



**WYCOMBE**  
**DISTRICT COUNCIL**

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Queen Victoria Road  
High Wycombe  
Bucks HP11 1BB

## Council

Date: 23 February 2017  
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 23 February 2017 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.

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## SUPPLEMENTARY COUNCIL AGENDA

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5	<b>QUESTIONS FROM MEMBERS OF THE PUBLIC</b>	1 - 2
	Written questions may be asked of the Leader or any Cabinet Member if submitted to the Head of Democratic, Legal and Policy Services no later than 12 noon on Thursday 16 February 2017. Questions will be submitted in the order in which they were received.	
	A questioner will have a maximum of 1 minute to ask a question and the answer shall not exceed 3 minutes. Any questioner may put one supplementary question without notice within a maximum time of 1 minute and the answer may not exceed 2 minutes.	
6	<b>QUESTIONS FROM MEMBERS</b>	3 - 6
	Questions to the Leader or any Cabinet Members must be submitted by 12 noon Thursday 16 February 2017. Questions shall	

be taken first from the Group Leaders of the political parties who shall be entitled to ask an initial Leader`s question, including the right to adopt another Member`s question from his/her group, of which written notice shall have been given to the Head of Democratic, Legal and Policy Services prior to the meeting.

The order of questions shall then permit the first question from each other Councillor to be asked before any subsequent questions from the same Councillor. One question will be taken in turn from the same Councillor unless there are no other questions to be asked.

Every Member asking an oral question is permitted to ask one supplementary question without notice provided that it is not substantially the same as a question that was put to a Council meeting during the past six months.

The appropriate Member will respond to any questions remaining unanswered at the expiry of 30 minutes in writing. Any question remaining unanswered after 30 minutes will be answered within 10 working days in writing after the meeting by the appropriate Member and appended to the minutes of the meeting.

**15 REGULATORY & APPEALS COMMITTEE (To follow)**

7 - 11

To receive the minutes of and consider any recommendations from the following meeting:

Regulatory & Appeals Committee                      13 February 2017

**For further information, please contact Iram Malik on 01494 421204, [committeeservices@wycombe.gov.uk](mailto:committeeservices@wycombe.gov.uk)**

# Agenda Item 5

## WYCOMBE DISTRICT COUNCIL

### COUNCIL MEETING

Thursday 23 February 2017

#### AGENDA ITEM

##### Questions from Members of the Public

##### 1. Question from Mr J Hoggett to the Cabinet Member for Community

Will the cabinet member support MP, Carolyn Harris', campaign to make all under 18 burials free of charge given the immense feeling of loss and sadness families suffer after a premature death by implementing the scheme in Wycombe despite current lack of government support?

**Verbal reply to be given by Councillor Mrs J Adey (Cabinet Member for Community).**

##### 2. Question from Mr M Foyle-York to the Leader of the Council

Last year billionaire Mike Ashley raked in profits of over £380m from Sports Direct. This retail chain operates in High Wycombe, and its wealth is generated by workers on zero/low hour contracts, and they don't even get paid a decent wage.

Will this Council now take steps to pressure multi-million pound businesses operating in the Wycombe District area, places like the Eden Centre, into properly employing their workers with a genuine wage and a guarantee of respectable hours?

**Verbal reply to be given by Councillor Ms K Wood (Leader of the Council).**

##### 3. Question from Mr R Colomb to the Cabinet Member for Environment

This weekend sees the Council reinstate the 'pay and display' system in its car parks following the debacle of the 'ANPR experiment'.

Would you please identify how much the Council has wasted in installing ANPR before the Government had changed the regulations to permit Councils to be provided with the same information that the DVLA furnishes to private car park operators.

Please split the costs into the following categories:

- I. Cost of employing consultants to develop the ANPR scheme;
- II. Cost of removing Pay & Display equipment;
- III. Cost of installing ANPR;
- IV. Cost of redundancies;
- V. Estimated loss of revenue;
- VI. Cost of re-instating Pay & Display;
- VII. Cost of staff recruitment;
- VIII. TOTAL cost.

**Verbal reply to be given by Councillor Mrs J Teesdale (Cabinet Member for Environment).**

# Agenda Item 6

## WYCOMBE DISTRICT COUNCIL

### COUNCIL MEETING

Thursday 23 February 2017

#### AGENDA ITEM

##### Questions from Members

#### 1. Question from Councillor R Raja to the Leader of the Council.

WDC, at its meeting on 16 January 2017, opted for a two unitary authority model for Buckinghamshire. The draft proposals are peppered with plenty of 'sales talk' but no mention of the gap in educational achievement between the children from well off families and those from economically disadvantaged groups, or how the road infrastructure is to be made fit for purpose or indeed about housing or social care.

Would the Leader tell us how and where she believes the new unitary authority will prioritise to raise the quality of core services?

#### Verbal reply to be given by Councillor Ms K Wood (Leader of the Council).

#### 2. Question from Councillor M Knight to the Leader of the Council.

In recent years the dominant service delivery model for both Wycombe District Council and our neighbouring district councils has been that of outsourcing services to external agencies. This model has clearly delivered savings although whether it has always resulted in service improvements is less clear.

According to the Modernising Local Government document it appears that this approach would continue to be favoured. Additionally the Labour motion at the last meeting of full council, which was supported by your group, specified the desire for a new unitary authority to deliver only "statutory" services.

Can you confirm that services such as adult social care and children's services are at risk of outsourcing, and that non-statutory services will cease to be a priority within the proposed local government structure?

#### Verbal reply to be given by Councillor Ms K Wood (Leader of the Council).

#### 3. Question from Councillor B Pearce to the Cabinet Member for Environment.

Does the member responsible for the environment agree with me that the attitude of the crews on the waste disposal vehicles is counter-productive by their ridiculous attitude of basically sorting out what is in the bins at the roadside, removing items, throwing them onto the grass verge, surely this can be sorted out at the relevant recycling facility because I am convinced that sometimes a member of the public walking by the bin must chuck in

an ordinary bit of litter, also refusing to take green bins unless there is nothing in any way overhanging.

Do you agree with me that this can alienate residents, and is counter-productive when we are all trying to make an effort and do our bit to save the environment?

**Verbal reply to be given by Councillor Mrs J Teesdale (Cabinet Member for Environment).**

**4. Question from Councillor M Hanif to the Cabinet Member for Housing.**

After perennial failure and countless announcements, the housing crisis is getting worse. The Secretary of State, has admitted that the housing market is broken and local councils and developers need to "get real" to the scale of the challenge we are facing. I am sure that the cabinet member will agree with the Secretary of state and accept that this is the biggest social issue we are facing today, which cannot be left to fester. She will also share my views that this council has failed young people for not having sufficiently robust policies to get the young on to the housing ladder and into affordable rented homes.

In view of the current situation what is planned by WDC to address the problem highlighted by the Secretary of State?

**Verbal reply to be given by Councillor Mrs J Langley (Cabinet Member for Housing).**

**5. Question from Councillor S Graham to the Leader of the Council.**

Can the Leader of the Council tell, me how much money Bucks. County owes to Wycombe District Council for works to be carried out as part of the improvement to our High Street, and if money is owed, when will the work commence?

**Verbal reply to be given by Councillor Ms K Wood (Leader of the Council).**

**6. Question from Councillor K Ahmed to the Leader of the Council.**

The ANPR system has cost the taxpayers of Wycombe around £1.28 million, if one includes the cost of the system, damage and theft from machines due to vandalism, judicial review costs and costs associated with reverting back to pay display, but excluding the loss of £500,000 due to poor forecasting.

The fact that WDC installed a system which has failed to perform as intended begs the question as to why no due diligence appears to have been undertaken.

Rather than extolling the virtues of the system would the leader not agree that the basic homework was not done and as a result the people of Wycombe have been short changed and is it not time that she came clean and accepted her own party's culpability in this fiasco?

**Verbal reply to be given by Councillor Ms K Wood (Leader of the Council).**

**7. Question from Councillor Ms A Baughan to the Cabinet Member for Environment.**

In the Swan and Easton Street Multi Storey Car park, over the last few months there have been speakers installed playing music. The volume is variable. I would be interested to know the purpose and cost for this scheme?

It has attracted both positive and negative comments on social media, although for children and adults with processing disorders I do believe it does cause some distress and discomfort.

**Verbal reply to be given by Councillor Mrs J Teesdale (Cabinet Member for Environment).**

**8. Question from Councillor Ms J Wassell to the Cabinet Member for Housing.**

What is the expenditure on bed and breakfast in the year to date?

**Verbal reply to be given by Councillor Mrs J Langley (Cabinet Member for Housing).**

**9. Question from Councillor M Knight to the Leader of the Council.**

All district councillors of the wards of the unparished area of the Wycombe District are also required to be Charter Trustees, an ancient part of High Wycombe's heritage.

Charter Trustees set a precept to cover the costs of their activities and in doing so receive public funds. Despite this the Charter Trustees operate outside of the council's standards regime and are not bound by the same code of conduct which govern their activities as Wycombe District Councillors.

Is it right that the Charter Trustees receive public funds, collected and disbursed by this council, when there is little opportunity for them to be held to account?

**Verbal reply to be given by Councillor Ms K Wood (Leader of the Council).**

**10. Question from Councillor M Hanif to the Cabinet Member for Environment.**

Following the release of a list of 60 restaurants with the worst hygiene ratings by the Bucks Free Press last week, a local business owner feared that their Bourne End business would go bust after a paperwork error left the eatery with a poor hygiene rating and was forced to wait months before a re-inspection.

My concern is for many other local restaurants that may fall in the same category and experience a negative impact on their businesses as a result. Why is WDC not as efficient as our sister organisation the Chiltern District Council, who are far more responsive and caring, when it comes to supporting the local businesses?

**Verbal reply to be given by Councillor Mrs J Teesdale (Cabinet Member for Environment).**

**11. Question from Councillor Ms J Wassell to the Cabinet Member for Planning.**

What progress has been made with Network Rail on the refurbishment of the Brunel Shed?

**Verbal reply to be given by Councillor R Wilson (Cabinet Member for Economic Development & Regeneration) in place of Councillor D Johncock (Cabinet Member for Planning).**

**12. Question from Councillor M Knight to the Cabinet Member for Environment.**

Could you report to us the levels of air pollution in the London Road A40 corridor in the last year and indicate whether this shows a deterioration or improvement and whether these levels are within an acceptable range?

**Verbal reply to be given by Councillor Mrs J Teesdale (Cabinet Member for Environment).**

**13. Question from Councillor Ms J Wassell to the Leader of the Council.**

Could the Leader of the Council, in view of the rise in crime rate and its nature, confirm that the Council will be giving more money to the voluntary sector which supports victims of crime?

Women's Aid and Rape Crisis for example are facing increasing demand.

**Verbal reply to be given by Councillor Ms K Wood (Leader of the Council).**



# Regulatory & Appeals Committee Minutes

Date: 13 February 2017

Time: 7.00 - 8.40 pm

**PRESENT:** Councillor J A Savage (in the Chair)

Councillors S Broadbent, M Clarke, Mrs L M Clarke OBE, C Etholen, R Gaffney, M Hussain JP, D Knights, I L McEnnis, R Raja and Ms J D Wassell, A R Green

## 15 APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor A D Collingwood.

## 16 MINUTES

**RESOLVED:** That the minutes of the meeting of the Regulatory & Appeals Committee held on 17 October 2016 be approved as a true record and signed by the Chairman.

## 17 DECLARATIONS OF INTEREST

Councillor M Hussain (JP) declared that he would not participate in minute number 19 due to personal circumstances.

## 18 WELCOME

The Chairman welcomed all those present and outlined and clarified the procedure for the meeting, stating that a representative from both the Hackney Carriage trade and a representative from the private hire trade had been given prior permission to speak at the meeting for a maximum of 5 minutes each.

## 19 VARIATIONS TO HACKNEY CARRIAGE AND PRIVATE HIRE POLICY

A report was submitted which requested that the amendments to the Hackney Carriage and Private Hire Policy and Conditions be approved and recommended to Council for adoption to become effective from 1 April 2017.

The report stated that the proposed amendments to the Hackney Carriage and Private Hire Policy had been previously considered in October 2016 and subjected to a 12 week period of consultation with current licence holders and relevant bodies along with organisations and individuals representing all sections of the community. Following the consultation which had concluded at the end of January 2017,

Members were requested to reconsider the proposed amendments in the light of the comments received.

Comments which had been received from the Hackney Carriage trade following a meeting with them were attached at (Appendix A) to the report, whilst comments from the meeting with the private hire trade were attached at (Appendix B). (Appendix C) contained further comments from either individuals or companies during the consultation period.

Details of the comments received and amendments proposed were summarised in the main body of the report.

Members were reminded that the Council was required by law to license the operation of taxis and private hire vehicles, paramount consideration being given to the safety and convenience of those travelling within the vehicles. As such Local Authorities were permitted by law to place conditions on both vehicles and drivers to ensure an improvement in service and the protection of users.

The presenting officer informed Members that the last formal review of the policy had been undertaken in 2012, with further reviews being postponed until the present time due to anticipated comprehensive changes in licensing law, as a consequence of a Law Commission report. As the report had not resulted in any significant changes it had been considered timely to now update and review the policy.

The presenting officer proceeded to elaborate on each of the issues which had been addressed by the trade. In relation to Hackney Carriages this related to four main issues, including, rear loading wheelchair accessible vehicles, age limits for wheelchair accessible vehicles, tinted windows and warnings / advisory notices.

The private hire trade had also laid out concerns relating to these issues, with additional comments being made in relation to seat requirements, knowledge tests, medical testing, use of bus lanes, door stickers, executive licence plates and advertising on licensed vehicles.

During the presentation, the Chairman reminded a Member that anyone with a non-disclosable pecuniary interest could not participate in the meeting as it was noted that the Member attempted to speak to Mr Ali (a taxi spokesperson) during the meeting. The Legal Adviser to the Committee also clarified the position on the Members Code of Conduct.

Mr Ali addressed the meeting, covering some of the issues outlined in his submission, highlighting that the policy with regards to tinted windows was unnecessary. It was felt that any manufactured tint should be permitted, as opposed to the current requirement to allow 70% light transmission.

Mr Rahman concurred with this view claiming that the Council needed to relax the rules, and by way of example cited that in October 2016 Slough Council had implemented the policy of allowing vehicles with manufactured tints to be licensed. He also requested that only side loading vehicles should be allowed for wheelchair

accessible hackney carriages, due to the current design of taxi ranks within the Wycombe area, and for the purposes of customer safety.

Mr Rahman also stated that the trade felt aggrieved over the policy relating to warnings/advisory notices. The policy presently stipulated that warnings would be retained on file for a period of 3 years unless further matters arose during that period. In such cases the original warning would continue to be taken into consideration until a clear 3 year period had passed whereby no other complaints had arisen. Mr Rahman felt that it was unfair to retain records of any complaints for longer than 3 years.

The age limit of wheelchair accessible vehicles was another contentious point raised, with both sides of the trade questioning the need to reduce the limit from 14 to a maximum of 10 years prior to ending a licence. They maintained that they would like to see the issue of annual licences until the vehicle had reached 8 years of age. The presenting officer stated that all vehicles over 6 years old would be issued with half yearly licences as was commonplace throughout the country. It was essential that they were checked with regularity, both mechanically and visually. However, Members were informed that a departure from policy was possible in appropriate circumstances in terms of a licence being issued to a wheelchair accessible vehicle over the age of 10 years.

The debate was subsequently opened to Members. The pros and cons of rear versus side loading wheelchair accessible vehicles were mentioned. Having discussed this with disabled groups a preference had been expressed for rear loading vehicles where they had electric tail lifts. This benefitted users of powered wheelchairs in particular. Members voiced their concern over the unsuitability of the ranks as currently designed, and expressed the view that people with disabilities needed to have a choice in their decision to use a rear or side loading vehicle.

Members also deliberated on the permitted age limit of vehicles. There was agreement over the need to reach a consensus as to what constituted exceptional circumstances prior to a vehicle being licensed beyond the proposed 10 year period whereby express consent was given by a Licensing Officer.

Members were in agreement with regard to the proposed policy on tinted windows. Whilst they were sympathetic with the trade about the design of one of the environmentally friendly vehicles, the Toyota Prius Plus, it unfortunately came with a standard factory tint of less than 30% light transmission, which was felt for safety reasons not to be permissible.

Another Member questioned the policy relating to warnings and felt that sometimes malicious allegations could be made against a driver resulting in the revocation of a licence. She felt that it should be about whether committal of a crime was proven or likely to be proven. The presenting officer emphasised that in most cases it was not possible to prove or disprove whether a complaint was justified as it came down to one person's word over another. It was stressed that although the number of licences revoked as a result of repeated complaints under this policy was relatively low, it was considered to be an important tool in deciding whether a driver was "fit

and proper” to hold a licence. Furthermore each case was very carefully considered and treated on its own merits.

Members raised concerns shared by the trade and officers over the large number of out of area vehicles and drivers working in the district. The drivers in question were choosing to obtain licences from an authority with lower requirements. This was due to a loophole in the law and officers were actively working with the relevant other authorities involved in an attempt to resolve the issue.

Other areas of discussion took place regarding knowledge tests, medical testing and advertising. In relation to the latter whilst the matter was accepted in principle, Members felt that it would be beneficial to agree the parameters of this policy.

Prior to closing the meeting, the Chairman thanked the officers and the taxi trade for their engagement in the process.

**RECOMMENDED:** That the proposed amendments to the Hackney Carriage and Private Hire Policy and conditions as described in the report be approved to become effective from 1 April 2017.

**RESOLVED:** That;

- (i) A Sub Group be established to consider the advertising policy for licensed vehicles consisting of Councillors Broadbent, Knights, Raja and Wassell;
- (ii) The Chairman of the Committee be requested to write to Bucks CC to consider the safety of the ranks for wheelchair users;
- (iii) Wording relating to exceptional circumstances during consideration of the age limit of a vehicle beyond 10 years be agreed by the Head of Environment in consultation with the Chairman of the Committee;
- (iv) Officers be requested to despatch a letter to the appropriate Government Office and the Chairman be requested to write to our local Members of Parliament regarding the problems faced by out of area vehicles and drivers working within the district.

## **20 DISABLED TAXI USERS**

The Presenting officer reported that the Department for Transport had issued a briefing on 7<sup>th</sup> February in respect of changes to the law for equal treatment of disabled taxi users.

As from 6 April 2017 it will be illegal for taxi drivers who drive wheelchair accessible vehicles to discriminate against wheelchair users, and drivers could face fines of up to £1000 if they refused to transport wheelchair users or attempted to charge them extra as part of provisions being enacted from the Equality Act 2010. There was also the possibility that Drivers could face having their taxi or private hire vehicle licenses suspended or revoked by their licensing authority.

: From 6<sup>th</sup> April taxi and private hire vehicle drivers would be obliged by law to:

- transport wheelchair users in their wheelchair
- provide passengers in wheelchairs with appropriate assistance
- charge wheelchair users the same as non-wheelchair users

## **21 ACTIONS TAKEN UNDER DELEGATED AUTHORITY**

The file relating to actions taken under delegated authority was circulated for information.

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Chairman

### **The following officers were in attendance at the meeting:**

Kiran Khanna	- Principal Solicitor (Litigation, Contracts & Property)
Iram Malik	- Democratic Services Officer
Caroline Steven	- Licensing Team Leader