

Cabinet Minutes

Date: 31 October 2011

Time: 7.03 - 8.14 pm

PRESENT: Councillor A D Collingwood (Executive Leader of the Council - in the Chair)

Councillor D H G Barnes	- Cabinet Member for HR, ICT and Customer Services
Councillor D J Carroll	- Executive Deputy Leader and Cabinet Member for Housing and External Partnerships
Councillor A Hussain JP	- Executive Deputy Leader & Cabinet Member for Property
Councillor Mrs G A Jones	- Cabinet Member for Environment
Councillor Mrs J E Teesdale	- Cabinet Member for Democratic, Legal & Policy
Councillor R Wilson	- Cabinet Member for Finance
Councillor Ms K S Wood	- Cabinet Member for Community

By Invitation

Councillor M Angell	- Cabinet Spokesman (HR, ICT & Customer Services)
Councillor R Gaffney	- Chairman of the Improvement & Review Commission
Councillor Ms V Groulef	- Leader of the Labour Group
Councillor M Hussain JP	- Cabinet Spokesman (Big Society/Localism)
Councillor S P Lacey	- Cabinet Spokesman (Community)
Councillor Mrs W J Mallen	- Vice Chairman of Council
Councillor N B Marshall	- Cabinet Spokesman (Planning & Sustainability)
Councillor J L Richards OBE	- Cabinet Spokesman (Property Services)
Councillor T Snaith	- Leader of the Liberal Democrat Group
Councillor A Turner	- Leader of the Independent Group
Councillor P R Turner	- Cabinet Spokesman (Finance)

Also present: Councillors I Bates, W J Bendyshe-Brown, M A Foster, A R Green and R J Scott

The Chairman of the Improvement & Review Commission informed the meeting that the Wycombe under 13s Cricket Club squad had become regional and National winners over the summer. The team had enjoyed an exclusive tour of Lords at the invitation of the MCC and had met the MCC head coach. The Chairman of the Improvement & Review Commission suggested that the High Wycombe under 13s Cricket Club squad be invited to attend the full Council meeting in December.

45 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors R C Emmett (Cabinet Spokesman for Environment), Mrs D V E Morgan (Cabinet Spokesman for Homes

and Housing/External Partnerships), Miss S Manir (Cabinet Spokesman for Democratic, Legal & Policy Services), H L McCarthy (Cabinet Member for Planning & Sustainability) and I L McEnnis (Chairman of Council).

46 MINUTES OF THE MEETING HELD ON 5 SEPTEMBER 2011

RESOLVED: That the Minutes of the meeting of the Cabinet held on 5 September 2011 be approved as a true record and signed by the Chairman.

47 DECLARATIONS OF INTEREST

Minute 49 - Housing Revenue Account Revised Estimates

Councillors D G Barnes, Mrs G A Jones, S Lacey declared a personal interest in that a family member was a council tenant and remained in the Chamber during consideration of this item.

Councillor Mrs J E Teesdale declared a personal interest in that she is a council tenant (Code of Conduct 10 (2) (c) refers) and remained during consideration of this item.

Councillor P Turner declared a personal interest in that he is employed by The Guinness Trust and remained during consideration of this item.

48 BUSINESS IMPROVEMENT DISTRICT FOR HIGH WYCOMBE TOWN CENTRE

The report before Cabinet detailed the proposals from the High Wycombe Town Centre Partnership for a financial contribution of LABGI funding towards the statutory costs to the Council of processing and participating in a Business Improvement District initiative for High Wycombe Town Centre. The Business Improvement District would be a partnership between the Council and local business to provide additional services or improvements within a specified area.

The following decisions were made to give an early indication of the Council's support prior to the commencement of the detailed and preparatory work required.

RESOLVED: That (i) the Council supports, in principle, the establishment of a Business Improvement District (BID) for High Wycombe town centre, subject to consideration of the detailed business case and the views of High Wycombe Town Committee; and

(ii) up to £30,000 of LABGI funding be allocated to meet the statutory costs to the Council of processing and participating in the BID.

49 HOUSING REVENUE ACCOUNT REVISED ESTIMATES 2011/12

The report before Cabinet set out the proposed revised revenue estimates for 2011/12 for the Housing Revenue Account, taking account of the proposed transfer of the housing stock to Red Kite Community Housing on the 12 December 2011. The revised estimate reflected the expected changes to both income and expenditure as a result of the transfer. The estimates also took account of changes to the budgets that had arisen since the original estimates were approved in February 2011.

The following recommendation was made as the 2011/12 published estimates for the Housing Revenue Account were set prior to the outcome of the transfer ballot and were therefore based on a full financial year (April 2011 to March 2012). The ballot result was announced in April 2011 and now that the transfer was expected to complete on 12 December 2011 the estimates needed to be adjusted to reflect that the Council would only be responsible for the management and maintenance of the housing stock up until this date.

Recommended: That subject to the completion of the Housing Stock Transfer on 12 December 2011, the 2011/12 Revised Housing Revenue Account estimates be approved.

50 FINANCIAL ASSISTANCE FOR THE BUCKS BIG SOCIETY BANK

Cabinet was asked to support a one off contribution of £50,000 to the Bucks Big Society Bank to provide a source of loan funding in order to facilitate, encourage and support organisations within the voluntary, community and social enterprise sector.

The Cabinet Member for Community informed the meeting that regard had been given to government guidance on the use of section 2 of the Local Government Act in the preparation of the report.

During discussions, Cabinet Members praised the work of the voluntary organisations and fully supported the decision before them.

The following decision was made as the longer term sustainability of groups had been raised by Members and discussions with the Bucks Community Foundation had identified a cost effective way of utilising partner and philanthropist funds to maximise funding for Voluntary and Community Sector Organisations (VCSOs).

RESOLVED: That the future sustainability of voluntary and community sector organisations within the District be supported by making a one off contribution of £50,000 to the Bucks Big Society Bank, with terms to be approved by the Head of Community Services in consultation with the Head of Financial Services, the Cabinet Member for Community and the Cabinet Member for Finance; this sum being funded from the Council's Contingency Fund.

51 BUDGET MONITORING REPORT TO 30TH SEPTEMBER 2011 (MONTH 6)

The report before Cabinet set out the budgetary position at the end of September 2011 and identified the key issues and actions being taken by officers.

Cabinet Members addressed the meeting on the budgetary position in relation to their individual portfolio areas.

The following decision was made as the Cabinet provided 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 the current budgetary position at the end of September 2011 and actions already taken be noted and support be given to the further management actions proposed to ensure that the budget is achieved.

52 FORWARD PLAN

The Cabinet received an updated draft of its Forward Plan for publication on 11 November 2011.

The Deputy Leader and Cabinet Member for Homes & Housing/ External Partnerships reminded the meeting that an all Members' Red Kite Seminar would be held on 15 November 2011.

RESOLVED: That the Forward Plan, as submitted, be approved for publication.

53 FILE ON ACTION TAKEN UNDER DELEGATED AUTHORITY

The Cabinet received the following files on action taken under delegated powers:

Community	C/23/11 – C/25/11
Democratic, Legal and Policy Services	DLP/2/11
Deputy Leader (Homes and Housing)	DL(H)/19/11 - DL(H)/21/11
Deputy Leader (Property and Economic Development)	DL(P)/2/11 - DL(P)/3/11
Environment	E/2/11
Finance	F/2/11 – F/6/11
Planning and Sustainability	PS/5/11

EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That pursuant to Regulation 21(1)(b) of The Local Authorities (Executive Arrangements) (Access to

Information) (England) Regulations 2000 (as amended) the press and public be excluded from the meeting during consideration of Minute nos 54, 55, 56 & 57 because of their reference to matters which contain exempt information as defined as follows:

Minute 54 Hughenden Quarter

Minute 55 Swan Procurement

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 56 Exempt Information Sheet

Information which is likely to reveal the identity of an individual (Paragraph 2, Part 1 of Schedule 12A, Local Government Act 1972)

The need to maintain the exemption outweighs the public interest in disclosure, because the distress that could be caused to the individual is not commensurate with the benefits of disclosure to the public]

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 57 File on Exempt Action Taken Under Delegated Powers

Community Sheet Nos: C/2/11 – C/4/11

Deputy Leader (Homes and Housing) Sheet No: DL(H)/9/11

Deputy Leader (Property and Economic Development) Sheet Nos: DL(P)/12/11– DL(P)/26/11

Environment Sheet Nos: E/1/11 – E/2/11

Finance Sheet Nos: F/1/11

HR, ICT and Customer Services Sheet No: HICS/2/11

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 the third party in question is likely to be inhibited from participating in further discussions or negotiations with the Council if the report were to be disclosed]

54 HUGHENDEN QUARTER

The report before Cabinet sought various approvals in connection with the regeneration of the former Compair site.

The following decisions and recommendation were made as the plan was to now progress towards construction of a modified 'Spine Road' and compulsory purchase of the Jewson site (and other minor interests), in parallel with a programme of site disposals, necessitating the 'unlocking' of more of the approved budget and (because the form of the project had changed, incurring costs not envisaged when the original budget was set), the original authorisation did not foresee/allow offset of temporary income.

RESOLVED: That Cabinet approve (i) the release of a sum up to the amount referred to in paragraph 19 of the report from the approved Major Projects Programme to cover the costs referred to therein;

(ii) submission of a planning application on the Upper Site shown in thick black edging on the plan attached at Appendix A to the report and the marketing of both this and the Core Site for disposal, with a further report back to Cabinet in due course;

(iii) the revision to the heads of terms for disposal of the site shown hatched on the plan attached at Appendix A to the report to Royal Star & Garter as referred to in paragraph 18 of the report; and

(iv) Re-appointment of the design team and marketing consultants/agents and external lawyers in accordance with Contract Standing Orders and within the approved budget for the project.

Recommended: *To agree to the offsetting of temporary rental income against expenditure on the project, thereby treating such expenditure as reduced by the amount of the income for the purposes of calculating total expenditure relating to the Compair site, for which the Council has set an overall limit.*

55 SWAN PROCUREMENT

Cabinet was advised that the Council's current lease for the Wycombe Swan was due to terminate in March 2013. Cabinet's approval was sought for the procurement of the future operation of the Wycombe Swan and various other associated matters.

Members expressed their view that the Community Fund should be expanded to include other community facilities in the district and requested that this be considered.

The following decisions were made as the current lease for the Swan Theatre was due to expire on 31 March 2013. A contract for future operation of the Swan and the Swan Car Park, with an accompanying lease fell within EU procurement rules, and procurement must be started now in order to have an operator in place for 2013.

RESOLVED: That: (i) The Head of Community be authorised to carry out procurement for operation of the Swan Theatre, for a period of 25 years from September 2013;

(ii) Subject to the receipt of further legal advice, a variant option be incorporated to include the Swan Multi-Storey Car Park, and with a further report to be submitted to Cabinet to consider the outcome and award of contract and/or lease;

(iii) The Head of Community, in consultation with the Head of Democratic, Legal and Policy Services, be delegated authority to agree on the precise form of lease and/or other documentation/funding arrangements to be used;

(iv) Subject to a further report on governance arrangements, it be agreed to seek external legal advice and investigate future ownership/management of the Swan by a trust in the form of a company limited by guarantee with charitable status;

(v) An extension to the current lease or a new lease for the Swan, from 1 April 2013 until 31 August 2013 be agreed in order to start a new contract on 1 September 2013; and

(vi) Funds of £100,000 be released for specialist legal and procurement support for the completion of the tender documentation and legal advice on governance.

56 EXEMPT INFORMATION SHEETS

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

12/2011 Support and Revenue (Plan B) Work streams progress

57 FILE ON EXEMPT ACTION TAKEN UNDER DELEGATED POWERS

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

Community	C/2/11 – C/4/11
Deputy Leader (Homes and Housing)	DL(H)/9/11
Deputy Leader (Property and Economic Development)	DL(P)/12/11 - DL(P)/26/11
Environment	E/1/11 – E/2/11
Finance	F/1/11
HR, ICT and Customer Services	HICS/2/11

Chairman

The following officers were in attendance at the meeting:

Karen Satterford	- Chief Executive
Charles Meakings	- Head of Democratic, Legal and Policy Services
Catherine MacKenzie	- Democratic Services