

Cabinet Minutes

Date: 15 June 2015

Time: 7.00 - 7.33 pm

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

Councillor Mrs J A Adey	- Cabinet Member for Community
Councillor D H G Barnes	- Deputy Leader and Cabinet Member for Engagement & Strategy
Councillor D A Johncock	- Cabinet Member for Planning
Councillor Mrs J D Langley	- Cabinet Member for Housing
Councillor R Newman	- Cabinet Member for Youth
Councillor D A C Shakespeare OBE	- Cabinet Member for HR, ICT & Customer Services
Councillor Mrs J E Teesdale	- Cabinet Member for Environment
Councillor D M Watson	- Cabinet Member for Finance
Councillor R Wilson	- Cabinet Member for Economic Development & Regeneration

By Invitation

Councillor S Broadbent	- Deputy Cabinet Member for Economic Development and Regeneration
Councillor Mrs W J Mallen	- Deputy Cabinet Member for Environment
Councillor I L McEnnis	- Chairman of the Council
Councillor G Peart	- Deputy Cabinet Member for Finance and Resources
Councillor R Raja	- Leader of the Labour Group
Councillor S Saddique	- Deputy Cabinet Member for HR, ICT and Customer Services

Also present: Councillors C Etholen and S K Raja

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors D Carroll (Deputy Cabinet Member for Housing), R Gaffney (Chairman of the Improvement & Review Commission), A Hussain (Deputy Cabinet Member for Engagement & Strategy), Mrs A Jones (Deputy Cabinet Member for Planning) and M Knight (Leader of the East Wycombe Independent Party).

2 MINUTES

RESOLVED: That the Minutes of the meeting of the Cabinet held on 13 April 2015 be approved as a true record and signed by the Chairman.

3 DECLARATIONS OF INTEREST

There were no declarations of interest.

4 CHILTERN AREA OF OUTSTANDING NATURAL BEAUTY MANAGEMENT PLAN 2014-2019

Cabinet had before them a report setting out that the Chilterns Conservation Board had adopted the Chilterns Area of Outstanding Natural Beauty (AONB) Management Plan which covered the period 2014-2019. The Conservation Board had requested that constituent authorities endorse the Chilterns AONB Management Plan as a material consideration in the exercise of their planning powers.

The Council had adopted policies which served to protect, conserve and enhance the special character, appearance and natural beauty of the designated Chiltern Landscape.

It was explained that whilst, the management plan would be acknowledged, it was not necessary to state that it would be a material consideration as this would vary from application to application. The Council welcomed comments received by the Conservation Board on planning applications and invited the Conservation Board to identify the relevant policies in the Management Plan in responses submitted to the Council.

The following recommendation was made to ensure appropriate consideration was given to the AONB when the Council determined planning applications and produced new development plan documents.

Recommended: That Council acknowledge the Chilterns Area of Outstanding Natural Beauty Management Plan 2014-2019 and encourage the Conservation Board to identify relevant policies when commenting on planning applications.

5 ASB CRIME AND POLICING ACT 2014 - FIXED PENALTY NOTICES

Cabinet approval was sought to introduce new powers under the Anti-Social Behaviour, Crime and Policing Act 2014 to deal with anti-social behaviour, including delegating authority to officers to issue fixed penalty notices for breaches of the legislation.

The report before Cabinet detailed the proposed charges and the rationale for setting these. During discussions, Cabinet approved the proposed charges that were set out in Appendix A of the report.

The following decisions were made to allow for fixed penalty notices under section 52 of the Anti-Social Behaviour, Crime and Policing Act 2014 to be issued.

RESOLVED: That (i) delegated authority be given to the Heads of Community and Environment and to officers within the

Environment Service Licensing, Control of Pollution and Housing Teams, and officers within the Community Safety Team, that were nominated by them (under the internal scheme of delegation) to issue Fixed Penalty Notices under section 52 of the Anti-Social Behaviour, Crime and Policing Act 2014; and

(ii) the proposed Fixed Penalty Notice charges at the levels outlined at Appendix A to the report be adopted.

6 OUTTURN REPORT

Cabinet considered a report on the provisional outturn at the end of March 2015 which included the General Fund, Repairs and Renewal Fund, Major Projects Programme and the Section 106 Developer Contributions, together with the potential use of the surplus of £1.014k.

The report before Cabinet set out an analysis of the key issues from the 2014/15 financial outturn, with detailed breakdowns of spend and movements which were set out in Appendices A to D of the report.

Cabinet was informed that a request had been made by the Planning service for a sum of £95k from the surplus, to help finance a projected shortfall in relation to work on the Local Plan. A full resourcing report was due to be considered at the Cabinet meeting in July.

The following decisions were made as the Cabinet set its budget targets each year to achieve the Council's financial strategy. Throughout the financial year Cabinet had received a regular monitoring report, setting out the budgetary position.

RESOLVED: That the provisional outturn at the end of March 2015 in respect of the General Fund Revenue Account, Repairs and Renewals Fund, Major Projects Programme and Developer Contributions and use of the surplus as detailed in the report be noted, together with the budget revisions in 2015/16 as set out in paragraph 13 of the report.

7 FILE ON ACTION TAKEN UNDER DELEGATED AUTHORITY

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

Community C/19/15 – C/41/15

Environment E/3/15

Finance F/7/15 – F/21/15

Leader L/3/15 – L/4/15

Planning PS/4/15 – PS/14/15

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 8 – Sports Development Service Transfer

Information relating to an individual (Paragraph 1, Part 1 of Schedule 12A, Local Government Act 1972)

(The distress that could be caused to the individual is not commensurate with the benefits of disclosure to the public)

Information relating to any consultations or negotiations , or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under the authority (Paragraph 4, Part 1 of Schedule 12A, Local Government Act 1972)

(Disclosure would be likely to prejudice the Council's position in negotiations and this outweighs the public interest in disclosure)

Minute 9 – Strategic Risk Register

Information relating to any consultations or negotiations or contemplated negotiations in connection with any labour relations matter arising between the authority or a minister of the Crown and employees of, or office holders under, the authority (Paragraph 4, 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 consultation or negotiations.)

Minute 10 - File on Action taken under Exempt Delegated Powers

Community sheet no: C/1/15

Economic Development and Regeneration sheet nos: EDR/17/15 – EDR/39/15

Finance sheet no: F/1/15

HR, ICT & Customer Services sheet no: HITICS/1/15

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)

Environment sheet no: E/1/15

Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings) (Paragraph 5, Part 1 of Schedule 12A, Local Government Act 1972)

(The Council's legal position is likely to be prejudiced by disclosure and this outweighs the public interest in disclosure)

8 SPORTS DEVELOPMENT SERVICE

Cabinet approval was sought to agree a three year grant to the Adventure Learning Foundation for the provision of a sports development service.

The following decisions were made to enable the sports development service to continue and potentially expand outside of the Council whilst continuing to reduce the cost to the Council.

RESOLVED: That (i) Cabinet agree to provide a three year tapering grant to the Adventure Learning Foundation for provision of a sports development service under a service level agreement as set out in the report; and

(ii) delegated authority be given to the Heads of Community, and Finance and Commercial Services to negotiate with Bucks County Council Pension Service for the transfer of the pension for affected staff.

9 STRATEGIC RISK REGISTER

Cabinet approval was sought to endorse the updated Strategic Risk Register for Quarter 4 January – March 2015, the report before Cabinet set out the progress that had been made in relation to the Strategic Risk Register. The purpose of the Council's Strategic Risk Register was to identify and manage the significant risks that could impact on the delivery of the Council's objectives.

The report highlighted that Strategic Management Board had reviewed the Quarter 4 Monitoring report and that the Audit Committee would be presented with the Strategic Risk Register for Quarter 4 - January - March 2015 at their meeting in June 2015.

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 updated Strategic Risk Register for Quarter 4 - January - March 2015 (attached at Appendix A of the report) be endorsed and reviewed twice a year by Cabinet.

10 FILE ON ACTION TAKEN UNDER EXEMPT DELEGATED POWERS

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

Community: C/1/15

Economic Development and Regeneration: EDR/17/15– EDR/39/15

Environment: E/1/15

Finance: F/1/15

HR, ICT & Customer Services: HITICS/1/15

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