

Cabinet Minutes

Date: 13 March 2017

Time: 7.00 - 8.05 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 and Strategy
Councillor D J Carroll	- Cabinet Member for Youth and External Partnerships
Councillor D A Johncock	- Cabinet Member for Planning
Councillor Mrs J D Langley	- Cabinet Member for Housing
Councillor D A C Shakespeare OBE	- Cabinet Member for HR, ICT and Customer Services
Councillor Mrs J E Teesdale	- Cabinet Member for Environment
Councillor D M Watson	- Cabinet Member for Finance and Resources
Councillor R Wilson	- Cabinet Member for Economic Development and Regeneration

By Invitation

Councillor S Broadbent	- Deputy Cabinet Member for Economic Development and Regeneration
Councillor R Gaffney	- Chairman of the Improvement & Review Commission
Councillor M Hussain JP	- Chairman of the Council
Councillor M E Knight	- Leader of the East Wycombe Independent Party
Councillor A Lee	- Deputy Cabinet Member for Housing
Councillor Mrs W J Mallen	- Deputy Cabinet Member for Environment
Councillor G Peart	- Deputy Cabinet Member for Finance and Resources
Councillor R Raja	- Leader of the Labour Group
Councillor S K Raja	- Deputy Cabinet Member for Community
Councillor S Saddique	- Deputy Cabinet Member for HR, ICT and Customer Services
Councillor A Turner	- Deputy Cabinet Member for Planning

Also present: Councillors A R Green and A D Collingwood

74 APOLOGIES FOR ABSENCE

There were no apologies for absence.

75 MINUTES

RESOLVED: That the minutes of the meeting of the Cabinet held on 6 February 2017 be approved as a true record and signed by the Chairman.

76 DECLARATIONS OF INTEREST

There were no declarations of interest.

77 REFERRAL FROM THE HIGH WYCOMBE TOWN COMMITTEE - CEMETERY PETITION

Cabinet recalled that at its meeting on 14 November 2016, it had recommended that the Cemetery petition be referred to the High Wycombe Town Committee for consideration, and that the Committee would report back to Cabinet in due course with a recommendation.

Since then, the High Wycombe Town Committee had received a verbal submission from the petitioner and considered the petition at its meeting on 17 January 2017. Members had been informed that various improvements had been implemented at the High Wycombe Cemetery, including repairs to fencing, signage installation and additional security patrols.

Councillor A R Green, the Chairman of the High Wycombe Town Committee, presented the Committee's recommendations to support the adoption of new incident monitoring and recording process. He informed the meeting that officers had been investigating measures to improve security, including CCTV at the entry and exits of the Cemetery. He commented that a report on security improvement options would be presented to the next High Wycombe Town Committee meeting in June 2017. It was explained that whilst, the resolution stated that a report would be presented back to Cabinet in a maximum of a years' time, it was noted that a referral could be presented back to Cabinet when necessary.

The Head of Community was thanked for her assistance with this matter.

Cabinet Members empathised with the distress these incidents had caused and welcomed the suggested improvements.

The following decisions were made to progress the recommendations of the High Wycombe Town Committee where appropriate.

RESOLVED: That (i) the High Wycombe Town Committee had acknowledged the distress caused under circumstances such as these;

(ii) the number of reported incidents be monitored alongside the new process for recording the removal of items from graves by Council officers; and

(iii) a report be brought back to the High Wycombe Town Committee in a year's time providing information on the number of reported incidents that had been recorded during that period.

78 REFERRAL FROM THE HIGH WYCOMBE TOWN COMMITTEE - NEW CEMETERY AT QUEENSWAY

Councillor A Green, Chairman of the High Wycombe Town Committee, presented the Committee's recommendations to the meeting and invited Cabinet to consider the Town Committee's recommendation to agree funding for a new cemetery site.

The report before Cabinet set out the recommendation from the High Wycombe Town Committee, that funding from Special Expenses reserve be released to enable phase one of the new cemetery site at Queensway to commence. The High Wycombe Town Committee had made the recommendation at its meeting on 7 March 2017.

Members were assured that negotiations were being undertaken with Hazlemere Parish Council regarding use of the new Cemetery.

The following decisions were made as the Town was running out of burial space for children and for chambered burials. The project was needed to meet the legal requirement to be able to provide burials in the High Wycombe Town area.

RESOLVED: That (i) £404,000 be allocated in 2017/18 from Special Expenses Reserves to fund the first phase of the project; and

(ii) It be noted that additional funding could be required over the following two years if phases two and three were to proceed but could be allocated from CIL and/or Reserve.

79 COMMUNITY INFRASTRUCTURE LEVY AND SECTION 106 FUNDING ALLOCATIONS

Cabinet approval was sought for the release of Community Infrastructure Levy (CIL) and Section 106 (S106) funds to the spending services to fund the proposed schemes for the forthcoming year. The proposals would address the impact of development and support the development of the area. It was noted that the allocations and projects set out in the report would be added to the Major Projects Programme.

Various questions were raised and the Cabinet Member provided responses on the allocation of the funding. Councillor R Raja queried why Bus Service 31 had not been included within the improvement programme for Bus Service support. The Cabinet Member for Planning confirmed that he would obtain a response from Bucks County Council and respond in writing outside of the meeting.

The following decisions were made to enable the CIL and S106 funding programmes to be implemented in order to address the impacts of developments that had taken place and to improve the infrastructure of the District.

RESOLVED : That (i) CIL and S106 funding be allocated to the projects in Appendix A of the report identified for implementation in 2017/18 and the projects and funding added to the Council's Major Projects Programme;

(ii) delegated authority be granted to the relevant Head of Service in consultation with the Head of Finance and Commercial, Leader and relevant Cabinet Members to release funds for the implementation of the identified projects in Appendix A of the report subject to appropriate business cases being provided to support the scheme; and

(iii) Cabinet note and agree in principle the proposed CIL and S106 funding allocations for financial year 2018/19 and 2019/20 as set out in Appendix A of the report.

80 REFERRAL FROM THE HIGH WYCOMBE TOWN COMMITTEE - COMMUNITY INFRASTRUCTURE LEVY

Councillor A R Green, the Chairman of the High Wycombe Town Committee, presented the Committee's proposals for the 15% allocation of Community Infrastructure Levy funding for 2017/18 in the unparished wards.

The High Wycombe Town Committee CIL working group had previously agreed the CIL funding priorities of the High Wycombe Town Committee for the next three years in March 2016. Details of the schemes had been set out in agenda item 7, Appendix A.

It was noted that High Wycombe Town Committee had endorsed its original recommendations and sought Cabinet's approval, it was therefore:

RESOLVED: That (i) the proposed two year funding programme set out in Appendix A of the report be approved with funding from the local allocation of CIL collected from developments in the unparished area; and

(ii) delegated authority be granted to the relevant Head of Service in consultation with the relevant Cabinet Member and Head of Finance and Commercial to implement the schemes set out in Appendix A of the report.

81 2016/17 SERVICE PERFORMANCE: Q3 (OCTOBER – DECEMBER)

A summary of the year to date position for the Council's performance at service level (local performance indicators), was presented to Cabinet for review, together with frontline facing key measures performance details. Cabinet also reviewed the report which detailed the exception and key issues for any performance measures which were not on target. The report provided an update on the 41 corporate services indicators that were presented to Cabinet on a quarterly basis.

The following decision was made to review the performance position as at 31 December 2016 to ensure that the Council was performing at the appropriate level.

RESOLVED: That the summary of the year to date outturns (October – December) for service performance be received.

82 HOUSING AND PLANNING ACT 2016

The report before Cabinet sought delegated authority for the Head of Environment to bring into effect any changes from the Housing and Planning Act 2016. This would enable the Council to respond quickly to changing circumstances arising from the Act, for example, the introduction of civil penalty charges for certain offences, banning orders against certain persons, Rent Repayment Orders, and penalty fee structures.

The Act had been given Royal Assent and was expected to come into force in several stages during 2017.

The following recommendations were made to approve the adoption of the statutory provisions of the Housing and Planning Act 2016.

Recommended: That (i) the provisions of the Housing and Planning Act 2016 ('the Act') and the introduction of civil penalty charges for certain offences under the Housing Act 2004 be endorsed;

(ii) the power to apply for a banning order against certain persons convicted of a banning order offence to prohibit them from letting property for a specified period of time be endorsed;

(iii) the power to apply for a Rent Repayment Order for certain offences to seek recovery of rent paid by Universal Credit be agreed;

(iv) delegated authority be granted to the Head of Environment Service to enforce the provisions of the Act and that the Scheme of Delegation be amended accordingly;

(v) the Head of Environment Service be authorised to prepare and agree a penalty fee structure in respect of the penalty charges in line with the Act and Statutory Guidance for relevant offences specified under Act in consultation with the District Solicitor and Portfolio Holder; and

(vi) a fee structure be adopted to set penalty charges for certain specified offences under the Housing and Planning Act in accordance with Statutory Guidance.

83 BUDGET MONITORING REPORT TO 31ST DECEMBER 2016 (MONTH 9)

The report before Cabinet set out the position for all revenue accounts and capital spending for the first nine months of 2016/17. Cabinet considered the actions set out in the report and whether any further action was necessary.

The following decision was made as the Cabinet approved a budget each year within the context of a Medium Term Financial Strategy to achieve the Council's priorities. Regular monitoring reports were submitted to Cabinet for review during the financial year, with management actions highlighted to ensure that Cabinet could assess whether any further action was required.

RESOLVED: That Cabinet consider the current budgetary position at the end of December 2016, recognise the actions already taken and support the further management actions proposed to ensure that the budget was achieved.

84 MAJOR PROJECTS PROGRAMME REVIEW

The report before Cabinet set out the Council's updated position on its approach to the funding of major projects and the financial position. The report detailed the proposed major scheme bids together with additional scheme details for approval and release, in relation to the Major Projects Programme. Cabinet approval was also sought to reassign funds from the Chilterns Shopping Centre feasibility report scheme that had not come to fruition.

A review of the Council's Major Projects Programme had been carried out by officers to assess all existing schemes and identify new priority spending pressures. This review had identified one budget relating to a scheme which was no longer being taken forward due to changing circumstances totalling £116k. It was proposed that this funding be withdrawn from the current programme.

The Cabinet Member for Finance and his team were thanked for all their hard work in developing this programme.

The following recommendation was made as the proposed addition of three new schemes to the programme would help support the Council's Corporate Plan. The removal of funding for one scheme had been explained in paragraph 10 of the report and would help ensure resources could be re-prioritised.

Recommended: That the proposed additions to the Council's Major Projects Programme totalling £2.841m (with £441k being met from the Crematorium Reserve to cover the additional share of increased costs) as set out in paragraph 14 of the report be agreed and the removal of a £116k budget as set out in paragraph 10 of the report be confirmed.

85 INFORMATION SHEETS

Cabinet received the following Information Sheet issued since the last meeting:

1/2017 Minutes of the meeting of the Chiltern & Wycombe Joint Waste Collection Committee – 8 December 2017.

86 FILE ON ACTION TAKEN UNDER DELEGATED AUTHORITY

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

Community C/01/17 – C/05/17

Finance F/06/17 – F/07/17

Housing H/02/17

Planning & Sustainability PS/08/17 - PS/25/17

EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That pursuant to Regulation 4(2)(b) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 the press and public be excluded from the meeting during consideration of Minute Nos 84, 87 and 88, because of their reference to matters which contain exempt information as defined as follows:

Minute 84 – Major Projects Programme Review – Appendices

Minute 87 – Insurance Contracts

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)

Minute 88 - File on Action taken under Exempt Delegated Powers

Community sheet nos: C/01/17

**Economic Development and Regeneration sheet nos:
EDR/04/17 – EDR/06/17**

Environment sheet no: E/01/17

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)

87 INSURANCE CONTRACTS

Cabinet were advised that the Council's current Insurance contract was due to terminate in April 2017. A competitive tender exercise had been conducted, and Cabinet's approval was sought to award the contract.

The following recommendations were made as the Council's current insurance contracts expire on 31 March 2017 and replacement contracts were required.

RESOLVED: That (i) contracts for the Council's general insurance requirements commencing on 1 April 2017 be awarded to the insurers listed in paragraph 15 of the report; and

(ii) the increased deductible option listed in paragraphs 16 of the report be agreed.

88 FILE ON ACTION TAKEN UNDER EXEMPT DELEGATED POWERS

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

Community: C/01/17

Economic Development and Regeneration: EDR/04/17 - EDR/06/17

Environment: E/01/17

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