnership we have always worked to both tackle domestic abuse and support the victims of these crimes. The Community Safety Team has provided small amounts of funding for different projects tackling domestic abuse for a number of years.

In addition, over a number of years Wycombe Women's Aid has received annual revenue grants, currently £135,300, as well as a grant from Bucks County Council.

This remains an important area of work for both us and our partner councils and agencies."

Supplementary Question

"In light of the fact that injury by domestic violence was one of the few crimes in the area to have risen and the cuts and gaps to local provision (play therapy for children who have witnessed etc) providers have been able to offer, is the Council doing enough, under its community obligations, to support victims?"

Supplementary Response

"Yes of course, we are currently gathering information on grants to decide on appropriate levels. In the meantime we are mindful of our commitments under the Bucks Compact to our voluntary sector partners."

(g) Question from Councillor S Graham to the Cabinet Member for Environment

“There have been recent accusations from the Government Communities Secretary that councils use “over-zealous and unfair rules” to catch people parking illegally. How does the Cabinet member propose to change the current rules in the District to stop them damaging town centres as Mr Pickles tells us they do? Will parking charges be reduced, double-yellow lines be removed and CCTV cameras be turned off as central government wants?”

Response from Councillor Mrs J E Teesdale (Cabinet Member for Environment)

“It is important to remember the wider transportation issues associated with restrictions on parking and the reason for enforcement. In particular, controls are needed to keep traffic moving, for safety reasons, to balance supply and demand, to encourage turnover, to consider the needs of shoppers, businesses and residents, to assist environmental and health considerations, and to encourage people to use other forms of transport etc.

As part of the Council's service transformation programme, the parking service has been undergoing a review. It is intended that parking tariffs will be reviewed in due course, in particular the structure of tariffs but any changes to tariffs would be subject to public consultation. It is known that people will visit an area for the 'offer' rather than be influenced by the price of parking.

With respect to on-street enforcement (double yellow lines, signs, loading bays etc) this is a matter for BCC and their contractors, NSL. However, many lines and signs are in place to reduce accidents, ensure the free flow of traffic and to try to ensure that emergency vehicles can get through streets in urban areas. CCTV is provided in our car parks to assist with reducing the incidence of crime and fear of crime but isn't used specifically to monitor parking incidents.”

Supplementary Question

“Is the Cabinet Member in agreement with Mr Pickles, as to the over-zealous use and unfair nature of the rules, to catch people parking illegally.”

Supplementary Response

“We haven't increased parking charges since 2008. No we have not been over-zealous. Our CCTV activity is purely for safety reasons and to make people feel safer. We are a very caring Council. ”

(h) Question from Councillor M Knight to the Cabinet Member for Finance

“What is Wycombe District Council doing to reduce the impact of the "discretionary housing payment" (or bedroom tax) on families of disabled people and are you satisfied that all is being done to ensure that the disabled are not being unfairly discriminated against?”

Response from Councillor M A Foster (Cabinet Member for Finance)

“Thank you Chairman and thank you Councillor Knight for your question.

I think your question is about the way in which the Council has responded to the changes in the benefit system regarding spare bedrooms, as discretionary housing payments provide people with short-term help where they have financial difficulty meeting their housing costs.

Supporting claimants as they adjust to new levels of benefit is a priority and this is why claimants affected by welfare changes are specifically mentioned in our discretionary housing payment (DHP) guidelines. Factors such as medical circumstances of the claimant and their family, including ill health and disabilities, are taken into account.

There are specific groups who are exempt from the spare bedroom changes, such as children who are unable to share a bedroom due to severe disability, who may be allowed an extra bedroom, depending on their individual circumstances. There have been 10 such child cases.

However, disabled adults are not directly protected from the room restrictions, although DHP can be given where extra support is needed, in line with our published guidelines.

So far around 619 families have been affected by the room restrictions in Wycombe District and of these, 254 are in receipt of a disability income – although this does not imply that they need extra financial help.

This year to date we have provided DHP support to a total of 216 claimants totalling almost £94,000. Of this number, 81 claimants have come to us as a result of room reductions, of which 42 are in receipt of a disability income.

All applications for DHP are treated according to the overall criteria laid down by the DWP and the published guidelines issued by the Council and I am fully satisfied that there is no discrimination concerning disabled people within the application process.”

Supplementary Question

“I am glad to hear that Wycombe District Council is meeting its statutory duties when it comes to housing.

I have observed that in some areas of service delivery the council takes pride in going beyond its statutory duties to offer real quality and added value for residents. When it comes to housing it seems that a lot of energy and resources are spent ensuring that only statutory duties are met with very little flexibility when dealing with vulnerable people who for whatever reason do not meet the requirements for statutory support.

Would you agree that as a result we are failing some of our most vulnerable residents and increasing the risk that they fall through the gaps?

Supplementary Response

“No this is not the case. The Council is meeting the minimum standards. Furthermore the Council has protected disabled people from the impact of recent changes due to the Council tax reduction scheme. We cannot give an assurance that we have not rejected any DHP claims for disabled people, but this would only be so if there were clear reasons for doing so.

Therefore I would say that your observations are unfair.”

45 PETITIONS

No petitions were received before the deadline of 5pm on Monday 30 September.

46 CABINET - 22 JULY 2013

(a) Minute 25 – Extra Care Charitable Trust

A Member pointed out that there was a great need for temporary housing, and yet they were being transferred away. Was this not the case, Saunderton Lodge could be disposed of and more suitable housing provided within the town. She insisted that local Town Committee Members should be consulted on such matters prior to taking these sorts of decisions.

The Chairman of the High Wycombe Town Committee clarified that these were not existing properties being transferred but that it was a new development that was anticipated to bring income, whilst providing people with a place to live.

RESOLVED: That the Minutes of the meeting of the Cabinet held on 22 July 2013 be received.

47 CABINET - 9 SEPTEMBER 2013

(a) Minutes 30 – Referral from High Wycombe Town Centre – Fair Trade Status

A Member rose to support the endorsement of fairtrade principles, which had received cross party support. He emphasised that in relation to recommendation (iv), fairtrade should be applied across all markets.

Another Member objected to the general emphasis of the recommendations, stating that it was the local farmers and businesses that should take priority over and above the application of fair trade. He then proposed an amendment to the recommendation which was seconded by Councillor M Hussain.

Another Member stated that there was no conflict between fairtrade principles and wanting to provide support to local businesses. The 2 ideas were inextricably bound together.

Upon a vote being taken on the amendment, this was lost by majority decision.

RESOLVED: The minutes of the meeting of the Cabinet held on 9 September 2013 be received and the recommendations as set out at minute number 30 be approved and adopted.

48 IMPROVEMENT AND REVIEW COMMISSION - 4 SEPTEMBER 2013

RESOLVED: That the minutes of the meeting of the Improvement and Review Commission held on 4 September 2013 be received.

49 AUDIT COMMITTEE - 19 SEPTEMBER 2013

RESOLVED: That the minutes of the meeting of the Audit Committee held on 19 September 2013 be received, and the recommendation as set out in minute number 22 be approved and adopted.

50 HIGH WYCOMBE TOWN COMMITTEE - 10 SEPTEMBER 2013

RESOLVED: That the minutes of the meeting of the High Wycombe Town Committee held on 10 September 2013 be received.

51 PERSONNEL AND DEVELOPMENT COMMITTEE - 23 SEPTEMBER 2013

RESOLVED: That the minutes of the meeting of the Personnel and Development Committee held on 23 September 2013 be received.

52 PLANNING COMMITTEE - 31 JULY, 25 AUGUST AND 25 SEPTEMBER 2013

RESOLVED: That the minutes of the meeting of the Planning Committee held on 31 July, 28 August and 25 September be received.

53 REGULATORY AND APPEALS COMMITTEE

Minute 13 – Constitutional Amendments

A Member rose to express the view that there should be a reversal of the current recommendation which was to reject the implementation of a protocol to allow filming/photography at Council/Committee meetings. It was suggested that the recommendation be amended to allow for this. This was moved by Councillor A D Collingwood and seconded by Councillor M Hussain (JP).

Upon a vote being taken, the amendment was carried by majority decision.

RESOLVED: That

- (i) the minutes of the meeting of the Regulatory and Appeals Committee held on 16 September 2013, be received and the recommendations as set out at minute numbers 11, 12 and 13(b) and 13(c) be approved and adopted.

- (ii) the recommendation at Minute 13(a) not be agreed and that the Protocol for filming recording and photography at Council, Cabinet and Committee meetings be adopted.

54 QUESTIONS UNDER STANDING ORDER 11.2

There were none.

55 COMMITTEE APPOINTMENTS/CHANGES

RESOLVED: That the following changes to Committee Membership in accordance with Standing Order 18(9) as set out in the Council Summons, and in the supplement be noted.

Hambleden Valley By election

Councillor R Metcalfe has been elected as Councillor for the Hambleden Valley ward following the by election which took place on 5 September 2013.

The current political composition of the Council following the by election and Councillor Shafique joining the Conservative Group is as follows:

	Members	%
Conservative Group	42	70.00
Labour Group	5	8.33
Liberal Democrat Group	9	15.00
Independent Group	2	3.33
UKIP	1	1.67
(Independent) Real Conservative	1	1.67

Other Changes to Note

As a result of the revised political composition the Labour Group has lost a seat on the Joint Staff, Planning and Licensing Committees. The conservative Group has gained a seat on each of those Committees.

Councillor R Metcalfe to replace Councillor M Angell as a full member of the Joint Staff Committee.

Councillor R Metcalfe to become a Full Member on the Planning Committee and Licensing Committees

Councillor J Gibbs to stand down as a Standing Deputy on the Planning Committee.

Councillor I Bates to stand down as a Full Member of the Planning Committee.

Councillor K Ahmed to stand down as a Standing Deputy on the Planning Committee.

Councillor I Bates to replace Councillor M Hanif as a Standing Deputy on Planning Committee.

Councillor Ms R Knight to become a full Member of the Licensing Committee.

Councillor S Graham to replace Councillor I Bates as a Standing Deputy on the Licensing Committee.

Councillor M Hanif to replace Councillor C Shafique MBE as a Standing Deputy on the Improvement & Review Commission.

Councillor I Bates to replace Councillor C Shafique MBE as a Full Member of the Standards Committee.

Councillor Ms R Knight to replace Councillor C Shafique MBE as a Standing Deputy on Personnel & Development Committee.

Councillor C Shafique MBE to become a Full Member of the Joint Staff Committee.

To confirm the membership of the JNC Staffing Matters Committee as follows:

R Scott (Chairman)

H McCarthy (Vice Chairman)

N Marshall

D Johncock

S Parker

(Standing Deputies) J Savage, J Adey, B Pollock JP

Council also **agreed** that delegated authority be given to the Committee to undertake the process and appoint the new Head of Planning & Sustainability as determined by that Committee.

Outside Bodies

Wycombe Air Park Joint Consultative Committee – Councillor R Metcalfe be appointed in his capacity of Hambleden Ward Member to serve until 2015.

Chilterns Conservation Board – Councillor R Metcalfe be appointed to serve until 2015.

Joint Crematorium Committee – Councillor H McCarthy to replace Councillor Mrs J E Teesdale until May 2014.

Red Kite – Councillor J L Richards OBE be appointed to replace Councillor B Pollock JP until May 2014.

56 THANKS

Councillor R Metcalfe rose to thank everyone for the very warm welcome he had received and stated that it would be an honour and a privilege to serve the Council and its constituents.

He also took the opportunity to thank the officers for the very efficient induction process which he had recently undergone.

Chairman

The following officers were in attendance at the meeting:

Ian Hunt	- Democratic Services Manager
Iram Malik	- Democratic Services Officer
Karen Satterford	- Chief Executive
Ian Westgate	- Corporate Director

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Cabinet Minutes

Date: 4 November 2013

Time: 7.00 - 8.45 pm

PRESENT: Councillor R J Scott (Executive Leader of the Council - in the Chair)

Councillor M A Foster	- Cabinet Member for Finance
Councillor J Gibbs	- Cabinet Member For Community
Councillor A R Green	- Cabinet Member for Economic Development & Regeneration
Councillor M Hussain JP	- Cabinet Member for HR, ICT & Customer Services
Councillor N B Marshall	- Cabinet Member for Planning and Sustainability
Councillor H L McCarthy	- Deputy Leader and Cabinet Member for Strategy
Councillor Mrs J E Teesdale	- Cabinet Member for Environment

By Invitation

Councillor I Bates	- Leader of the Labour Group
Councillor S F Parker	- Leader of the Liberal Democrat Group
Councillor A Turner	- Leader of the Independent Group
Councillor Mrs J D Langley	- Chairman of the Improvement & Review Commission

Also present: Councillors P R Turner, A D Collingwood, G C Hall, B E Pearce and B R Pollock JP

38 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor I McEnnis (Chairman of the Council).

39 MINUTES

RESOLVED: That the Minutes of the meeting of the Cabinet held on 9 September 2013 be approved as a true record and signed by the Chairman.

40 DECLARATIONS OF INTEREST

Councillor A Collingwood declared an interest in Minute no.51 because he worked for a rival bank. This was noted and Councillor Collingwood remained in the Chamber during discussion of this item.

41 HIGH WYCOMBE TOWN CENTRE MASTERPLAN AND PUBLIC REALM

Cabinet had before it a report that outlined the Masterplan for High Wycombe town centre setting out a programme of improvements to help regenerate the town centre with short term improvements as referred to in the Public Realm Action Plan.

The report before Cabinet sought approval for funding to support key town centre improvement schemes, including improvements at Pauls Row/St Mary's St, a new A40 crossing to the Rye and longer term changes for an alternative route around the town centre.

The following decisions were made to support the regeneration of High Wycombe Town centre.

RESOLVED: That (i) funds from the Major Projects Programme towards the implementation of the Alternative Route be approved as set out in project A of the table at Appendix A of the report;

(ii) funds from the Major Projects Programme towards the Pauls Row and St Marys St/ A40 Rye crossing schemes be approved, as set out in projects B and C of the table at Appendix A of the report;

(iii) s106 funds allocated towards pedestrian improvements by February 2013 Cabinet towards implementation of Pauls Row and St Marys St improvements be approved as set out in project B of the table at Appendix A of the report; and

(iv) LABGI funds to contribute to the A40 Rye crossing as set out in project C and various complementary public realm improvements be approved as set out in project D of the table at Appendix A of the report.

42 REFERRAL FROM THE IMPROVEMENT & REVIEW COMMISSION - NEW LOCAL PLAN TASK AND FINISH GROUP PROGRESS REPORT

Cabinet had before it a report that outlined the recommendations from the Improvement and Review Commission following the current review and exploration of the Local Plan, by the Local Plan Task and Finish Group (T&FG).

The Chairman of the Improvement and Review Commission confirmed that the Commission's T&FG would continue to work alongside the Planning and Sustainable Policy and Advisory Group to provide non-executive participation to the development of the New Local Plan.

Various comments were made by other Members present including the importance of working with neighbouring authorities, ensuring the road infrastructure would be sufficient and emphasis was placed on safeguarding employment land.

Cabinet considered the report before them and noted the concerns raised. The Cabinet then expressed its thanks to the Task and Finish Group for all its hard work, and for offering its views and opinions on the relevant issues.

The following decisions were made to ensure that the formulation of the New Local Plan was fully scrutinised by the Improvement and Review Commission. The findings of the Commission were to be referred to the Cabinet on a regular basis during the formation of the New Local Plan. The recommendations contained in the report represented the first such referral.

RESOLVED: That the two recommendations made by the Improvement and Review Commission in respect of the current stage of the review of the Local Plan be noted and taken forward as part of the next agenda item on the New Local Plan(Minute number 43):-

(i) **Recommendation 1** – Cabinet was encouraged to consider and consult with the public on a wide range of options at the next stage, which should include a Green Belt review; and

(ii) **Recommendation 2** – Cabinet take account of the issues at paragraphs 14-24, when developing the options for consultation and as the Local Plan continues to be prepared.

43 NEW LOCAL PLAN - OPTIONS REPORT

Cabinet approval was sought to enable public consultation on the New Local Plan Options consultation document, which detailed the key issues affecting the future of the district including proposals for housing and business development.

The consultation was scheduled to take place from the end of January 2014. The report before Cabinet outlined the work undertaken to date, and the next steps in the process.

Members were informed that the recommendations of the Improvement and Review Commission New Local Plan Task and Finish Group had been incorporated within the document.

Many Members highlighted the importance of ensuring that the public consultation was undertaken correctly based on the requirements of the specific areas with input from the local Ward Members.

The following decisions were made to enable full consultation to be undertaken on key issues affecting the future of the District, namely the scale and location of growth up to 2031. To also ensure greater coordination between work on Local Plans across Buckinghamshire in the future to enable cross-boundary and strategic issues to be considered on similar timescales.

RESOLVED: That (i) delegated authority be granted to the Head of Planning and Sustainability in consultation with the Leader, Deputy Leader and the Cabinet Member for Planning and Sustainability to agree the New Local Plan Options Consultation Report, based on the scope of the report and Appendix A, for consultation commencing in January 2014; and

(ii) the convergence of timetables for the preparation of future Local Plans across Buckinghamshire from 2016 onwards be agreed.

44 REFERRAL FROM THE HIGH WYCOMBE TOWN COMMITTEE - BASSETSBURY ALLOTMENT - DQRA FINDINGS

The report before Cabinet for consideration set out the recommendations from the High Wycombe Town Committee to close the Bassetsbury Lane Allotments site, following a Detailed Quantitative Risk Assessment (DQRA), which had discovered significant additional contamination across the whole site. The report highlighted that remediation was unaffordable and therefore closure was recommended.

Members recalled that the allotments had been closed in 2009 as a result of soil contamination concerns. Since that time, further investigative work had been carried out and this had established beyond doubt that substances hazardous to health in the long term were present on the site.

The following decisions were made as the DQRA had discovered significant additional contamination spread across the whole site. Remediation was unaffordable and therefore closure was recommended.

RESOLVED: That (i) Bassetsbury Allotment be closed and compensation for closure given to allotment holders, subject to legislation and individual circumstances. Compensation to be met from existing budgets; and

(ii) the Secretary of State's consent to be sought for the closure of the site as necessary and, once received, the site to be declared surplus to requirements and transferred to Estates to consider its future use.

45 AFFORDABLE HOUSING REFERRAL FROM THE IMPROVEMENT & REVIEW COMMISSION

Cabinet had before it a report from the Improvement and Review Commission which had endorsed the final report of the Affordable Housing Task and Finish Group (T&FG) at its meeting on 4 September 2013.

The recommendations of the T&FG were the result of a review of affordable homes within the district to ensure adequate affordable homes were available to purchase and rent in the future.

During discussions, it was agreed that further information concerning the proposed recommendations would be helpful, including a detailed report on the financial implications of adopting the recommendations.

Cabinet thanked the Task and Finish Group and officers for all their hard work.

RESOLVED: That the recommendations made by the Improvement and Review Commission on Affordable Housing be received, and a further report be presented to Cabinet responding to each of the recommendations in detail in February 2014.

46 REVIEW OF WYCOMBE COMMUNITY INFRASTRUCTURE LEVY

The report before Cabinet set out the results for the first year of operation of the Wycombe Community Infrastructure Levy (CIL) and sought approval to introduce a discretionary relief policy for charitable institutions. Cabinet noted that the implementation of the levy had been a success, with funds being received to fund infrastructure improvements.

The following decisions were made as Cabinet had recommended that the operation of the Wycombe CIL be reviewed after 12 months when it approved the adoption of the Wycombe CIL Charging Schedule in October 2012.

RESOLVED: That (i) the results of the first year of the operation of the Wycombe Community Infrastructure Levy be noted; and

(ii) the adoption of a discretionary charitable relief policy to allow the Council to offer relief for developments by charities when it would constitute a state aid be agreed.

47 BUDGET MONITORING REPORT QUARTER 2

The report before Cabinet set out the budgetary position at the end of September 2013 and identified the key issues and actions being taken by officers.

The following decision was made as the Cabinet approved a budget each year within the context of a Medium Term Financial Strategy to achieve the Council's priorities. Regular monitoring reports were submitted to Cabinet for review during the financial year, with management actions highlighted to ensure that Cabinet could assess whether any further action was required.

RESOLVED: That the current budgetary position at the end of September 2013, and actions already taken, be noted and support be given to the further management actions proposed to ensure that the budget is achieved.

48 REVIEW OF COUNCIL TAX REDUCTION AND DISCRETIONARY RATE RELIEF

Cabinet reviewed the Council Tax Reduction Scheme that had been in operation since 1 April 2012. It was noted that no major issues had arisen and therefore it was proposed that the scheme remained unchanged for 2014/15. The report detailed that delegated authority was sought to allow Officers' and the Cabinet Member for Finance to agree technical changes to allow timely clarifications in the event of any discrepancies.

The following recommendations were made as the report to Cabinet on the 3rd December 2012 indicated that the Council Tax Reduction Scheme would be reviewed during 2013/14. The report summarised the experience over the first six months of operation.

Recommended: That (i) the existing council tax reduction scheme continue in 2014/15 as set out in the scheme details;

- (ii) the minor changes to officer guidelines for discretionary relief be agreed;
- (iii) authority be delegated to the Head of Finance and Commercial Services in consultation with the Cabinet Member for Finance to agree minor technical changes in respect of the council tax reduction scheme; council tax discounts; and officer guidelines for discretionary rate relief; and
- (iv) the minor technical changes to council tax discounts be agreed.

49 STRATEGIC BUDGET & MAJOR PROJECTS PROGRAMME

The report before Cabinet set out the Council's updated position on the Strategic Budget including its approach to the funding of major projects, managing risk, and an updated financial projection.

The report also referred to the Council's Transformation Agenda and detailed the key issues that were expected to impact on the future budget position.

The following recommendation and decisions were made as under the Council's Constitution and Budget Strategy, the Council reviewed and set a balanced budget each year in line with corporate priorities.

Recommended: That the updated Major Projects Programme and funding implications (2013/14 – 2017/18) set out at Appendices A & B of the report be approved.

RESOLVED: That (i) the updated financial projection for the Council's General Fund Revenue Account set out in Appendix C until 2019/20, key assumptions and forward budgetary planning implications be noted; and

(ii) the delegated decision taken by the Leader, Cabinet Member for Finance and Head of Finance and Commercial not to join a Business Rates pool in 2014/15 with other Buckinghamshire authorities be noted.

50 FILE ON ACTION TAKEN UNDER DELEGATED AUTHORITY

Cabinet received the following files on actions taken under delegated powers:

Community C/50/13 – C/59/13
 Economic Development & Regeneration EDR/1/13 – EDR/2/13
 Environment E/9/13
 Finance F/23/13 – F/26/13
 Leader L/5/13 – L/8/13

RESOLVED: 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:

Minute 51 – Exemption from Contract Standing Orders and Non Competitive Award of Banking Services Contract

Minute 52 - Temporary Accommodation Properties

Minute 53 - QVR14 – Office Accommodation Rationalisation

Minute 54 - Charter Market Contract Extension

Minute 55 – File on Exempt Actions Taken under Delegated Powers

Community Sheet Nos: C/7/13 – C/11/13

Economic Development & Regeneration Sheet Nos: EDR/60/13 – EDR/69/13

Finance Sheet Nos: F/2/10 – F/3/10

HR, ICT & Customer Services Sheet No: HICS/1/13

Leader Sheet Nos: L/1/13 – L/3/13

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]

51 EXEMPTION FROM CONTRACT STANDING ORDER AND NON-COMPETITIVE AWARD OF BANKING SERVICES CONTRACT

A report was considered which requested that a contract for the banking services of the Council be awarded and that an exemption from Contract Standing Orders be given to allow the contract to be awarded without further competition.

The following recommendations were made as the Council's banking services were currently provided by Nat West. For the reasons outlined in the report the costs and risks of a competitive re procurement exercise were considered to outweigh any benefits that the exercise may generate.

Recommended: That (i) the award of a new 3 year contract with the current service provider, National Westminster Bank ("Nat West"), for the provision of banking services to the Council be approved, and

(ii) an exemption from compliance with Contract Standing Orders be granted, so that the contract could be awarded without further competition.

52 TEMPORARY ACCOMMODATION PROPERTIES

Cabinet approval was sought to dispose of four empty temporary accommodation units and for delegated authority to lease one temporary accommodation unit to a partner housing provider. The report detailed that the funds from the sale of the properties would be used to develop affordable rented accommodation.

The following decisions were made as the properties were no longer fit for purpose with some having remained empty for long periods due to extent of repairs works required.

RESOLVED: That (i) the sale of 4 empty units of temporary accommodation be approved as set out in the report as they were no longer fit for purpose and required significant investment in order to be able to use. The monies raised from their sale to be used for the provision of temporary, affordable housing within the district to assist in the prevention and relief of homelessness.

(ii) delegated authority be given to the Head of Environment in consultation with the Cabinet Member for Community to lease 44 Benjamin Road to a partner housing provider. For the purpose of providing accommodation to potentially homeless households from a specific client group as outlined in paragraph 16 of the report on terms to be agreed, if considered to be viable.

53 QVR14 - OFFICE ACCOMMODATION RATIONALISATION

Cabinet approval was sought to commence procurement for works to rationalise the Council's accommodation requirements to reduce the Council's overall facilities costs.

The following recommendations and decisions were made as organisational changes over recent years had reduced the Council's office accommodation requirements. Council services and Member accommodation requirements, including the proposal to relocate the Museum, could now be met in Buildings A & B of the Queen Victoria Road offices.

Recommended: That (i) the allocation of funds be approved, as set out in paragraph 5 of the report, to the Major Projects Programme for the implementation of QVR14; and

(ii) a budget as set out in paragraph 6 of the report, and authority to proceed with a procurement exercise for works to implement QVR14 be approved.

RESOLVED: That (i) authority be delegated to the Corporate Director and Head of Finance & Commercial, in consultation with the Cabinet Member for HR, ICT & CSC and Cabinet Member for Finance to negotiate and agree the lease terms for Building C; and

(ii) Cabinet receive a further report in February 2014 detailing the cost of works, following the procurement exercise, for the implementation of QVR 14 and to consider the release of funds or

any conditional arrangements (e.g. whether the implementation of the scheme should be subject to the letting of some or all of Building C) for the release of funds.

54 CHARTER MARKET CONTRACT EXTENSION

Cabinet approval was sought for the market operator contract to be awarded to the current provider Saunders Market Management for a further two years to provide a sustainable market for the Town Centre.

The report stated that areas of improvements to the market operation would be explored in the coming year.

The following decisions were made as the current Market operating contract was due to expire on 28 April 2014. It was proposed to extend the current contract with the Market Operator for a further two years. In the current economic climate it was not believed that an improved offer could be achieved from another operator. Saunders Market Management had been successful in building a consistent critical mass throughout a difficult 3 years, during a difficult economic climate. High Wycombe Town Centre had therefore retained a viable market to build upon.

RESOLVED: That (i) the current contract with the Market Operator, Saunders Market Management be extended, for a further two years, on the terms as set out in the report with any other terms to be delegated to the Major Project and Estates Executive in consultation with Head of Finance and Commercial and Portfolio Holder for Economic Development and Regeneration; and

(ii) the investment of the sum referred to in the paragraph 13 of the report to improve the aesthetics of the market be approved.

55 FILE ON ACTION TAKEN UNDER EXEMPT DELEGATED POWERS

Cabinet received the following files on exempt actions taken under delegated powers:

Community Sheet Nos: C/7/13 – C/11/13

Economic Development & Regeneration Sheet Nos: EDR/60/13 – EDR/69/13

Finance Sheet Nos: F/2/10 – F/3/10

HR, ICT & Customer Services Sheet No: HICS/1/13

Leader Sheet Nos: L/1/13 – L/3/13

Chairman

The following officers were in attendance at the meeting:

Karen Satterford - Chief Executive
Ian Hunt - Democratic Services Manager
Catherine MacKenzie - Principal Democratic Services Officer