

Cabinet Minutes

Date: 20 July 2015

Time: 7.00 - 7.55 pm

PRESENT: Councillor Ms K S Wood (Executive Leader of the Council - in the Chair)

Councillor Mrs J A Adey	- Cabinet Member for Community
Councillor D H G Barnes	- Deputy Leader and Cabinet Member for Engagement & Strategy
Councillor D A Johncock	- Cabinet Member for Planning
Councillor Mrs J D Langley	- Cabinet Member for Housing
Councillor R Newman	- Cabinet Member for Youth
Councillor D A C Shakespeare OBE	- Cabinet Member for HR, ICT & Customer Services
Councillor Mrs J E Teesdale	- Cabinet Member for Environment
Councillor D M Watson	- Cabinet Member for Finance & Resources
Councillor R Wilson	- Cabinet Member for Economic Development & Regeneration

By Invitation

Councillor Z Ahmed	- Deputy Cabinet Member for Community
Councillor S Broadbent	- Deputy Cabinet Member for Economic Development and Regeneration
Councillor D J Carroll	- Deputy Cabinet Member for Housing
Councillor R Gaffney	- Chairman of the Improvement & Review Commission
Councillor Mrs G A Jones	- Deputy Cabinet Member for Planning
Councillor M E Knight	- Leader of the East Wycombe Independent Party
Councillor G Peart	- Deputy Cabinet Member for Finance and Resources
Councillor I L McEnnis	- Chairman of the Council
Councillor R Raja	- Leader of the Labour Group
Councillor S Saddique	- Deputy Cabinet Member for HR, ICT and Customer Services
Councillor A Turner	- Leader of the Independent Group

Also present: Councillors M C Appleyard, A R Green, H L McCarthy and R J Scott

11 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors A Hussain (Deputy Cabinet Member for Engagement & Strategy) and Mrs W Mallen (Deputy Cabinet Member for Environment).

12 MINUTES

RESOLVED: That the Minutes of the meeting of the Cabinet held on 15 June 2015 be approved as a true record and signed by the Chairman.

The Leader commented that Minute number 5 of the Cabinet Minutes about fixed penalty notices under the Anti-Social Behaviour Crime and Policing Act 2014 had provoked a lot of interest, discussion and publicity.

She mentioned that unfortunately, some of that discussion had been based on information that was not correct and so she took the opportunity to clarify the Council's current position.

The Leader reminded the meeting that delegated authority had been given to enable fixed penalty notices to be issued, as the first step towards introducing a Public Spaces Protection Order (PSPO), should the Council choose to go down that route and that was a decision that the council had not made yet. Like many other councils up and down the country, the Council was just looking into this at the moment. Public Spaces Protection Orders were still relatively new and there would be lessons to learn as councils around the country begin to roll them out.

A public space protection order could be another way of helping to tackle anti-social behaviour and keeping our town centres safe and attractive places for residents and visitors to enjoy.

She clarified that the decision made by Cabinet in June was definitely not, a decision to fine rough sleepers. She also confirmed that the Council had no intention of fining anyone for being homeless or for simply rough sleeping. The Council had statutory duties regarding homelessness, had a published homeless strategy which aimed to assist the homeless and to prevent homelessness occurring.

The Leader went on to outline that rough sleeping was the most extreme form of homelessness, which was fully deserving of the attention and support that the Council provides along with partner agencies. As a Council, she commented that the Council wanted to prevent a need to rough sleep and to help those that find themselves on the street. The Council had a stated aim to operate a "no second night out" for rough sleepers in the district although in practice this was very difficult to achieve. This was despite the huge efforts made in partnership with various agencies across the district including Wycombe Homeless Connection (WHC) to provide as much help and assistance as possible to those who find themselves rough sleeping, for whatever reason. This help included the drop-in at Wycombe Homeless Connection, an emergency bed for rough sleepers when available through the outreach team and help into accommodation through the Wycombe Rent Deposit Guarantee Scheme that the Council grant funds. The Leader explained that in 2014, the outreach service managed to find accommodation for 70% of all referred rough sleepers across Bucks. While the Council would like to be able to support everyone, sadly there were people who chose not to accept the help and support that was offered.

She encouraged anyone that had any concerns about a rough sleeper to contact the national street link service on 0300 500 0914 or email the local outreach team at outreach@connectionfs.org.in, so that the council can continue to assist in resolving their housing need.

The Leader concluded that she hoped her statement gave some reassurance and clarity around the council's position on what is a very emotive issue.

13 DECLARATIONS OF INTEREST

Cllr H McCarthy declared an other interest in Minute 14 by virtue of his position as a member of the Grange Area Trust.

14 HIGH WYCOMBE TOWN COMMITTEE REFERRAL - UPDATE ON CEMETERY SITE OPTIONS

The report before Cabinet set out the recommendation from the High Wycombe Town Committee that a feasibility study be undertaken with regards to Queensway being considered as the preferred location for a new cemetery. The High Wycombe Town Committee had made the recommendation at its meeting on 23 June 2015.

The Chairman of the High Wycombe Town Committee presented the report to the meeting and invited Cabinet to consider the Town Committee's recommendation to agree Queensway as the preferred location for a new cemetery. It was noted that the report before Cabinet provided the background in relation to the site options work that had been undertaken and the options that had been considered.

The following decision was made as the High Wycombe Cemetery would be reaching its capacity in the next 15-18 years, with the Snowdrop Garden full in 3 – 4 years, and a site was required to provide a new cemetery.

RESOLVED: That Queensway be supported as the preferred location for a new cemetery and that up to £20,000 be allocated from the Special Expenses reserves, to fund the necessary feasibility work.

15 SCHEME OF DELEGATION FOR LOCAL PLAN AND OTHER PLANNING POLICY DOCUMENTS

Cabinet approval was sought to amend the Council's Constitution to allow a new scheme of delegation for the Local Plan and other planning policy documents to be implemented. At present the Constitution reserved decisions on the Local Plan, including draft proposals for consultation, to Full Council to determine. The report proposed a new scheme of delegation that provided a more streamlined approach to the preparation of such documents to facilitate their timely production, whilst also ensuring that the main decisions were taken at the right level.

The Regulatory and Appeals Committee had considered and supported the proposed amendments to the Constitution at its meeting on 8 July 2015. The

Committee had made an amendment to the scheme of delegation which had been incorporated into the Appendix before Cabinet.

The following decision was made to provide a more streamlined decision-making process for the Local Plan and related documents and a firm foundation for future decision making.

Recommended: That the scheme of delegation for the Local Plan and other planning policy documents set out at Appendix A to the report be approved and the Constitution amended accordingly.

16 2014/15 SERVICE PERFORMANCE: Q4 AND YEAR END

Cabinet had before it the end of year position for the Council's performance at service level, as well as progress made on the key projects delivering the Council's priorities.

The report before Members highlighted the revised performance review arrangements ahead of Cabinet, a role which had previously been undertaken by the Chairmen and Vice Chairmen of the Audit Committee and the Improvement and Review Commission. At the Chairman's meeting on 11 February 2015, it had been agreed that the Performance Indicator Meetings would be disbanded and that the review of performance be considered exclusively by the Audit Committee, prior to Cabinet. The report confirmed that the Audit Committee and Improvement and Review Commission had subsequently supported the revised performance review arrangements.

The following decisions were made to review the performance position as at 31 March 2015 to ensure that the Council was performing at the appropriate level.

RESOLVED: That (i) the performance of the measures identified by Cabinet for performance focus through 2014/15 be noted;

(ii) the summary of the fourth quarter and cumulative year end outturns for service performance be received; and

(iii) the revised performance review arrangements ahead of Cabinet be noted.

17 WARD BUDGET SCHEME

Cabinet approval was sought to enable the Council's Ward Budget Scheme to be amended, the report proposed to increase the ward budget allocation for individual Members by approximately £250, which would equate to an overall increase to the Ward Budget fund of £15,000 for 2015/16. The report also outlined the future funding aspirations for the Scheme.

The following decisions were made to enable Members to put forward proposals for a higher level of expenditure for the promotion of the well-being of the local communities, which they represent.

RESOLVED: That (i) the Council's Ward Budget Scheme be expanded with the aspiration to increase the annual sum to £2,000 per Councillor by 2019, subject to funding being available as agreed through the annual budget setting process each year; and

(ii) the additional sum of £15,000 be allocated to the Ward Budget fund for 2015/16 to provide for an average increase of £250 per Councillor for the 2015/16 year, funded by virement from within the existing Members' budget (Leader's Fund £8,000 with the remainder sought from other budget headings).

18 MEDIUM TERM FINANCIAL POSITION AND 2016/17 PROCESS

The report before Cabinet provided an update on the medium term financial projection for the Council's General Fund Revenue account to 2021/22, including the key budget assumptions which required Cabinet approval.

It was noted that the Council's Medium Term Financial Forecast was last updated as part of the 2015/16 budget setting process which reflected the 2014 Local Government Finance Settlement (1 year) and the changes arising from the 2015/16 budget exercise. It was recognised that there continued to be a significant amount of uncertainty with regards to the level of funding from central government, with funding announcements only having been made until March 2016.

The following decisions were made as under the Council's Constitution and Budget Strategy, the Council reviewed and set a balanced budget each year in line with the corporate priorities.

RESOLVED: That (i) the updated financial projection for the Council's General Fund Revenue account set out in Appendix 8A until 2021/22, including the key assumptions and forward budgetary implications be noted;

(ii) the proposed budget timetable at Appendix 8B for 2016/17 be noted; and

(iii) delegated authority be granted to the Head of Finance and Commercial in consultation with the Leader and Cabinet Member for Finance and Resources to investigate, evaluate and if appropriate apply to join a Business Rates pool for 2016/17.

19 FILE ON ACTION TAKEN UNDER DELEGATED AUTHORITY

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

Community C/42/15 – C/46/15

Economic Development & Regeneration EDR/1/15 - EDR/2/15

Environment E/4/15

Finance F/22/15 – F/27/15

Leader L/5/15 – L/6/15

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 18 – Medium Term Financial Position and 2016/17 Process Appendix

Minute 20 – Cabinet Responses to the Budget Task and Finish Group Recommendations

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 21 – Planning and Sustainability Resourcing

Information relating to an individual (Paragraph 1, Part 1 of Schedule 12A, Local Government Act 1972)

(The distress that could be caused to the individual is not commensurate with the benefits of disclosure to the public)

Information relating to any consultations or negotiations , or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under the authority (Paragraph 4, Part 1 of Schedule 12A, Local Government Act 1972)

(Disclosure would be likely to prejudice the Council's position in negotiations and this outweighs the public interest in disclosure)

Minute 22 – Hughenden Quarter – Southern Site

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 23 File on Action taken under Exempt Delegated Powers

Economic Development and Regeneration sheet nos: EDR/40/15 – EDR/47/15

Leader sheet no: L/4/15

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)

20 CABINET RESPONSE TO THE BUDGET TASK AND FINISH GROUP RECOMMENDATIONS

The report before Cabinet detailed the Cabinet responses to each of the Improvement and Review Commission's Budget Task and Finish Group recommendations. In February 2015, the recommendations of the Group had been presented to Cabinet as part of the 2015/16 budget setting exercise.

Cabinet summarised the responses to each of the seventeen recommendations and Members noted that the reasons for changing or rejecting certain recommendations had been detailed in the report.

The following decisions were made to formally respond to the recommendations made by the Budget Task and Finish Group.

RESOLVED: That the proposed actions to each of the recommendations that had been contained in the February 2015 Budget Task and Finish Groups report to Cabinet be noted and the Cabinet responses in the report agreed.

21 PLANNING & SUSTAINABILITY RESOURCING

Cabinet considered the report which requested that funding be allocated towards the cost of additional resources for Planning and Legal Services to address the recent significant increase in workloads.

An addendum to the report was circulated at the meeting which detailed various amendments to the report and Appendix.

The following decisions were made as Planning and Sustainability faced rising workloads, both in terms of 'business as usual' and in terms of larger projects (such as the Reserve Sites). The decisions set out below provided additional resource to both Planning and to Legal to deal with the increased workload, as well as provide

the facility for resources to be provided up front on projects, drawing on reserves, to be offset by future income.

RESOLVED: That (i) a Planning Resources fund be established for a period of 3 years to enable the service to meet the increased demands set out in the report at paragraphs 9-12 and that a sum of £150k be transferred into the fund from Contingency. The sum is to be recovered by the end of the 3 year period through planning income, subject to the risks identified at paragraphs 28-34 of the report;

(ii) the Head of Finance and Commercial and Head of Planning and Sustainability in consultation with the Cabinet Member for Finance be granted delegated authority to modify the reserve, subject to them being satisfied that over all income would be achieved to meet the expenditure in an agreed period, or, in the event that additional agency costs were incurred due to delays in recruitment to maintain the programme, to a maximum spend of £50k;

(iii) £95k of 2014/15 surplus, as set out in the Outturn report to June Cabinet be released to Planning & Sustainability for work on the local plan and the 5 year land supply, as set out in paragraph 13 of the report;

(iv) £25k be released from the Contingency Fund for the current financial year to meet internal legal costs associated with the additional work needed to support the Planning Service as set out in the detailed report; and

(v) As part of the Council's Financial Monitoring a separate holding code be maintained for all income and expenditure related to the work covered by these proposals and included in future financial monitoring reports to Cabinet

22 HUGHENDEN QUARTER - SOUTHERN SITE

Cabinet approval was sought to dispose of the freehold interest on the 'Southern Triangle' site of Hughenden Quarter. A previous disposal had been pursued and approved by Cabinet in 2012. However, the purchaser had subsequently withdrawn from purchasing the site. It was therefore recommended that the recent purchase offer be approved.

The following recommendation was made to further facilitate regeneration of the area.

Recommended: That the disposal of the freehold interest on the 'Southern Triangle' site, Hughenden Quarter be approved on the terms set out in paragraph 7 of the report, subject to the detailed terms being approved by the Major Project & Estates Executive in consultation with the Head of Finance & Commercial Services and their respective Cabinet Members.

23 FILE ON ACTION TAKEN UNDER EXEMPT DELEGATED POWERS

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

Economic Development and Regeneration: EDR/40/15– EDR/47/15

Leader: L/4/15

Chairman

The following officers were in attendance at the meeting:

Charles Brocklehurst	- Major Projects and Property Executive
Ian Hunt	- Democratic Services Manager
Catherine MacKenzie	- Principal Democratic Services Officer
Steve Richardson	- Head of Finance and Commercial
Ian Westgate	- Corporate Director