

Cabinet Minutes

Date: 22 September 2014

Time: 7.00 - 8.45 pm

PRESENT: Councillor R J Scott (Executive Leader of the Council - in the Chair)

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| Councillor Mrs J A Adey | - Cabinet Member for Community |
| Councillor A R Green | - Cabinet Member for Economic Development & Regeneration |
| Councillor M Hussain JP | - Cabinet Member for HR, ICT & Customer Services |
| Councillor N B Marshall | - Cabinet Member for Planning and Sustainability |
| Councillor H L McCarthy | - Deputy Leader and Cabinet Member for Strategy |

By Invitation

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| Councillor Z Ahmed | - Deputy Cabinet Member for Community (Housing) |
| Councillor I Bates | - Leader of the Labour Group |
| Councillor C B Harriss | - Deputy Cabinet Member for Environment |
| Councillor R Gaffney | - Chairman of the Improvement & Review Commission |
| Councillor M E Knight | - Leader of the East Wycombe Independent Group |
| Councillor B R Pollock JP | - Leader of the Liberal Democrat Group |
| Councillor A Turner | - Leader of the Independent Group |
| Councillor P R Turner | - Deputy Cabinet Member for HR, ICT & Customer Services |

27 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs L Clarke OBE (Chairman of Council), M Foster (Cabinet Member for Finance), D Johncock (Deputy Cabinet Member for Planning & Sustainability), R Metcalfe (Deputy Cabinet Member for HR, ICT & Customer Services) and Mrs J Teesdale (Cabinet Member for Environment).

28 MINUTES

RESOLVED: That the Minutes of the meeting of the special Cabinet held on 28 July 2014 be approved as a true record and signed by the Chairman.

29 DECLARATIONS OF INTEREST

Councillor R Gaffney declared an other interest in relation to Minute 38 by virtue of his position as Chairman of the Queensway Tranquil Park Committee.

Cllr A Green and H McCarthy declared an other interest in Minute 40 by virtue of their positions as Council appointed representatives on the Joint Waste Crematorium Committee.

30 HIGH WYCOMBE TOWN COMMITTEE REFERRAL - ALLOTMENT REVIEW

The report before Cabinet presented the findings of the annual review into allotment provisions available within the parishes in Wycombe District, the review indicated that there was not a significant surplus of plots available for residents in the unparished area on the current waiting list to apply for outside of the town.

Members considered the recommendations of the High Wycombe Town Committee which had considered the report at its meeting on 16 September 2014. The High Wycombe Town Committee had recommended that £23,000 be allocated from Special Expenses to undertake feasibility studies at Desborough Castle and Castlefield Woods.

Cabinet concluded that the potential options be noted and that the Development Briefs be awaited for the Core Strategy reserve sites, subject to consideration of the future of those sites at the Cabinet meeting on 20th October 2014.

RESOLVED: That (i) an annual report on allotment waiting lists continue to be received;

(ii) £23,000 from the Special Expenses reserve be allocated to undertake feasibility studies into bringing back into use Castlefield Woods and Desborough Castle extension sites; and

(iii) the potential options be noted and that the Development Briefs be awaited for the Core Strategy reserve sites, subject to consideration of the future of those sites at the Cabinet meeting on 20th October 2014.

31 ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

The report before Cabinet sought approval to implement new provisions relating to anti-social behaviour to meet the requirements of the Anti-Social Behaviour, Crime and Policing Act 2014.

The following decisions were made as the Anti-Social Behaviour, Crime and Policing Act 2014 was given Royal Assent on 13th March 2014, and implementation of Parts 1-6 of the Act was expected in October 2014. The Act brought in new tools that the Council was required to use to address anti-social behaviour.

RESOLVED: That (i) the Community Trigger threshold as set out in paragraph 42 of the report be agreed;

(ii) authority to exercise the Council's functions and enforcement powers under the Anti-Social Behaviour, Crime and Policing Act 2014 (whether as part of joint arrangements or otherwise) be delegated to

the Head of Community and the Head of Environment in consultation with the District Solicitor, including, but not restricted to:

- Appointment of authorised officers
- Securing Civil Injunctions
- The issue of Closure Notices and securing Closure Orders
- The issue of Community Protection Notices
- The implementation of Public Space Protection Orders; and

(iii) delegated authority be granted to the Chief Executive to extend a Closure Notice to 48 hours.

32 BUDGET MONITORING REPORT QUARTER 1

The report before Cabinet set out the budgetary position for all revenue accounts and capital spending for the first three months of 2014/15. 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 the current budgetary position at the end of June 2014, and actions already taken be noted, and the further management actions proposed to ensure that the budget was achieved be supported

33 2013/14 OUTTURN SURPLUS - FUNDING BIDS

Members recalled that following the publication of the outturn report for 2013/14, it had been agreed that proposed one off project bids for the use of the £1.5m outturn surplus be presented to Cabinet for consideration. The report before Cabinet detailed the proposed schemes including the criteria that each bid was required to meet to ensure the best use of the resources. One of the key criteria requirements set by Cabinet when the funding was originally set aside was to ensure that projects were deliverable within a 12 month period.

In June 2014, Cabinet agreed that the surplus should be set aside to support schemes which met three specific priorities, these were:

- Investing in Council projects which generate revenue growth and deliver economic activity.
- Town Centres Renewal.
- Key strategic projects which support the Council's corporate priorities.

The following recommendations were made to enable the Council to support its wider priorities, support town centres and generate economic growth, whilst supporting the Council's Medium Term Financial Strategy agreement was sought for the proposed bids set out at Appendix A of the report.

Recommended: That (i) the bids totalling £1.44m set out at Appendix A of the report to meet the priorities agreed by Cabinet in June 2014 for the best use of the surplus funds from 2013/14 be agreed; and

(ii) delegated authority be granted to the Head of Democratic, Legal and Policy Services, in consultation with the Leader, Cabinet Member for Finance and the Head of Finance and Commercial to agree the final terms of the Council's contribution to the roll-out of superfast broadband in Wycombe District.

34 JOINT WASTE STRATEGY FOR BUCKINGHAMSHIRE 2014 - 2020

Cabinet was advised that the Joint Waste Committee for Buckinghamshire had undertaken a review of the county-wide Joint Waste Strategy which set out the aims and objectives for both District and County Councils with regard to waste prevention, collection and disposal. The Joint Waste Committee for Buckinghamshire had approved the revised Strategy and formal approval was now required from each partner authority before it could be adopted.

The following decisions were made as the revised Joint Waste Strategy for Buckinghamshire aimed to ensure that all the members of the Buckinghamshire Waste Partnership continue to challenge progress on waste reduction, reuse and recycling. This would reduce the Council's environment impact and help work towards a cleaner and greener district.

RESOLVED: That (i) subject to any minor amendments being necessary (delegated authority to approve these being delegated to the Head of Environment in consultation with the Cabinet Member for Environment and the District Solicitor) the Joint Waste Strategy for Buckinghamshire 2014 – 2020 attached at Appendix A of the report be adopted by Wycombe District Council; and

(ii) the revised Memorandum of Understanding outlined in the report be entered into with authority to do so being delegated to the Head of Environment in consultation with the Cabinet Member for Environment and the District Solicitor.

35 NAMING OF A NEW STREET IN STOKENCHURCH AND MODIFICATION TO SCHEME OF DELEGATION

Cabinet considered a report which detailed the consultation that had been undertaken with regards to the naming of a new street in Stokenchurch. As part of the Street Naming process Stockenchurch Parish Council had been asked to consider the name suggestion of "Chiltern Close" from the developer. The Parish Council opposed the name and suggested "Colwyn Close". The applicant and Parish Council were unable to reach a mutual decision and therefore Cabinet approval to determine the street name was required.

To clarify the decision making process for the naming a new street where there was a difference of opinion between consultees, the Cabinet were asked to recommend changes to the Scheme of Delegation.

The following decisions were made to enable three new dwellings to be formally addressed and to streamline the decision making process for Street Naming and Numbering.

RESOLVED: That (i) the new street in Stokenchurch be named Chiltern Drive; and

(ii) the Regulatory and Appeals Committee be requested to recommend to Full Council that the Scheme of Delegation for the Cabinet Member within the Constitution be amended to give delegated authority to the Cabinet Member for Planning and Sustainability in consultation with the Head Planning and Sustainability to determine street names where there was a difference of opinion between consultees.

36 FILE ON ACTION TAKEN UNDER DELEGATED AUTHORITY

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

Community C/39/14 – C/46/14

Environment E/10/14

Finance F/18/14 – F/20/14

HR, ICT & Customer Services HITCS/03/14 – HITCS/04/14

Leader L/11/14 – L/14/14

Planning PS/16/14 – PS/22/14

37 INFORMATION SHEETS

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

3/2014 Chiltern Crematorium Joint Committee

EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That the Press and Public be excluded from the meeting during consideration of the following items as they contain exempt information as defined in Regulation 4(2)(b) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, more particularly as follows:

Minute 38 – High Wycombe Town Committee Referral – Cemetery Site Options Appraisal

Minute 39 - Hughenden Quarter Spine Road

Minute 40 - Joint Crematorium Committee – Approval of

Business Case

Minute 41 - Information Centres Review

Minute 42 - Joint Waste Service – Contract Change Notice

Minute 43 - Castlefield Regeneration and Red Kite

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 44 - CCTV Review

Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime (Paragraph 7, Part 1 of Schedule 12A, Local Government Act 1972)

[The need to maintain the exemption outweighs the public interest in disclosure, because disclosure of the information could prejudice the ability of the Council or its partners to prevent and/or investigate crime.]

Minute 45 – File on Exempt Actions Taken under Delegated Powers

Community Sheet No: C/02/14

Economic Development & Regeneration Sheet Nos: EDR/30/14 – EDR/50/14

HR, ICT & Customer Services Sheet No: HITCS/01/14

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]

38 HIGH WYCOMBE TOWN COMMITTEE REFERRAL - CEMETERY SITE OPTIONS APPRAISAL

The report before Cabinet outlined the recommendations from the High Wycombe Town Committee which had considered the Cemetery Site Options Appraisal report at its meeting on 16 September 2014.

Cabinet approval was sought to progress consideration of three potential sites for the provision of an additional cemetery for High Wycombe.

RESOLVED: That (i) option two be pursued and the landowners of the Coates Lane, Terriers Farm and Abbey Barn sites be approached to establish their willingness to dispose of 4 hectares of suitable land and the purchase price for each site;

(ii) advice from the Planning Department be sought on the development of the three sites for use as a cemetery; and

(iii) a report be presented back to High Wycombe Town Committee with the outcomes of (i) and (ii) above.

39 HUGHENDEN QUARTER SPINE ROAD

The report before Cabinet sought approval to release the remaining funds for the construction of the Hughenden Quarter Spine Road

The following decisions and recommendation were made to facilitate the regeneration of Hughenden Quarter.

RESOLVED: That (i) the remaining budget to fund the Council's share of the construction of the new Hughenden Quarter 'Spine Road' be released;

(ii) a construction contract be entered into for the works; and

(iii) external project managers and solicitors be appointed to complete.

Recommended: That any necessary exemption from and/or waiver of Contract Standing Orders be approved and delegated authority be granted to the Cabinet Members for Economic Development and Finance, in consultation with the Major Projects Executive, Head of Democratic and Legal Services, and Head of Finance and Commercial Services to award the construction contract for the Hughenden Quarter Spine Road, as set out in paragraph 13 of the report.

40 JOINT CREMATORIUM COMMITTEE - APPROVAL OF BUSINESS CASE

The report before Cabinet set out the recommendations of the Chilterns Crematorium Joint Committee to proceed with the development of a second crematorium to the north of the county. The Council was a participating member of the Chilterns Crematorium Joint Committee with Aylesbury Vale District Council and Chiltern District Council.

Members noted that, each of the District Councils' Cabinets would be considering reports seeking expenditure to proceed during September.

The following decisions were made as the purpose of this report was to seek approval of each Cabinet from Chiltern, Aylesbury and Wycombe for the expenditure from the Chilterns Crematorium Joint Committee (CCJC) revenue reserves to purchase land, build and operate a new crematorium.

RESOLVED: That (i) the content of the attached report (Appendix 'A') to the Chilterns Crematorium Joint Committee be accepted; and

(ii) the recommendations contained within the attached report at Appendix 'A' be agreed and the second Crematorium scheme and associated spend, as set out in paragraph 16 of the report, be supported.

41 INFORMATION CENTRES REVIEW

Cabinet had before it a report setting out proposals for Marlow and Princes Risborough Information Centres to be merged with the nearby libraries, on a similar basis to the successful merger of the High Wycombe Information Centre with the High Wycombe Library.

The following decisions were made to seek approval to the merger of the two information centres into the nearby libraries.

RESOLVED: That (i) Marlow and Princes Risborough information centres be merged into the nearby libraries to provide a more cost-effective service with a primary focus on promoting the District and providing access to District Council services; and

(ii) the start-up budget referred to in paragraph 1 of the report for relocation works and dilapidation costs on the existing premises to be financed from the Transformation Fund be approved. Any additional costs occurred in 2015/16 and onwards would be funded from the savings achieved.

42 JOINT WASTE SERVICE - CONTRACT CHANGE NOTICE

Cabinet had before it a report which outlined that a Contractor Notice of Change had been received, in relation to the current contract for waste collection. A joint waste, recycling and street cleansing contract was jointly procured with Chiltern District Council in March 2013. The report set out the background to the Contractor Notice of Change, the options available and the potential implications of each option.

Members noted that, Chiltern District Council would be considering a similar report on the proposals during September.

The following decision was made as the joint waste collection contract (the "Contract") was one of the most high profile activities carried out by the Councils. A robust procurement process delivered a revised service at significant savings. It

was now necessary to respond to the Contractor Notice of Change issued under the Contract in a way that maintained and developed the most effective and efficient service achievable.

RESOLVED: That in light of all the information contained in the report Cabinet accepted that changes would be required to relevant Method Statements to reflect the current position in relation to the sorting of collected paper / card and arrangements for vehicle servicing, as this differed from the Method Statements submitted by Serco as part of their final tender which were currently included in the Contract.

However, the Cabinet did not agree to any increase in the annual payment to Serco in respect of the additional costs claimed, for the following reasons:

- (i) The procuring Councils made very clear the commercial risk position during the dialogue stage of the procurement that the UPM / paper element was a bidder risk and clarifications were issued to all bidders on more than one occasion to remind them of this and emphasised this feature in the commercial make-up of the project;
- (ii) Although the Contractor Notice of Change does not change the scope of the Authorities' Requirements, paying a higher annual sum would improve the economic balance in favour of the Contractor and would carry a degree of risk of procurement challenge (depending on how material those changes were considered to be); and
- (iii) The general economic impact of the proposed Contractor Notice of Change was material to the Councils as, in order to fund the annual cost increase sought, it would require a rise in Council Tax in the region of 2% or equivalent savings being made elsewhere.

43 CASTLEFIELD REGENERATION AND RED KITE

Cabinet approval was sought to proceed with Red Kite Community Housing's proposals to redevelop Castlefield Star Blocks to fulfil one of the transfer promises made to tenants.

The following decisions were made to enable Red Kite to deliver the promise to proceed with the redevelopment of the Castlefield 'Star Blocks'.

RESOLVED: That (i) In respect of the proposal from Red Kite for the redevelopment of Castlefield be agreed, subject to:

1. Red Kite having finally exhausted all reasonable steps to enter into voluntary arrangements to secure the purchase of all relevant properties by private treaty with the relevant leaseholders , and

2. Red Kite agreeing to fully indemnify the Council against all costs of exercising its relevant statutory powers including giving a legal undertaking in respect of any preparatory and/or subsequent work linked thereto,

the Council would exercise its statutory Compulsory Purchase powers to make a Compulsory Purchase Order to acquire any relevant property necessary to facilitate the development of Castlefield Star Blocks, and would thereafter transfer such property to Red Kite; and

(ii) for the avoidance of doubt and insofar as any necessary authority that was not already included within the Constitution, all necessary authority to facilitate (i) above be delegated to the Head of Environment, the Head of Finance and Commercial, the Head of Legal, Democratic and Policy Services & the District Solicitor / Monitoring Officer in consultation with the respective Cabinet Members.

44 CCTV REVIEW

Cabinet approval was sought to amend the hours of active CCTV monitoring following a review of the service currently provided.

The following decisions were made as the report contained recommendations to achieve half of the required saving set out in the Council's Transformation Programme and a request for capital to ready the service for an alternative service delivery model in the future.

RESOLVED: That (i) the CCTV monitoring service hours of active monitoring be amended; and

(ii) the sum referred to in paragraph 5 of the report be invested in technical infrastructure to move a number of cameras to local recording systems.

45 FILE ON ACTION TAKEN UNDER EXEMPT DELEGATED POWERS

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

Community: C/02/14

Economic Development & Regeneration: EDR/30/14 – EDR/50/14

HR, ICT & Customer Services: HITCS/01/14

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