



High Wycombe Town Committee Agenda

Date: Tuesday, 7th March, 2017
Time: 7.00 pm

The meeting will be preceded by a meeting of the Charter Trustees

Venue: Council Chamber
District Council Offices, Queen Victoria Road, High Wycombe Bucks

Membership

Chairman Councillor A R Green
Vice Chairman Councillor M Hussain

Councillors: K Ahmed, Z Ahmed, M Asif, Ms A Baughan, H Bull,
Mrs L M Clarke OBE, M Clarke, M P Davy, R Farmer, S Graham,
M Hanif, M A Hashmi, A E Hill, M Hussain JP, A Hussain, M E Knight,
B E Pearce, R Raja, S K Raja, N J B Teesdale and Ms J D Wassell

Membership is restricted to those Members representing the High Wycombe wards.

Members are reminded that the Committee is an advisory body and does not have decision making powers in respect of either Executive or non-Executive functions.

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 |
|------|---|------|
| 1 | Apologies for Absence To receive any apologies for absence. | |
| 2 | Declarations of Interest To receive any disclosure of disclosable pecuniary interests by Members relating to items on the agenda. If any Member is uncertain as to whether an interest should be disclosed, he or she is asked if possible to contact the District Solicitor prior to the meeting. Members are reminded that if they are declaring an interest, they should state the nature of that interest whether or not they are required to withdraw from the meeting. | |

| Item | Page | |
|-------------|---|-----------------------------|
| 3 | Minutes of the Previous Meeting | 1 - 7 |
| 4 | HWBIDCo Business Proposal | |
| 5 | Community Infrastructure Levy funding updates | 8 - 13 |
| 6 | Public Spaces Protection Order (PSPO) to Close Footpath HWU/80/1 | 14 - 20 |
| 7 | New Cemetery - Phasing and Budget Requirements | 21 - 25 |
| 8 | Information Sheets | 26 - 27 |
| | The following Information Sheets have been issued since the previous meeting: | |
| | 01/2017 | Q3 Budgetary Control Report |
| | <i>** Members are reminded to give 24 hours notice of any questions concerning an Information Sheet to ensure an answer can be given at the meeting. **</i> | |
| 9 | High Wycombe Town Committee - Forward Work Programme | 28 |
| | To note the current draft work programme attached at Appendix A. | |
| 10 | Supplementary Items (if any) | |
| | If circulated in accordance with the five clear days' notice provision. | |
| 11 | Urgent Items (if any) | |

For further information, please contact Jemma Durkan

High Wycombe Town Committee Minutes

Date: 17 January 2017

Time: 7.00 - 9.27 pm

PRESENT: Councillor A R Green
(in the Chair)

Councillors K Ahmed, Z Ahmed, M Asif, Ms A Baughan, H Bull, Mrs L M Clarke OBE, M Clarke, R Farmer, S Graham, M Hanif, M Hussain JP, A Hussain, M Hussain, M E Knight, B E Pearce, R Raja, S K Raja, N J B Teesdale and Ms J D Wassell,

ALSO PRESENT:

Mr Chandler

Inspector Gill Fox

Thames Valley Police

23 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Davey, Councillor Hashmi and Councillor Hill.

24 DECLARATIONS OF INTEREST

There were no declarations of interest.

25 MINUTES OF THE PREVIOUS MEETING

RESOLVED: That the minutes of the meeting held on the 22 November 2016 be agreed as a correct record.

26 CONSIDERATION OF THE PETITION RECEIVED- PROTECT GRAVES AT WYCOMBE CEMETERY

The Committee was asked to consider a petition which had been presented to Council in October 2016 and Cabinet in November 2016. The petition, which read "To provide CCTV to Protect Graves from People Stealing and Anti-Social Behaviour Within the Cemetery" raised a number of issues relating to security and anti-social behaviour. The petition which contained 2,035 signatories had been considered by Cabinet on 14 November 2016 and referred to High Wycombe Town Committee for consideration.

Whilst referring to the petition, the petitioner supported the plans to record the removal of items from graves but requested the consideration of CCTV, improvement of fencing, the option to use dummy cameras and more patrolling of the cemetery.

The Cabinet Member for Community had provided a response to the petition which was included in the report. This had been referred to the High Wycombe Town Committee by Cabinet as the funding of the installation of CCTV would fall within the Special Expenses budget, which was within the remit of the High Wycombe Town Committee.

The Committee noted that processes had also recently been reviewed, with officers now taking photographs of each grave before items were removed that either detrimentally affect nearby graves or had started to weather and deteriorate.

Members made a number of points and the following clarification was received:

- The cost of CCTV was significant and a number of cameras would be required.
- There had been a low number of incidents of vandalism and anti-social behaviour reported, with one reported over the last three years.
- The fencing at the cemetery (Benjamin Road side) would be investigated and improved if required.
- Dummy cameras would not be considered as these were not permissible by law.
- Additional lighting would require planning permission and lighting was not normally provided in unsupervised areas.
- Footpaths would not be permanently closed off as it was preferred to encourage people to visit the cemetery and provide natural surveillance.
- An officer worked and lived on site, provided security and supervised work undertaken by contractors. Any items on graves that were damaged during any contractor works would be recorded and reported almost immediately.
- Toilets on site were not locked during the day; the toilets and gates were locked at night.
- The signage regarding information to report complaints at the cemetery would be checked to make sure this was clear and available to visitors.

The Chairman thanked the petitioner for attending and presenting the petition.

RESOLVED: That it be recommended to Cabinet

- i) that High Wycombe Town Committee acknowledges 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.
- iii) That 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 have been recorded during that period.

27 POLICING UPDATE

The Chairman welcomed Inspector Gill Fox of Thames Valley Police to the meeting and she was invited to provide an update on policing matters within the town.

Inspector Fox presented the performance data and a breakdown of crimes statistics for High Wycombe. It was noted for the Wycombe District there had been a 29% increase in reported hate crime for the year to date. This represented 193 reports which was an additional 43 incidents compared to this time last year.

It was noted that in Wycombe East (Terriers/Totteridge/Micklefield) there had been an increase in sexual offences of 69%. Inspector Fox noted that these figures included a majority of reported historical crimes which could be a result of media coverage of high profile cases. Also burglaries in Wycombe West (Castlefield, Booker, Downley) had increased by 69% however arrests had been made and there was an expected downturn in these offences.

Inspector Fox informed the Committee of several initiatives which were currently being undertaken or were planned within the town. These included:

- A residents meeting had taken place at Tadros Court to tackle anti-social behaviour in the area. Following a Neighbourhood Watch Scheme there had been an 84% reduction in anti-social behaviour.
- The consideration of the use of a charity card scheme and media campaign to heighten awareness around homelessness to reduce street begging.
- A new Public Spaces Protection Order to include street drinking within the Desborough area.
- A 'Have Your Say' event in the Desborough area to understand concerns of the whole community, including businesses, to enable the appropriate response to problems in the area.
- Work being undertaken to tackle youth anti-social behaviour that was taking place between groups across the Wycombe area.
- Working with the local community in Micklefield to raise awareness regarding speeding and the anti-social use of motorcycles. Also the NH team would be looking to work with Bucks CC to consider road improvements with the introduction of speed humps.

Inspector Fox explained that a force restructure was currently being undertaken and this would result in a small reduction in frontline resources on Local Police Areas. However it was noted that this would streamline services and enable the officers to focus the right resources and deliver a good service to the public and vulnerable communities.

Members reported that businesses on the Desborough Road were concerned by the anti-social behaviour and street drinking taking place. An incident was specifically noted relating to an issue that the owner of Lansdale Pharmacy had reported when a street drinker had urinated on the front of the shop. Inspector Fox confirmed that this had been investigated and a plan was in place to manage the individual concerned.

In response to further queries it was reported that:

- Stop Hate Crime Awareness Week took place every year and included campaigns, tweeting, advertisement on the Thames Valley Police website and the distribution of leaflets.
- Figures to support the data provided had been obtained though incidents reported through 101 or the TVP website.
- Some websites provided a service for people to report hate crimes who did not want to contact the police directly.
- Any anti-social driving should be reported so that the police could investigate and tackle any problems within neighbourhoods.
- Thames Valley Police were happy that the restructuring of the force would create enough resources to tackle issues directly with the right officers.
- Issues relating to the reports of increased activities of prostitution in specific areas would be investigated. However it was noted that there had been no reports relating to prostitution in the Desborough Road and any activity relating to these offences was encouraged to be reported.

The Chairman thanked Inspector Fox for providing the update.

28 MAJOR PROJECTS UPDATE

The Committee welcomed Charles Brocklehurst, the Council's Major Projects and Estates Executive, to the meeting who gave an update on projects in the town centre.

The Committee were informed of projects across the town which included:

- Planning consent for the Costco proposal was still being considered.
- The 3rd and 5th phase of the Handy Cross project was being worked up which included a hotel and a day nursery respectively.
- Work is underway with Bucks CC on Cressex Business Park access and street parking.
- The Easton Street car park is ageing and consideration is being given to regenerate this sector of town.
- Discussions have been undertaken with the Department for Transport and Chiltern Railways regarding the future of the goods shed but as yet no resolution.
- Public consultation will be undertaken next month on a masterplan for the Baker Street area.
- One element is to replicate 'containerville' area to provide low cost accommodation for artists from Leigh Street retailers.
- The use of gazebo type pop-up stalls on the market.
- Future consideration to use Little Market House as glazed street food court.
- The Red Squirrel Brewery Company had successfully opened in Church Street and The Works had also opened for trading on the High Street.
- Plans to potentially purchase 4-5 Cornmarket, to be possibly refurbished as an independent baker.

- The former Reggie Goves centre would be refurbished as a late night opening Cuban style café/bar/club.

It was noted that Chiltern Shopping Centre now has a thriving Polish supermarket and there are plans to open a gym. The Committee were asked to consider an option of returning a fountain to Frogmoor, however the majority of the Committee were not in favour of the idea. It was noted the new parking bays on Frogmoor may need to be reviewed if the current short term parking arrangement was not being continued.

In response to member queries, it was noted that Sword House, Totteridge Road had been purchased and there were plans to look at the area for regeneration in the future dependent on resources. Regarding the refurbishment of shops in the old town it was explained that once purchased, the shops were stripped of previous shop fittings and then offered to tenants as a basic shell, at reasonable rents.

Members thanked the Major Projects and Estates Executive for his presentation.

29 HWTC BUDGET AND TAX SETTING 2017/18

The Committee considered a report which set out the details of the 2017/18 Special Expenses Budget and which explained the Council Tax precept. Members noted that due to the increase in properties the precept would increase by £8,065.11 if the Band D Council Tax Charge was left unchanged.

Also as part of the Government's Comprehensive Spending Review announcement in December 2016 the Council Tax Reduction Scheme had been reduced significantly for 2017/18. As a result, the amount given to the Town and Parishes has been reduced in line with this and for High Wycombe Town it would be £31,708 in 2017/18 a reduction from 2016/17 level of £37,500.

Various options had been costed for Members' consideration which presented the impact to the annual surplus/deficit and to working balances and how this impacted the maximum level the District Council could increase Council tax. It was noted that anything above a 1.25% reduction would impact on the Council's ability to levy the maximum Council Tax increase permitted by Central Government.

In discussion Members sought clarification on group management costs and it was reported that this was in relation to management costs including recharged salaries and support services such as finance and IT. Regarding recreation grounds it reported that there had been an increase in the recharged maintenance costs due to the renegotiation of the contract which now included play areas being separately identifiable and recharged to the Town Committee.

RESOLVED: That it be recommended to Cabinet that Option 1 in the report in respect of the Special Expenses council tax setting for 2017/18 be agreed, which would see the precept reduced by 1.25%

30 MEMORANDUM OF UNDERSTANDING WITH MIRPUR

The Committee considered the proposal for a Memorandum of Understanding between the High Wycombe Town Committee and Mirpur City to reflect the significant contribution the city of Mirpur has made to the life and economy of High Wycombe.

In discussion the Committee noted that a Memorandum of Understanding had been signed in 2012 by the then Mayor and therefore the Committee agreed that there was no requirement for a further document.

31 NEW CEMETERY - FEASIBILITY REPORT

The Committee considered a report which outlined the estimated funding requirement of £1,963,332 for a new Cemetery. The costs were brought to the attention of the Committee in line with the decision relating to the budget setting.

In response to Member queries it was noted that the Snowdrop Cemetery would be at capacity in approximately 18 months - two years' time. A new child burial section could be undertaken at the new site as soon as funding had been secured. Further information would be brought to the next meeting. It was also noted that service requirements meant that use of volunteers was more usual in closed cemeteries

The final budget request would be brought to the next meeting of the Committee in March 2017.

RESOLVED: That the estimated funding requirement be noted and a further report be brought to the March meeting of the Committee.

32 INFORMATION SHEETS

RESOLVED: That Information Sheet 06/2016 Community Notice Boards be noted.

33 HIGH WYCOMBE TOWN COMMITTEE - FORWARD WORK PROGRAMME

The Committee's draft work programme looking ahead to November 2017 was presented for review.

It was noted that the work programme for March would include the new Cemetery funding request and an update on the CIL allocations.

Due to the amount of items for the March meeting the Chairman suggested that the Chiltern Rangers update be moved to the June meeting. It was also agreed to review the scheduled report for March on PSPO and whether this would be required.

RESOLVED: That the forward work programme be noted and updated as above.

Chairman

The following officers were in attendance at the meeting:

| | |
|----------------|---------------------------------------|
| Mrs J Durkan | Senior Democratic Services Officer |
| Mr I Hunt | Democratic Services Manager |
| C Brocklehurst | Major Projects and Property Executive |
| Ms E Jewell | Head of Community |
| Nisar Visram | Financial Services Manager |

Agenda Item 5

COMMUNITY INFRASTRUCTURE LEVY FUNDING UPDATES

Chairman of the Committee: Councillor Tony Green

Officer contact: Gerard Coll x 3412
gerard.coll@gmail.com

Wards affected: High Wycombe Unparished Wards

PROPOSED RECOMMENDATION TO HIGH WYCOMBE TOWN COMMITTEE

- i. To note progress and spend on schemes previously supported by the HWTC through CIL funding.
- ii. That the funding programme outlined in Appendix B is put forward to Cabinet for approval.

Reason for Decision

To enable projects supported by the High Wycombe Town Committee to be delivered through CIL funding.

Corporate Implications

1. The Wycombe Community Infrastructure Levy (CIL) came into effect on 1 November 2012. The District Council is the charging and collecting authority for CIL.
2. A total of 15% of CIL collected is passed to the relevant town or parish council. Cabinet have agreed that the High Wycombe Town Committee will make a recommendation to Cabinet annually on the use of the local allocation in the unparished wards.
3. March 2016 Cabinet approved a three year programme of HWTC CIL funding priorities after deliberations by a HWTC CIL working group.

Executive Summary

4. This report sets out progress to date in the implementation of projects previously supported by the Committee to be implemented with the local allocation of CIL funding collected from developments in the unparished area. It also sets out a proposed funding programme for 2017/18 and 2018/19 based on the CIL funding strategy previously agreed and discussion with the CIL working group.

Sustainable Community Strategy / Council Priorities – Implications

5. An ambition in the new 2015 to 2019 Corporate Plan is to work on projects and schemes which benefit our local communities. A key workstream is to use CIL funding to invest in the area and improve infrastructure to reflect local needs.

Background and Issues

6. The CIL Regulations impose a duty on the Council to pass 15% of CIL funds directly to the relevant parish or town council raised from developments in their areas. This is known as the 'local allocation'. Cabinet have previously resolved that the Town Committee is the appropriate forum in the unparished areas to make recommendations annually on the use of the 15% of funds collected from developments in the unparished area.
7. A CIL working group of HWTC Members was formed to work with officers to draft the CIL funding priorities of the HWTC. Subsequently a list of priority projects to be funded or part funded by the HWTC 15% over the next three years was agreed by the Committee and then approved by Cabinet at their March 2016 meeting.
8. Given the uncertainty over the levels of funding that would be received, the priority list of projects submitted with the Cabinet report were split into a primary and secondary list, with projects on the secondary being considered if it clear that sufficient funding is available for the primary projects identified and that they continued to be identified as priorities.

Funding received and projections

9. As at 31 January 2017 the Council has received £750,000 in CIL 15% in the unparished area. Of this there is a projected outturn of £350,000 for projects previously approved. Appendix A provides an update on the progress and projected outturn of projects that have been funded previously through the local allocation of CIL.
10. Over the next two financial years it is likely that there will be another £500,000 to £700,000 received meaning that there will be approx. £900k to £1.1m available to spend on priority and other projects.

Recommendations on way forward

11. The HWTC CIL Working met on two occasions in December 2016 to receive updates from officers on scheme progress and to discuss the future potential schemes.
12. A number of the priority projects will be funded from a range of funding and not just the CIL, for example from HWTC reserves, existing S106 funding and other CIL funding. The CIL Working Group has recommended the programme at Appendix B for the next two years which takes account of income projections. A summary of the projects recommended for funding is as follows:

New Cemetery at Queensway – This project will be led by Community Services and would be part funded by HWTC reserves and other Council funding. The proposed CIL contribution will likely be approximately 25% of the whole scheme costs. Further decision will be made by the Committee and Cabinet before the final scheme moves towards implementation.

Tree planting and environmental improvements in district centres – Officers will be liaising with Members to identify tree planting and other environmental enhancements particularly in shopping parades areas in district centres such as at Micklefield and Totteridge.

Return of the river – The working group has recommended an allocation of up to £300,000 as a contribution towards re-making the river in the town centre. Initial estimates are that the costs for the river could range between £1.2m and £2.2m depending whether the work were done in stages or as a single exercise. There may also be scope for significant economies if the works were to be done alongside other highway works that are planned as part of the masterplan. Other funding sources such as s106 contributions and a potential bid to the Heritage Lottery Fund are being explored to make up the difference. Before this scheme could proceed it would be the subject of a separate decision by Cabinet.

Little Market House undercroft – This project involves creating a retail space to make better use of the facility. Officers will be working with conservation officers and Heritage England on specific designs which will be shared with the Committee in due course.

Realignment of roundabout on Hatters Lane – A feasibility study has been completed that sets out safety measures that can be implemented on Hatters Lane which will involve realigning the mini roundabout to slow traffic and installing some other pedestrian safety measures.

High Wycombe town centre maintenance and access – since Transport for Bucks funding has largely been reduced to essential safety-only repairs in the town centre there has been concern that the fabric of the town centre may deteriorate with ad hoc tarmac patch repairs instead of planned maintenance,. Discussions have been ongoing between WDC, BCC, TfB and BIDCo, including a meeting in October 2015 between Members of the Town Committee and the County Council Cabinet Member for Transport to identify an ongoing funding regime that reflects the historic and economic function of the town centre, and which may involve several parties. A related issue is access to the High St which is controlled by rising bollards when these are operational. An outstanding package of maintenance works is expected to be implemented shortly from previously agreed budgets, and the rising bollards are due to be repaired by TfB. Going forward discussions are continuing to establish what additional budgets may be required to maintain the historic fabric of the town centre in materials to match and to ensure that some controls are in place concerning access to the High Street.

Options

13. The HWTC have the option of the not accepting the recommended draft programme put forward the CIL Working Group and not putting forward these recommendations to Cabinet for approval. Or they may recommend that the programme is put forward with amendments.

Conclusions

14. The High Wycombe Town Committee has previously recommended a priority list of projects to be funded or part funded through the CIL. Progress has been made on some of the projects including clearer detail on costs. It is recommended that Committee approved the draft two year programme at Appendix B to go forward to Cabinet.

Next Steps

15. A report will be brought to Cabinet seeking the agreement of the proposed allocation as set out in Appendix B. Further updates will be provided to the Committee on the progress of these projects over the next year including specific meetings with the Working Group where necessary.

Background Papers

Agenda Item 5

Appendix A: Status of projects where funds have been previously approved

| Project | Amount | Progress | Outturn or projected outturn |
|---|-----------------|--|------------------------------|
| Bellfield House community facility | £50,000 | Project completed. | £50,000 |
| Feasibility and detailed design work for a proposed new community facility at the Pastures Church in Disraeli | £65,000 | Feasibility and preliminary design completed. This project has been on hold as there has been a change of leadership at the Church. | £16,450 |
| Re-opening of the Pauls Row Toilets | £45,000 | Works completed and toilets re-opened. Funds not used for works to be used for maintenance. | £45,000 |
| Refurbishment of the Guildhall kitchen | £15,000 | Works completed | £15,000 |
| Improvements to the undercroft of the Guildhall | £10,000 | Feasibility and surveys undertaken | £10,000 |
| Little Market House undercroft | £5,000 | Feasibility and surveys undertaken | £5,000 |
| Community notice boards | £15,000 | Project underway and notice boards erected | £15,000 |
| Shelley Road Recreation Ground | £150,000 | Resident survey, feasibility report and detailed designs completed. Project has gone out to tender, contract will be awarded this year with the project beginning in spring/summer 2017. | £150,000 |
| Tree planting | £20,000 | Trees due to be planted in Totteridge, Terriers, Ryemead, Abbey, Disraeli, Oakridge & Castlefield and Sands | £20,000 |
| Desborough Road bollards | £5,000 | Due to presence of statutory utility cables and pipes the bollards cannot be implemented | - |
| Ash Hill School MUGA | £30,000 | Purchase Order raised and due to be completed in March 2017 | £30,000 |
| Total | £410,000 | | £356,450 |

APPENDIX B

| RECOMMENDED DRAFT 2017/18 to 2018/19 HWTC CIL Funding Programme | | | | | |
|--|--|--------------------------------|--------------------|--------------------|--------------|
| | Schemes and Proposals | Project Lead | | | |
| Ref | Physical and Green Infrastructure | | CIL 2017/18 | CIL 2018/19 | Total |
| 1 | New Cemetery at Queensway | WDC Community Services | 400 | | 400 |
| 2 | Remaking the River on Oxford Road | WDC Planning & Sustainability | | 300 | 300 |
| 3 | High Street access and enhanced maintenance | WDC Planning & Sustainability | 15 | | 15 |
| 4 | Tree planting and environmental improvements | WDC Planning & Sustainability | 70 | 70 | 140 |
| 5 | Little Market House undercroft | WDC Major Projects and Estates | 100 | | 100 |
| 6 | Realignment of roundabout on Hatters Lane | TfB | 100 | | 100 |
| | Total | | 685 | 370 | 1,055 |

Agenda Item 6

PUBLIC SPACES PROTECTION ORDER (PSPO)

Wards Affected: Abbey

Officer contact: Sarah McBrearty Ext:3876

Email: sarah.mcbrearty@wycombe.gov.uk

RECOMMENDATION TO CABINET MEMBER FOR COMMUNITY

To agree to proceed with a public consultation on the implementation of a Public Spaces Protection Order to close footpath HWU/80/1.

Reason for Decision

1. There have been ongoing reports to the police, Wycombe District Council and the local Councillor about anti-social behaviour occurring along the footpath running behind the houses on West End Road.

Corporate and Legal Implications

- This report recommends legal action be taken by the Authority in accordance with the new legislation. The legal parameters laid out within the Act will be considered carefully against the proposal for an Order.
- The introduction of any Order presents a risk of legal challenge to the Council. Section 66 of the Anti-social Behaviour Crime and Policing Act 2014 states that “interested persons” may challenge the validity of any Order in the High Courts. This means that the Council could face a challenge against its ability to implement the Order. An application of this nature must be made within six weeks, beginning on the day the Order is made or varied. There are two grounds upon which a challenge could be made:
 - That the local authority did not have the power to make the Order, or variation, or to include particular prohibitions or requirements imposed by the Order (or by the Order as varied)
 - That a requirement under this element of the legislation was not complied with in relation to the order or variation
- The High Court would have the power to quash, amend or uphold the Order.
- Other legal implications and requirements are set out later in the report.

Finance

- There will be the cost of purchasing and installing the gates, as well as undertaking any maintenance and repairs throughout the duration of the PSPO. A quote has been obtained and the cost will be approximately £3,500

Executive Summary

2. The Anti-Social Behaviour, Crime and Policing Act 2014 introduced the Public Spaces Protection Order which can be used to restrict access to a public right of way. There have been numerous reports of anti-social behaviour taking place along this footpath which have been reported to the local Councillor, the Anti-Social Behaviour Officer and the police. Whilst a number of approaches have been tried to tackle the problem, it is felt that the behaviour is causing such an ongoing problem that restricting the public right of way is the only option now available.

Sustainable Community Strategy/Council Priorities - Implications

3. The Implementation of a PSPO will contribute towards the Council's priority 'People' in terms of working and engaging with local communities by reducing and dealing effectively with anti-social behaviour. It will also contribute to the 'Place' priority by making the District a place where people want to live, work and visit by controlling and preventing low level crime and anti-social behaviour.

Background and Issues

4. In October 2014 the Secretary of State enacted new powers under the Anti-Social Behaviour, Crime and Policing Act 2014, to tackle anti-social behaviour.
5. Prior to the 2014 Act, the Council had powers under the Highways Act 1980 to make a Gating Order to restrict the use by the public of a 'relevant highway' and authorise the placing of gates.
6. On 20th October 2014, section 129A of the Highways Act 1980 and The Highway Act 1980 (Gating Order)(England) Regulations 2006 were repealed by the Anti-Social Behaviour, Crime and Policing Act 2014 and Gating Orders were replaced by Public Spaces Protection Orders.

Public Spaces Protection Orders to close Public Rights of Way

7. The Anti-Social Behaviour, Crime and Policing Act came into force in October 2014. Chapter 2 of the Act contains provisions for Public Spaces Protection Orders (PSPO).
8. Local authorities have the power to implement a PSPO if satisfied on reasonable grounds that two conditions have been met. The first condition is that:
 - a) activities carried out in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or
 - b) it is likely that activities will be carried out in a public place within that area and that they will have such an effect.
9. The second condition is that the effect, or likely effect, of the activities:
 - a) is, or is likely to be, of a persistent or continuing nature
 - b) is, or is likely to be, such as to make the activities unreasonable, and
 - c) justifies the restriction imposed by the notice.

10. In addition, when using the Orders to restrict public right of way over a highway, the local authority must consider-
 - a) The likely effect of making the order on the occupiers of premises adjoining or adjacent to the highway;
 - b) The likely effect of making the order on other persons in the locality;
 - c) In cases where the highway constitutes a through route, the availability of a reasonable convenient alternative route.
11. Before making an Order to restrict public right of way over a highway, a local authority must also:
 - a) Notify potentially affected persons of the proposed order,
 - b) Inform those persons how they can see a copy of the proposed order,
 - c) Notify those persons of the period within which they may make representations about the proposed order, and
 - d) Consider any representations made.

Potential issues arising from closing this footpath

12. Between 26th April and 28th July 2016 there were 13 incidents reported to the police relating to anti-social behaviour occurring along this footpath. The behaviour included people hanging around drinking alcohol; people shouting and swearing; and criminal damage and graffiti. Having obtained further statistics from the police covering the period 29th July 2016 to 15th January 2017, there have been 5 additional calls to the police about various disturbances along the footpath, such as people arguing, suspected drug dealing and youths carrying baseball bats. In addition there were a further 7 emails sent to the PCSO who is working on this issue, all of which relate to people drinking and swearing whilst using the footpath. The neighbourhood policing team has undertaken increased patrols along this footpath to disrupt the behaviour, and the area has been cleared of litter. Residents have also been approached to undertake repairs to their rear garden fences to discourage people from littering their gardens.
13. In addition to this, between May 2012 and July 2015, 16 incidents were reported to the police by one specific property. These incidents were investigated by the police and Anti-Social Behaviour Officers, which included extra patrols and the installation of mobile CCTV cameras within the property.
14. The footpath has been inspected by a colleague from the Highways department at Bucks County Council. At present there are two bollards installed along the footpath (as indicated by X on Appendix A), however these have been ineffective and there is a need for the full length of the footpath to be closed off. If the footpath were only closed off between the existing bollards, this would provide two smaller areas at each end where people could still congregate, thus not eliminating the problem.
15. There are, however, two further concerns that need to be addressed if the footpath is closed off. Firstly, at the end which leads to Desborough Avenue, three of the residents currently use the footpath as an access to drive their cars to parking spaces in their rear gardens. Members of the public, including the neighbouring residents, have an automatic right of way over a public highway, and in exercising this they can undertake activities which are reasonably incidental to the right of passage. However, such incidental use of the public highway should not go beyond what is legally permitted and should not obstruct

the free passage of other users. In this instance, it can be said that the owners of the properties are legally permitted to cross the public footpath in order to park in their back gardens. This means that any gate that is installed will need to have an opening wide enough for these residents to drive through.

16. At the West End Street end of the footpath, between the bollard and the main road, the footpath widens and there are often a number of cars parked on it. Parking on the public footpath goes beyond what is legally permitted and also obstructs free passage over the public footpath for other users of the footpath. So by parking on the public footpath people are exceeding their right to use the public footpath and they become trespassers and may be guilty of an offence. So, the gate at this end of the footpath would not need to be wide enough to provide vehicular access.
17. If the footpath is closed, access will need to be given not only to the residents whose rear gardens back onto the path and the local shop that also has rear access, but also to BCC, Waste and Cleansing for maintenance, and the emergency services. This will mean that there is a risk that the gates may not remain closed at all times.
18. The cost of installing the gates and their maintenance will be met by Wycombe District Council. There is a low risk that closing this footpath as a result of the anti-social behaviour occurring, may result in calls to close other footpaths across the district. However there are no other footpaths with a similar level of reported concerns at the moment.
19. Whilst reports have been received about anti-social behaviour occurring along this footpath, it is important to note that there are a number of other footpaths in this area, in particular the footpath that continues from this one on the other side of Desborough Avenue. There is a risk that the anti-social behaviour that is occurring in footpath HWU/80/1 will be displaced to this nearby footpath.
20. Cabinet recently agreed to a Public Spaces Protection Order for the town centre and surrounding area which prohibits drinking alcohol and acting in an anti-social manner. This footpath is included within this PSPO area, and therefore any such behaviour along the footpath is prohibited. The problem is that the perpetrators of the anti-social behaviour along the footpath are not known, and the behaviour is taking place at times where there are no patrols in the areas – therefore we have not been able to deal with the perpetrators.
21. BCC Highways colleagues have suggested the use of CCTV along this footpath rather than closing it, to both deter perpetrators, and potentially use the images to take legal action. Whilst the cameras may deter some, it is unlikely we can use the images to issue any Fixed Penalty Notices or take any other legal action at present.

Proposal

22. The recommendation is to consult on a Public Spaces Protection Order to install gates to restrict the public right of way to footpath HWU/80/1 (Appendix A).
23. The gates would need to be 6ft tall, anti-climb with 'soft' spikes to prevent people climbing over.
24. Keys (or a key-code) would need to be provided to all residents/business owners whose homes back onto the path so that they can access their rear garden. Keys

(or a key code) would also need to be supplied to emergency services, Bucks County Council, and Waste and Cleansing.

25. The intention is that the gates would be closed 24/7, while the residents will be able to open them as required, the importance of keeping them locked would be emphasised.
26. The gates would be in place for three years, after which the PSPO would need to be reviewed, and the consultation exercise repeated if it is felt the problem would continue if the gates were removed.

Consultation

27. Following Cabinet Member approval, a formal consultation will be launched and run for 7 weeks. As above, the Act is not specific about what constitutes an appropriate consultation; however it is clear that it requires the local authority to consult with the following:
 - a) Chief Officer of Police for the local area
 - b) Police and Crime Commissioner
 - c) Land owners in the area
 - d) Any community representatives the local authority considers appropriate – these would include any walking groups, rambler societies, local businesses, Bucks County Council and local schools.
28. Posters will also be displayed in the area asking people to report any concerns regarding closure of the footpath to the Community Safety team.

Implementation

29. An estimate of approximately £3,500 has been obtained for the gates; however a firm quotation will be needed.
30. The footpath would need to be monitored to ensure it does not become overgrown, or that the gates are not damaged. Any damage costs would need to be met by Wycombe District Council.

Enforcement

31. No enforcement activity would be required.

Risk Implications

32. If WDC does not install gates, the current PSPO which prohibits acting in an anti-social manner whilst consuming alcohol could be used for this area. However, enforcement will be difficult as the times when incidents are occurring are outside of the police patrol times.
33. CCTV could be explored for the area, but there would be a cost for this, and there would be significant collateral intrusion as this is a public right of way. It may prove difficult to identify perpetrators from the images unless they are already known to the police.

Key risks associated with the preferred approach

34. If the required process to introduce a PSPO is not strictly followed, this could lead to a challenge which would mean that the authority could face legal costs and reputational damage.
35. There is a risk that by closing this footpath, the anti-social behaviour will move to another footpath. This area of Desborough does have a number of footpaths in close proximity. This would be monitored.

Next Steps

36. If the Committee support the recommendation to the Cabinet Member for Community for the principle of proceeding with the implementation of a PSPO, The Cabinet Member would be asked to agree the above mentioned consultation process to be carried out. A further report would need to be submitted to Cabinet in due course if findings supported implementation of a PSPO.
37. An Information Item will be submitted to High Wycombe Town Committee detailing the findings of the consultation.

Background papers

Anti-Social Behaviour, Crime and Policing Act 2014
Statutory Guidance



Agenda Item 7

New Cemetery – Phasing and Budget Requirements

Officer contact: Elaine Jewell, ext.3800, elaine.jewell@wycombe.gov.uk

Wards affected: All town wards

RECOMMENDATION TO CABINET

That £404,000 be allocated in 2017/18 from Special Expenses Reserves to fund the first phase of the project. Also that additional funding will be required over the following two years but could be allocated from CIL as well.

Reason for Decision

1. The Town is running out of burial space for children and for chambered burials. The project is needed to meet the legal requirement to be able to provide burials in the High Wycombe Town area.

Corporate Implications

2. In its capacity as a designated burial authority under S214 of the Local Government Act 1972 the Council has power to provide and maintain cemeteries inside or outside its area.
3. Section 149 of the Equality Act 2010 places a duty (“the public sector equality duty”) on the Council, in the exercise of its functions to eliminate discrimination, harassment, victimisation and other conduct prohibited by the Act; to advance equality of opportunity between persons who share a relevant protected characteristic and those who do not; and to foster good relations between persons who share a relevant protected characteristic and those who do not. One of the protected characteristics is religion or belief.
4. An Equalities Impact Assessment describing steps taken to comply with this duty has been completed and is available at <https://www.wycombe.gov.uk/uploads/public/documents/Community/Equality-impactassessments/Community/Equality-impact-assessment-Cemetery-feasibility-study.pdf>
5. The Town Committee has forecast reserves as at 31 March 2017 of £740,507. Allocating £404,000 to Phase 1 of this scheme would reduce the balance to £336,507. The minimum recommended reserves balance for the Town Committee is £150,000.
6. If the Town Committee allocates its remaining reserves to this scheme, reducing balances to their minimum level, this would leave a shortfall of £688,493 for funding future phases of this project in 2018/19 and 2019/20. If agreeing to implement the full scheme the Committee would be agreeing that it would have to make up this shortfall by either:
 - Allocating additional CIL funding in 2018/19 and 2019/20 towards this scheme to make up the shortfall

Or

- Making a recommendation to Cabinet to approve a loan from Wycombe District Council's balances to forward fund the scheme with an agreed repayment plan including the use of CIL and an increased precept over a period of time

Executive Summary

7. The Town Committee received a number of reports on the site options for a new Cemetery, before settling on the Queensway site. The Committee funded a feasibility study into provision of a new Cemetery at this location and this has enabled a cost plan to be put together. This has been reviewed and forms the basis of the financial request to the Committee. Work has been spread over three years to ensure that funding the new Cemetery remains affordable for the Committee. A value engineering exercise has taken place to reduce costs while bearing in mind that the Cemetery will exist for centuries to come and that therefore materials need to be selected for their long term durability.

Sustainable Community Strategy / Council Priorities - Implications

8. Place and People Corporate Strategy priorities – High Wycombe residents expect to be able to be buried locally. This will not be possible for some residents in the near future. The Council has a legal duty to be able to bury the dead. While the Council could meet this by paying non-resident fees only for public health funerals in surrounding cemeteries this will not satisfactorily meet the reasonable expectations of residents.

Background

9. Following the decision in 2015/16 by the Committee to fund feasibility work into bringing the WDC owned land at Queensway into use as a cemetery, ALD (Applied Landscape Design Ltd) were commissioned to design and cost a preliminary scheme.
10. This work was completed in December 2016. Officers were concerned that the initial budget of £1,963,322 was substantial and held a value engineering workshop with ALD, which achieved savings of £283,532, giving a revised capital cost of £1,679,790. For information the changes were as follows: replacing saplings with whips, replacing resin bonded gravel with tarmac and reducing the size of the attenuation ponds. Savings have not been made if they would impact on the quality of the end product. Officers are conscious that the Cemetery will exist for the foreseeable future; even when it becomes full the Council will continue to maintain it and therefore materials have to be capable of lasting for a long time.
11. The Town Committee CIL Working Group recommends that £400k of CIL funds in 2017/18 are awarded to the project. This is insufficient to enable us to commence the project and therefore the Town Committee is being asked to release additional funds from the Special Expense Reserves. Officers have phased works into three phases to spread funding over three financial years to

ensure that the Town Committee can proceed with the project while maintaining its commitment to the other projects it is funding.

12. Works have been packaged as follows

Phase one – 2017/18 – budget £804k

Works include:

- Planning application including consultation
- Access to site and road infrastructure, car park and lighting
- Gates and fencing
- Preparation of the part of the site that will be the child burial area
- New hedges and planting
- Associated fees and contingency

Phase two – 2018/19 – budget £486k*

- Pathways
- Site wide drainage
- Benches
- Memorial garden
- Associated fees and contingency

Phase three – 2019/20 - c£389k*

- Office/toilets/waiting room plus all utilities
- Remaining planting
- Remaining benches
- Attenuation ponds
- Associated fees and contingency

* Costs may increase with inflation

13. Phase one would enable child burials to take place; Phase two would enable Muslim burials to take place; Phase three would complete the scheme.

14. NOTE: the installation of concrete vaults would be funded as now, ie the Committee would be asked to invest in their purchase and installation and the costs would be recovered from burial fees.

15. NOTE: a feature of the site is columbaria, which contain niches for cremated remains. Again the Committee would be asked to invest in their purchase and installation and the costs would be recovered from interment fees. However because these are highly visible, unlike the concrete vaults, they would be purchased in one go to ensure no supply issues are experienced. The cost is currently £212k but inflation will mean this will be higher when the funding request is made in the future. The Committee could decide not to install this feature to avoid this cost or, as per concrete chambers, it could either fund from its Special Expenses reserve or seek a General Fund loan to be paid back from income as niches are sold.
16. NOTE: A future decision to proceed with phases two and three would require the Committee to set aside CIL, Special Expense reserves or to increase its precept in future years to cover the costs of those phases. The Committee could decide only to implement the child burial element of the scheme and not proceed with phases two and three.

Revenue Costs

17. The Committee should note that the new Cemetery will generate a cost to Special Expenses. These include grounds maintenance, building running and maintenance costs, rates and repairs and renewals. The new Cemetery is smaller than the Hampden Road one, where equivalent costs amount to £46k. There would be no additional staffing costs but there would be an increased revenue cost of under £46k. While in time the new Cemetery will generate income this will offset the costs of the burial service not general site maintenance.
18. The initial costs have been validated by an independent quantity surveyor and are summarised in the exempt appendix. This information is confidential as the Council will tender for works in the future.

Options

19. The Committee has three options.
 - Option One - the comprehensive site options appraisal has identified that Queensway is the most suitable and cost effective option. The Committee can support the funding request to enable the project to proceed.
 - Option Two - The Committee can decide to wait until the 2018/19 budget cycle before reserving funding. Given that the project is likely to be implemented in 2 to 3 phases this would mean that the Cemetery could not be brought into full use until 2020/21 or 2021/22. It is anticipated that child and Muslim burials could commence approximately 18 months after project initiation. If the project cannot be started until April 2018 then burials could commence in October 2019. There is 18-24 months of space available for child burials at the current rate of use, which means the Snowdrop Garden will be full at some time between mid 2018 and early 2019.

While space can be created in the current Cemetery for Muslim burials the costs of readying made up ground for chambered burials is high and moving these at an early stage to the new Cemetery should result in more affordable

burials for the town's residents requiring a chambered burial. There is 18 months of space available for chambered burials at the current rate of use, which means the Muslim section could be full by mid 2018.

- Option Three - not to proceed. Residents who belong to the Church of England could continue to be buried for the foreseeable future as there is a significant area of pre-consecrated ground for this faith. Other burials would gradually cease and residents would need to seek burial in other cemeteries around the District or elsewhere. It is likely that this will fail to meet the Council's duty under the Equality Act 2010 as displaced burials will attract non-resident fees, which are significantly higher. It will not be equitable to provide a service for one faith group alone.

Conclusions

20. The Committee is asked to agree to proceed with the new Cemetery project. Waiting to start the project in 2018/19 risks there being insufficient funding to start phase one and risks suspension of child and Muslim burial services for High Wycombe residents, which is likely to be unacceptable. The Committee is asked to request that Cabinet releases £404,000 of Special Expense Reserves in addition to the £400,000 CIL funding already supported by the Town Committee.


Next Steps

21. All timescales are indicative estimates only.
 - Finalise the design (April 2017)
 - Develop the Planning Application, including any consultation, ecological and other survey work (September 2017)
 - Submit/obtain Planning Permission (November 2017)
 - Tender for phase one of site infrastructure works (twin track – contract award in December 2017)
 - Works on site (commence in February/March 2018)
 - Open up eastern end of the new Cemetery for child burials (October 2018)

Background Papers

Previous reports to the Committee on site options appraisal and the feasibility budget.

Agenda Item 8

| | |
|--|---------------------------------|
|  WYCOMBE DISTRICT COUNCIL | INFORMATION SHEET |
| HIGH WYCOMBE TOWN COMMITTEE (HWTC) | |
| ISSUE NO: 01/2017 | DATE ISSUED: 27 Feb 2017 |
| BUDGETARY CONTROL REPORT FOR Q3 2016/17 | |
| Officer contact: Shaina Aziz Tel: 01494 421316 Email: shaina_aziz@wycombe.gov.uk | |

Introduction

The budgetary position for Quarter 3 2016/17 for HWTC is set out in Table 1. In addition to the usual year to date position, this report includes a year end forecast for each service provided by the budget holder.

Special Expenses 2016/17

At month 9 there is a variance of £10.2k underspend (see Variance YTD column on the Special Expenses Position Summary table) and budget holders are forecasting a surplus of £12.8k by the end of the year (see Current Quarter Forecast Variance column on the Special Expenses Position Summary table).

Budgets are split into controllable and non-controllable budgets. Forecasts for controllable budgets have been provided by services and a variance has been calculated against the controllable budget.

Non-controllable budgets relate to overhead costs and depreciation budgets. While these are monitored centrally, they cannot be controlled by individual budget holders and have been separated from the current analysis.

Commentary on Significant Variances (Over £5k)

Cemetery

There is a surplus of income from cemeteries for Concrete Chambers of £10k as pricing generates a surplus to cover the costs for the initial outlay for installation and this surplus will be returned to reserves at the end of the year.

Castlefield Woods - Allotments

There is a projected spend of £61k due to installation of the new allotment in Castlefield funded from Special reserves of which £26.8k has been spent, this was approved by this committee on 1st March 2016 .

Footway Lighting

There is a potential underspend of £4.9k on this budget as demand for this budget has been low to date, the expenditure being reactive on street lighting and difficult to forecast.

Table 1

SPECIAL EXPENSES POSITION SUMMARY

Brackets indicate income or a favourable variance

| Non-Controllable | Cabinet Portfolio | Analysis | Controllable Budget FY | Controllable Budget YTD | Actual inc. Commitments | Variance YTD | Controllable Forecast Outturn | Budget Outturn Variance |
|------------------|-----------------------------------|------------------------|------------------------|-------------------------|-------------------------|-----------------|-------------------------------|-------------------------|
| 700 | Footway Lighting | Expenditure | 5,900 | 4,419 | 433 | (3,986) | 1,000 | (4,900) |
| 700 | | Net Expenditure | 5,900 | 4,419 | 433 | (3,986) | 1,000 | (4,900) |
| 193,700 | Cemetery | Expenditure | 87,300 | 65,442 | 65,476 | 34 | 87,395 | 95 |
| 0 | | Income | (101,300) | (89,057) | (95,057) | (6,000) | (109,316) | (8,016) |
| 193,700 | | Net Expenditure | (14,000) | (23,615) | (29,581) | (5,966) | (21,921) | (7,921) |
| 0 | Town Twinning | Expenditure | 3,000 | 0 | 0 | 0 | 3,000 | 0 |
| 0 | | Net Expenditure | 3,000 | 0 | 0 | 0 | 3,000 | 0 |
| 0 | Community Grants | Expenditure | 20,000 | 14,994 | 15,000 | 6 | 20,000 | 0 |
| 0 | | Net Expenditure | 20,000 | 14,994 | 15,000 | 6 | 20,000 | 0 |
| 133,500 | Recreation Grounds (Local) | Expenditure | 10,300 | 7,713 | 5,785 | (1,928) | 10,300 | 0 |
| 0 | | Income | (6,700) | 0 | 0 | 0 | (6,700) | 0 |
| 133,500 | | Net Expenditure | 3,600 | 7,713 | 5,785 | (1,928) | 3,600 | 0 |
| 42,100 | Allotments | Expenditure | 3,600 | 2,691 | 125 | (2,566) | 3,600 | 0 |
| 42,100 | | Net Expenditure | 3,600 | 2,691 | 61 | (2,630) | 3,600 | 0 |
| 0 | Feasibility Study | Expenditure | 61,000 | 26,847 | 26,847 | 0 | 61,000 | 0 |
| 0 | | Income | (61,000) | 0 | 0 | 0 | (61,000) | 0 |
| 0 | | Net Expenditure | 61,000 | 26,847 | 26,847 | 0 | 0 | 0 |
| 0 | War Memorial | Expenditure | 1,700 | 1,269 | 1,275 | 6 | 1,700 | 0 |
| 0 | | Net Expenditure | 1,700 | 1,269 | 2,550 | 1,281 | 1,700 | 0 |
| 0 | Hilltop / Castlefield | Expenditure | 28,000 | 0 | 0 | 0 | 28,000 | 0 |
| 0 | | Net Expenditure | 28,000 | 0 | 0 | 0 | 28,000 | 0 |
| 370,000 | TOTAL | Expenditure | 220,800 | 123,375 | 114,941 | (8,435) | 215,995 | (4,805) |
| 0 | | Income | (169,000) | (89,057) | (90,846) | (1,789) | (177,016) | (8,016) |
| 370,000 | | Net Expenditure | 51,800 | 34,318 | 24,095 | (10,224) | 38,979 | (12,821) |

Agenda Item 9
Wycombe District Council
HIGH WYCOMBE TOWN COMMITTEE
Work Programme – MARCH 2017 – NOVEMBER 2017

| Title & Subject Matter | Meeting / Date to be taken | Contact Officer |
|--|----------------------------|--|
| <u>June 2017</u> | | |
| HWTC – Chiltern Rangers Update | 13 June 2017 | Jemma Durkan, Senior Democratic Services Officer |
| HWTC – Concrete Burial Chambers – Working Group findings | 13 June 2017 | Elaine Jewell, Head of Community |
| HWTC – Affordable Funerals | 13 June 2017 | Elaine Jewell, Head of Community |
| HWTC – Budgetary Control Outturn 2016/17 (Information Sheet) | 13 June 2017 | Shaina Aziz, Assistant Accountant |
| <u>Sept 2017</u> | | |
| HWTC – Q1 Budgetary Control Report (Information Sheet) | 12 Sept 2017 | Shaina Aziz, Assistant Accountant |
| <u>November 2017</u> | | |
| HWTC – Annual Fees and Charges Review | 21 Nov 2017 | Elaine Jewell – Head of Community |
| HWTC – Q2 Budgetary Control Report (Information Sheet) | 21 Nov 2017 | Shaina Aziz, Assistant Accountant |

Meeting contact officer: Jemma Durkan, 01494 421635,
 Committeeservices@wycombe.gov.uk

Work Programme Updated: 9 February 2017