

# 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

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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