



WYCOMBE
DISTRICT COUNCIL

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Queen Victoria Road
High Wycombe
Bucks HP11 1BB

Council

Date: 28 April 2014
Time: 6.30 pm
Venue: Council Chamber
District Council Offices, Queen Victoria Road, High Wycombe, Bucks

You are hereby summoned to attend the Meeting of the Council to be held in the Council Chamber, District Council Offices, Queen Victoria Road, High Wycombe on 28 April 2014 at 6.30 pm to consider the business set out in the Agenda below.

Ms K Satterford
Chief Executive

Fire Alarm - In the event of the fire alarm sounding, please leave the building quickly and calmly by the nearest exit. Do not stop to collect personal belongings and do not use the lifts. Please congregate at the Assembly Point at the corner of Queen Victoria Road and the River Wye, and do not re-enter the building until told to do so by a member of staff.

Agenda

Item		Page
9	CABINET	1 - 20
	To receive the minutes of and consider any recommendations from the following meeting:	
	Cabinet	3 March 2014
	Special Cabinet	22 April 2014 (To follow)

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

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Cabinet Minutes

Date: 3 March 2014

Time: 7.00 - 8.03 pm

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

Councillor M A Foster	- Cabinet Member for Finance
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 I L McEnnis	- Chairman of the Council

Also present: Councillors D A Johncock and P R Turner

91 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J Gibbs (Cabinet Member for Community) and A Turner (Leader of the Independent Group).

92 MINUTES

RESOLVED: That the Minutes of the meeting of the Cabinet held on 10 February 2014 be approved as a true record and signed by the Chairman.

93 DECLARATIONS OF INTEREST

There were no declarations of interest.

94 HWTC REFERRAL - HIGH WYCOMBE CEMETERY LODGE

The report under consideration drew attention to the proposals for a scheme to refurbish High Wycombe Cemetery Lodge to provide a service tenancy, financed from the Special Expenses working balances.

The proposal had been put forward because the property was vacant and the future of the lodge needed to be agreed along with any necessary funding.

The following decisions were made as High Wycombe Town Committee had considered the options outlined in the report and supported Option 2 as the preferred way forward.

RESOLVED: That (i) £43,000 be committed from the Special Expenses contingency to fund the refurbishment work;

(ii) the works be tendered for the refurbishment of the Lodge; and

(iii) delegated authority be granted to the Head of Community in consultation with the Chairman of the High Wycombe Town Committee to agree a rental for a service tenancy agreement in 2014/15.

95 HWTC REFERRAL - UPDATE ON ALLOTMENT REVIEW

The report before Cabinet provided an update on the District Allotment Review, which detailed the Council's responsibility to provide allotments for the residents of High Wycombe Town. The High Wycombe Town Committee had discussed the report at its meeting on 21 January 2014.

Members expressed some concerns regarding the proposal to authorise spending for additional sites before the allotment review had been concluded and the allotment need assessed. Therefore, Members proposed that the recommendations be amended to ensure that the annual allotment review was completed before other sites were considered. It was also agreed that the proposal for the release of funds from Special Expenses Reserve be deferred for a 6 month period.

A Member commented that some Parish Councils could be in a position to offer spare allotment plots to Wycombe District Council and felt this option should be considered.

The following decisions were made as High Wycombe Town Committee had considered the outcome of the allotment review.

RESOLVED: That (i) the 250 square metre plots be divided in two as they become available and as appropriate;

(ii) the waiting list be reviewed on an annual basis and if demand increased, Committee approval for funding be sought when site appraisals are considered;

(iii) subject to (ii) above and after the expiry of 6 months from the date of this meeting, consideration be given to feasibility work into Desborough Castle and Castlefield Wood options as these appeared to be most capable of being progressed and of meeting the demand the town was experiencing. This required an allocation of £10,000 funding for Desborough Castle and £13,000 for Castlefield Wood to complete the feasibility work. The funding would be made available from High Wycombe Town Special Expenses reserves;

(iv) subject to (ii) above, consideration be given to Abbey Barn South to provide an additional site to the south of the town as and when the site be developed; and

(v) subject to (ii) above, consideration be given to when the master plans for Ashwells, Terriers, and Abbey Barn North sites are developed provision for new allotments be included.

96 2013/14 SERVICE PERFORMANCE: Q3

The quarter 3 position for the Council's performance at the service level (national and local performance indicators) was presented to Cabinet for review, together with performance details of the measures identified by Cabinet for performance focus.

Cabinet Members received an update on the performance measures for waste and recycling, and energy usage at the Queen Victoria Road offices.

The following decision was made to review the performance position as at 31 December 2013 to ensure that the Council was performing at the appropriate level.

RESOLVED: That (i) the performance of the measures identified by Cabinet for performance focus through 2013/14 be noted; and

(ii) the summary of the third quarter outturns for service performance be received.

97 DEVELOPER CONTRIBUTIONS SPENDING PROGRAMMES (CIL AND S106 FUNDS)

The report before Cabinet summarised the main issues in relation to Developer Contributions spending programmes, including how developer contributions would be used in the forthcoming financial year and outlining spending plans for the future.

The following decisions were made to set the broad priorities of the Council for CIL funding, to enable the S106 and CIL funding programmes to be implemented in order to address the impact of developments that had taken place, and to enable infrastructure planning by service providers.

RESOLVED: That (i) the proposed broad allocations of CIL funding set out in Table 1 of the report be agreed for the next three financial years;

(ii) CIL funding, when available, be released for identified projects to be implemented in 2014/15 as outlined in Appendix C of the report;

(iii) S106 funding be released for the identified projects to be implemented in 2014/15 outlined in Appendix B of the report;

(iv) S106 funding be approved for projects in February 2013 for implementation in the 2013/14 financial year which had been

progressed but would not be spent out by 31 March 2014 as set out in Paragraph 20 of the report be carried over to be spent in the 2014/15 financial year; and

(v) The updated CIL Infrastructure (R123) List be agreed as set out in Appendix E of the report.

98 UPDATE ON THE DEVELOPMENT OF THE STRATEGIC RISK REGISTER

Cabinet had before it an update on the progress that had been made in the development of the Council's Strategic Risk Register. The report highlighted that the purpose of Strategic Risk Register was to identify and manage the significant risks that could impact on the delivery of the Council's objectives.

The following decision was made as the Strategic Risk Register acted as one of the key tools for managing and monitoring effective governance across the Council.

RESOLVED: That the Strategic Risk Register be agreed and the proposed Improvement Tasks as set out in the Strategic Risk Register at Appendix A of the report be supported.

99 FILE ON ACTION TAKEN UNDER DELEGATED AUTHORITY

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

Community C/8/14 – C/13/14
Economic Development & Regeneration EDR/6/14
Finance F/6/14
Leader L/2/14 – L/5/14
Planning PS/7/14

EXCLUSION OF PRESS AND PUBLIC

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 100 – Collins House

Minute 101 – QVR14

Minute 102 – File on Exempt Actions Taken under Delegated Powers

Community Sheet No: C/01/14

**Economic Development & Regeneration Sheet Nos:
EDR/03/14 – EDR/10/14**

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]

100 COLLINS HOUSE

Cabinet approval was sought to enter into a lease for Collins House and the adjacent property on Bridge Street in order for the sites to be redeveloped.

The following decision was made to enter into a joint venture to facilitate the redevelopment of Collins House.

RESOLVED: That the Council enter into a ground lease on the terms as set out in the report to facilitate the redevelopment of Collins House, High Wycombe, and the adjacent plot of land on Bridge Street, by way of a joint venture.

101 QVR14 – OFFICE ACCOMMODATION RATIONALISATION

The report considered by Cabinet sought approval to pursue the rationalisation of the Council's accommodation requirements to reduce the Council's overall facilities costs.

An addendum to the corporate implications of the report relating to 'Opt To Tax' (OTT) was circulated and noted during consideration of this item.

The following decisions were made as rationalising the Council's office accommodation requirements into Buildings A & B reduced the Council's overall facilities costs whilst providing an opportunity of generating an income from Building C and introducing new and flexible working arrangements.

RESOLVED: That (i) the QVR 14 Office Accommodation Rationalisation project be implemented, subject to a lease being agreed with the preferred occupier as set out in paragraph 4 of the report;

(ii) allocated funds in the Major Projects Programme be released for the implementation of the QVR 14 project as set out in Appendix B of the report;

(iii) delegated authority be granted to the Corporate Director, in consultation with the Cabinet Member for HR, ICT & Customer Services in liaison with the Cabinet Member for Planning & Sustainability, Deputy Cabinet Member for HR, ICT & Customer Services and the Deputy Cabinet Member for Environment, for the acceptance of the tender for design and building works; and

(iv) Contract Standing Orders be waived to enable single tenders to be sought for the enabling work to be carried out in respect of Building C in time for the tenancy start date of 1 August 2014.

102 FILE ON ACTION TAKEN UNDER EXEMPT DELEGATED POWERS

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

Community Sheet No: C/01/14

Economic Development & Regeneration Sheet Nos: EDR/03/14 – EDR/10/14

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
John McMillan	- Head of HR, ICT & Customer Services

Special Cabinet Minutes

Date: 22 April 2014

Time: 6.30 - 7.24 pm

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

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

Also present: Councillors P R Turner, A D Collingwood, M Hanif, J L Richards OBE and J A Savage

103 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors I Bates (Leader of the Labour Group) M Foster (Cabinet Member for Finance), I McEnnis (Chairman of the Council), S Parker (Leader of the Liberal Democrats Group) A Turner (Leader of the Independent Group).

104 MINUTES

RESOLVED: That the Minutes of the meeting of the Cabinet held on 3 March 2014 be approved as a true record and signed by the Chairman.

105 DECLARATIONS OF INTEREST

There were no declarations of interest.

106 MEDIUM TERM FINANCIAL STRATEGY

The report before Cabinet and the Medium Term Financial Plan outlined the framework that the Council would be adopting to manage its financial position over the coming 6 years to enable it to deliver its 3 priorities whilst maintaining a financially robust position. It was recognised that the delivery plan was subject to significant risks having particular regard to the continuing economic climate and severe funding cuts. Members noted that the Council would continue to implement its Transformation Programme in addition to further budget restructuring to help achieve a balanced budget position. The risks associated with the delivery of the Transformation Programme which would need to be managed were included in the report.

The following recommendation was made to enable the Council to set an overall financial management framework for delivering its priorities and services over the next 6 financial years.

Recommended: That the Council's Medium Term Financial Strategy (MTFS) covering the period 2014/15 to 2020/21 be approved and the financial targets and actions set out within the document be adopted.

107 HS2 PETITION

Cabinet approval was sought to endorse the recommendation to petition Parliament to ensure that the Council was able to effectively influence consideration of the High Speed Rail (London – West Midlands) Bill with due regard to the effects on the Wycombe district.

The Buckinghamshire Blueprint for HS2 and the response to the HS2 Environmental Statement were considered by Cabinet before reaching their decision. During consideration, it was noted that petitioning could result in the Bill being amended, the Environmental Statement being supplemented or mitigation being secured through undertakings and assurances which would be legally binding.

The following recommendation was made to ensure that the Council was able to effectively influence Parliament's consideration of the High Speed Rail (London – West Midlands) Bill insofar as it affected Wycombe district so as to ensure that the impact of the HS2 proposals upon the district were effectively mitigated.

Recommended: That the Petition to Parliament as set out in Appendix A of the report be approved.

108 MANAGEMENT OF WYCOMBE DISTRICT ATHLETICS FACILITY

Cabinet approval was sought to enter into a sub-lease with Operator 1 which had submitted the strongest expression of interest to operate the athletics complex at Little Marlow.

The following decisions were made as the athletics track at Handy Cross was now closed and the new facility had been relocated to Little Marlow. Under the Council's Community Asset Transfer Policy an open expression of interest process had been followed and Organisation 1 had submitted the strongest expression of interest. Given the timescales delegated authority was needed to complete the transfer in order for the facility to open as planned on 1 July 2014.

RESOLVED: That (i) the Council enters into a sub-lease and service level agreement with Organisation 1 for the Wycombe District Athletics Facility; and

(ii) delegated authority be given to the Major Projects and Estates Executive, the District Solicitor & Monitoring Officer, the Head of Finance and Commercial Services and the Head of Community

Services in consultation with the Cabinet Member for Community Services to agree the terms for the lease, in accordance with the terms outlined in the Council's Community Asset Transfer Policy.

EXCLUSION OF PRESS AND PUBLIC

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 109 – ICT & CSC Contract

Minute 110 – Next

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]

109 ICT & CSC CONTRACT

Cabinet was advised that the Council's current Managed Services Contracts for Information Communications Technology (ICT) and the Customer Services Centre (CSC) were due to terminate in January 2015. A procurement exercise had been conducted, and Cabinet's approval was sought to award the Contract.

An addendum to the report was circulated at the meeting which detailed external legal advice that had been obtained.

The following recommendations were made to facilitate the award of the Managed Services Contracts for ICT and CSC.

Recommended: That (i) the progress with regard to the procurement of the new ICT & CSC Managed Services, which would be for a contractual period of five years, with the opportunity of two, 2 year extensions, commencing 1st February 2015 and approve delegations to enable a contract to be awarded, as follows:

- a) subject to (b) below, delegated authority be given to the Head of HR, ICT & SSS, in consultation with the Cabinet Member for HR, ICT & SSS, the Section 151 Officer, and the Monitoring Officer, to enter into and complete discussions to finalise a contract with the Preferred Bidder;

b) In the event that the final form of contract cannot be agreed within a suitable timeframe (e.g. within 3 weeks of notification of preferred bidder status) with the Preferred Bidder due to the Preferred Bidders non-compliance with the Restricted Procedure (for example because the Bidder was attempting to introduce material changes or any other matters), the Council would de-select the Preferred Bidder and commence discussions with the next highest scoring Bidder who would become the Preferred Bidder, and the delegated authority would enable the contract to be entered into; and

(ii) that the allocation of an ICT capital budget of £225k for each of the years 2015/2016 and 2016/2017 be made from the Major Projects Programme.

110 NEXT

Cabinet had before it a comprehensive report setting out proposals to acquire the Next development at Cressex Island for investment purposes.

Cabinet reviewed the exempt appendix relating to financial information that was circulated at the meeting during consideration of this item.

The following recommendations were made to acquire the Next development at Cressex Island.

Recommended: That subject to final due diligence and the financial limits (to be circulated at the meeting):

(i) the Council exercise a right of pre-emption to acquire the Next development at Cressex Island, as a let investment;

(ii) delegated authority be granted to the Chief Executive, Head of Finance and Commercial, Head of Legal Services and Major Projects and Property Executive in consultation with the Leader of the Council, Cabinet Member for Economic Development and Regeneration and Cabinet Member for Finance to finalise the acquisition terms, based on the financial information circulated at the meeting, having obtained and taken into account external valuation advice;

(iii) Contract Standing Orders be waived to extend the appointment of the property consultant named in the detailed report paragraph 20; and

(iv) Risk Mitigation measures be implemented as set out in paragraphs 38-40 of the report including the creation of a Specific Investment Property Reserve.

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
- Steve Richardson - Head of Finance and Commercial
- John McMillan - Head of HR, ICT & Customer Services

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HOUSE OF COMMONS
SESSION 2013-14

High Speed Rail (London – West Midlands)

PETITION

Against the Bill-Praying to be heard by counsel, &c.

TO THE HONOURABLE THE COMMONS OF THE UNITED KINGDOM OF
GREAT BRITAIN AND NORTHERN IRELAND IN PARLIAMENT
ASSEMBLED.

THE HUMBLE PETITION of Wycombe District Council

SHEWETH as follows:-

Work in progress

1. A Bill ("the Bill") has been introduced into and is now pending in your Honourable House entitled "A Bill to make provision for a railway between Euston in London and a junction with the West Coast Main Line at Handsacre in Staffordshire, with a spur from Old Oak Common in the London Borough of Hammersmith and Fulham to a junction with the Channel Tunnel Rail Link at York Way in the London Borough of Islington and a spur from Water Orton in Warwickshire to Curzon Street in Birmingham; and for connected purposes."
2. The Bill is presented by Mr Secretary McLoughlin, supported by the Prime Minister, the Deputy Prime Minister, Mr Chancellor of the Exchequer, Secretary Theresa May, Secretary Vince Cable, Secretary Iain Duncan Smith, Secretary Eric Pickles, Secretary Owen Paterson, Secretary Edward Davey, and Mr Robert Goodwill.
3. Clauses 1 to 36 set out the Bill's objectives in relation to the construction and operation of the railway mentioned in paragraph 1 above. They include provision for the construction of works, highways and road traffic matters, the compulsory acquisition of land and other provisions relating to the use of land, planning permission, heritage issues, trees and noise. They include clauses which would disapply and modify various enactments relating to special categories of land including burial grounds, consecrated land, commons and open spaces, and other matters, including overhead lines, water, building regulations and party walls, street works and the use of lorries.
4. Clauses 37 to 42 of the Bill deal with the regulatory regime for the railway.
5. Clauses 43 to 65 of the Bill set out a number of miscellaneous and general provisions, including provision for the appointment of a Nominated Undertaker ("the Nominated Undertaker") to exercise the powers under the Bill, transfer schemes, provisions relating to statutory undertakers and the Crown, provision about the compulsory acquisition of land for regeneration, reinstatement works and provision about further high speed railway works. Provision is also made about the application of Environmental Impact Assessment Regulations.
6. The works proposed to be authorised by the Bill ("the Authorised Works") are specified in clauses 1 and 2 of and Schedule 1 to the Bill. They consist of scheduled works, which are described in Schedule 1 to the Bill and other works, which are described in clause 2 of the Bill.
7. Your petitioners are the local authority for the district of Wycombe in Buckinghamshire

Numerous enactments have conferred important powers and duties upon Your Petitioners. Amongst other functions Your Petitioners are the local planning authority, and are thus responsible for general planning and the preparation of development plans and local development schemes. . Your Petitioners have a statutory duty to investigate the existence of, and to control nuisances within their area.

8. Your Petitioners allege that their rights, interests and property will be injuriously and prejudicially affected by the provisions of the Bill if passed into law in their present form, and Your Petitioners accordingly object to the Bill for the reasons, amongst others, hereinafter appearing

GENERAL ISSUES

9. Your Petitioners note that there will be site preparation and construction activities within Your Petitioners' area. The matters with which Your Petitioners are particularly concerned are the problems of visual impact and construction especially in relation to disruption and safety of road traffic and pedestrians.
10. Your Petitioners are also concerned to ensure that the Nominated Undertaker is required to adopt the *very* highest standards in respect of mitigation of the adverse effects on trees and other vegetation, as well as noise and dust caused during the construction period and in particular that the code of construction practice includes established best practice requirements. There should also be a guarantee that any future changes to industry standards will also be complied with.

Highways / Traffic

11. Your Petitioners jointly with Buckinghamshire County Council, the highway authority for Buckinghamshire, are anxious about the lack of information on potential new/changed structures and roads and on the consequences of proposed construction/haul routes.
12. Your Petitioners support Buckinghamshire County Council in their request that they must be fully consulted on all proposals to make temporary or permanent road closures and traffic diversions, changes to traffic flow, and any physical alterations to the highway in their area.
13. Your Petitioners and Buckinghamshire County Council are concerned about the proposal to use junction 4 (Handy Cross) of the M40 together with the A4010 between High Wycombe and Aylesbury as a construction haul route. Your Petitioners are concerned that this routing would take construction traffic through the already heavily congested area of High Wycombe, potentially during a time when other major developments and road works in the town centre are taking place. Your Petitioners seek undertakings and assurances that the Nominated Undertaker will work together with the highway authority to identify the most suitable methods and routes to serve construction sites and compounds.

14. Your Petitioners together with Buckinghamshire County Council are also concerned about the impact of the proposed construction haul routes on the safety and amenity of residents along the route especially in built-up areas such as Princes Risborough, and on the expeditious movement of traffic including public transport. This route is also now a significant blue light route with the accident and emergency services for Wycombe District being located at Stoke Mandeville, just south of Aylesbury, rather than in High Wycombe. Your Petitioner's district is already subject to a high number of vehicle movements between Aylesbury, the M40 and M4 putting considerable strain onto the quality of life of residents along these roads. The proposed scheme will add to these pressures. Your Petitioners seek undertakings and assurances that the Nominated Undertaker will work with Buckinghamshire County Council to minimise the impact on residents along construction routes by identifying the most suitable methods and routes for construction traffic and by placing restrictions on vehicle size and number of vehicle movements.
15. Your Petitioners support Buckinghamshire County Council in their request that the Nominated Undertaker should be required to carry out and fund all necessary remedial and repair works to the highway to a standard specified by Buckinghamshire County Council in respect of all highways for which they are the responsible authority. Your Petitioners submit that the Nominated Undertaker should be required to carry out and fund detailed condition surveys before and after the construction period on land in their ownership which is to be and is affected by the proposals, and also on highways which are to be used as worksites or which will be used by construction traffic.

Soft landscape treatment and management

16. Your Petitioners are further concerned about the lack of commitment to ongoing management/ maintenance of new soft landscape areas and existing adjoining habitats of nature conservation value. Your Petitioners request that the Nominated Undertaker in consultation with the relevant nature conservation bodies secures appropriate management plans and endowment for the management of soft landscape areas in perpetuity including those areas established during construction. These should not only outline management regimes but should also clearly state areas of management responsibility as well as outlining methods of monitoring and enforcement.

Design issues

17. Your Petitioners are concerned about the design and appearance of ancillary structures such as transformer stations, noise barriers, tunnel portals and the impact they will have on the local character and amenity. Whilst there are a limited number of properties in Your Petitioners area that are directly affected the area is popular with walkers. It is also located next the Area of Outstanding Natural Beauty (AONB). Your Petitioners request undertakings and assurances that the Nominated Undertaker will draw up a design code in liaison with local authorities to minimise the impact of the proposed scheme on the local landscape.

Authorisation procedure

18. The Bill contains provisions which provide outline planning permission for the development authorised by the Bill and disapply a number of other statutory regulation regimes which would normally apply in relation to the construction of works, including the listed buildings and conservation area controls in the Planning (Listed Buildings and Conservation Areas) Act 1990 and the Control of Pollution Act 1974. Your Petitioners wish to ensure that if those controls are to be removed or suspended then in their place there is a robust alternative approval mechanism in each case, in which Your Petitioners play a full part. Your Petitioners will, in conjunction with other local authorities affected by the Bill, be seeking to ensure that such arrangements are put in place, but if that is not achieved then Your Petitioners would respectfully request that the promoters be required to accept satisfactory arrangements including realistic timescales for the consideration of applications.
19. As part of the alternative consent regimes mentioned above, Your Petitioners must be able to recover from the promoters or the Nominated Undertaker their full costs of processing applications. Your Petitioners note that the Bill provides the Secretary of State with the power to make an order relating to the payment of fees to the local planning authority in respect of requests for detailed planning consent. Your Petitioners are pleased to note this, but seek assurances from the promoters about the level of those fees and the ability of the promoters to cover their costs, including those of dealing with all applications, not just those directly related to the planning provisions in the Bill, and taking enforcement action where necessary.

Planning conditions

20. Your Petitioners note that the planning regime set out in the Bill is very similar to that contained in both the Channel Tunnel Rail Link Act 1996 and the Crossrail Act 2007. However, there is one significant difference that causes Your Petitioners considerable concern, namely sub-paragraph 2(7) of Schedule 16 to the Bill. That sub-paragraph says that the relevant planning authority may impose conditions on approval of detailed plans and specifications only with the agreement of the Nominated Undertaker. This provision could render the planning authorities unable to impose conditions and should be struck from the Bill. Your Petitioners' concern applies to any other provision in the Bill in which authorities are given powers to impose conditions or other matters, only with the agreement of the Nominated Undertaker.

21. Your Petitioners note that the Bill and the supporting documents adopt similar regimes to those which were established for the construction of the Channel Tunnel Rail Link and Crossrail. Your Petitioners are pleased to note that this regime will include the agreement of a code of construction practice (“CoCP”), and local area management plans (“LEMPs”). Your Petitioners will wish to ensure that the CoCP is complied with properly, and in that respect, your Petitioners may incur expenditure. Your Petitioners wish to ensure that all of their reasonable expenses in monitoring construction sites are met by the Nominated Undertaker, together with expenditure incurred by your Petitioners in planning and programming activities related to the CoCPs and in enforcing them.

SITE SPECIFIC ISSUES

Tunnel Portal

22. Your Petitioners are concerned about the impact the northern tunnel portal near Wendover will have on the local landscape character and views, including important views from the AONB. Your petitioner requests undertakings and assurances from the Nominated Undertaker that the tunnel portal will be designed in a way that minimises its intrusion on the rural character. In addition, your Petitioners request that appropriate mitigation planting is introduced at the tunnel portal to better integrate the structure into the surrounding landscape.

Maintenance sidings

23. Your Petitioners are concerned about the impact the maintenance sidings on the local amenity, landscape character and views, including selected views from the AONB. Little information has been made available with regard to design and operation of these sidings especially with regard to appearance, lighting and noise. Your Petitioners seek undertakings and assurances that the sidings are designed in a way that reflects the local amenity and which minimises their impact on the setting of and views from the AONB. Lighting should be avoided or kept to a minimum by being low level, directed and movement-sensored.

Section between northern tunnel portal and maintenance sidings

24. Your Petitioners are also concerned about the impact the railway line and associated structures will have on views from public footpaths including footpaths within the AONB. Whilst the proposal seeks to introduce some bunding along the western side of the track, only very limited planting is proposed on this side. Your Petitioners seek undertakings from the Nominated Undertaker that additional appropriate planting is introduced along the western side of the track and along the Stoke Mandeville bypass.

GENERAL

25. There are other clauses and provisions in the Bill which, if passed into law as they now stand, will prejudicially affect the rights and interest of Your Petitioners and other clauses and provisions necessary for their protection and benefit are omitted therefrom.

YOUR PETITIONERS THEREFORE

HUMBLY PRAY

your Honourable House that the Bill may not pass into law as it now stands and that they be heard by themselves, their counsel, agents and witnesses in support of the allegations of this petition, against so much of the Bill as affects the property, rights, and interests of Your Petitioners and in support of such other clauses and amendments as may be necessary and proper for their protection and benefit.

AND YOUR PETITIONERS will ever pray,

&c.

SHARPE PRITCHARD LLP

Agents for the Wycombe

District Council

HOUSE OF COMMONS
SESSION 2013-14

HIGH SPEED RAIL (LONDON
– WEST MIDLANDS)

P E T I T I O N

of

WYCOMBE DISTRICT
COUNCIL

AGAINST,

BY COUNSEL, &c.

SHARPE PRITCHARD LLP
Elizabeth House
Fulwood Place
London WC1V 6HG
Parliamentary Agents