

Council Minutes

Date: 28 April 2014

Time: 6.30 - 8.05 pm

PRESENT: Councillor I L McEnnis (in the Chair)

Councillors Mrs J A Adey, K Ahmed, Z Ahmed, D A Anson MBE, D H G Barnes, W J Bendyshe-Brown, D J Carroll, Mrs L M Clarke OBE, A D Collingwood, R B Colomb, C A Ditta, R Farmer, M A Foster, J Gibbs, S Graham, A R Green, G C Hall, M Hanif, C B Harriss, A E Hill, M Hussain, M Hussain JP, 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, Miss S Manir, N B Marshall, H L McCarthy, R Metcalfe, Mrs D V E Morgan, Mrs M L Neudecker, S F Parker, B E Pearce, 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 and D M Watson

Also Present: Honorary Alderman D A E Cox.

96 APOLOGIES

Apologies for absence were received from Honorary Aldermen: J M Blanksby, A J Hurst, M B Oram, Mrs K M Peatey and Mrs P Priesley. Councillors: M Angell, M C Appleyard, I Bates, R H W Gaffney, A Hussain JP, D A Johncock, Mrs W J Mallen, Mrs D V E Morgan, Ms J D Wassell, R Wilson and Ms K S Wood.

97 MINUTES

RESOLVED: That the minutes of the meeting of the Council held on 27 February 2014 be approved as a true record and signed by the Chairman

98 DECLARATIONS OF INTEREST

Councillor B E Pearce declared an interest in item 7, stating that he resided 100 yards from Buckmaster Road Playing Fields.

99 CHAIRMAN'S ANNOUNCEMENTS

(a) Paralympic Flame

The Chairman reported that as a result of the Council's previous efforts the Chairman of the Bucks Legacy Board had written to him, confirming that the IPC had granted Stoke Mandeville and Bucks the honour of being the first ever international element of a Paralympic Torch Relay.

(b) Young Musicians

The Chairman stated that he had attended the Festival of Young Musicians.

(c) Fly a Flag for the Commonwealth

The Chairman reported that this event had taken place on 10 March 2014.

100 QUESTIONS FROM MEMBERS OF THE PUBLIC

No questions were received.

101 QUESTIONS FROM MEMBERS

(a) Question from Councillor A Turner to the Leader of the Council

"Given Conservative Councillors refusal to consider the potential savings from the merging of Buckinghamshire's County and District Councils into a Unitary Authority, perhaps the ruling clique will at least allow our residents the opportunity to comment on the matter. In the interests of democracy will this Council agree to consult the electorate on this matter by way of a referendum which could be timed to coincide with next year's local elections, thereby making this a very cost effective and popular public consultation?"

Response from the Leader of the Council, Councillor R J Scott

"Thank you for your question - yet another one on the subject of Unitary Authorities on which I have previously stated the council's position. Before responding, I would just point out that we are not the ruling cliché, but the majority party democratically elected by our residents.

No, I do not agree with your question

I challenge you to provide the evidence of a strong level of interest from the electorate in Wycombe District.

People are much more interested in receiving good services for a reasonable council tax level, which is precisely what this Authority has been doing for many years. Our last residents' survey in 2012 showed that overall satisfaction with the way Wycombe District Council runs things rose to nearly 60%, a 15% increase from three years before. The survey also showed that there was an increase in local residents' perception of the Council providing value for money, with five out of ten people agreeing that the Council is doing a good job given the tough financial climate. Nine out of ten residents are satisfied with the Wycombe district as a place to live, an increase of 6.5% since the last district wide survey in 2009. This reminds me of the saying "if it's not broke, don't fix it".

Any proposed change would need to demonstrate how these high ratings can be improved still further, and no case has yet been made as far as I can see.

We have had this same issue repeatedly raised in this Chamber from the opposition Members, so I will state yet again the reasons I have shared before as to why unitary government is not currently appropriate.

- 1. The Government is not pursuing unitary local government at this time.
- 2. There will be costs as well as savings. Past re-organisations, all Government led, have been centrally funded whereas we would now have to fund the transition costs locally through the Council Tax. It is also important to note that the situation today is quite different, in that all councils have effected substantial financial savings over recent years, so the level of any future potential savings will not be as great as originally envisaged.
- 3. Your idea of a referendum is simply not appropriate. The cost of a referendum, if held on a similar basis to the Police and Crime Commissioner election, would cost around £180,000. So, you are asking me to spend £180,000 of taxpayers' money (the equivalent of a 2% rise in Council Tax) on a proposition that may not be implemented. This is neither fair to the electorate nor value for money.
- 4. It is also not just about the cost of holding a referendum. There would need to be accurate information provided to allow voters to make an informed decision on the various options. This would require an extensive piece of work to be undertaken and, to make sense, would need to be conducted on a Buckinghamshire wide basis. This would incur a significant cost."

"Given that the Conservative group has refused to look into the potential savings from the formation of a Unitary Authority and have now denied the residents of this District their democratic chance to have a say in the matter, can the Leader please explain how they intend to fix the £2.4 million funding gap predicted within the next 5 years in the Council's finances, without even further drastic cuts to the already low level of service and/or increases in council tax?"

Supplementary Response

"There has been no evidence of interest from the electorate, we are working hard on financial planning, and I would refer you to the Cabinet minutes of 22 April where the Council's Medium Term Financial Plan was discussed. The Unitary route will not help the situation".

(b) Question from Councillor G C Hall to the Leader of the Council This question was withdrawn at the meeting.

(c) Question from Councillor M Knight to the Cabinet Member for Community

"In my district council ward of Micklefield most of my casework is taken up with issues around the services provided by social housing providers. Could the cabinet member outline the methods used to monitor the performance of these housing providers and what safeguards are in place to ensure that housing is of sufficient quality and customer service is of a good standard?"

Response from Cabinet Member for Community, Councillor J Gibbs

"Chairman, Cllr Knight will be informed that I am aware of the casework he refers to as I have been copied into numerous correspondence and continue to do so.

Essentially the homes and community agency (HGA) is the regulatory body regulating housing providers."

Supplementary Question

"I am concerned that the performance monitoring you have described is inadequate.

Too often tenants, or I acting on their behalf, end up having to fight to receive just a basic level of service. For example: repairs not being completed, those with mental health issues dismissed as being lazy, tenants not being sufficiently compensated when their personal belongings are damaged due to the action or inaction of their landlord, staff failing to return calls or even to turn up to appointments made with tenants and local members.

And it's not just tenants – as large swathes of communities like Micklefield have now been placed in the hands of social landlords all members of the community, home owners and tenants alike, have to tolerate a poor standard of cleanliness and maintenance of alleyways, service roads and open spaces, with no clear lines of accountability.

Apparently I am a District Councillor and not a housing case worker, although I sometimes wonder. Does the cabinet member believe that it is within the role of councillors to engage without local housing providers in improving standards? If so, what kind of support will he and the housing team on the council give us in order to ensure we can be most effective?"

Supplementary Response

"We now provide advice and guidance, and are no longer the builder of properties. All changes, including the programme of transfer in 2011 was tenant led. We are closely linked to Red Kite, we have had many meetings with them, and have good WDC board representation.

It is disappointing to hear of the very poor turnout of members at the Red Kite update to parishes and WDC some months ago. It is also disappointing to hear that Cllr Knight advised he was too busy to walk the estate when invited to do so by Red Kite."

(d) Question from Councillor T Snaith to the Leader of the Council

"The leader of the council stated at December Full Council in relation to Town Council for High Wycombe "I am yet to see a compelling case...I do not believe it would be in the interest of town residents to offer a solution that would increase council tax."

Does the leader agree his beloved Marlow could reduce the tax burden on its residents if it had a toothless Town Committee like High Wycombe? Therefore what is in the best interests of Marlow – A Town Council or Town Committee?"

Response from the Leader of the Council, Councillor R J Scott

"This is basically the same point you made in your question to me at the Council meeting last December. My reply I gave to you at the December meeting, which you have quoted in part in your question, still stands - there has been no compelling case for change provided.

The comparison you seek to make with Marlow is not relevant, as the situations are quite different. Marlow has had an established Town Council for many years. The Town Council's services have been developed to meet the needs of the local community and to complement the services of Buckinghamshire County Council and Wycombe District Council, together with private and voluntary sector organisations. High Wycombe did not go down the Town Council route and the District Council operates those High Wycombe town services directly, through a strong, well established and well proven Council Committee.

Both residents of Marlow and High Wycombe receive a range of services from a number of public sector organisations. It is the quality and cost of services that is most important to local people, not who provides them. Therefore, to try and make such a comparison is meaningless.

I repeat that I have still not seen a compelling case of the benefits that the creation of a Town Council for High Wycombe would bring, without increasing the Council Tax for High Wycombe residents."

Supplementary Question

"I visited the conservative website, not a place I would visit normally and won't again!

It said...

Richard Scott, Town Councillor for Marlow South East, has been Chairman of the Town Council Finance Committee. Ensuring that the essential services have been maintained at the lowest possible cost to the council tax payer. He wants Marlow to retain its unique and vibrant character whilst enjoying the benefits of the 21st Century.

Cllr Scott and WDC are a council that is always looking to outsource services. Be it sell off our council homes, community buildings and other council services.

Perhaps Cllr Scott can advise why he hasn't offered to outsource one of the easiest service to outsource? High Wycombe Town to a High Wycombe Town Council to run."

Supplementary Response

"Services should be outsourced for the benefit of the whole of the district. There would be no benefit in outsourcing High Wycombe Town to a High Wycombe Town Council. Currently we have the provision of good services and you are all very well represented within the town."

(e) Question from Councillor B Pollock to the Cabinet Member for Planning and Sustainability.

"Paragraph 88 of the NPPF states that ".When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations".

In addition, in a House of Commons Library note to MP's (Ref: SN/SC/934) dated 26th March 2014 the following statement is made:-

"Online Planning Practice Guidance issued by Government in March 2014 aims to make clear that "unmet housing need (including for traveller sites) is unlikely to outweigh the harm to the Green Belt and other harm to constitute the "very special circumstances" justifying inappropriate development on a site within the Green Belt".

Would the Cabinet member agree with me that this a very clear statement by the government that "other considerations" does not include "unmet housing need" and that the Green Belt should not therefore be used to meet Wycombe's unmet housing target in the Local Plan Review, in particular in the Green Belt that surrounds both Bourne End and Hedsor?"

Response from Cllr Neil Marshall, Cabinet Member for Planning & Sustainability

"I recognise that the recent New Local Plan option to review the Green Belt to find land for new housing is both a controversial and sensitive one. The specific statements that you refer to from the NPPF para 88 and the recently published on line Planning Practice Guidance are both referring to the consideration of planning applications and how the issue of unmet housing need should be treated when an application for housing is received for land that is designated Green Belt. This is different to the issue of whether the actual extent of the Green Belt should be reviewed to identify additional land for housing to meet housing need, as this would actually de-designate Green Belt land and allocate that land for housing. This process can only take place through the Local Plan review process, not through the process of determining a planning application. As such the statements that you refer to do not apply to the Local Plan review process.

Government policy allows for such reviews to take place and is also expecting authorities to meet their housing needs in full. Planning Inspectors assessing Local Plans are making clear that the overall extent of the Green Belt within a local authority area should be reviewed to help find more land for housing when housing need cannot be fully met by other means. It is therefore important that we undertake a Green Belt review to demonstrate that we have explored all the options in relation to assessing how much additional housing Wycombe District can accommodate and whether we may have to ask other nearby authorities to assist with meeting that need. We have not yet undertaken that review and I would not want to pre-judge the outcome of it but we will want to ensure that a review is subject to full public consultation."

"This is very complex area and the issue of unmet need is a matter of interpretation, but I feel this cannot be based on planning applications.

Would the Cabinet Member agree to review the Green Belt, with a duty to consult, and not to use it to meet Wycombe's unmet housing needs. Would he also review the Local Plan and make clear our position within it?"

Supplementary Response

"The bottom line will be to do what is deliverable with one chance for us to do it. We have just completed our consultation on the Local Plan. It is a challenging area, and how we pitch our response in 18 months' time is a delicate matter.

(f) Question from Councillor K Ahmed to the Cabinet Member for Planning and Sustainability.

"The Local Plan identifies the need for 7,600 affordable homes. What do you think are the chances of getting developers to provide these affordable homes?

Response from Cllr Neil Marshall, Cabinet Member for Planning & Sustainability

"As you have highlighted, the overall need for affordable housing in the District identified recently in work for the Local Plan is very high. We already negotiate with developers to secure a proportion of housing in new developments as affordable housing, normally in the region of 30-40% of the overall scheme as affordable. We have been successful in doing this for many years and will continue to set firm policies in our new Local Plan to secure a good proportion of affordable housing in the future.

However national planning policy means that we cannot set the proportion of affordable housing that we seek at such a high level that it makes development financially unviable, so there is a limit to how far we can go.

You will be aware that we have just completed a major consultation on the Local Plan which consulted on a number of overall housing growth options (market and affordable housing) for the District in the range 10,000-14,000 homes in the period 2011-2031. This has raised very major challenges over where to find land for this level of growth, resulting in options such as a very major expansion of Princes Risborough and a review of the Green Belt. This level of overall housing growth may deliver something in the region of 3,000-5,000 affordable houses, based on the current 30-40% viability. It will not deliver the full 7,600 affordable homes because it the proportion of affordable housing that would be required would make the development unviable. To provide the full 7,600 affordable homes through the provision of private housing would require much higher overall housing growth levels than those on which we have been consulting, with greater implications for the environment, the Green Belt and infrastructure than we currently face with the current growth options."

"Twelve months ago the Government made it easier for developers to get out of their obligations to provide affordable homes. Milton Keynes, Tory-led Council, has written to the Government to complain that this decision "unfairly and inappropriately favours the interests of developers over the needs of present and future residents". The Deputy Leader of the Council says the decision will lead to a "shortage of affordable housing in Milton Keynes" and that this "will lead to problems in the service and public sectors because people won't be able to afford to live in Milton Keynes.

Would you agree with your fellow Conservatives Councillors in Milton Keynes and is this Council going to write to the Government also complaining about this decision. If so, Labour Councillors would support this action."

Supplementary Response

"We will give the matter some consideration."

(g) Question from Councillor M Hanif to the Cabinet Member for Planning & Sustainability

How successful do you think WDC has been in distributing the consultation leaflet on the Local Plan to all residents??

Response from Cllr Neil Marshall, Cabinet Member for Planning & Sustainability

"We used Royal Mail to send a Local Plan consultation leaflet to every home and business in the district - approximately 75,000 copies - each delivered with people's normal post. These were delivered at the start of the consultation period in the weeks beginning 3 and 10 February to give people notice about the series of exhibitions and events we have subsequently held around the District. We are surprised and disappointed to hear that in some cases people either didn't receive a copy, or don't remember receiving a copy, and we have taken this up directly with Royal Mail. Where non delivery has been reported to us, we estimate that this represents just over 1% of the total deliveries. To supplement the direct delivery by Royal Mail, we also distributed copies of the leaflet in local libraries, our local offices and community leaflet stands around the District. So overall we feel that whilst there has not been quite 100% coverage we believe the vast majority of people will have received the leaflet.

In addition to the leaflets, we have been very grateful to lots of local groups including town and parish councils and residents' groups who have been working with us since last summer and in recent weeks to help local people in their areas to get involved in the consultation through their own posters, newsletters and websites.

At the start of the consultation we invited local media to a briefing about the Local Plan. The Bucks Free Press carried three pages of extensive editorial coverage (it was their lead front page story) about the Local Plan at the beginning of February and we have been working with local media to give regular updates which they have done. We also took out advertisements in the

Bucks Free Press and also the free distribution paper The Star, as well as featuring information about the Local Plan in our residents' magazine, Wycombe District Times, which was delivered to all 70,000 homes in the district in early March.

All information about the Local Plan, including the leaflet, the 200 page Options Consultation document and the technical studies has been available on our website since the beginning of February.

We have also given regular updates via our weekly planning bulletin, on Twitter and even had some video kiosks in Eden, High Wycombe for three days in March in order for people to give their views and opinions verbally and through touch screens.

So whilst the leaflet was an important way of informing local people about the consultation we have used other ways as well to inform people and help them get involved. Large numbers of people have subsequently attended exhibitions and public meetings, and we have had over 1,700 written responses to the consultation as well."

Supplementary Question

"In view of the failure to distribute the leaflet to large numbers of residents over a wide area, is the Council going to repeat the consultation and ensure that this time all residents have a leaflet and have the opportunity to attend workshops, ask about the details and the implications of the proposals, and respond in the light of this information?"

Supplementary Response

"No – everyone was aware of the local plan consultation, and we extended the consultation date for those who found out late."

(h) Question from Councillor G C Hall to the Leader of the Council

"Do you feel that it is right, proper, and moral that you and other non-High Wycombe members of the Cabinet should have the power of veto over what can and cannot happen in the unparished area of High Wycombe when it comes to matters from the High Wycombe Town Committee?"

Response from the Leader of the Council, Councillor R J Scott

"As I replied to Councillor Snaith earlier the District Council, without any legal requirement to do so, set up the High Wycombe Town Committee so that the ward Members can have oversight of the relevant matters affecting the unparished area. The High Wycombe Town Committee works very effectively and serves its residents well."

The only reason that the Committee makes recommendations to the Cabinet is because of the legislation governing the way Councils operate, which means the Cabinet cannot delegate its functions in this way. My Cabinet looks to (and has a history of) approving all recommendations of the Committee, unless there is a wider District interest that needs to be considered.

This is therefore not a moral issue but simply the need to meet our legal requirements."

"Firstly can you please inform me exactly how many votes were cast for you in High Wycombe at the previous election?"

Secondly at the last annual council meeting you, and also your predecessor at previous annual councils who is also from Marlow stood there and proposed a Conservative chairman for the HWTC, given that the Conservatives are a minority party on HWTC it is highly unlikely that they would have chosen a Conservative as their chairman, more likely it would have been a Labour, Lib Dem or UKIP member, but you and your fellow Conservatives in Marlow, Hazlemere, Flackwell Heath and goodness knows where else voted to impose a Tory chairman on the HWTC. Parallels can be drawn here with Vladimir Putin's style of democracy, the main difference between you being that he was elected in Russia and you aren't elected in High Wycombe.

Are you going to vote to impose a chairman again this year?"

Supplementary Response

"It is the ruling party that decides, and we aim to continue to run the HWTC as it is, with its excellent chairman. The whole set up works exceedingly well, and represents the interests of the town, with any recommendations coming through being accepted."

102 PETITIONS

(a) Petition against M40 J3a Junction

We the undersigned are concerned residents and citizens who urge our Leaders to act now to stop the junction impacting on local residents' properties, local businesses and recreational areas.

The petition was submitted by Mrs Patricia Curtis, and contained 295 signatories. In accordance with the provisions of the Council's Petitions Scheme Mrs Curtis would receive a written response from the appropriate Cabinet Member for Planning and Sustainability.

(b) Buckmaster Road Paying Field

We the undersigned feel very strongly about the proposal to develop the Buckmaster Road playing field, possibly for offices. We feel strongly that this should remain an open space for children to play, people to enjoy games and sports and for dog walkers. We believe this field is vital to act as a breathing lung for th whole area as Holmers Farm estate is a high density housing area.

The petition was submitted by Councillor Pearce. It included 579 signatories and in the opinion of the Head of DLP triggered a debate at Full Council, in accordance with SO.9 as it was a single ward issue. Councillor Pearce confirmed that he resided 100 yards from the playing fields under consideration. He stated that the homes on the estate were in a high density area of social need. He further stated that the houses possessed small gardens, and he emphasised that the field was well used, and as such the

space should be kept open for public use. The recreation ground was held with great affection and he felt that the Cressex Island developments would only add to the congestion. He informed the Council to demonstrate that it was a caring council, and as such to take local opinions into account.

The Cabinet Member responded by stating that he had attended a public meeting on 16 April, at which approximately 60 people had attended, expressing concerns regarding the possible loss of the playing fields.

It was reinforced that there were no firm proposals for redevelopment of the playing fields and that this site was one of a number under consideration to meet the forecasted increase in need for new office based employment by 2031. If development did take place, the playing pitches would be relocated. A new local park would be created which would extend up to Holmers Farm Way.

The Council was also informed that the issue of traffic congestion and on street parking had been raised at the public meeting. It was confirmed that the Council was working with The John Lewis Store and the Highways Authority to address the issues.

A number of other points along similar lines were made in respect of the petition. It was agreed that comments received would be fed into the local plan process.

RESOLVED: That the petition be considered alongside the responses submitted to the Local Plan consultation.

103 STANDARDS COMMITTEE

The Chairman rose to thank Members of the committee for their help and support during her chairmanship of the committee.

RESOLVED: That the minutes of the meeting of the Standards Committee held on 11 March 2014 be received.

104 CABINET

Minute 95 - Allotments

A member expressed concern over the lack of allotments, and enquired as to how soon this situation could be addressed.

It was confirmed that this would be looked at.

RESOLVED: That the minutes of the meeting of the Cabinet held on 3 March 2014 be received.

105 CABINET

Minute 107 - HS2 Petition

The Leader reported that there would be a slight amendment to the recommendation, following the release of further legal advice since Cabinet had met, but that there were no material changes.

A proposed amendment to the recommendation was tabled at the meeting. This read as follows:

- (1) That in the judgment of WDC it was expedient for the Council to oppose the Speed Rail (London to W Midlands) Bill introduced into session of Parliament 2013-14
- (2) That the Deputy Leader, Cabinet Member for Planning and Sustainability, and Cabinet Member for Financial and Commercial take steps to carry the foregoing resolution into effect that the Common Seal be affixed to any necessary documents and that confirmation be given that Sharpe Pritchard be authorised to sign the petition of the Council against the Bill.

Upon a vote being taken, there were:

In favour 47 Against 0 Abstentions 3

RESOLVED: That the minutes of the Special meeting of Cabinet held on 22 April 2014 be received and the amended recommendation of minute 107 be approved and adopted together with the recommendations as set out at minutes 106, 109 and 110.

106 IMPROVEMENT AND REVIEW COMMISSION

The Chairman rose to thank the Members and Officers for their help and support during her Chairmanship of the Commission.

RESOLVED: That the minutes of the meeting of the Improvement and Review Commission held on 2 April 2014 be received.

107 AUDIT COMMITTEE

RESOLVED: That the minutes of the meeting of the Audit Committee held on 27 March 2014 be received.

108 HIGH WYCOMBE TOWN COMMITTEE

RESOLVED: That the minutes of the meeting of the High Wycombe Town Committee held on 4 March and the Special Meeting held on 26 March 2014 be received.

109 PLANNING COMMITTEE

RESOLVED: That the minutes of the meeting of the Planning Committee held on 19 February and 19 March 2014 be received.

110 REGULATORY & APPEALS COMMITTEE

RESOLVED: That the minutes of the meeting of the Regulatory and Appeals Committee held on 10 March 2014 be received and the recommendations as set out at minute numbers 27 and 28 be approved and adopted.

111 NOTICE OF MOTION (IF ANY)

None were received.

112 QUESTIONS UNDER STANDING ORDER 11.2

None were received

113 CHIEF OFFICER'S REPORT - SCHEME FOR THE ENROLMENT OF HONORARY ALDERMEN

A report was submitted which requested approval for a Special meeting of the Council to be held for the purpose of the enrolment of two ex WDC Councillors as Honorary Aldermen.

The report stated that a nomination had been received for Peter Cartwright and Richard Pushman. The scheme for the enrolment of Honorary Aldermen requested that a specific resolution at a Special meeting take place to effect this, with no less than two thirds majority of those Members present.

RESOLVED: That the decision to confer the honours of Honorary Aldermen to Mr Cartwright and Mr Pushman at a Special meeting of the Council on 12 May 2014 at 6pm be approved.

114 URGENT ACTION TAKEN BY CABINET OR INDIVIDUAL CABINET MEMBER

| The | individual | decisions | published | since | the | last | meeting | aof | the | Council | were |
|------|------------|-----------|-----------|-------|-----|------|---------|-----|-----|---------|------|
| note | d. | | | | | | | | | | |

| Chairman | |
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The following officers were in attendance at the meeting:

Ian HuntDemocratic Services ManagerIram MalikDemocratic Services Officer

Karen Satterford - Chief Executive
Ian Westgate - Corporate Director