



## **Minutes**

**MINUTES OF THE MEETING OF THE COUNCIL HELD ON WEDNESDAY 21 OCTOBER 2020 VIA VIDEO CONFERENCE, COMMENCING AT 4.00 PM AND CONCLUDING AT 7.08 PM**

### **MEMBERS PRESENT**

R Scott (Chairman), P Strachan (Vice-Chairman), B Adams, C Adams, J Adey, S Adoh, K Ahmed, Z Ahmed, D Anthony, M Appleyard, M Asif, A Bacon, R Bagge, D Barnes, P Bastiman, M Bateman, A Baughan, B Bendyshe-Brown, M Bezzant, P Birchley, J Bloom, A Bond, S Bowles, M Bradford, J Brandis, C Branston, D Bray, S Broadbent, N Brown, S Brown, H Bull, T Butcher, D Carroll, B Chapple OBE, S Chapple, S Chhokar, J Chilver, A Christensen, L Clarke OBE, M Clarke, A Cole, S Cole, A Collingwood, P Cooper, A Cranmer, E Culverhouse, I Darby, M Davy, D Dhillon, T Egleton, C Etholen, B Everitt, R Farmer, P Fealey, M Flys, C Ford, B Foster, B Gibbs, J Gladwin, N Glover, S Graham, T Green, P Griffin, G Hall, M Hanif, M Harker OBE, G Harris, M Harris, C Harriss, M Hashmi, D Hayday, A Hill, P Hogan, G Hollis, T Hunter-Watts, A Hussain, Maz Hussain, Majid Hussain, Mahboob Hussain JP, N Hussain, T Hussain, A Huxley, P Irwin, C Jackson, S Jarvis, S Jenkins, D Johncock, C Jones, P Jones, J Jordan, P Kelly, R Khan, R King, M Knight, D Knights, S Lambert, J Langley, T Lee, M Lewis, J Lowen-Cooper, D Lyons, J MacBean, A Macpherson, W Mallen, N Marshall, D Martin, P Martin, V Martin, Dr W Matthews, H McCarthy, I McEnnis, T Mills, L Monger, G Moore, H Mordue, S Morgan, N Naylor, R Newcombe, R Newman, C Oliver, S Patel, C Paternoster, B Pearce, G Peart, D Pepler, C Poll, G Powell, R Raja, S Raja, W Raja, M Rand, S Raven, J Read, R Reed, S Renshell, B Roberts, C Rouse, J Rush, B Russel, S Saddique, G Sandy, R Sangster, D Saunders, D Shakespeare OBE, M Shaw, D Smith, L Smith BEM, Michael Smith, Mike Smith, N Southworth, M Stamp, Sir B Stanier Bt, M Stannard, R Stuchbury, L Sullivan, J Teesdale, N Teesdale, M Tett, M Titterington, D Town, A Turner, P Turner, D Varley, N Varley, A Waite, H Wallace, L Walsh, J Ward, J Wassell, J Waters, D Watson, J Wertheim, C Whitehead, W Whyte, G Williams, F Wilson, R Wilson, M Winn, K Wood and L Wood

### **OTHERS IN ATTENDANCE**

Sir Henry Aubrey Fletcher, Lord Lieutenant, and Andrew Farncombe, the High Sheriff of Buckinghamshire

### **Agenda Item**

A minute's silence was held in memory of Frances Alexander, a former Wycombe District Councillor and Mayor of High Wycombe who sadly passed away in September. Frances was first elected to represent the Green Hill and Totteridge ward in 1991 and served as Chairman of Wycombe District Council from 1997 – 1998. Frances achieved a great deal during her time as an elected member and will be greatly missed.

## **1 MINUTES**

**Resolved:** The minutes of the meeting held on 15 July 2020 were agreed as an accurate record.

## **2 APOLOGIES FOR ABSENCE**

Apologies were received from J Burton, C Clare, B Harding, L Hazell, D Phillips, N Rose, N Shepherd and A Wight.

## **3 DECLARATIONS OF INTEREST**

Cllr S Lambert declared a personal interest in item 6, Youth Justice Strategy, as a trustee of Aylesbury Youth Concern who aid young people who attend Youth Offending Service programmes.

Cllr A Cole declared a personal interest in item 6, Youth Justice Strategy, due to his employment which has involvement with the Youth Offending Service.

Mr N Graham, Service Director for Legal and Democratic Services declared an interest in item 8, Appointment of Returning Officer, due to being proposed for the Council's Returning Officer role.

## **4 CHAIRMAN'S UPDATE**

The Chairman welcomed the Members of the Council to the meeting. The Chairman also welcomed Andrew Farncombe, the High Sheriff, who was also in attendance, along with Sir Henry Aubrey Fletcher, Lord Lieutenant, who would be joining the meeting later.

The Chairman advised that unfortunately the number of Covid-19 cases had risen nationally and locally. The Council was very mindful of the effects of the pandemic on residents, members, staff and all businesses. On behalf of the Council, the Chairman thanked all who have and continue to respond brilliantly to support residents during the Covid pandemic.

The Chairman was delighted to announce that Buckinghamshire Council had not only signed the Armed Forces Covenant in July, but also had successfully retained the Silver Employer Recognition Award, held by the legacy Buckinghamshire councils.

The Chairman advised that, supported by the Armed Forces Champion, Cllr Ian McEnnis, and the two Deputy Champions, Cllr Mimi Harker and Cllr Duncan Smith, a number of successful socially distanced and virtual events had been held during the last few weeks. This included the VJ Day commemorations in High Wycombe; Merchant Navy Day Flag Raising in Aylesbury; and Battle of Britain commemorations in High Wycombe which celebrated and honoured the military's serving personnel, veterans and their families.

The Council also remembered the end of World War 2, marking VE Day in May and VJ Day in August through social media platforms. In the case of VJ Day and Battle of Britain, the Council was able to lay wreaths in honour of those who gave their lives.

In addition, the Chairman was involved in or attended the re-opening of Court Garden Leisure Centre in Marlow, SERFCA HM's Lord Lieutenant Virtual Awards Ceremony and Buckinghamshire Scouts' Annual General meeting. The Chairman also had the pleasure of joining the 'Afternoons' programme on Wycombe Sound Radio, hosted by Cllr Mimi Harker.

Sir Henry Aubrey Fletcher would be retiring from his Lord Lieutenant role at the end of

November, which meant that this was the last Full Council meeting he would be attending in the role. The Chairman paid thanks to Sir Henry on behalf of the residents of Buckinghamshire and Milton Keynes and members past and present. Sir Henry had held the Lord Lieutenant role since 2006, following 9 years spent in the Vice Lord Lieutenant role. Sir Henry had been married to his wife Bobbie since 1976 and they have three grown up sons. Sir Henry takes a keen interest in the historic and natural environment and was a former Deputy Chair of the National Trust. Sir Henry has been the Prime Minister's appointed trustee at Chequers since 1997. He believes Buckinghamshire is stronger and better when the county comes together and has encouraged good relationships between the councils of Buckinghamshire and Milton Keynes. The Chairman highlighted some of Sir Henry's achievements, including accompanying Her Majesty the Queen and the Duke of Edinburgh for their trip to Stowe and Milton Keynes Stadium in 2007 and along with the Lord Lieutenants for Oxfordshire and Berkshire hosted Her Majesty the Queen and the Duke of Edinburgh for a diamond jubilee garden party event on the banks of the River Thames in 2012. Sir Henry presented British Empire medals to many deserving Buckinghamshire residents, as well as the Queens Awards for Buckinghamshire's businesses and voluntary services respectively. Sir Henry had supported over 50 Buckinghamshire charities and the Chairman recognised the special interpersonal skills and talent he has in communicating with people from all backgrounds.

## **5 PETITIONS**

There were no petitions presented to full Council.

## **6 YOUTH JUSTICE STRATEGY**

Cllr Shaw, Cabinet Member for Children's Services, presented the 2020/21 Youth Justice Strategic Plan to be considered and approved by full Council. Cllr Shaw explained that the plan was a statutory requirement for the Council and was a cross partnership document which provided an overview of the work of the Youth Offending Service (YOS) in Buckinghamshire, setting out details of performance during the last twelve months and priorities for the coming year.

Cllr Shaw explained that in 2019/20, the YOS set overarching strategic priorities to assist in influencing systematic change across the wider organisation and within different sectors within the Criminal Justice sector locally. Covid-19 significantly impacted the ability to set priorities for the service and as a result, for 2020/21, due to the need to prioritise recovery planning, the YOS would continue to focus on the previous priorities set which were as follows:

- Continuing to address disproportionality
- Addressing exploitation of young people
- Embedding an evidence based model of practice

Cllr Shaw advised that for 2020/21, the YOS would continue to make progress towards these strategic priorities, but unlike 2019/20 would be unable to set specific targets against these for the forthcoming year. Instead the focus would be on covid-19 recovery planning, continuing to identify, develop and progress work streams against the overarching priorities and working towards securing positive outcomes against the three national indicators which were as follows:

- Reducing First Time Entrants
- Reducing Repeat Offending
- Reducing the Use of Custody

Cllr Shaw advised that during the Covid-19 response, through virtual means, the service was able to visit all but one person on the scheme, which showed the excellent dedication of all those involved. He added that as ever funding was a challenge, but that the budget remained in line with forecasted spend even though an overspend had been anticipated.

Cllr Shaw thanked all partners involved in the strategy and commended the fantastic work carried out in Buckinghamshire. In response to a question on funding, Cllr Shaw explained that there was no budget overspend at present, although emphasised to members that the YOS deal with many complex cases which need time, empathy and support and these cases inevitably require funds.

It was moved by Cllr M Shaw, seconded by Cllr C Jones and

**Resolved:**

That the 2020/21 Youth Justice Strategy be agreed.

**7 CHILTERN AND SOUTH BUCKS LOCAL PLAN**

Cllr Whyte introduced the report which asked full Council to consider a way forward for the Chiltern and South Bucks Local Plan which was prepared, published and submitted by the legacy Councils and was at public examination.

Options were set out in the report attached to the agenda pack, however Cllr Whyte set out the preferred option which was to withdraw the Plan now in advance of any final decision being reached by the examination Planning Inspectors, to allow efforts to be focused on the new Buckinghamshire Local Plan.

Cllr Whyte advised that for the reasons set out in the report, the withdrawal of the Local Plan was the recommended option because, whilst the examination Planning Inspectors' initial findings on the duty to cooperate were not agreed and/or accepted, the likelihood was that this action might in any event be forced on the Council by the Inspectors. Therefore, to withdraw now would potentially save significant abortive costs and would allow efforts and resources to be concentrated on the preparation of the new Buckinghamshire Local Plan. If full Council were to agree with the recommended option, officers would carry out the required steps and focus their efforts on the new Buckinghamshire Local Plan. They would also provide guidance to town and parish councils wishing to prepare neighbourhood plans in the interim.

Cllr Whyte advised that a new local plan for Buckinghamshire would reflect the considerable effect Covid-19 has had on areas such as shopping habits and town centres as well as changes to planning law and the proposals in the Planning White Paper.

In response to questions raised by members, Cllr Whyte confirmed that the Vale of Aylesbury Local Plan (VALP) was in the final stages of modification and final comments from the planning inspectorate were awaited, a process which the Council was unable to expedite. Officers considered that the decision being taken on the Chiltern and South Bucks Local Plan would have no impact on the VALP.

Having considered the options set out in the report, it was moved by Cllr W Whyte, seconded by Cllr N Glover, and the threshold was met for a recorded vote to be taken, with the votes being cast as follows:

For (165): B Adams, C Adams, J Adey, S Adoh, K Ahmed, Z Ahmed, D Anthony, M Asif, A Bacon, R Bagge, D Barnes, P Bastiman, M Bateman, B Bendyshe-Brown, M Bezzant, P Birchley, J Bloom, A Bond, S Bowles, M Bradford, J Brandis, C Branston, D Bray, S Broadbent, N Brown, S Brown, H Bull, T Butcher, D Carroll, B Chapple OBE, S Chapple, S Chhokar, J Chilver, A Christensen, L Clarke OBE, M Clarke, A Cole, A Collingwood, P Cooper, A Cranmer, E Culverhouse, I Darby, M Davy, D Dhillon, T Egleton, C Etholen, B Everitt, R Farmer, P Fealey, M Flys, C Ford, B Gibbs, J Gladwin, N

Glover, T Green, P Griffin, G Hall, M Hanif, M Harker OBE, G Harris, M Harris, C Harriss, M A Hashmi, D Hayday, A Hill, P Hogan, G Hollis, T Hunter-Watts, M Hussain JP, A Hussain, Majid Hussain, Maz Hussain, N Hussain, T Hussain, A Huxley, P Irwin, C Jackson, S Jenkins, D Johncock, C Jones, P Jones, J Jordan, P Kelly, R King, M Knight, D Knights, S Lambert, J Langley, T Lee, J Lowen-Cooper, D Lyons, J MacBean, A Macpherson, W Mallen, N Marshall, D Martin, P Martin, V Martin, W Matthews, H McCarthy, T Mills, L Monger, G Moore, H Mordue, S Morgan, N Naylor, R Newcombe, R Newman, C Oliver, S Patel, C Paternoster, B Pearce, G Peart BEM, D Pepler, C Poll, G Powell, R Raja, S K Raja, W Raja, M Rand, S Raven, R Reed, S Renshell, B Roberts, C Rouse, J Rush, B Russel, S Saddique, G Sandy, R Sangster, D Saunders, D Shakespeare OBE, M Shaw, L Smith BEM, D Smith, Michael Smith, Mike Smith, B Stanier, M Stannard, P Strachan, R Stuchbury, L Sullivan, J Teesdale, N Teesdale, M Tett, M Titterington, D Town, A Turner, P Turner, N Varley, A Waite, L Walsh, J Ward, J Wassell, J Waters, D Watson, J Wertheim, C Whitehead, W Whyte, G Williams, F Wilson, R Wilson, M Winn, K Wood, L Wood

Against (0): None

Abstain (2): J Read, R Scott

It was therefore **resolved**:

That the Chiltern and South Bucks Local Plan 2036 be withdrawn.

## **8 APPOINTMENT OF RETURNING OFFICER**

Full Council was asked to consider a report which recommended the appointment of Nick Graham (Service Director for Legal and Democratic Services) as the Council's Returning Officer and that the Constitution be updated to reflect the appointment.

Every Council must have a Returning Officer by law. The Deputy Chief Executive was previously appointed as the Council's Returning Officer to fulfil the role for the elections scheduled for the May 2020 and that with the appointment of the Service Director for Legal & Democratic Services, it was now appropriate to transfer this responsibility.

It was moved by Cllr R Scott, seconded by Cllr P Strachan and

### **Resolved:**

That Nick Graham, Service Director for Legal and Democratic Services, be appointed as the Council's Returning Officer and that authority be delegated to the Monitoring Officer to amend the Constitution accordingly.

## **9 REPORTS FROM CABINET MEMBERS**

Full Council received update reports from each of the Cabinet Members. These were appended to the agenda pack and members were invited to submit questions ahead of the meeting. Due to the large volume of questions received, not all could be presented during the meeting although written responses would be provided following the meeting. Cabinet members briefly presented their written updates and where questions were asked these have been summarised below: -

### **The Leader, Martin Tett**

Cllr M Tett provided an update on the prevalence of Covid-19 in Buckinghamshire. Since August, there had been a rapid rise in cases across Buckinghamshire, particularly in the former South Bucks and Chiltern District Council areas respectively. Cllr Tett provided figures to illustrate the

rise in cases. In the former South Bucks District Council area the rate had risen from 11.4 cases per 100,000 residents for the week ending 5 September to 127.8 cases per 100,000 residents for the week ending 10 October. During the same period, in the former Chiltern District Council area the rate had risen from 21.9 cases per 100,000 residents to 113.5 cases per 100,000 residents and in Buckinghamshire as a whole it had risen from 13.8 cases per 100,000 residents to 87 cases per 100,000 residents. Cllr Tett acknowledged that these were worryingly high numbers and represented a significant increase in just over a month. The most recent figures at the time of the meeting were that the rate per 100,000 residents was at 126 for the former South Bucks District Council area, 94 for the former Chiltern District Council area and 73 across Buckinghamshire. Cllr Tett warned against assumptions that the rate had dropped as this may have been underpinned by a lower rate of testing and only with a consistent run of figures would the trend be entirely understood. The virus was prevalent across all community groups, but predominantly in the 19 to 29 age group, which was the age group most likely to be socially active. Worryingly, there had also been an increase in the older age category up to the age of 60 and slightly beyond that, which was a more vulnerable section of the community.

Cllr Tett explained that Buckinghamshire was currently in Tier 1 which was the medium alert category. Cllr Tett advised that the Council was asking residents to fundamentally renew their commitment to the current rules in place and was also asking that they voluntarily go further to maintain personal freedom, maintain the local economy, protect jobs and protect the mental wellbeing and physical health of individuals by avoiding meeting people from other households inside which is where the virus is known to spread. A campaign was being launched across Buckinghamshire and shops had been asked to display posters to remind residents of the rules in place.

Cllr Tett responded to questions on the East West Rail Aylesbury spur and on Government financial support provided to the Council in relation to its Covid related spending and income losses. Cllr Tett had written to the Secretary of State at the Department for Transport opposing cancellation of the Aylesbury spur of the East West Rail line as improved transport connections to Aylesbury was vital given it was a key area of growth for the UK. Furthermore, Cllr Tett agreed that as well as this, the spur to London Marylebone remained essential and the Council would continue to do its best to convince the Government to maintain its original commitments.

In relation to Government support, Cllr Tett advised members that the Council had received a substantial amount of money which covered most of its Covid related expenditure and reimbursed some fees and charges but did not cover all that had originally been budgeted for, particularly around leisure centres due to them being outsourced with the Council receiving income for the operators. There was also further guidance expected on council tax and business rate support for local authorities with the Council continuing to lobby for as much reimbursement as possible.

#### **Deputy Leader and Cabinet Member for Adult Social Care, Angela Macpherson**

Cllr A Macpherson responded to questions on carers experiencing financial hardship and care home staff not being included as a priority group for the influenza vaccination. Cllr Macpherson reported that the Council had no intention to see any carers or residents disadvantaged at this already very stressful time. Cllr Macpherson advised that the Council had taken a generous approach in suspending charges for new clients during the period to the end of June and had agreed waivers with residents and carers who had reported financial difficulties. A letter had been sent advising clients when charging would restart and clients were encouraged to discuss individual circumstances with the Council. Cllr Macpherson gave thanks to the Council's finance team for their efforts on ensuring bills were being issued in a timely manner.

A member raised concerns that care home staff were not being prioritised by the clinical commissioning group (CCG) to receive flu vaccinations. Cllr Macpherson advised that the NHS national programme had identified priority groups including front line staff in the care sector and she had been given assurances that the Buckinghamshire CCG had not reprioritised any of these groups. Work was ongoing between the CCG and Department for Health and Social Care to ensure Buckinghamshire had the stocks needed and she was happy to keep members updated on the rollout of the vaccination programme.

#### **Deputy Leader and Cabinet Member for Resources, Katrina Wood**

Cllr K Wood spoke of the large amount of work being undertaken in the resources service area in relation to bringing services together and supporting services as they go through transformation programmes. The Customer Experience Review Group would be holding its first meeting shortly with a focus on improving customer journeys.

Cllr Wood responded to a question on the approach taken by the revenues and benefits service to residents and businesses having difficulties with making payments. Cllr Wood advised that the service had administered a large amount of business relief support grants during the pandemic and had not chased residents and businesses for payments during the lockdown period. During August, residents and businesses were written to with a reminder where payments had not been received in the hope that, where required, they would call the Council for support. Cllr Wood advised members that if they were aware of any individual cases that should be looked at, members could send these to her.

#### **Cabinet Member for Children's Services, Mark Shaw**

Cllr M Shaw was pleased to report that social workers were able to stay in contact virtually with the majority of their caseloads during lockdown, with around 450 cases a month still being visited in person. This number had increased recently as restrictions had eased, although this would remain under review dependant on any further restrictions placed on Buckinghamshire.

#### **Cabinet Member for Communities and Public Health, Gareth Williams**

Cllr G Williams re-enforced the message that community transmission was the main way Covid-19 was being spread at present and encouraged people not to meet other households in their homes. In response to questions raised, Cllr Williams confirmed that members would be kept informed by the Council's communications team if there was a significant outbreak within an educational setting in their ward.

Cllr Williams advised that testing capacity was now at good levels across Buckinghamshire and that there were plans to open more testing sites. In terms of contract tracing, Cllr Williams explained that contract tracing was not managed by the Council, but was run centrally. Cllr Williams added that for Buckinghamshire, 77% of cases had been contacted and 67.4% of their contacts had been traced, which was above the national average. Cllr Williams confirmed that people must isolate when advised to and could be fined if they do not follow this guidance.

#### **Cabinet Member for Culture, Patrick Hogan**

Cllr P Hogan encouraged members to recommend residents visit the new Buckinghamshire Heritage Portal which holds around 35,000 records and links directly to historic mapping, monument records, photos and documents. The new portal was more compatible with new

technology and could therefore be accessed from home or on mobile devices and was free to view. The portal could be viewed at <https://heritageportal.buckinghamshire.gov.uk/>

In response to a question on Government funding for culture, theatre and arts, Cllr Hogan advised that the Arts Council had received a large amount of funding to distribute. Recipients of significant levels of funding from the Arts Council included the Wycombe Swan, Wycombe Museum, Wycombe Arts Centre and the Chesham Theatre. Other charitable organisations such as the Rothschild Foundation had made further funding available.

#### **Cabinet Member for Education & Skills, Anita Cranmer**

Cllr A Cranmer provided an update on the effect of Covid-19 on schools in Buckinghamshire. 89 schools had been affected since the return in early September, impacting 3,415 pupils with 124 confirmed Covid cases at the time of this meeting. These numbers were relatively low in comparison to the overall numbers, with over 85,000 students attending educational settings across Buckinghamshire.

In response to a question on the 11+ examination, Cllr Cranmer advised members that the Council administers the test, but does not set the test or hold any authority over it. Grammar schools decide when the test should take place in line with Department for Education guidelines. This year the test would be held the week commencing 2 November.

#### **Cabinet Member for Environment and Climate Change, Bill Chapple**

Cllr B Chapple took a question on the impact recent flooding had in Buckinghamshire and the issue of gullies not being appropriately maintained by relevant agencies. Whilst this predominantly fell in another Cabinet Member portfolio area, Cllr Chapple agreed to provide a response to the member following the meeting.

#### **Cabinet Member for Housing & Homelessness, Isobel Darby**

Cllr I Darby recognised the work undertaken by the officer team in ensuring all Buckinghamshire residents were sheltered during the pandemic and in submitting successful bids to the Ministry of Housing Communities and Local Government (MHCLG) for funding support to continue to progress the ambition of ending homelessness in Buckinghamshire.

In response to a question on the issue of the accountability of housing associations, Cllr Darby advised members that she was committed to meeting registered providers and building and maintaining good relationships with them so that they know what the Council expects of them as all residents should be entitled to live in safe and working homes.

#### **Cabinet Member for Logistics, David Martin**

Cllr D Martin provided an update to his report to advise that with regards to the three parking traffic regulation order schemes listed as 'in progress', the order for the Chalfont St Peter/Chalfont St Giles scheme had been authorised by the Leader of the Council today. In responding to a question on home to school transport, Cllr Martin advised that the Council was looking at the way the service was provided and a journey of improvement was underway. A small working group of members had been formed to aid the review. Cllr Martin gave assurances that every child that the Council had a statutory duty to take to school were indeed getting the transport required.

Cllr Martin agreed to provide details of the 18 schemes mentioned in his update report under 'Future Delivery Programmes' to a member who requested it.

### **Cabinet Member for Planning & Enforcement, Warren Whyte**

Cllr W Whyte thanked members, town and parish councils and other stakeholders who had made contact to comment on the Planning White Paper. A draft response to the paper had been discussed and agreed by Cabinet at its meeting on 13 October. It was hoped that the Council's consultation response would be taken on board by MHCLG. Cllr Whyte was also pleased to report that the Council was involved in an MHCLG scheme to reduce the number of invalid planning applications.

Cllr Whyte responded to a question around providing enforcement updates to members by advising that moving forward, following a meeting between himself and the respective area planning committee chairmen, each of the area planning committees would receive a quarterly update on key enforcement sites and issues.

### **Cabinet Member for Property & Assets, John Chilver**

Cllr J Chilver reported that the refurbishment to Marlow Library was close to completion and had a planned re-opening date of 21 November. The library would be a fantastic facility for the town and a great example of a community access point for the Council.

In response to a question on members having difficulties with identifying all assets the unitary authority had inherited, Cllr Chilver confirmed that the Council held a full database of property ownership which contained over 1,600 property assets and was continually updated. If any member wished to obtain information they were encouraged to contact the Council's property team or to contact Cllr Chilver directly.

Cllr Chilver also responded to a question on the CCG and NHS Property withdrawing from discussions for a new medical centre as part of the Winslow Town Centre redevelopment. Cllr Chilver agreed that Winslow required a new medical centre given the proposed expansion of the town and it was very disappointing when the CCG and NHS Property withdrew from discussions. Cllr Chilver advised members that the Council had maintained communications, engagement and dialogue with both parties involved and would welcome the commencement of discussions again, although acknowledged it was not in the Council's hands. Cllr Chilver added that design feasibility work for the Winslow Centre development was moving forward with engagement from all relevant parties.

### **Cabinet Member for Regulatory Services, Fred Wilson**

Cllr F Wilson paid thanks to the Council's Crematoria Manager, Mr Charles Howlett who would be retiring after 30 years' service, leaving a thriving and prestigious service. Cllr Wilson also thanked fellow member, Cllr N Hussain, who had communicated with him to give thanks to all the Council's registrars who had worked efficiently and sensitively with residents throughout the pandemic. Cllr N Hussain re-iterated this thank you to the registrars.

Cllr Wilson took a question on the expansion of the Penn Road cemetery which was nearing completion, and when it would be handed over to the High Wycombe Town Committee. Cllr Wilson would provide an update to the member following the meeting and confirmed that the cemetery was intended to be put in use in January 2021.

### **Cabinet Member for Sports and Leisure, Clive Harriss**

Cllr C Harriss was pleased to report to full Council that six parks had been awarded the prestigious Green Flag award and he thanked all of the team involved in achieving these.

### **Cabinet Member for Town Centre Regeneration, Steve Bowles**

Cllr S Bowles reported that across Buckinghamshire, teams were working hard to ensure residents could shop and visit hospitality businesses safely. A member placed on record his thanks for the town centre manager of Aylesbury and Cllr Bowles added that the Aylesbury leadership recovery team continued to meet bi-weekly to help support businesses and encourage more businesses to the town.

### **Cabinet Member for Transport, Nick Naylor**

Cllr N Naylor responded to a question raised following flooding to the Willows Estate in Aylesbury on 4 October. A member advised that thanks to the efforts of residents, volunteers and the Town Council the areas own flood defences were deployed, along with pumps, so no houses suffered any damage. However, on this occasion there had been a delay of an hour and a half in the deployment of the flood defences as the Council, who as the lead flood authority needed to give authorisation, were not clear on the arrangements when they were contacted. Cllr Naylor apologised for the breakdown in communication and assured members that procedures had been reviewed and protocols changed to ensure it would not happen again if there were to be any further flooding. Cllr Naylor thanked those volunteers who supported the incident.

### **Cabinet Member for Youth Provision, Tony Green**

Cllr T Green's update report was attached to the agenda pack with no questions raised during the meeting.

## **10 QUESTIONS ON NOTICE FROM MEMBERS**

The written responses to questions from members were published as a supplement to the main full Council agenda and could be viewed on the Council's website.

## **11 NOTICES OF MOTION**

### **Planning and Parish Councils**

The Chairman advised that the following Motion had been submitted and was consequently moved by Cllr R Stuchbury and seconded by Cllr R Raja:

"We propose that the Council should undertake a consultation with town and parish councils, in order to evaluate the effectiveness of their engagement with the planning department, following changes to the planning consultation process in the Buckinghamshire Council constitution. The outcomes of this consultation and evaluation exercise and any recommendations resulting from it, should be presented to Council, prior to the May 2021 elections."

Cllr Stuchbury presented the motion and spoke of his concern that town and parish councils were unable to call applications in to planning committees under the Council's Constitution, something they had previously been able to do in North Bucks. Cllr Stuchbury explained town and parish councils were very well informed and had been frustrated at not being able to

exercise a call-in. Cllr Raja added to this saying that it was important for local people to have an element of control over how things were done locally.

Two amendments to this motion were received and were considered in turn.

The first amendment to this motion was proposed by Cllr W Whyte and seconded by Cllr M Winn, this amendment was as follows:

*“We propose that the Council should undertake a regular consultation with town and parish councils, in order to evaluate their ~~satisfaction effectiveness of their engagement~~ with the planning ~~service department, following changes to the planning consultation process in the Buckinghamshire Council constitution~~. The outcomes of this consultation ~~and evaluation exercise and any recommendations resulting from it~~, should be used as part of the current review of the service and subsequently in developing more effective engagement strategies with key stakeholders. ~~presented to Council, prior to the May 2021 elections~~. Should any conclusions suggest constitutional changes, these to be included as input to a wider review of the Buckinghamshire Council Constitution to be undertaken later in 2020/21.”*

The debate on this amendment ensued.

Cllr Whyte explained that town and parish councils continued to be an important part of the planning process and were already engaging well providing their views on the new planning service. Engagement with parish and town councils would continue, including taking into account their opinions to help shape the planning service moving forward. Cllr Whyte clarified that there was no legal ability to devolve planning powers to towns and parishes. The amendment to the motion reinforced engagement with towns and parishes and focused not only on constitutional matters, but also on shaping the Council’s planning service.

In seconding the amendment, Cllr M Winn said that the motion gave the chance for town and parish councils to influence the design of the planning service and reaffirmed the Council’s commitment to consult with towns and parishes on not only planning applications, but a range of planning matters.

Cllr R Newcombe spoke in favour of the amendment and highlighted the importance of consultation with towns and parishes as well as the previous decision of the Shadow Authority to review the Constitution by 1 April 2021, which would include planning committee procedures.

**This amendment passed and became the substantive motion.**

A further amendment to the motion was proposed by Cllr L Monger and seconded by Cllr P Jones. As the first amendment passed, this amendment was updated to that which was attached to the supplementary agenda pack. The proposed amendment read as follows:

**Council notes that;**

- there is significant disquiet among Town and Parish Councils regarding their relationship with the planning department
- the four legacy district councils each had different systems for the involvement of town and parish councils in the planning process
- the harmonisation of the system for call-in to committee has negatively affected town and parish councils in Aylesbury Vale where they previously had a direct right to request call-in. This has led to many councils feeling that they are being cut out of the process and that their planning knowledge and experience is being

devalued

- the new process for call-in is unnecessarily cumbersome in its application and still leaves the decision with officers and the committee chairman
- Council further notes that there remains a backlog of applications awaiting determination and yet planning meetings are being cancelled for lack of applications to consider.

### **Council therefore proposes that**

“In order to give confidence to our town and parish council partners that these matters will be addressed the Cabinet Member for Planning and Enforcement should

~~We propose that the Council should undertake a regular a consultation with town and parish councils, in order to evaluate their satisfaction with the effectiveness with of the planning service and seek their views on the revised system for call-in. The outcomes of this consultation, should be used as part of the current review of the service and subsequently in developing more effective engagement strategies with key stakeholders. Should any conclusions suggest constitutional changes, these to be included as input to a wider review of the Buckinghamshire Council Constitution to be undertaken later in 2020/21, and evaluation exercise and any recommendations resulting from it, should be presented to Council, prior to the May 2021 election no later than the meeting of Council scheduled for 24<sup>th</sup> February 2021.”~~

The debate on the proposed amendment ensued.

Cllr L Monger presented the amendment advising that it not only created a requirement to consult with town and parish councils, but also gave a specific date to report back to Council the results of that consultation. Cllr Monger raised concern that the 2020/21 date in the substantive motion was open ended and unclear as to when exactly it would take place.

Cllr R Newcombe spoke against the amendment, advising that in his view it dealt solely with the call-in issues and did not take in to account the comprehensive review of the Council’s Constitution agreed by the Shadow Authority.

Cllr W Whyte added that whilst he understood the reasons for the amendment he found it limiting and felt that it would reduce the scope of consultation with towns and parishes included in the substantive motion. Cllr Whyte acknowledged that there was a lot to be gained from the consultation about both the call-in process and design of the planning service in the short and long term.

At the conclusion of the debate, the amendment to the motion was put to the vote and was lost.

Debate then ensued on the substantive motion as set out below:

“We propose that the Council should undertake regular consultation with town and parish councils, in order to evaluate their satisfaction with the planning service. The outcomes of this consultation should be used as part of the current review of the service and subsequently in developing more effective engagement strategies with key stakeholders. Should any conclusions suggest constitutional changes, these to be included as input to a wider review of the Buckinghamshire Council Constitution to be undertaken later in 2020/21.”

Cllr A Huxley spoke in support of the motion stating that town and parish councils must be consulted on planning applications. Cllr Huxley recognised the great deal of work towns and parish councils undertook in planning, with most holding regular planning committees and being very attentive to details within applications.

Cllr Whyte thanked all members for their contributions in the debate and agreed that town and parish councils should be able to have their say. Cllr Stuchbury echoed the principle of supporting town and parish councils.

**Resolved:** That the substantive motion be carried.

### **Planning White Paper**

The Chairman advised that the following Motion had been submitted and was consequently moved by Cllr R Stuchbury and seconded by Cllr M Hussain:

“We the undersigned propose that Buckinghamshire Council makes its objections to the Government White Paper known in the strongest terms and the most determined way possible.

Buckinghamshire Council for the first time will be in a position to do joined-up thinking, linking all areas of planning together on behalf of our constituents presently and in the future.

The new Government proposals, Planning for the Future, have no respect for the democratic processes of a local planning authority and will make drafting probably the first ever Buckinghamshire Development Plan in the future both unwieldy and unsustainable.

On ecological, environmental, social and economic grounds therefore we seek Buckinghamshire Council to give strong objection to the proposals within the White Paper published on the 6th of August 2020.

Our grounds for objection are that it bears no relation to the 1947 Town and Country Planning Act, the 1968 Town and Country Planning Act or the 1990 Amendment to the Town and Country Planning Act which was amended in 1991, putting local plans as the ultimate way local authorities would be delivering development plans, while encouraging parishes and communities to write local plans in a joined-up, workable, fully accountable and democratic planning system.

The Planning for the Future White Paper is not an evolution, it’s a devolution of powers from Buckinghamshire Council to Central Government and should be contested at every possible avenue open to Buckinghamshire Council

<https://www.gov.uk/government/consultations/planning-for-the-future> “

Cllr R Stuchbury introduced the motion and spoke of his concern that the principles within the Planning White Paper challenged the sovereignty of Buckinghamshire. Cllr Stuchbury explained that he believed decisions about Buckinghamshire’s future should be made locally and not by central government.

In seconding the proposal, Cllr Majid Hussain added that the environment of Buckinghamshire should be protected and developments should not be imposed upon it. Cllr Hussain spoke of HS2 having been a lesson on the negative impact of developments imposed upon Buckinghamshire and its residents by central government.

An amendment to this motion was proposed by Cllr M Tett and seconded by Cllr W Whyte, this amendment was as follows.

~~“We the undersigned propose that Buckinghamshire Council will be responding makes its objections to the Government’s White Paper – Planning for the Future published on the 6th of August 2020 by its endorsement of the strong, logical and well-reasoned response agreed by its Cabinet on 13th October 2020. known in the strongest terms and the most determined way possible.~~

~~Buckinghamshire Council for the first time will be in a position to do joined-up thinking, linking all areas of planning together on behalf of our constituents presently and in the future.~~

~~The new Government proposals, Planning for the Future, have no respect little regard for the democratic processes of a local planning authority and will make drafting probably the first ever Buckinghamshire Local Development Plan in the future both unwieldy and unsustainable.~~

~~On ecological, environmental, social and economic grounds therefore we seek Buckinghamshire Council therefore urges the Government to give serious consideration to give our strong objection to the proposals within the White Paper published on the 6th of August 2020.~~

~~Our grounds for objection are that it bears no relation to the 1947 Town and Country Planning Act, the 1968 Town and Country Planning Act or the 1990 Amendment to the Town and Country Planning Act which was amended in 1991, putting local plans as the ultimate way local authorities would be delivering development plans, while encouraging parishes and communities to write local plans in a joined-up, workable, fully accountable and democratic planning system.~~

~~The Planning for the Future White Paper not an evolution, it’s a devolution of powers from Buckinghamshire Council to Central Government and should be contested at every possible avenue open to Buckinghamshire Council~~

~~Council also requests that the Cabinet Member make the Council’s final, official response known to the Buckinghamshire Members of Parliament and that he ask for their support in lobbying Government to change or substantially modify its proposals in the White Paper.~~

~~<https://www.gov.uk/government/consultations/planning-for-the-future>”~~

Cllr M Tett explained the rationale behind the amendment and noted that the proposed motion had been outdated and had not taken into account the draft response agreed by Cabinet at its meeting on 13 October. Cllr Tett described this as a thorough and comprehensive response to what was the most fundamental change proposed to planning legislation since the introduction of the Town and Country Planning Act in 1947. Cllr Tett raised concern about the long term

impact this paper could have on Buckinghamshire if it was to be adopted, potentially fundamentally changing Buckinghamshire as a place. Cllr Tett identified some commendable areas within the paper, namely the desire to build beautiful places and an increased use of new technology. However, Cllr Tett explained that the paper ignored how complex local plans were, reduced democratic accountability and inflated housing targets could be imposed on local authorities without regard to Green Belt, AONB or the protection of countryside. The proposed move from Community Infrastructure Levy and Section 106 developer contributions to funding based on a viability assessment could also be manipulated by developers. Local authorities forward funding infrastructure was also recognised as a significant risk.

Cllr Whyte in seconding the amendment affirmed the comments made by Cllr Tett and noted that town and parish councils had already provided some positive feedback to the Council's draft response.

Cllr Newcombe spoke in support of the amendment and noted that it was important to understand that there were some good aspects to the paper such as the increased support for enforcing unauthorised developments, however there were major parts which were considered unacceptable.

Cllr Raja stated that there were crucial areas in the white paper that did not deliver and would result in local democracy being lost.

Cllr Monger queried why such a significant change was not worthy of debate of a full council meeting and believed there would be little opportunity for town and parish councils to be involved in the response.

Cllr Stuchbury recognised the work Cabinet had done on producing a response although felt that the amendment to the motion should have included the word 'object'.

The amendment to the motion was carried and became the substantive motion as below.

“Buckinghamshire Council will be responding to Planning for the Future published on the 6th of August 2020 by its endorsement of the strong, logical and well-reasoned response agreed by its Cabinet on 13th October 2020.

Council also requests that the Cabinet Member make the Council's final, official response known to the Buckinghamshire Members of Parliament and that he ask for their support in lobbying Government to change or substantially modify its proposals in the White Paper.

<https://www.gov.uk/government/consultations/planning-for-the-future>”

The debate on the substantive motion ensued.

Cllr P Jones spoke positively of the Cabinet response, including the fact that the response highlighted the missed opportunity to put sustainability and climate change at the forefront of the paper. Cllr Jones added caution that he had little confidence that the Government would give any weight to the Council's consultation response.

Cllr Tett explained the draft response produced by Cabinet was being shared with town and parish councils to comment on and members were also able to comment on this. Cllr Tett described it as a constructive response that balanced out the areas the Council supported with

the significant areas the Council did not agree with.

Cllr Stuchbury was grateful for the opportunity being given to town and parish councils to comment on the draft response and spoke of the importance of the Council having a unified voice on the matter and his hope that local MPs understand the concerns.

**Resolved:** That the substantive motion be carried.

**12 FOR INFORMATION - CABINET MEMBER DECISIONS REPORT**

Full Council received for information a list of decisions taken by Cabinet Members since the last Council meeting.

**Resolved:**

That the report be noted.

**13 DATE OF NEXT MEETING**

9<sup>th</sup> December 2020 at 4.00pm