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CHILTERN
District Council



Cabinet (CDC)

Tuesday, 19th September, 2017 at 12.00 pm *

** Please note meeting start time*

Council Chamber, King George V House, King George V Road, Amersham

A G E N D A

Please note: that in accordance with Part 11.1 (3) of the Council Procedure Rules a motion may be moved to change the order of business on the Agenda.

- 1 Evacuation Procedures
- 2 Minutes (*Pages 5 - 20*)
To sign the Minutes of the meeting held on 27 June 2017.
- 3 Apologies for Absence
- 4 Declarations of Interest
- 5 28-Day Notices (*Pages 21 - 22*)
Appendix 1: Cabinet 28 Day Notice (Pages 23 - 26)
Appendix 2: Joint Committee 28 Day Notice (Pages 27 - 28)
- 6 Current Issues
- 7 Performance Report Quarter 1 2017-18 (*Pages 29 - 30*)
Appendix A: Priority PI's Q1 2017 - 2018 (Pages 31 - 34)
Appendix B: Quarterly Report Q1 2017 - 18 (Pages 35 - 38)

- 8 Treasury Management - Quarterly Report Quarter 1 2017/18 (*Pages 39 - 42*)
- 9 Creation of a Community Interest Company for Chesham (*Pages 43 - 46*)
Appendix A (Pages 47 - 48)
- 10 Discretionary Business Rate Relief - Spring Budget 2017 (*Pages 49 - 52*)
Appendix (Pages 53 - 70)
Exceptions Notice (Pages 71 - 72)
- 11 Brownfield Land Register (*Pages 73 - 76*)
- 12 Chiltern Car Parking Strategy (*Pages 77 - 80*)
Appendix A - Car Park Strategy 2018 - 2023 (Pages 81 - 104)
Appendix B - Annual Parking Report 2016/17 (Pages 105 - 128)
- 13 New Civil Penalties in relation to Housing Enforcement (*Pages 129 - 132*)
Appendix 1 - Joint Housing Enforcement Policy August 2017 (Pages 133 - 158)
- 14 Community Grant Aid Awards 2017/18 (*Pages 159 - 162*)
Appendix 1 - Recommended Community Grant Aid Awards (Pages 163 - 168)
- 15 Affordable Warmth Strategy (*Pages 169 - 172*)
Appendix 1 - Bucks Affordable Warmth Strategy (Pages 173 - 198)
- 16 Annual Report on the Performance of the Leisure Provider (*Pages 199 - 202*)
Appendix 1 - Performance Report 2016 (Pages 203 - 208)
Appendix 2 - GLL Management Accounts 2016 (Pages 209 - 210)
- 17 Update on Heathrow Expansion and Changes to Airspace (*Pages 211 - 214*)
For information
- 18 Exemption to Contracts Procedure Rules - Instructing Counsel (*Pages 215 - 216*)

19 Minutes of Joint Executive Committees

Members are asked to note the Minutes of the following meetings of Joint Executive Committees:

*Appendix - Chiltern & South Bucks Joint Committee - 24 July 2017
(Pages 217 - 222)*

20 Exclusion of the Public

To resolve that under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item(s) of business on the grounds that it involves the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Act.

21 Cabinet Reports from Policy Advisory Groups:

21.1 Healthy Communities Notes - 20 June 2017 *(Pages 223 - 228)*

21.2 Customer Services Notes - 4 July 2017 *(Pages 229 - 232)*

22 HS2 Report on AONB Group Work and Appointment of Landscape Consultants *(Pages 233 - 238)*

Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)

Circulated as a separate supplement

*Appendix 1: Chilterns AONB Review Group Terms of References
(Pages 239 - 246)*

*Appendix 2: Chilterns AONB Review Group General Design
Principles (Pages 247 - 248)*

*Appendix 3: Chilterns AONB Review Group Draft Detailed Design
Principles (Circulated as a separate supplement)*

*Appendix 4: HS2 Context Report for the Chiltern District
(Circulated as a separate supplement)*

Note: All Reports will be updated orally at the meeting if appropriate and may be supplemented by additional reports at the Chairman's discretion.

Membership: Cabinet (CDC)

Councillors: I A Darby (Leader)
M J Stannard (Deputy Leader)
P E C Martin
M R Smith
E A Walsh
F S Wilson

Date of next meeting – Tuesday, 12 December 2017

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Publication Date 3 July 2017

CHILTERN DISTRICT COUNCIL

**MINUTES of the CABINET (CDC)
held on 27 JUNE 2017**

PRESENT Councillors I A Darby - Leader
M J Stannard - Deputy Leader
M R Smith
E A Walsh
F S Wilson

APOLOGIES FOR ABSENCE were received from Councillor P E C Martin

ALSO IN ATTENDANCE: Councillors J L Gladwin, P M Jones and D W Phillips

1 MINUTES

The Minutes of the Cabinet meeting held on 4 April 2017, copies of which had been previously circulated, were approved and signed by the Cabinet Leader, as a correct record.

2 DECLARATIONS OF INTEREST

Immediately before Item 13 (Revitalisation Group Update Report & Capital Grants 2016/17) was discussed Councillor I Darby declared a personal and prejudicial interest in that item due to her work involvement at Milton's Cottage and left the room for the discussion on that item.

3 28 DAY NOTICES (FORWARD PLANS)

The Cabinet received a report attaching the draft 28 Day Notices for Cabinet and the Chiltern & South Bucks Joint Committee outlining the items due to be considered at forthcoming meetings.

Members welcomed Councillor Liz Walsh, who had been appointed the Cabinet Member for Healthy Communities, to the meeting.

RESOLVED –

That the Draft Cabinet and Chiltern & South Bucks Joint Committee 28-Day Notices be noted.

4 CURRENT ISSUES

Councillor L Walsh - Community Cards Scheme 2017

Members noted that 29 schools had participated in this year's Community Cards Scheme which encouraged children in year 6 to get involved with constructive community activities. One winner from Chiltern, and another from South Bucks, would be announced shortly. The winning classes would win a day trip to Legoland. Other class and individual prizes would also be awarded.

5 ANNUAL PERFORMANCE REPORT 2016 - 2017

The Cabinet received a report outlining the annual performance of Council services against previously agreed performance indicators and service objectives for 2016/17. After welcoming the introduction of an infographic it was

RESOLVED –

That the performance reports and annual report, provided infographic format, be noted.

6 REVIEW OF THE CONSTITUTION

The Governance and Electoral Arrangements Committee had reviewed the Council's Constitution to ensure that it was up to date and more user-friendly. The proposed revisions to the Constitution, which included harmonised procedures with South Bucks District Council, were reported and agreed at Full Council on 16 May, subject to Cabinet approving the revisions relating to functions undertaken by Cabinet and associated rules.

It was noted that the Constitution had been updated since the Council meeting on 16 May to include the terms of reference for the new Joint Staffing Committee which replaced the Personnel Committee and Joint Appointments and Implementation Committee. The delegations to the Cabinet could now also be amended by the Cabinet, rather than by Full Council.

RESOLVED –

That the proposed revisions to the Constitution relating to Cabinet functions be agreed as recommended by the Governance and Electoral Arrangements Committee.

7 CAPITAL & REPAIRS & RENEWALS OUTTURN 2016/17

The Cabinet considered a report setting out the capital and repairs and renewals outturn position for 2016/17. It was proposed that the carry forward budget for additional budgeted capital expenditure of £787,000, and additional budgeted repairs and renewals expenditure of £237,000 for 2017/18 be agreed.

The Cabinet noted that the Resources Overview Committee considered the report at the meeting on 21 June and raised questions regarding the proposed carry forward for the London Road Depot. Members were reassured that the proposed carry forward was required due to the works planned at the depot in the current year.

RESOLVED –

- 1. That the 2016/17 capital and repairs & renewals outturn position be noted.**
- 2. That the proposed capital and repairs & renewals budgets be carried forward to 2017/18.**

8 TREASURY MANAGEMENT ANNUAL REPORT 2016/17

The Cabinet considered a report detailing the treasury management performance of the Council for 2016/17 which was required by the Code of Practice on Treasury Management. The total interest received on investments for 2016/17 was £164,000. The Council had also increased its cash reserves from £20M to £25.5M which was mainly attributed to the timing of payments of business rates.

RESOLVED –

That the Treasury Management performance for 2016/17, as required by the Code of Practice on Treasury Management, be noted.

9 AMERSHAM MULTI-STOREY CAR PARK

The Cabinet considered a report providing an update on the Amersham Multi Storey Car Park Development Project which sought approval of the final business case, amended capital programme and confirmation on the contracts for construction. The proposed project would provide a total of 1,046 car park spaces, resulting in an increase of 366 spaces. The additional parking spaces from the project were required in order to meet the increased demand for parking and were supported by a detailed business case that had been developed, as required by the Council's financial strategy, using realistic and prudent assumptions on potential income and expenditure. The proposed project was considered important to meet the parking needs and would also help generate additional income.

The report was considered by the Resources Overview Committee on 21 June and the Committee's comments were noted by the Cabinet. A number of questions had been raised by the Committee, and further clarification on the pre-construction costs, total overall costs and parking charges in relation to annual inflation, had been requested. A number of additional questions were also raised by Committee Members following the meeting. A supplementary appendix was circulated at the meeting responding to those questions raised.

A number of options had been considered in order to meet parking needs. The proposal set out in the report, which took into account the parking needs and financial implications, and was considered the best option. It was confirmed that Pick Everard, an independent consultant, had provided cost certainty on the proposals. During the budget setting process the impact that the proposed project would have on the Council's Medium Term Financial Strategy and Treasury Management Strategy had been taken into account.

Interest rates were at a historic low and in light of this it was therefore sensible to consider borrowing to finance the project which would provide long term benefits to the Council. The risk that the cost of borrowing could change was mitigated through the use of a 40 year fixed rate loan from the Public Loans Board to finance the construction costs.

Another risk was that income from the car park would be lower than estimated. The demand for parking spaces was subject to change however the car park was already at full capacity and demand was unlikely to reduce in the medium term. An extra 366 parking spaces, as proposed, would enable the car park to operate at 85% capacity. This was the maximum number of spaces that could be provided on that site and included the creation of an additional deck. A lower than anticipated level of income was not therefore considered a significant risk. It was confirmed that the income forecasts for the project were based on cautious estimates of increased usage, and although no detailed analysis of the impact from higher levels of income had been undertaken, this would only benefit the project.

The Council could also change car park prices, and a 3% increase had been included in the business case. Car park prices were due to change later this year and would still remain lower than competing car parks. One of the suggestions from the Resources Overview Committee was that the business plan should show charges being increased every 3 years, rather than annually, and the tabled appendix included details of the financial effect of this.

At the invitation of the Leader Councillors J Gladwin, D Phillips and P Jones addressed the meeting. It was advised that although there was agreement that Amersham required additional car parking there was concern regarding the following key issues:

- There was uncertainty regarding the impact of parking displacement arising from an increase in parking prices and changes to on-street parking restrictions, such as additional no parking areas.
- It was suggested that parking fees, when increased, be rounded up to a practical whole number
- There was also concern that a 50p increase in parking charges each year would not be realised
- There was concern about the impact on demand arising from additional spaces being created in Sycamore Road and King George V House car parks
- It was suggested that relaying the surface on the top floor of the car park be shown as a separate project
- It was recommended that the figures in the business case be reviewed again particularly in light of the risk of higher interest rates.

- Further clarity was requested in relation to the pre-construction costs and initial design costs.
- Concern was raised regarding the potential increased cost arising from the risks identified by Pick Everard such as archaeological remains, Transport for London, and other contingencies. It was considered that the likelihood of these having any material impact was low.
- It was suggested that a proportion of the Council's reserves be used to lower the level of borrowing required particularly in light of the low levels of income from Council investments.

Regarding the pre-construction costs it was confirmed that these had increased from £591,000 to £617,000 with cost certainty and any further variation would now be the contractor's risk. The £110,000 initial design costs were also included within the pre-construction cost.

The relaying of the surface on the top floor had been included in the project costs because it was more cost efficient to carry the work out at the same time. This could be included as part of contract but listed as a separate project cost for the purpose of the business case.

Regarding the impact from extra spaces provided elsewhere, it was noted that this was difficult to model due to the number of different factors; however the overall effect was estimated to result in around half of the number of staff parking in Sycamore Road temporarily during the construction of the car park.

It was clarified that the Council's reserves were allocated for a variety of different schemes and it was not considered desirable to commit a significant proportion of the reserves to a single project where alternative funding was available. The budget setting process had taken this into account. The Council was also gaining cost certainty through the use of a 40 year fixed rate loan.

The Council's Constitution required that any applications submitted by the Council be considered by the Planning Committee and Full Council. The Planning Committee meeting on 22 June considered the planning application relating to the project and agreed to recommend to Full Council that the Council's own planning application relating to the Multi Storey Car Park be approved, subject to amendments to conditions 2 and 13. Reference was made to the amendments made by the Planning Committee and the costs associated with the amendments relating to the total landscaping scheme.

Following the discussion, the Cabinet then

RESOLVED –

1. That the current position of the Amersham Multi Storey Car Park Development Project be noted.
2. That the final business case for the project be agreed.
3. That, subject to the decision of Full Council on recommendation of the Planning Committee, that the Head of Environment, in consultation with the relevant Portfolio Holder and Director of Services, be authorised to conclude the delivery agreement between Balfour Beatty and the Council for the construction phase.
4. That the Head of Finance be authorised to carry out the necessary arrangements to obtain the loan finance.
5. That the Head of Environment be authorised to negotiate and conclude any necessary agreements to allow the development to proceed through to completion.
6. That the 2018/19 revenue budgets include the additional revenue operating costs of a larger car park operational from September 2018.
7. To note and agree that the cost of the pre-construction costs have increased from £591,000 to £617,000 for delay due to planning and Scape fees.

AND RECOMMENDED –

8. That £10,800,000 be added to the capital programme for the construction of the project.

10 **JOINT HOUSING STRATEGY (AFFORDABLE HOUSING AND HOMELESSNESS)**

The Cabinet were asked to approve and implement the Joint Housing Strategy (Affordable Housing and Homelessness). It was proposed that the draft Strategy would be subject to a 6 week consultation and the final version would be agreed by the Head of Healthy Communities, in consultation with the relevant Portfolio Holder, before being considered by Full Council for adoption.

RESOLVED –

- 1. That the Head of Healthy Communities be authorised to prepare a Joint Housing Strategy (Affordable Housing and Homelessness).**
- 2. That the draft Joint Strategy be noted.**
- 3. That a 6 week consultation exercise be undertaken on the draft Joint Strategy.**
- 4. That the Head of Healthy Communities be authorised to prepare a finalised Joint Strategy, in consultation with the Portfolio Holder for Healthy Communities, prior to submission to Full Council on 17 October 2017 for approval.**

11 **REVITALISATION GROUP UPDATE REPORT & CAPITAL GRANTS 2016/17**

The Cabinet received a report seeking agreement for £7,800 of funding to help deliver the work of the Revitalisation Groups, which would attract partnership project funding of nearly £10,000 into the district from other stakeholders.

Councillor I Darby declared a personal and prejudicial interest due to her work involvement at Milton's cottage and left the room for the discussion on this item.

After noting that the Healthy Communities Policy Advisory Group had supported the recommendation it was

RESOLVED –

1. **That £7,800 from the Capital Reserves be transferred into the approved Capital Programme list and be used to support the following Chiltern District’s Revitalisation Groups’ projects, subject to planning consent, if required, and confirmation that ongoing maintenance and insurance obligations will not be the responsibility of the Council:**
 - a) **Little Chalfont – village centre notice boards project (£3,000)**
 - b) **Chalfont St Giles – contribution to Milton’s Cottage secondary glazing (£2,800)**
 - c) **Great Missenden & Prestwood villages – community cycle parking project (£2000)**

Note: Councillor Darby left the meeting for the discussion on the above item.

12 CHILTERN POOLS

The Cabinet received an update on the detailed feasibility study to re-provide a combined community and leisure facility in Amersham. Agreement was also sought to enter into a land swap with Amersham Town Council to enable the proposed development and to proceed to the detailed design stage of the project.

The report was considered by the Services Overview Committee meeting on 14 June and Members supported the way forward and agreed to recommend that the recommendations be agreed by the Cabinet.

The Deputy Leader referred to the huge support from the Community received during the initial proposals and advised that he was particularly interested to receive the feedback from the public regarding the revised proposals which addressed concerns raised during initial consultation. It was acknowledged that this was a large project however it would provide an excellent service to the community and would also generate additional income for the Council. There had been significant involvement from Members already. The figures in the final business case would be scrutinised further,

before being considered by Members, to ensure that income assumptions were accurate and robust.

At the invitation of the Leader Councillor P Jones advised that although he fully supported the project he also emphasised the importance of reviewing any additional proposals that increased costs to ensure that these could be recovered from future income. It was suggested that the Council avoids duplication of services available elsewhere.

Following the discussion, the Cabinet then

RESOLVED –

- 1. That the findings of the feasibility study to re-provide a combined community and leisure facility in Amersham be noted, and to progress the project to the next decision point, this is the Stage 2 refinement of brief.**
- 2. That the current facility mix identified in the feasibility plan and detailed in Appendix 1 be noted.**
- 3. That it be agreed:**
 - (a) To place the necessary statutory advertisements and undertake public consultation together with Amersham Town Council in relation to the proposed disposal and acquisition of land as detailed in appendix 2 to support the redevelopment of the facility.**
 - (b) To delegate:**
 - (i) consideration of any duly made objections during the advertisement period;**
 - (ii) the decision whether to acquire and dispose of the land referred to above and the detailed terms thereof to the Chief Executive in consultation with the Head of Legal and Democratic Services and the Leader of the Council.**

4. That authority be delegated to the Director of Services to:
 - (a) agree heads of terms with current lease holders to secure the surrender of their leases to enable the Council to take possession of the Community Centre, Youth Club, and Library buildings as part of the redevelopment; and,
 - (b) agree the terms of new leases to commence when the new facility is available for occupation.
5. To delegate the decision to the Director of Services to agree final transitional arrangements with the Community Centre, and Buckinghamshire County Council as necessary to allow the development to proceed.
6. To delegate authority to the Director of Services, in consultation with the Portfolio Holder for Support Services, the selection, through an appropriate Framework, of
 - (a) a Project Manager and Quantity Surveyor to manage the project through the key decision points to develop a replacement facility; and
 - (b) the architectural and professional services required by the project design team.
7. That authority be delegated to the Director of Services, in consultation with the Head of Legal and Democratic Services, to undertake a procurement process to select the lead construction company for the project, subject to final agreement by Cabinet.
8. That the Head of Healthy Communities, in consultation with the Portfolio Holder for Support Services, be authorised to draw down up to £1,500,000 of funding to enable the project to progress to the next key decision stage which is the Stage 2 Refinement of the design prior to Cabinet approval to proceed to the full design brief to the point of planning application. The first £1,000,000 to be taken from the earmarked leisure fund.

9. **That authority be delegated to the Director of Services to appoint an Internal Project Manager to support the delivery of the next stage of the project, to be funded from the earmarked leisure fund.**

13 **CORPORATE ENFORCEMENT POLICY**

Since the Regulator's Code came into effect the Council was required to have an enforcement policy and have mechanisms in place to engage with those organisations that it regulated in the review of its policies and service standards. Following consultation with internal and external bodies the Cabinet was therefore asked to agree the proposed policy.

RECOMMENDED –

That the draft Corporate Enforcement Policy be approved for regulatory compliance and enforcement services by Full Council on 13 July 2017.

14 **PUBLIC SPACES PROTECTION ORDER**

The Cabinet considered a report regarding the introduction of Public Spaces Protection Orders (PSPOs), a new power designed to reduce anti-social behaviour (ASB). It was proposed that the current designated dog fouling areas be kept as they were whilst further consultation took place towards introduction of a new PSPO. It was also proposed that the current Designated Public Place Orders (DPPOs) on alcohol restrictions be replaced by the introduction of one new PSPO, which will also include restrictions on people and highways and vehicle misuse in a number of car parks.

The report was considered by the Services Overview Committee and Healthy Communities Policy Advisory Group. It was recommended that the PSPO covers all car parks to avoid ASB displacement.

The police had requested the PSPO to help address nuisance from ASB and further evidence on the roll out of the PSPO to include all car parks would be collated following the consultation. Other measures could also be used to help reduce ASB, for example, by building in measures, such as barriers, CCTV and controls on vehicle speed during the design of public spaces e.g. public car parks, which the police had also recommended.

It was suggested that the implications of applying dog control measures across the whole district needed to be looked at, for example, to take into account equality issues and the potential need for spaces where owners could walk their pets.

RESOLVED –

- 1. That the current designated dog fouling areas are kept as they currently are for now while further consultation takes place towards the introduction of a new Public Spaces Protection Order (PSPO).**
- 2. That further evidence be gathered to support the introduction of a PSPO, including the following dog control measures across the whole district, whereby the following actions mean an offence is committed:**
 - A) If a person in charge of a dog fails to clean up its faeces.**
 - B) To fail to put a dog on a lead when directed to do so by an authorised officer.**
 - C) To allow a dog into enclosed children's playgrounds.**
- 3. To agree implementation of a new PSPO to include alcohol restrictions which provide Police with powers to require any person to stop drinking and surrender alcohol if they are causing or likely to cause anti-social behaviour (ASB) in the following areas:**
 - A) Chesham Cemetery**
 - B) Chesham Town Centre High Street and Meades Water Garden**
 - C) Amersham-on-the-Hill and Old Amersham**
 - D) Seer Green**
 - E) Land at Roundwood Road and Station Forecourt, Amersham**

4. To agree that the new PSPO will include restrictions, as detailed in the report, on people and misuse of highways and vehicles in the following car parks, and that the introduction of the PSPO restrictions to all car parks in the district be subject to consultation:
 - A) Multi-Storey Carpark on King George V Road, Amersham
 - B) Library Carpark on King George V Road, Amersham
 - C) Chiltern Pools Carpark on Chiltern Avenue, Amersham
 - D) Sycamore Road Carpark, Rickmansworth Road, Amersham
 - E) Watermeadow Carpark, Weylands Ct, Germain Street, Chesham
 - F) Staryard Carpark, Chesham
 - G) Link Road & Buryfields Carpark, Link Road, Great Missenden
 - H) Co-op Carpark, High Street, Prestwood
5. To set the Fixed Penalty Notice (FPN) fine at £100.
6. That authority be delegated to the Head of Healthy Communities in conjunction with the Head of Legal and Democratic Services to publish appropriate PSPOs as a result of evidence being obtained and that if any amendments to any PSPOs are necessary that these be made in consultation with the Portfolio Holder for Healthy Communities.

15 FOOD AND HEALTH & SAFETY SERVICE PLAN 2017-2018 AND ENFORCEMENT POLICY

The Cabinet considered a report seeking approval for the adoption of the joint Food and Health and Safety Service Plan for the year 2017/18 and the Food and Health and Safety Enforcement Policies.

RESOLVED –

1. That the joint Food and Health and Safety Service Plan be approved.
2. That the Food and Health and Safety Enforcement Policies be approved.

16 HOME ENERGY CONSERVATION ACT PROGRESS REPORT

Members received the progress report on the Home Energy Conservation Act setting out measures required to improve home energy efficiency. A copy of the progress report would be published on the Council's website to meeting statutory timescales.

In response to a question it was advised that gas providers did have a programme to help deliver gas supply to remote communities.

RESOLVED –

That the progress report be noted.

17 CABINET APPOINTMENTS

The Cabinet received a list of appointments to outside bodies, and

RESOLVED –

That the appointments made by Council be noted, and the appointments made by the Cabinet be agreed.

18 MINUTES OF JOINT EXECUTIVE COMMITTEES

The Cabinet received the Minutes of the Chiltern & Wycombe Joint Waste Collection Committee held on 10 April 2017 and the Chilterns Crematorium Joint Committee held on 15 February 2017.

RESOLVED –

That the Minutes of the Joint Executive Committees be noted.

19 EXCLUSION OF THE PUBLIC

RESOLVED –

That under section 100 (A) (4) of the Local Government Act 1972 (as amended) the public be excluded from the meeting for the following item(s) of business on the grounds that they involved the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act.

20 CABINET REPORTS FROM POLICY ADVISORY GROUPS

Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)

The Cabinet received the Notes of the Customer Services Policy Advisory Group meeting held on 29 March 2017 and the Sustainable Development Policy Advisory Group meeting held on 15 February 2017.

RESOLVED –

That the Notes of the Policy Advisory Group meetings be noted.

The meeting ended at 6.08 pm

SUBJECT:	<i>28 Day Notice</i>
REPORT OF:	<i>Cabinet Portfolio Holder for Support Services (Deputy Leader)</i>
RESPONSIBLE OFFICER	<i>Head of Legal & Democratic Services</i>
REPORT AUTHOR	<i>Charlie Griffin, 01494 732011, charlie.griffin@chiltern.gov.uk</i>
WARD/S AFFECTED	<i>All</i>

1. Report

The Access to Information Regulations 2012 place a requirement on Councils to publish a notice 28 days before every executive or joint executive meeting detailing all Key Decisions and Private Reports to be considered. The [28 Day Notice](#) is published on the Council's website.

RECOMMENDATION

The Cabinet is asked to note the 28 Day Notices for the meetings of the Cabinet (12 December 2017) and the Joint Committee (5 October 2017).

Background Papers:	None
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28 Day Notice

**Local Authorities (Executive Arrangements) (Meetings and Access to Information)
(England) Regulations 2012**

This is a Notice of an intention to make a Key Decision on behalf of the Local authority (Regulation 9) and an intention to meet in private to consider those items marked as 'Private Reports' (Regulation 5).

A further Notice (the 'Agenda') will be published no less than 5 working-days before the date of the Cabinet meeting and will be available at www.chiltern.gov.uk/democracy

Leader (Councillor Isobel Darby)					
Key Decision (Y/N) ¹	Report Title & Summary ²	Consultation ³	Decision Maker & Date	Private Report (Y/N) and Reason Private ⁴	Lead Officer ⁵

Support Services - Deputy Leader (Councillor Mike Stannard)					
Key Decision (Y/N) ¹	Report Title & Summary ²	Consultation ³	Decision Maker & Date	Private Report (Y/N) and Reason Private ⁴	Lead Officer ⁵
Yes	Budget Report 2018/19: the consider the draft revenue budgets for 2018/19	Resources 5 Dec 17	Cabinet 12 Dec 17	No	Rodney Fincham rfincham@chiltern.gov.uk

Sustainable Development (Councillor Peter Martin)					
Key Decision (Y/N) ¹	Report Title & Summary ²	Consultation ³	Decision Maker & Date	Private Report (Y/N) and Reason Private ⁴	Lead Officer ⁵
No	Brownfield Sites Register: to consider a report seeking agreement from the Cabinet to consult on the draft brownfield land register, and recommend to Council that the duty to enter land in Part 2 of the Register be delegated to the Planning Committee	JPPMRG 19 Sept 17	Cabinet 19 Sept 17 Council 14 Nov 17 Planning 23 Nov 17	No	Phillip Gill Phillip.Gill@southbucks.gov.uk

Customer Services (Councillor – Fred Wilson)					
Key Decision (Y/N) ¹	Report Title & Summary ²	Consultation ³	Decision Maker & Date	Private Report (Y/N) and Reason Private ⁴	Lead Officer ⁵

Environment (Councillor Mike Smith)					
Key Decision (Y/N) ¹	Report Title & Summary ²	Consultation ³	Decision Maker & Date	Private Report (Y/N) and Reason Private ⁴	Lead Officer ⁵
No	London Road Access Systems: to note that further works to the barrier security system has been authorised by officers in accordance with delegated authority		Cabinet 12 Dec 17	No	Jeffrey Tapping jtapping@chiltern.gov.uk
Yes	New Grounds Maintenance Contract: To notify Members about the procurement process for the new CDC & SBDC grounds maintenance contract and to request approval for delegated authority to procure the new contract to start in 2018	EPAG 29 Nov 17	Cabinet 12 Dec 17	Yes (Paragraph 3)	Chris Marchant cmarchant@chiltern.gov.uk

Healthy Communities (Councillor Liz Walsh)					
Key Decision (Y/N) ¹	Report Title & Summary ²	Consultation ³	Decision Maker & Date	Private Report (Y/N) and Reason Private ⁴	Lead Officer ⁵
Yes	Changes to House in Multiple Occupation Licensing: to review the implications of changes to legislative requirements	Services 28 Nov 17	Cabinet 12 Dec 17	No	Louise Quinn lquinn@chiltern.gov.uk
Yes	Chiltern Pools Update To update members on the progress of Chilterns Pools	Services 28 Nov 17	Cabinet 12 Dec 17	No	Martin Holt mholt@chiltern.gov.uk
Yes	Sustainability and Carbon Reduction Strategy: The development and implementation of an updated joint strategy for South Bucks DC and Chiltern DC, building on existing activities and opportunities	HCPAG 27 Nov 17 Services 28 Nov 17	Cabinet 12 Dec 17 Council 28 Feb 18	No	Ben Coakley bcoakley@chiltern.gov.uk
Yes	Community Safety Accreditation Scheme: consider approval of the Community Safety accreditation Scheme	HCPAG 27 Nov 17 Services 28 Nov 17	Cabinet 6 Feb 18	No	Katie Galvin kgalvin@chiltern.gov.uk
No	Green House Gas Report: to update members as to the progress to determine the Green House Gas arrangements in Chiltern and South Bucks	HCPAG 27 Nov 17	Cabinet 6 Feb 18	No	Ben Coakley bcoakley@chiltern.gov.uk
No	Air Quality Update: to update members as to the progress to determine the air quality arrangements in Chiltern	HCPAG 27 Nov 17	Cabinet 6 Feb 18	No	Ben Coakley bcoakley@chiltern.gov.uk
No	Affordable Housing Contributions Update To provide an update on the level of Affordable Housing contributions received from planning agreements and allocations made to support affordable housing projects	Services 31 Jan 18	Cabinet 6 Feb 18	No	Michael Veryard mveryard@chiltern.gov.uk

28-DAY NOTICE – FORWARD PLAN**Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012**

This is a Notice of an intention to make a Key Decision on behalf of the Local authority (Regulation 9) and an intention to meet in private to consider those items marked as 'Private Reports' (Regulation 5).

A further Notice (the 'Agenda') will be published no less than 5 working-days before the date of the Cabinet meeting and will be available at: [Chiltern District Council](#) & [South Bucks District Council](#)

CHILTERN & SOUTH BUCKS JOINT COMMITTEE (JC)

Meeting: 5 October 2017 (SBDC)					
Key Decision (Y/N) ¹	Report Title & Summary ²	Consultation How/When ³	Decision Maker & Date	Private Report (Y/N) and Reason Private ⁴	Contact Officer and Telephone Number
No	Chiltern & South Bucks Joint Committee Programme Update: An update report on joint working		JC 5 Oct 17	No	Jim Burness jburness@chiltern.gov.uk Jim.burness@southbucks.gov.uk
No	Customer Experience Strategy Outline Business Case: to consider the outline business case for change		JC 5 Oct 17	No	Nicola Ellis nellis@chiltern.gov.uk nicola.ellis@southbucks.gov.uk
No	Joint Overview & Scrutiny Committee: to receive the comments of the Councils' respective Governance & Electoral Arrangements Committee regarding the proposed Joint Overview & Scrutiny Committee		JC 5 Oct 17	No	Joanna Swift jswift@chiltern.gov.uk jswift@southbucks.gov.uk

Meeting: 7 November 2017 (CDC)					
Key Decision (Y/N) ¹	Report Title & Summary ²	Consultation How/When ³	Decision Maker & Date	Private Report (Y/N) and Reason Private ⁴	Contact Officer and Telephone Number
No	Chiltern & South Bucks Joint Committee Programme Update: An update report on joint working		JC 7 Nov 17	No	Jim Burness jburness@chiltern.gov.uk Jim.burness@southbucks.gov.uk
No	Chiltern & South Bucks Partnership Annual Report: A report on the activities of the Partnership of the last year		JC 7 Nov 17	No	Jim Burness jburness@chiltern.gov.uk Jim.burness@southbucks.gov.uk
Yes	Update on the Local Plan: to receive an update on: the duty to cooperate position statement, approach to only showing 10 years housing supply, Green Belt sites to be taken forward and areas to be safeguarded, and the timetable (Local Development Scheme)		JC 7 Nov 17	No	Graham Winwright gwinwright@chiltern.gov.uk graham.winwright@southbucks.gov.uk
Meeting: 20 February 2017 (SBDC)					
Key Decision (Y/N) ¹	Report Title & Summary ²	Consultation How/When ³	Decision Maker & Date	Private Report (Y/N) and Reason Private ⁴	Contact Officer and Telephone Number
Yes	Draft Joint Local Plan: to agree the draft Joint Local Plan		JC 20 Feb 17	No	Graham Winwright gwinwright@chiltern.gov.uk graham.winwright@southbucks.gov.uk

REPORT SUBJECT:	<i>Chiltern District Council Performance Report Q1 2017-18</i>
REPORT OF:	<i>Leader of the Council – Councillor Isobel Darby</i>
RESPONSIBLE OFFICER	<i>Chief Executive – Bob Smith</i>
REPORT AUTHOR	<i>Rachel Prance (01494 732 903), Ani Sultan (01494 586 800)</i>
WARD(S) AFFECTED	<i>Report applies to whole district</i>

1. Purpose of Report

This report outlines the annual performance of Council services against pre-agreed performance indicators and service objectives for Quarter 1 of 2017-18.

RECOMMENDATION

Cabinet is asked to note the performance reports.

2. Executive Summary

Overview of **Quarter 1 2017-18** performance indicators (PIs) against targets across the Council:

Portfolio	No of PIs	PI on target •	PI slightly below target •	PI off target •	Unknown / Data only ?	Not reported this quarter/not used
Leader	5	2	0	2	1	0
Community, health & housing	13	5	1	2	2	3
Sustainable development	16	16	0	0	0	0
Environment	4	1	0	1	0	2
Support services	5	2	1	0	0	2
Customer services	5	4	0	0	0	1
Total PIs	48	30	2	5	3	8

3. Reasons for Recommendations

3.1 This report details factual performance against pre-agreed targets.

3.2 Management Team, Cabinet, Resources Overview & Services Overview Committees receive regular updates detailing progress towards service plan objectives, performance targets and strategic risks, in line with our Performance and Improvement Framework.

3.3 Two detailed performance tables accompany this report:

- **Appendix A – Priority PIs Quarter 1 2017-18**
- **Appendix B – Corporate PIs Quarter 1 2017-18**

4. Key points to note:

4.1 Of the three unknown PIs: two are provided for information only (both within the Community, Health and Housing Portfolio, are yet to be reported as data is required from third parties), and one PI is currently not in use, pending a target to be set.

4.2 Of the five off-target PIs, three were priority PIs:

4.2.1 **Leaders:** The PI relating to long term sickness absence was over the target of 5, at 5.72. All long-term absence (comprised of 9 employees) is being managed by Personnel, alongside occupational health.

- 4.2.2 **Community Health and Housing:** the Priority PI below target relates to the number of applicants with/expecting children who have been in B & B accommodation for longer than 6 weeks, target of 0, with an actual of 1. This is due to previous rent arrears of the applicant restricting the options for the Council to move onto alternative housing. A nomination for a move to an alternative social housing tenancy is currently pending.
- 4.2.3 **Sustainable Development:** The priority PIs are on target for this portfolio, with performance above the target set.
- 4.2.4 **Environment:** Although provisional, following revision of target for 2017/18 due to national decrease in the percentage of household waste sent for reuse, recycling and composting (cumulative), this PI is now above target. In terms of Corporate PIs, CdWR4 - Household refuse collections, number of containers missed per month – missed the target of 1,733, at 3,224 for the month of June alone. Issues through June with Serco staffing, long-term sickness and extreme temperatures caused delays to rounds, with some remaining incomplete until the following day. The Contract manager has attended a partnership meeting with Serco, who have put forward an action plan to remedy any failings, and since this time (21/07/2017) the situation has improved. Additionally, following national decrease in Percentage of household waste sent for reuse, recycling and composting (cumulative), the reduction in target for CdWR3 to 53% means that the target has been exceeded for Quarter 1.
- 4.2.5 **Customer Services:** All PIs remain on target.
- 4.2.6 **Support Services:** all PIs in this portfolio are above target, excepting the Corporate PI JtBS2, percentage of calls to ICT helpdesk resolves within agreed timescales (by period), which is slightly under the target of 95% at 92.60%, but up from quarter 4 2016-17 (88.5%).

5. Consultation

Not applicable.

6. Options

Not applicable.

7. Corporate Implications

7.1 Financial - Performance Management assists in identifying value for money.

7.2 Legal – None specific to this report.

7.3 Crime and Disorder, Environmental Issues, ICT, Partnership, Procurement, Social Inclusion, Sustainability – reports on aspects of performance in these areas.

8. Links to Council Policy Objectives

Performance management helps to ensure that performance targets set through the service planning process are met, and that any dips in performance are identified and resolved in a timely manner.

This report links to all three of the Council's objectives, listed below:

Objective 1 - Efficient and effective customer focused services

Objective 2 - Safe, healthy and cohesive communities

Objective 3 - Conserve the environment and promote sustainability

9. Next Step

Once approved, this report and appendices will be published on the website.

Background Papers:	N/A
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Appendix A - Priority PIs 2017-18 - CDC

Code	Title	2016/17 Target	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18	Traffic Light	Target 2017/18 (YTD)	Latest Note
Leader's																	
JtHR1	Working days lost due to sickness absence	12	8.1	9.66	9.8										<input checked="" type="checkbox"/>	10	<p>These figures are taken from iTrent, which holds absence data. Absence figures are now reported on as joint figures rather than split between Councils.</p> <p>268 working days lost for June + 502 working days lost for April + May = 770 days.</p> <p>$770 / 314.78$ (average FTE figure) = $2.45 / 3 \times 12 = 9.80$ average working days lost to sickness absence (cumulative).</p>
JtHR14	Working days lost due to short term sickness absence (upto 20 working days)	New PI	5.11	4.62	4.08										<input checked="" type="checkbox"/>	5	<p>These figures are taken from iTrent, which holds absence data. Absence figures are now reported on as joint figures rather than split between Councils.</p> <p>79 working days lost for June + 241 working days lost for April + May = 320 days.</p> <p>$320 / 314.78$ (average FTE figure) = $1.02 / 3 \times 12 = 4.08$ average working days lost to short term sickness absence (cumulative).</p>
JtHR15	Working days lost due to long term sickness absence (more than 20 working days)	New PI	3	5.04	5.72										<input type="checkbox"/>	5	<p>These figures are taken from iTrent, which holds absence data. Absence figures are now reported on as joint figures rather than split between Councils.</p> <p>These figures relate to 9 employees.</p> <p>189 working days lost for June + 261 working days lost for April + May = 450 days.</p> <p>$450 / 314.78$ (average FTE figure) = $1.43 / 3 \times 12 = 5.72$ average working days lost to long term sickness absence (cumulative).</p>
Community, Health and Housing																	
CdCmSf1	Percentage reduction in burglaries from dwellings year on year for Chiltern (quarterly)	Data Only													n/a	Data Only	Figures currently unavailable as waiting for third party data

Code	Title	2016/17 Target	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18	Traffic Light	Target 2017/18 (YTD)	Latest Note
CdHS1	Number of applicants with/expecting children who have been in B & B accommodation for longer than 6 weeks (snapshot figure at end of month)	0	2	2	1											0	One household where history of previous rent arrears has restricted the options for the Council to move on to alternative housing. Nomination for a move to an alternative social housing tenancy is currently pending.
CdHS8	Number of households living in temporary accommodation (snapshot at the end of the month)	34	27	32	35											38	On target
Sustainable Development																	
CdSD10	Processing of planning applications: minor applications processed within 8 weeks (cumulative)	75.00%	93.75%	96.83%	88.17%											75.00%	82 of 93 minor planning applications determined within target cumulatively. 21 of 29 minor planning applications determined within target for this month.
CdSD11	Other planning applications decision performance - within 8 weeks or other agreed period (cumulative monthly)	90.00%	96.08%	95.48%	95.95%											85.00%	308 of 321 other planning applications determined within target cumulatively. 118 of 122 other planning applications determined within target for this month.
CdSD37	2018 Majors speed of planning decisions – special measures 2 year assessment period ending Sep 17 (cumulative, monthly)	60.00%	91.67%	92.31%	90.00%											60.00%	27 of 30 major cases determined within target Note: The Government annually assesses Council's, for special measures designation This assessment relates to the SPEED of decision making on major applications The period assessed is a 2 year period leading up to the end of Sep. This indicator is assessed on a monthly basis moving towards this end date Oct 2015 to Sep 2017 is the current assessment period The current threshold is more than 60% to be determined within the statutory 13 week period or alternative time period agreed with the applicant.

Code	Title	2016/17 Target	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18	Traffic Light	Target 2017/18 (YTD)	Latest Note
CdSD38	2018 Non-Majors speed of planning decisions – special measures 2 year assessment ending September 2017 (cumulative, monthly)	70.00%	91.98%	92.18%	92.18%										<input checked="" type="checkbox"/>	70.00%	<p>2568 of 2786 Non major cases determined within target</p> <p>Note: The Government annually assesses Council's, for special measures designation This assessment relates to the SPEED of decision making on non major applications The period assessed is a 2 year period leading up to the end of Sep. This indicator is assessed on a monthly basis moving towards this end date Oct 2015 to Sep 2017 is the current assessment period The current threshold is 70% or more to be determined within the statutory 13 week period or alternative time period agreed with the applicant.</p>
CdSD39	2018 Majors quality of planning decisions – special measures 2 year and 9 month assessment period ending December 2017 (cumulative, monthly)	9.99%	3.85%	3.85%	3.85%										<input checked="" type="checkbox"/>	9.99%	<p>1 of 26 major cases determined, allowed or part allowed on appeal</p> <p>Note: The Government annually assesses Council's, for special measures designation This assessment relates to the QUALITY of decision making on major applications The period assessed is the 2 years and 9 month period leading up to the end of December This allows a 9 month period for appeals to be decided on cases decided 2 years before this This indicator is assessed on a monthly basis moving towards this end date Apr 2015 to Dec 2017 is the assessment period is for appeals determined Apr 2015 to Mar 2017 is the period for decisions on major applications determined The current threshold is less than 10% of major application appeals against refusal to be overturned at appeal</p>

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Appendix A

Code	Title	2016/17 Target	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18	Traffic Light	Target 2017/18 (YTD)	Latest Note
CdSD40	2018 Non-Majors quality of planning decisions – special measures 2 year and 9 month assessment period ending December 2017 (cumulative, monthly)	9.99%	1.48%	1.57%	1.64%										<input checked="" type="checkbox"/>	9.99%	52 of 3175 Non Major cases determined, allowed or part allowed on appeal Note: The Government annually assesses Council's, for special measures designation This assessment relates to the QUALITY of decision making on Non Major applications The period assessed is the 2 years and 9 month period leading up to the end of December This allows a 9 month period for appeals to be decided on cases decided 2 years before this This indicator is assessed on a monthly basis moving towards this end date Apr 2015 to Dec 2017 is the assessment period is for appeals determined Apr 2015 to Mar 2017 is the period for decisions on major applications determined The current threshold is less than 10% of major application appeals against refusal to be overturned at appeal
Environment																	
CdWR3	Percentage of household waste sent for reuse, recycling and composting (cumulative)	58.00%			54.19%										<input checked="" type="checkbox"/>	53.00%	Figure is provisional as awaiting data from 3rd parties.
Customer Services																	
CdRB1	Speed of processing - new HB/CTB claims (cumulative)	18	19.15	18.13	14.67										<input checked="" type="checkbox"/>	18	On target
CdRB2	Speed of processing - changes of circumstances for HB/CTB claims (cumulative)	5	4.76	3.42	4.34										<input checked="" type="checkbox"/>	5	On target
CdRB3	% of Council Tax collected (cumulative)	99.00%	5.44%	15.46%	25.15%										<input checked="" type="checkbox"/>	99.00%	On target
CdRB4	Percentage of Non-domestic Rates Collected (cumulative)	98.00%	9.72%	19.74%	29.63%										<input checked="" type="checkbox"/>	98.00%	On target

Appendix B - CDC Quarterly Corporate Performance Indicator Report - Q1 2017-18

Note: Excludes Priority Performance Indicators - see Appendix A

PI code	Name	2016/17 Target	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18	Traffic Light	Target 2017/18 (YTD)	Latest notes
Leader's portfolio																	
CdCP1 (C)	Number of unique visitors to the main website (by period)	data only	33693	37673	49375										n/a	data only	Data only.
CdHR2 (C)	Voluntary leavers as a % of workforce (extrapolated for the year)	16%			35.20%											16%	19 leavers during quarter 1 / average headcount of 216. Extrapolated, this equals 76 for the full year, 35.19% We expect the leavers figures to reduce as we are no longer moving employees between councils.
Community, health and housing																	
CdCL1 (C)	Customer satisfaction rating at the Chiltern leisure facilities	65.00%	annual PI											●	65.00%	Annual PI	
CdCL2 (C)	Total participation in physical activities delivered through the GLL community engagement plan (by period)	6,600			6,871											15,000	On target
CdCL3 (C)	Total number of users at all leisure centres (by period)	900,000			230,658											900,000	On target
CdCmSf2 (C)	Percentage reduction in violent offences against a person, rolling year on year	data only													n/a	data only	Awaiting third party data.
CdHS2 (C)	Number of affordable homes delivered by (i) new build (ii) vacancies generated by local authority scheme (iii) acquisition of existing properties for social housing (cumulative)	33			0											33	Although there have been no affordable homes delivered in Quarter one, the team are working - as always - to identify any opportunities to deliver affordable housing.
CdHS3i (C)	Average Length of stay in B & B temporary accommodation for all households (snapshot at end of quarter)	10			7											12	On target
CdHS4 (C)	Number of private sector dwellings vacant for more than 6 months and returned to occupation following local authority intervention	40	annual PI											●	28	Annual PI	

PI code	Name	2016/17 Target	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18	Traffic Light	Target 2017/18 (YTD)	Latest notes
CdEH2 (C)	Percentage of food premises (risk rating A to C) that are broadly compliant (snapshot quarterly)	96%			85.64%											93%	The percentage of food businesses broadly compliant of risk rating A-C is a snapshot in time. Over time, some businesses will improve whilst others may decline; the intention is always to improve business ratings. However, sometimes there are those businesses that either can't or won't improve and there is little we can do to improve the rating other than to take enforcement action. The figure also includes new businesses which have not had a previous intervention and so would not have benefitted from officer advice or guidance. This is being addressed as part of service improvement.
JtLI3 (C)	Percentage of customers satisfied with the licensing service received (annual)	89%	annual PI												89%	Annual PI	
JtLI5 (C)	Percentages of licences received and issued/renewed within statutory or policy deadlines (cumulative)	97%			99.60%											97%	On target
Sustainable development																	
JtBC1 (C)	Applications checked within 10 working days (cumulative)	92%	100%	99.20%	94.60%											92%	On target
JtBC4 (C)	Customer satisfaction with the building control service (cumulative)	92%	87.50%	84.60%	92.90%											92%	On target
CdSD7 (C)	Percentage of planning applicants who are satisfied or very satisfied with the planning service (cumulative)	80%			86.30%											80%	On target

PI code	Name	2016/17 Target	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18	Traffic Light	Target 2017/18 (YTD)	Latest notes
CdSD8 (C)	Planning appeals allowed (cumulative)	35%			22.73%										<input checked="" type="checkbox"/>	35%	31 of 64 appeals decided, allowed or part allowed Note: How this indicator is calculated has been revised. The new criteria includes, all appeal types. Appeals against . Refusal of planning permission, . Imposition of conditions . Non-determination . Enforcement notices All applications that have development types that are reported to the Government on the PS2 return and PS1, questions 6 and 7 and all appeals against enforcement
CdSD12 (C)	Percentage of new enforcement cases where an initial site visit for an urgent priority case is undertaken within the timescale set out in the Enforcement Policy (cumulative)	100%	100%	100%	100%										<input checked="" type="checkbox"/>	100%	On target
CdSD32 (C)	% of new enforcement cases where an initial site visit for a high priority case is undertaken within the timescale set out in the Enforcement Policy (Cumulative, monthly)	100%	100%	100%	100%										<input checked="" type="checkbox"/>	100%	On target
CdSD41 (C)	2019 Majors speed of planning decisions - special measures 2 year assessment period ending Sep 2018 (cumulative monthly)	60%													<input checked="" type="checkbox"/>	60%	On target
CdSD42 (C)	2019 Non-Majors speed of planning decisions - special measures 2 year assessment period ending Sep 2018 (cumulative monthly)	70%	90.91%	92.31%	88.24%										<input checked="" type="checkbox"/>	70%	On target
CdSD43 (C)	2019 Majors quality of planning decisions - special measures 2 year & 9 month assessment period ending Dec 2018 (cumulative monthly)	9.99%	0.00%	0.00%	0.00%										<input checked="" type="checkbox"/>	9.99%	On target

PI code	Name	2016/17 Target	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18	Traffic Light	Target 2017/18 (YTD)	Latest notes
CdSD44 (C)	2019 Non-Majors quality of planning decisions - special measures 2 year & 9 month assessment period ending Dec 2018 (cumulative monthly)	9.99%	1.19%	1.27%	1.27%										<input checked="" type="checkbox"/>	9.99%	On target
Environment																	
CdSE1 (C)	Cumulative CO2 reduction from local authority operations from base year of 2008/09	11.70%	annual PI											●	12.00%	Reported annually. Cumulative Figure against baseline	
CdWR1 (C)	Waste customer satisfaction survey	86%	6 monthly					6 monthly					●	86%	Reported 6 monthly. This is for both Chiltern and Wycombe. This measures waste collection as well as street cleansing.		
CdWR4 (C)	Household refuse collections, number of containers missed per month (calculated by P&C team on wkly basis)	1733	1,274	1,486	3,224										<input checked="" type="checkbox"/>	1733	Issues throughout June with Serco staffing, long term staff sickness and extreme temperatures causing delays to collection rounds. Many round were incomplete each day and needed completing the following day.
Support services																	
JtLD1 (C)	Client satisfaction with the shared service. Percentage satisfied or very satisfied.	96%	6 monthly					6 monthly					●	98%	Reported 6 monthly.		
JtBS1 (C)	Availability of ICT systems to staff from 8am to 6pm (by period)	99.50%			99.95%										<input checked="" type="checkbox"/>	99.50%	On target
JtBS2 (C)	Percentage of calls to ICT helpdesk resolved within agreed timescales (by period)	95%			92.60%										<input type="checkbox"/>	95%	Although slightly off-target, JtBS2 has increased from quarter 4 2016-17 from 88.5% to 92.6%
CdBS3 (C)	Percentage of responses to FOI requests sent within 20 working days (by month)	90%	96.00%	100.00%	100.00%										<input checked="" type="checkbox"/>	90%	This PI is always reported approx 2 months in arrears as the figures are not available until then.
CdLD2 (C)	The percentage response to the annual canvass	94%	annual PI											●	94%	Reported annually.	
Customer services																	
CdCS1 (C)	New measure for complaints - t.b.a.	t.b.a.													n/a	t.b.a.	New PI for when the joint customer services team is implemented.

SUBJECT:	<i>Treasury Management – Quarterly Report Quarter 1 2017/18</i>
REPORT OF:	<i>Jim Burness, Director of Resources</i>
RESPONSIBLE OFFICER	<i>Helen O’Keeffe, Principal Accountant</i>
REPORT AUTHOR	<i>Helen O’Keeffe, hokeeffe@chiltern.gov.uk 01494 732781</i>
WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

- 1.1 To report on the Treasury Management operation of the Council for April – June 2017.

RECOMMENDATION

The Cabinet is requested to note the Treasury Management performance for Quarter 1 2017/18.

2. Background

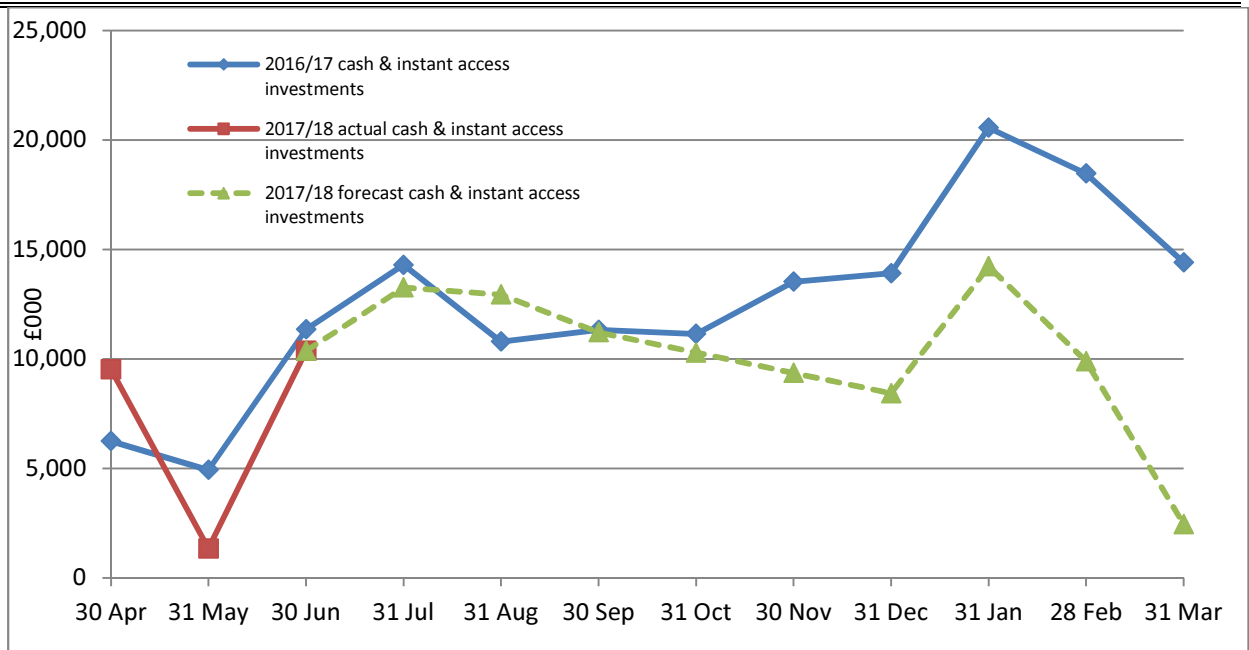
- 2.1 The Council is required to comply with the CIPFA Code of Practice on Treasury Management. The primary requirements of the code are:
- (i) Creation and maintenance of a Treasury Management Policy Statement, which sets out the policies, and objectives of the Council’s treasury management activities.
 - (ii) Creation and maintenance of Treasury Management Practices, which set out the manner in which the Council will achieve those policies and objectives.
 - (iii) Receipt by the Cabinet and Council of an annual strategy report for the year ahead and an annual review report of the previous year.
 - (iv) The delegation by the Council of responsibilities for implementing and monitoring treasury management policies and practices and for the execution and administration of treasury management decisions.

3. Quarterly Report on Treasury Management Quarter to June 2017

- 3.1 In the period to June 17 the Council was a debt free authority therefore the treasury management activities of the Council were exclusively concerned with the investment of its reserves.
- 3.2 The base rate was decreased from 0.5% to 0.25% in August 2016, with the rate having remained at 0.5% since March 2009. The base rate remained at 0.25% throughout the quarter.
- 3.3 The total of loans outstanding at the end of the quarter was £9,000,000 detailed in the table below.

UK Institutions	Fitch Credit Rating	Principal £	Interest Rate	Invested	Matures	Length in days
Lloyds Banking Group	A+					
Fixed Deposit		1,000,000	1.00%	04/11/16	06/11/17	367
Fixed Deposit		1,000,000	1.05%	27/07/16	27/07/17	365
Nationwide Building Society	A+					
Fixed Deposit		1,000,000	0.63%	04/10/16	04/10/17	365
Santander	A					
Fixed Deposit		2,000,000	0.85%	09/03/17	09/03/18	365
Fixed Deposit		1,000,000	0.85%	15/05/17	15/05/18	365
Fixed Deposit		1,000,000	0.70%	19/05/17	20/11/17	185
Close Brothers	A					
Fixed Deposit		1,000,000	1.60%	13/10/15	13/10/17	731
Fixed Deposit		1,000,000	1.00%	31/08/16	28/02/18	546
Total Deposits		9,000,000				

- 3.4 The weighted average interest rate earned on fixed rate investments in the quarter was 1%. By way of comparison the weighted average interest rate earned in the quarter for South Bucks District Council was 0.63%. As at the end of June, £10.37m was held in instant access funds for everyday cashflow purposes compared to £4.41m at the end of March.
- 3.5 The following graph shows how the level of cash and instant access investments fluctuated in 2016/17, and the forecast levels of cash and instant access investments in 2017/18. The purpose of the graph is to illustrate that we always have a sufficient level of cash reserves to meet our immediate short term cash requirements.



3.6 Capita Asset Services Treasury is engaged by the Council as its Treasury Management consultants providing advice on investment, performance and regulations where necessary.

4. The Prudential Capital Code – Prudential Indicators

4.1 In accordance with the Prudential Capital Code the Council reviews its Prudential Indicators on a quarterly basis. Prudential Indicators are reviewed annually as part of the Treasury Management Strategy review. Movements in the Prudential Indicators for the year 2017/18 to date are as follows:

4.2 Interest rate exposures

The interest rate exposure on investments has moved as follows:

Date	Investments as a % of total	
	Fixed	Variable
31/03/17	52%	48%
30/06/17	100%	0%

This Prudential Indicator sets an upper limit on fixed interest rate exposures of 100% and variable interest rate exposures of 70% of net outstanding principal sums.

4.3 Principal sums invested for periods longer than 364 days.

The upper limit for sums invested for periods longer than 364 days is £10m. As at the end of June the figures are as follows:

Date	Total investments	Sums invested for greater than 364 days	% of total investments
31/03/17	£21m	£10m	48%
30/06/17	£9m	£8m	89%

Of the £8m invested for greater than 364 days, £6m of this is for 5 loans with durations of 365 or 367 days. The time periods over which sums have been invested reflect the current level of rates that do not incentivise long term cash investments.

- 4.4 Fixed term and money market fund investments have decreased from £21m to £9m between March and June. Precept payments due at the beginning of July meant that there was a larger than usual balance held in cash and therefore no short term monies held in money market fund investments at the end of June.

5 Corporate Implications

- 5.1 The budgeted income from investments for 2017/18 has been set at £100,000. Interest earned in the year to June is £31k.

Background Papers:	None
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SUBJECT:	<i>Creation of a Community Interest Company for Chesham</i>
REPORT OF:	<i>Portfolio Holder for Sustainable Development – Cllr Peter Martin</i>
RESPONSIBLE OFFICER	<i>Steve Bambrick - Director of Services</i>
REPORT AUTHOR	<i>Steve Bambrick – 01494 732235 – Sbambrick@chiltern.gov.uk</i>
WARD/S AFFECTED	<i>All Chesham wards</i>

1. Purpose of Report

To consider an invitation to become a Member Organisation of a new Community Interest Company (CIC) being established by the Chesham Society, Chiltern Chamber of Commerce and others.

RECOMMENDATIONS

1. That, subject to the Director of Services being satisfied that membership of the CIC would not expose the Council to conflicts of interests with its own policies and wider partnership working, the Council is recommended to accept the invitation to become a Member Organisation of the Chesham Renaissance Community Interest Company (CIC).
2. That an authorised representative is appointed to represent the Council on the CIC.

2. Reasons for Recommendations

The caveat suggested in the recommendation is intended to reduce as far as possible the risk of potential conflicts of interest between the overall aims of the Council and those of the CIC.

3. Content of Report

- 3.1.** A CIC in Chesham has been formed by members of the Chesham Society supported by the Chiltern Chamber of Commerce and others, with the intention of progressing the Society's Vision for Chesham.
- 3.2.** A letter has been received from the Chairman of the Board of Directors inviting the Council to become a Member Organisation of the CIC and appoint an Authorised Representative.
- 3.3.** A CIC is a legal structure designed specifically for social enterprises which exist to benefit a defined community. It is based on the standard company structure and can therefore be limited by shares or by guarantee. The majority of community interest companies are private companies limited by guarantee and this is the model that has been adopted by the CIC.
- 3.4.** A CIC is required by law to have provisions in its articles of association to enshrine its social purpose. A CIC must serve a community interest and be able to report on how it is serving this interest each year. It has a statutory asset lock which restricts the transfer of assets out of the CIC, ultimately to ensure that they continue to be used for the benefit of the community. In most respects a CIC operates in the same way as any other company. It has all the well understood characteristics of a limited company such as a separate legal identity; the ability to enter into contracts and own assets in its own name and flexibility in borrowing and fund raising. The directors can be paid or unpaid and have the same rights and duties as any other directors. The members of a CIC have the same governance and

decision-making role as in any other company, but they (and the directors) are under a stronger obligation to have regard to the wider community which the company serves and involve stakeholders in its activities than might otherwise be the case. A CIC structure provides a clear signal to investors that the enterprise operates for the benefit of the community, and that this social purpose is protected by proportionate regulation.

3.5. An extract from the CIC's Articles of Association is included as **Appendix A**.

3.6. The board has identified two phases of work. The establishment phase includes preparation of the Master Plan, assessment for a core group of development sites and associated infrastructure and setup costs (legal, accommodation, website etc.) A second phase of work, which includes assessment of other currently identified development sites with associated costs, will incur additional costs. It is intended that the second phase will follow soon after the initial one. Concerning sources of funds, the society submitted an Expression of Interest for the Buckinghamshire Local Growth Fund in mid-2016 and indicated that they will be pursuing this further. They also intend speaking to potential local investors in the business community, together with exploring other sources of funding. This has been held back until they have an entity established that can hold investors funds.

3.7. The Council will clearly wish to be:

3.7.1.satisfied with the proposed governance arrangements;

3.7.2.clear about any risks and potential liabilities/conflicts of interest either as a land/asset owner or as Local Planning Authority that may arise for CDC;

3.7.3.clear about the source of funds available to the company on set up and the intended way forward in terms of future funding;

3.7.4.clear on what financial (or other resource) commitment arising from Council membership of the CIC would entail;

3.7.5.content that the Master Plan, as and when developed, is broadly aligned with the strategic priorities of the Council especially with regard to planning, including Green Belt, economic development and housing;

3.7.6.satisfied that with regard to Council assets and their future potential development, the CIC would be a potential vehicle, but not one the Council would be obligated to use; and

3.7.7.satisfied as to the added value a CIC would bring in ensuring delivery of Master Plan objectives.

3.8. The expected 'status' of the CIC and Master Plan and its relationship with the Local Plan has been clarified with the CIC. It will not be possible to incorporate the Master Plan into the Local Plan or adopt it as a supplementary planning document, although progressing its aims within the Neighbourhood Plan framework by the Town Council may be an appropriate process to achieve the formal status sought. Depending on timing, the Masterplan will be a useful part of the evidence base for the Local Plan

3.9. Any development proposed by the CIC would be expected to comply with all of the Council's adopted policies, particularly with regard to parking provision, to ensure that current and future demand is met.

4. Options

4.1. Subject to the proviso set out in the recommendations, accept the invitation to become a Member Organisation of the CIC and appoint a Member to be the Council's authorised representative;

4.2. Defer a response to the invitation and review the position once there is more clarity, particularly with regard to the Master Plan.

5. Corporate Implications

- 5.1.** Financial – as a member of the CIC the Council's liability is limited to £1 in the event of the CIC being wound up. Decisions as to any transfer of assets or funding that may, in future, be provided to the CIC would be the subject of a separate report and considered on a case by case basis.
- 5.2.** Legal – the Council has the legal power to become a member of the CIC by virtue of the general power of competence. As a member, there would normally be no risk of a conflict of interest arising in relation to that member's role as a member of the Council. Members of the CIC would only have a vote at a General Meeting or in the unlikely circumstance of a special resolution being proposed in respect of requiring the directors to take or refrain from particular action. A potential conflict may arise where the Council is considering a planning application from the CIC or a funding application, but the interest of the Council's representative will normally only be a personal interest. The risk of potential conflicts of interests is increased should the CIC adopt and promote policies that are inconsistent with the adopted plans and policies of the Council and there could be a reputational risk if the Council was considered to be associated with and/or supporting such policies through its membership of the CIC.

6. Links to Council Policy Objectives

The proposal to become a Member Organisation of and support the activities of the Chesham CIC will contribute towards the achievement of the following Corporate Objectives:

2. Working towards safe and healthier local communities
3. Striving to conserve the environment and promote sustainability.

8. Next Step

Subject to the approval of full Council and the satisfaction of the caveat in Recommendation 1, the CIC's invitation to become a member of the CIC will be formally accepted and a representative will be appointed.

Background Papers:	Letter from Chesham Community Interest Company dated 17 March 2017 and other documents referred to in the report.
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APPENDIX A**The Objects of the CCIC as set out in their Articles of Association are:**

To carry on activities which benefit the community and in particular (without limitation) to:

a) deliver a programme of residential and commercial development inspired by the Chesham Society's 'Vision of Chesham' which is that:

- Chesham will be an attractive gateway to the Chilterns celebrating its river, parks and valley setting, maintaining its close physical links with the Chilterns Area of Outstanding Natural Beauty and Green Belt;
- the centre will be home to a substantial increase in a sustainable range of housing and the educational, commercial and retail functions to support the increased number of residents. Infrastructure provision and the public domain more generally will have advanced alongside this growth;
- the physical working and living environment will have changed to become a significant outwardly focused town resulting in substantial inward investment of capital and revenue;
- Chesham will become a town of substance and leading in sustainable innovative design and planning and considered as an exemplar in making better use of public and private assets;
- it will have built commercial success by developing its gateway position as a leisure and tourist centre;
- it will attract mature organisations and start-ups and become a centre for a contemporary approach to the arts, film and other creative and related industries that utilise new and developing technologies, and have a thriving leisure and tourist economy;
- it will be welcoming to those who wish to use the town as a base for working in London and the surrounding area; and
- it will maintain its close physical links with the Chilterns area of Outstanding Natural Beauty and the land designated as Green Belt.

b) carry on the following activities and in particular (without limitation) to:

- commission the development of a Master Plan for Chesham the object of which is to identify land to accommodate more residential accommodation in and adjacent to the town centre and identify the need for commercial accommodation to be located, relocated or to expand away from the town centre and identify land for that purpose;
- commission an inventory of land tenure;
- commission a review of the infrastructure *ante*, during and *post* the implementation of the Master Plan;
- consider the commercial viability of all elements of the Master Plan, the programme as a whole and the individual projects within it;

- consider the individual projects resulting from this as part of an overall programme of activities and the relative sequence of implementation;
- adopt a design policy and design principles and a construction code of practice;
- secure public and private sector investment and commitment to developing the residential, public realm, transport infrastructure and commercial development;
- initiate and monitor the procurement of supply arrangements for the programme of works as required;
- monitor the long term implementation of the Master Plan, and if necessary procuring and overseeing supply contracts for individual projects within the programme;
- form meaningful relationships with public and private stakeholders; and
- ensure the application of the asset lock principle

DRAFT

SUBJECT:	<i>Discretionary Business Rate Relief – Spring Budget 2017</i>
REPORT OF:	<i>Fred Wilson</i>
RESPONSIBLE OFFICER	<i>Nicola Ellis – Head of Customer Services</i>
REPORT AUTHOR	<i>Neil Berry – Service Development Manager</i>
WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

To agree a proposed scheme for awarding Discretionary Business Rate Relief following announcement of central government funding in the Spring 2017 budget.

RECOMMENDATIONS

1. The discretionary scheme set out in Appendix A is agreed.
2. Authority to be delegated to the Head of Customer Services in consultation with the relevant portfolio holder to agree the final % award for the financial years 2017/18 and 2018/19, and future changes having regard to Government guidance, the Council's financial position and other such considerations as they may think fit.
3. Authority for all awards made in accordance with para 4.2 a) of this report be delegated to the Head of Customer Services. All awards under para 4.2b) will be made in accordance the Council's existing Discretionary Rate Relief Policy

2. Executive Summary

2.1 The Government announced a new scheme of discretionary relief for businesses in the spring budget. The Department for Communities and Local Government has made it clear that it is for each local authority to design its own scheme.

2.2 A standard scheme throughout Buckinghamshire has been designed, with some flexibility for local variations.

3. Reasons for Recommendations

3.1 Cabinet approval is needed to implement this new scheme that will be of benefit to local businesses

4. Background and Issues

- 4.1 The Discretionary Business Rate Scheme is aimed at supporting those businesses facing a large increase in their business rates as a result of the revaluation which came into effect in April 2017. The Government has allocated funding over the 4 years of the scheme, however believes local authorities are best placed to judge the criteria for relief and the amount awarded. It is suggested that the Chiltern scheme is aimed at supporting local businesses.
- 4.2 A two-pronged approach is recommended to support local businesses for the first two years:
- a) All ratepayers matching agreed criteria (outlined below) to qualify for an award equivalent to a percentage of the increase they have faced (% to be agreed, based on affordability)
 - b) Applications from ratepayers falling outside the criteria to be considered on a case by case basis and assesses on need and local impact.
- 4.3 As Central Government funding in years 3 and 4 is significantly less than earlier years it is difficult to imagine meaningful awards being applied to a wide group of ratepayers. In view of this, a case by case approach is recommended with special consideration being given to the benefits to the district.
- 4.4 A summary of the suggested eligibility criteria is set out below:
- a) Relief is aimed at local businesses
 - b) The business must see an increase in business rates between 2016 and 2017 as a result of the revaluation. This increase must be a minimum of £500 per annum
 - c) Awards will be made as a percentage of the increase in rates
 - d) The scheme will normally apply to businesses with a rateable value below £200,000
 - e) Awards in year 2 will be a proportion of year 1 relief
 - f) The following types of occupiers / properties will not qualify for relief:
 - Unoccupied properties
 - Ratepayers who occupy more than 2 properties
 - Government buildings
 - Betting and gambling premises
 - Financial institutions including cash machines / ATMs
 - Pawnbrokers and pay day lenders
 - Sex shops
 - Education establishments
 - NHS premises
 - Premises occupied by a precepting authority (legislative restriction)
 - Ratepayers already in receipt of mandatory / discretionary relief
- 4.5 The full scheme for approval is set out in Appendix A

5. Consultation

5.1 There is a requirement to consult with the County Council and major preceptors on the proposed scheme and their support has been confirmed through the Bucks Finance Officers Group.

6. Corporate Implications

6.1 Financial – Each local authority already currently administers discretionary relief under section 47 of the Local Government Finance Act 1988. Authorities will be provided with specific funds to support businesses in their area for this new scheme.

6.2 The funding allocation announced by central government for Chiltern is as follows, and shows a significant tapering of funding especially in years 3 & 4.

2017/18	2018/19	2019/20	2020/21
£196,000	£95,000	£39,000	£6,000

If Government funding levels are exceeded any over-spending will be funded by 40% CDC, 10% Bucks CC and 50% Central Government.

7. Links to Council Policy Objectives

7.1 The provision of an effective Discretionary Business Rate Relief scheme supports the Councils aim of promoting a thriving economy.

Background Papers:	None
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Policy for the granting of the Discretionary Business Rates Relief

Version Control

<i>Version</i>	<i>Version date</i>	<i>Revised by</i>	<i>Description</i>
1	July 2017	LM	Policy
2	July 2017	LM	Revisions
3	August 2017	DA	Sign off
4	August 2017	LM	Revisions NB

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1.0 Purpose of the Policy

- 1.1 The purpose of this policy is to determine the level of Discretionary Business Rates Relief to be granted to certain defined ratepayers within the Council's area.
- 1.2 The Local Government Finance Act 1988 and subsequent legislation requires the Council to grant discretionary relief for premises occupied by Charities and similar organisations that own or occupy them wholly or mainly for charitable purposes. Likewise, certain premises situated within a rural settlement area will be eligible for relief. Powers have also been granted under the Localism Act 2011, which allow for the granting of discretionary rate relief to any premises where the Council feels the granting of such relief would be of benefit to the local community.
- 1.3 In addition to the above, Central Government is keen that in certain cases, assistance should be provided to businesses who have had increases in their rate liability due to the revaluation of premises in April 2017. In these cases, and where the Council meets Central Government guidelines, grants are available under section 31 of the Local Government Act 2003.
- 1.4 Whilst the Council is obliged to grant relief to premises, which fall within the mandatory category, the Council also has powers to grant discretionary relief and reductions to ratepayers, subject to certain criteria being met.
- 1.5 This document outlines the following areas:
- Details of the criteria for receiving an award under the Discretionary Business Rates Relief Scheme;
 - The Council's general policy for granting of all types of Discretionary Reliefs;
 - Guidance on granting and administering the reliefs;
 - European Union requirements including provisions for State Aid; and
 - The Council's Scheme of Delegation.
- 1.6 This document covers all aspects of the new Discretionary Business Rates Relief scheme which is available from 1st April 2017. Where businesses apply for relief they will be granted (or not granted) relief in line with the following policy.

2.0 Discretionary Relief – Legislative Background

Introduction

- 2.1 The original purpose of discretionary relief was to provide assistance where the property does not qualify for mandatory relief, or to 'top' up cases where ratepayers already receive mandatory relief.
- 2.2 Over recent years, and particularly since 2011, the discretionary relief provisions have been amended to allow authorities the flexibility to provide more assistance to businesses and organisations.
- 2.3 The range of bodies, which are eligible for discretionary rate relief, is wide and has been developed by both the Council and Central Government to address certain issues with business rates.
- 2.4 Unlike mandatory relief, ratepayers are obliged to make a written application to the Council. The Council will expect all businesses to make applications in such a format as is required (which may vary from time to time) and for the business to provide such information, evidence, certificates etc. as required in order to determine whether relief should be awarded.
- 2.5 The Council is obliged to consider carefully every application on its merits, taking into account the contribution that the organisation makes to the amenities within the authority's area. There is no statutory appeal process or Tribunal against any decision made by the Council, although as with any decision of a public authority, decisions can be reviewed by Judicial Review. The authority will however, upon request, review decisions made. Details of the internal review process are given within this policy.
- 2.6 The granting of discretionary relief falls broadly into the following categories:
- a. Discretionary Relief – Charities who already receive mandatory relief;
 - b. Discretionary Relief – Premises occupied by organisations not established or conducted for profit whose main objects are charitable or are otherwise philanthropic or religious or concerned with education, social welfare, science, literature or the fine arts or premises occupied by organisations not established or conducted for profit and wholly or mainly used for purposes recreation;
 - c. Discretionary Relief – Granted under the Localism Act 2011 provisions;
 - d. Local Newspaper Relief (from 1st April 2017 for a period of two years);
 - e. Local Public House Relief (from April 2017 for a one year period);
 - f. Supporting Small Businesses Relief (from 1st April 2017 for a period of five years or until business pay their full rate charge or their transitional rate charge (calculated in accordance with the Non-Domestic Rating (Chargeable Amounts) (England) Regulations 2016); and
 - g. Discretionary Business Rates Relief Scheme (from 1st April 2017 for a period of up to four years).
- 2.7 This policy document purely covers the granting of awards under the Discretionary Business Rates Relief Scheme (g. above) which covers a period from 1st April 2017 for up to four years. The decision to grant or not to grant discretionary relief is a matter purely for the Council.

The Council's general approach to granting Discretionary Relief

- 2.8 In deciding which organisations should receive discretionary rate relief, the Council has considered the following factors and priorities:
- a. That any award should support business, organisations and groups that help to retain services in the Council's area and not compete directly with existing businesses in an unfair manner;
 - b. It should help and encourage business, organisations, groups and communities to become self-reliant;
 - c. Awarding discretionary relief should not distort competition or significantly change the provision of services within the Council's area;
 - d. Local organisations will be given priority over national organisations. Where requested, the organisation will need to supply the Council with clear evidence of all financial affairs including, and most importantly, the amounts of monies raised, used and invested locally. This will be essential where the organisation is national in nature;
 - e. To enable appropriate organisations to start, develop or continue their activities, which deliver outcomes to the community and that also relate to the priorities of the Council, which, without granting discretionary relief they would be unable to do;
 - f. To assist the Council in delivering services which could not be provided otherwise;
 - g. To assist the Council to meet its core values and priorities; and
 - h. To ensure that the financial impact of awarding discretionary business rate relief is justified in terms of the local outcomes achieved by the organisation receiving it.
- 2.9 Where any reduction or remission is granted to a ratepayer under S49 Local Government Finance Act 1988 where hardship is proven to the Council, then there will be no requirement to grant Discretionary Rate Relief for that amount.
- 2.10 In certain cases, the order in which relief is granted is specified. Mandatory relief shall be granted in all cases where the criteria is met irrespective of whether discretionary relief can be granted or not.

The Council's approach to granting Government led Discretionary Relief schemes

- 2.11 Over the past few years, a number of schemes have been led by Central Government but without specific legislative changes. These are administered under S47 of the Local Government Finance Act 1988 and guidance is often provided. The Council is keen to support such initiatives especially where they are designed to help local businesses and will look to maximise both the reliefs given as well as maximising any grants receivable. However, the Council reserves the right to vary its approach where thought appropriate.
- 2.12 In the case of the Discretionary Business Rate Relief scheme, Central Government is keen that individual Councils develop their own scheme to meet local needs. Government has allocated funds to

the Council using a particular methodology, but it has been keen to point out that this should have **no** bearing on the actual scheme adopted by the Council.

3.0 Effect on the Council's Finances

- 3.1 The granting of discretionary relief will, in the main, potentially involve a cost to the Council. Since the change to the funding for Non-Domestic Rating in April 2013, the effect of the relief is complex.
- 3.2 Any amounts granted prior to 1st April 2013 and continuing since that date will be included in the Council's baseline within the Business Rates Retention Scheme. Any amounts granted for similar cases after 1st April 2013, the costs of the relief will be borne in accordance with the Business Rates Retention Scheme share namely 50% borne by Central Government, 40% by the Council and 10% by Buckinghamshire County Council. This also applies where mandatory relief is granted.
- 3.3 In March 2017, Central Government announced that it would make available a discretionary fund of £300 million over four years from 2017-18 to support those businesses that face the steepest increases in their business rates bills as a result of the revaluation. Government determined that Councils would be best placed to determine how this fund should be targeted and administered to support those businesses and locations within their area that are in the greatest need.
- 3.4 Where Central Government leads an initiative such as the Discretionary Business Rates Relief Scheme, grants are often made available. This is not automatic and Central Government will look to the Council to adopt any recommended criteria when granting in these areas to ensure that any grant is paid
- 3.5 Every authority within England is to be provided with a share of the fund to support their local businesses. This is to be administered through billing authorities' discretionary relief powers under section 47 of the Local Government Act 1988. The full effects of the financial allocation are shown below.
- 3.6 The allocation of monies to authorities and the methodology of the funding award is completely separate to the scheme itself and Government believes that local authorities are best placed to judge the particular circumstances of local ratepayers and direct the funding where it is most needed to support local economies.
- 3.7 The funding is not provided equally over the four-year period but in the following approximate proportions:
- Year 1 (2017/18) 58%
- Year 2 (2018/19) 28%
- Year 3 (2019/20) 12%
- Year 4 (2020/21) 2%
- 3.8 Councils will be compensated for any relief granted under section 31 of the Local Government Act 2003. The Government has decided that the relief cannot be 'vired' from one year to the next.

- 3.9 A key criteria of reimbursement will be that all Billing Authorities will consult with major precepting authorities when formulating their schemes.
- 3.10 The financial effects to the Council of the Discretionary Business Rates Relief Scheme are shown in the following table

Amount of discretionary fund awarded (£000s) - Chiltern District Council			
2017-18	2018-19	2019-20	2020-21
196	95	39	6

- 3.11 The above is to be awarded up to the maximum level set by Central Government. It is possible for the Council to grant more relief than that allocated by grant. However, once the maximum grant level has been reached, any additional amount granted is borne 40% by the Council, 10% by the County Council and 50% by Central Government.

4.0 Discretionary Relief – EU State Aid requirements

- 4.1 European Union competition rules generally prohibit Government subsidies to businesses. Relief from taxes, including non-domestic rates, can constitute state aid. The Council must bear this in mind when granting discretionary rate relief.
- 4.2 Rate relief for charities and non-profit making bodies is not generally considered to be state aid, because the recipients are not in market competition with other businesses. However, where other bodies receive relief and are engaged in commercial activities or if they are displacing an economic operator or if they have a commercial partner, rate relief could constitute state aid.
- 4.3 Relief will be State Aid compliant where it is provided in accordance with the De Minimis Regulations (1407/2013)¹. The De Minimis Regulations allow an undertaking to receive up to €200,000 of De Minimis aid in a three-year period (consisting of the current financial year and the two previous financial years).
- 4.4 Where the relief to any one business is greater than the De Minimis level, then permission will need to be obtained from the European Commission. In such cases the matter will be referred to the Department for Communities and Local Government (DCLG) for advice and then referred back to the Council for consideration. It will be for the ratepayer to provide confirmation as to whether the State Aid provisions apply to them.
- 4.5 In all cases, where discretionary relief is to be granted or where liability is to be reduced, when making an application, ratepayers will be required to provide the Council with sufficient information to determine whether these provisions are applicable in their case.

¹ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ.L.2013.352.0001.0008.EN.PDF>

5.0 Administration of Discretionary Relief – General approach

- 5.1 The following section outlines the procedures followed by officers in granting, amending or cancelling discretionary relief and reduction. This is essentially laid down by legislation²

Applications and Evidence

- 5.2 All reliefs must be applied for. Application forms are produced by the Council both in hard copy and electronic format. The Council will specify how applications are to be received and this may vary from time to time.
- 5.3 Organisations are required to provide a completed application form plus any such evidence, documents, accounts, financial statements etc. necessary to allow the Council to make a decision. Where insufficient information is provided, then no relief will be granted. In some cases, it may be necessary for officers to visit premises and we would expect organisations claiming relief to facilitate this where necessary.
- 5.4 Applications should initially be made to the Revenues and Benefits Service and will be determined in accordance with this policy.
- 5.5 **The Council will provide this service and guidance free of charge. Ratepayers are encouraged to approach the Council direct and not pay for such services through third parties.**

Granting of relief

- 5.6 In all cases, the Council will notify the ratepayer of decisions made.
- 5.7 Where an application is successful, then the following will be notified to them in writing:
- The amount of relief granted and the date from which it has been granted;
 - If relief has been granted for a specified period, the date on which it will end;
 - The new chargeable amount;
 - The details of any planned review dates and the notice that will be given in advance of a change to the level of relief granted; and
 - A requirement that the applicant should notify the Council of any change in circumstances that may affect entitlement to relief.
- 5.8 Where relief is not granted then the following information is provided, again in writing:
- An explanation of the decision within the context of the Council's statutory duty; and
 - An explanation of the appeal rights (see below).

² The Non-Domestic Rating (Discretionary Relief) Regulations 1989

- 5.9 Discretionary relief is to be granted from the beginning of the financial year in which the decision is made. Since 1997 decisions can be made up to 6 months after the end of the financial year for which the application was made. In such cases, the Council may backdate its decision.
- 5.10 A decision to award discretionary relief and how much relief is given is normally only applicable to the financial year for which the application is made. However, the Council reserves the right to grant relief for any other period as appropriate. In relation to the Discretionary Business Rate Relief scheme, awards will, in the main be granted from 1st April 2017.
- 5.11 A fresh application for discretionary relief will be necessary for each financial year or at such time-period as the Council determines.

Variation of a decision

- 5.12 Variations in any decision will be notified to ratepayers as soon as practicable and will take effect as follows:
- Where the amount is to be increased due to a change in rate charge or a change in the Council's decision which increases the award - this will apply from the date determined by the Council as appropriate;
 - Where the amount is to increase for any other reason it will take effect at the expiry of a financial year, and so that at least one year's notice is given;
 - Where the amount is to be reduced due to a reduction in the rate charge or liability including any reduction in rateable value, awarding of another relief or exemption this will apply from the date of the decrease in rate charge; and
 - Where the amount is to be reduced for any other reason, it will take effect at the expiry of a financial year, and so that at least one year's notice is given.
- 5.13 A decision may be revoked at any time however, a one year period of notice will be given and the change will take effect at the expiry of a financial year.

6.0 Scheme of Delegation

Granting, Varying, Reviewing and Revocation of Relief

- 6.1 All powers in relation to reliefs are given under the Local Government Finance Act 1988, the Local Government and Rating Act 1997, the Local Government Act 2003 and the Localism Act 2011. However section 223 of the Local Government Act 1992 allows for delegation of decisions by the Council to Cabinet, Committees, Sub-Committees or Officers.
- 6.2 The Council's scheme of delegation allows for the Head of Customer Services to agree awards of Discretionary Rate Relief up to £2,500 and up to £5,000 in consultation with the relevant portfolio holder. Under this policy, the authority to grant awards of Discretionary Business Rates Relief (except those covered in paragraph 8.6) is delegated to the Head of Customer Services. Awards under paragraph 8.6 will use existing delegations.
- 6.3 Applications that are refused will, on request, be reconsidered if additional supporting information is provided or the refusal is subsequently considered to be based on a misinterpretation of the application.

Reviews

- 6.4 The policy for granting relief will be reviewed annually or sooner where there is a substantial change to the legislation or funding rules. If any significant changes are required to this policy the revised policy will be brought to Cabinet. Minor technical changes are delegated to the Head of Customer Services in consultation with the relevant portfolio holder having regard to Government guidance, the Council's financial position and such other considerations as they may think fit.

Appeals

- 6.5 Where the Council receives an appeal from the ratepayer regarding the granting, non-granting or the amount of any discretionary relief, the case will be reviewed by the Head of Customer Services. Where a decision is revised then the ratepayer shall be informed, likewise if the original decision is upheld.
- 6.6 Where the ratepayer continues to be aggrieved by the decision, the case will be referred to the section 151 Officer for review in conjunction with the relevant portfolio holder as appropriate.
- 6.7 Ultimately the formal appeal process for the ratepayer is Judicial Review although the Council will endeavour to explain any decision fully and openly with the ratepayer.

7.0 Consultation

- 7.1 The Council has consulted with the major preceptors in relation to this scheme and has taken their comments into account when determining the eligibility criteria. This is an essential part of the Discretionary Business Rates Relief Scheme and is in line with the grant determination issued by the Department of Communities and Local Government (DCLG) No.31/3071.
- 7.2 The grant determination states that a condition of the fund is that consultation is undertaken with 'relevant authorities'. Relevant authorities for the purposes of this scheme means:
- a. Any major precepting authority; and
 - b. Any combined authority.
- 7.3 In the case of the Council only the major precepting authorities have been consulted namely:
- a. Buckinghamshire County Council;
 - b. The Thames Valley Police and Crime Commissioner; and
 - c. The Buckinghamshire Fire and Rescue Service.

8.0 Decisions by the Council under this scheme

- 8.1 Decisions by the Council are made directly in line with the Scheme of Delegation as outlined within section 6 of this policy. Any decision to award relief under this scheme will follow the core principles of the Council's discretionary relief policy as defined by section 2.8.
- 8.2 It should be noted that, whilst the funding from Central Government for Discretionary Business Rate Relief Scheme is limited, the decision of the Council whether to award any relief under this scheme **cannot not take account** of the level of any funding.

Discretionary Business Rate Relief Scheme- the Council's policy for granting discretionary relief.

Applications for relief under this scheme

- 8.3 The Council is keen to identify ratepayers who may qualify for the relief and as such, will look to encourage certain ratepayers to apply. The Council will look to simplify the application process wherever possible, but it will expect any ratepayers to provide such information as is required by the Council to support their application.
- 8.4 The Council has decided that relief under the scheme will be awarded using the following criteria:
- a. The scheme is designed **solely** to assist ratepayers who have suffered significant increases in rate liability due to the revaluation and the subsequent increase to their Rateable Value;
 - b. Relief will not be awarded where mandatory relief is granted and in line with legislative requirements, no relief can be granted to any precepting authority (*excepted hereditaments*);
 - c. In assessing any potential entitlement to an award under this scheme, the Council will compare the following:
 - i. The rate liability of the ratepayer at 31st March 2017 for the 2016/17 financial year after any reliefs and reductions; and
 - ii. The rate liability of the ratepayer at 1st April 2017 for the 2017/18 financial year taking into account any transitional relief or discretionary relief granted under any other provision;
 - d. Relief will be awarded where the calculation in c. gives rise to an increase in rates payable of over £500 and where the hereditament has a rateable value at 1st April 2017 of less than £200,000;
 - e. Relief will only be given to premises which are liable for occupied rates. **No relief within this scheme will be granted for unoccupied premises** or where the premises becomes re-occupied;
 - f. Relief will only be granted to ratepayers who were in occupation at 31st March 2017 and in occupation on 1st April 2017. Relief will cease at any point the hereditament becomes unoccupied and will not be re-granted;
 - g. Ratepayers (including previous ratepayers) taking up occupation after the 1st April 2017 will **not** be eligible for relief on the basis that new ratepayers would not have suffered from increases due to a revaluation;

- h. Relief will be targeted to local businesses and not those business that are national or multi-national in nature. Local businesses are, for the purposes of this scheme, those which have premises wholly in the Council's area;
- i. Relief will not be awarded where the ratepayer occupies more than two hereditaments;
- j. Further relief will not be awarded where the hereditament has an increase in Rateable Value after the 1st April 2017 which increases the rate charge above the 1st April 2017 value;
- k. Relief shall not be awarded where the hereditaments are used (either partly or fully) for any of the following:
 - i. Where occupied by a Government Department or agency of a Government Department including the Ministry of Defence; or
 - ii. Where occupied by any utility Company providing any of the following services:
 - Gas;
 - Electricity;
 - Telephone or Telephonic Communication;
 - Television (including Satellite or Cable);
 - Broadband; or
 - Water or Sewerage services; or
 - iii. Where occupied by any financial institution including (but not limited to) banks, building societies, ATMs and Cash points; or
 - iv. Where occupied by any pay day lender, cheque cashing, pawn brokers or business of a similar nature; or
 - v. Where occupied by any business promoting or undertaking gambling, betting or similar (excluding the sale of National Lottery or Local Lottery tickets at the discretion of the Council); or
 - vi. Where occupied by any business or ratepayer as a sex shop, sex cinema and sexual entertainment venue (this would include, but not limited to, premises that require a licence under schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 (as amended by section 27 of the Policing and Crime Act 2009); or
 - vii. Where occupied by any educational establishments including prescribed educational establishments as defined by the Council Tax (Discounts Disregards) Order 1992 as amended;
- l. Where a ratepayer is in receipt of any award under this policy, the authority will not consider any application for relief under Section 44A of the Local Government Finance Act 1988 for the same hereditament.

Amount of Relief

8.5 The amount of relief is tapered and will be calculated as follows:

2017/18

An award shall be granted where the ratepayer meets the criteria in 8.4 above and where the increase defined within paragraph 8.4c is greater than £500. A percentage award will be determined by the Council (the relevant percentage)³

2018/19

The award for 2018/19 will be calculated as the 2017/18 award x 50% (for clarity this will be half of the relief awarded in 2017/18)

2019/20 & 2020/21

The awards for any of the two years 2019/20 or 2020/21 shall be granted on an individual case by case basis.

8.6 In exceptional circumstances, the authority shall consider applications on a case by case basis where the ratepayer falls outside of the criteria detailed in paragraph 8.4 but where the ratepayer can demonstrate that they are experiencing severe financial difficulties due to the revaluation on 1st April 2017.

Variation and amendment of relief under the scheme

8.7 As with all reliefs, the amount of relief awarded under the Discretionary Businesses Rates relief scheme will be recalculated in the event of a change of circumstances. In effect, relief is calculated on a daily basis in line with the ratepayer's liability on that day. This will include, for example, a backdated change to the rateable value of the hereditament. This change of circumstances could arise during the year in question or during a later year.

8.8 The Non-Domestic Rating (Discretionary Relief) Regulations 1989 (S.I. 1989/1059) requires the Council to provide ratepayers with at least one year's notice in writing before any decision to revoke or vary a decision so as to increase the amount the ratepayer has to pay takes effect. Such a revocation or variation of a decision can only take effect at the end of a financial year. But within these regulations, the Council may still make decisions which are conditional upon eligibility criteria or rules for calculating relief which allow the amount of relief to be amended within the year to reflect changing circumstances.

³ The authority to decide the relevant percentage has been delegated to the Head of Customer Services in consultation with the relevant portfolio holder for the financial years 2017/18 & 2018/19 having had regard to Government guidance, the Council's financial position and such other considerations as they may think fit.

9.0 Reporting changes in circumstances

- 9.1 Where any award is granted to a ratepayer, the Council will require any changes in circumstances which may affect the relief to be reported as soon as possible and in any event not more than 21 days from the happening of the event. This will be important where the change would result in the amount of the award being reduced or cancelled e.g. where the premises comes unoccupied or is used for a purpose other than that determined by the Council as eligible for relief.
- 9.2 Where a change of circumstances is reported, the relief will, if appropriate be revised or cancelled. Where any award is to be reduced, the Council will look to recover the amount from the date the change of circumstances occurred.
- 9.3 Where a change in circumstances is not reported and it is subsequently identified that it would have reduced the relief awarded, the Council reserve the right to remove any award completely.

10.0 Fraud

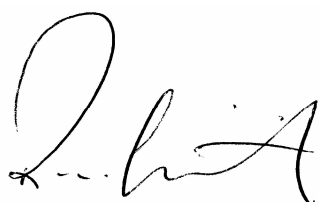
- 10.1 Where a ratepayer falsely applies for any relief, or where the ratepayer provides false information, makes false representation, or deliberately withholds information in order to gain relief, prosecutions will be considered under the Fraud Act 2006.

Notice Issued under Regulation 10 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 of the intention to make a Key Decision

Regulation 10 of the above Regulations requires 28 clear-days notice to be given of all Key Decisions taken on behalf of the local authority. Where that notice is impracticable, the decision can only be made where:

- the Chairman of the relevant Overview & Scrutiny Committee has been informed – or if there is no such person, each member of the relevant Overview & Scrutiny Committee – by notice in writing, of the matter about which the decision is to be made
- five clear days have elapsed following the issue of the notice
- the reasons why compliance with Regulation 10 was impracticable is detailed

Decision to be taken	Decision-Maker & Date	Reason Regulation 9 Not Complied With	Overview
<p>Discretionary Business Rates Relief: To agree a policy for granting Discretionary Business Rates Relief</p>	<p>Cabinet 19 September 2017</p>	<p>The Government announced in the Spring Budget that Local Authorities were required to develop a Discretionary Business Rates Scheme. Following receipt of further guidance from the Government the Council has developed a countywide scheme, however due to additional software being required for modelling policy options, the draft Policy only became available after publication of the 28 Day Notice and the Government requires Local Authorities to implement a Policy as soon as possible.</p>	<p>Councillor J Burton - Services Overview Committee</p>



Bob Smith
Chief Executive, Chiltern District Council

Notice Published: 11 September 2017

SUBJECT:	<i>Brownfield Land Register</i>
REPORT OF:	<i>Cllr Peter Martin – Sustainable Development</i>
RESPONSIBLE OFFICER	<i>Peter Beckford, Head of Sustainable Development</i>
REPORT AUTHOR	<i>Phillip Gill – 01494 732951 – phillip.gill@southbucks.gov.uk</i>
WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

1.1. To advise members on new statutory requirements for the Council to prepare and publish a Brownfield Land Register for Chiltern District and seek agreement to carry out consultation on a draft Register. Further authority will be sought from Cabinet and Full Council to approve the final Register.

RECOMMENDATIONS

- 1 That Cabinet approves the proposed consultation on a draft Brownfield Land Register for Chiltern District
- 2 That Cabinet delegates publication of the Register and any future updates to the Head of Sustainable Development in consultation with the Portfolio Holder
- 3 That Cabinet recommends to Full Council that the decision to enter land in Part 2 of the Register is delegated to the Planning Committee and dealt with under the Scheme of Officer Delegations in the same way as planning applications
- 4 That Cabinet recommends to Full Council that the Head of Legal and Democratic Services be authorised to amend the Council's Constitution to reflect the new Brownfield Land Register functions and associated delegations

2. Reasons for Recommendations

2.1. The recommendations enable the Council to discharge its new statutory functions in respect of Brownfield Land Registers and ensure that a Register can be prepared and consulted on in a timescale that will allow the government's stipulated publication date of 31 December 2017 to be achieved.

3. Content of Report

3.1 New Regulations require each local authority to prepare and maintain a Register of brownfield land that is suitable for residential development. The register must be available for public inspection and published on the Council's website. The regulations set out the specific form that the Register should take and impose a deadline of 31 December 2017 for the Register to

be published. Local authorities are expected to carry out consultation on a draft Register before it is published in its final form and must carry out consultation where they propose to enter any brownfield land into Part 2 of the Register.

- 3.2 The Brownfield Land Register must be divided into 2 parts which have different functions. Part 1 of the Register lists all brownfield sites in a local authority area that are considered to be appropriate for residential development, based on whether residential development is suitable, available and achievable, and taking into account the development plan and national policy. Part 2 of the Register is a subset of Part 1 and contains a list of sites which, by being on the Register, are automatically granted planning permission in principle for housing development.
- 3.3 Brownfield Land Registers will sit alongside Local Plan site allocations and form an additional part of the Local Plan evidence base. They will share a lot of information with the Housing and Economic Land Availability Assessment (HELAA). This means that most of the sites and data to be included will already be in the public domain.
- 3.4 Planning permission in principle is a new planning designation. It settles the fundamental principles of development (use, location, amount of development) for a brownfield site giving developers and applicants more certainty. However, a developer cannot proceed with development until they have also obtained technical details consent. This will assess the detailed design, ensure appropriate mitigation of impacts and that any contributions to essential infrastructure are secured. Both the permission in principle (no fee payable) and the technical details consent (fee payable) stages must be determined in accordance with the local development plan, the National Planning Policy Framework and other material considerations.
- 3.5 Planning permission in principle will work alongside, not replace, existing routes for obtaining planning permission. It can only be granted for housing-led developments (i.e. the majority of the proposed floorspace must be housing). It is similar to, although not the same as, the existing outline planning permission route which will remain in place. Planning permission in principle is intended to be an easier and cheaper mechanism for providing early certainty on in-principle matters.
- 3.6 Entering a site onto Part 2 of the Register represents a grant of planning permission and this function is reserved to Full Council rather than Cabinet for approval. It is proposed that the decision to enter land into Part 2 of the Register is delegated to the Planning Committee and is subject to the same delegations to officers as apply to planning applications. Cabinet is therefore recommended to make this proposal to Full Council on 17 October.
- 3.7 Approval is sought to undertake a public consultation on the draft Register. This is a non-key decision. The form of the Register and the sites to be included are currently under development, but the criteria for inclusion of land are prescribed by the Regulations, as is the format of the Register itself. The draft register will be submitted to Cabinet on 19 September

and they will be asked to delegate the publication of the final Register, together with any future updates, to the Head of Sustainable Development in consultation with the Portfolio Holder.

4. Consultation

4.1. Details of consultation on the draft Brownfield Land Register are still under development but it is intended that the following will be included:

- contacting landowners of sites proposed for inclusion (sites of which the Council is already aware via the HELAA)
- consulting with people registered on the joint Local Plan database
- consulting with parish councils and neighbourhood plan groups
- publicising the draft Register on the Council's website

4.2. It is intended that consultation will commence in late September allowing a period of six weeks for parish councils and neighbourhood plan groups and three weeks for other stakeholders, as prescribed in the Regulations.

5. Options

5.1. Production of a Brownfield Land Register is a statutory requirement and the timetable for final publication of the document is similarly imposed on local authorities. Regulations and guidance relating to production of the Registers set out in some detail the process for including any individual site on the Register. Therefore there is no other option available.

6. Corporate Implications

6.1 Financial

The DCLG have advised by letter to the Chief Planning Officer dated 31 March 2017 that local planning authorities will receive new burdens grant payments to fulfil the new requirements. They advised that "Each local authority responsible for making planning decisions will receive a new burdens grant payment of £14,645 for 2016/17. Local planning authorities will receive further grant payments for 2017/18, 2018/19 and 2019/20; the amount of funding from 2016/17 onwards will be kept under review."

6.2 Legal

The Council has a duty to publish a Brownfield Land Register by 31 December 2017 under the provisions of the Town and Country Planning (Brownfield Land Register) Regulations 2017 which set out the criteria for inclusion of land and the format of the register itself. The decision to enter land into Part 2 of the Register which grants the new designation of "planning permission in principle" is reserved as a Council function alongside Council's other Town and Country Planning Act functions.

6.3 ICT

Details of sites on the Register will be held on corporate ICT systems and some minor changes to the Uniform database and to related Development Management procedures are likely to be required.

7. Links to Council Policy Objectives

7.1. Brownfield Land Registers support in particular Key Themes 1 and 2 of the Council. These are "Thriving Economy" – the Register will encourage and facilitate development which will have a positive effect on the local economy – and "Sustainable Environment" – by focussing on brownfield sites the Register will encourage the development of these which will in turn reduce development pressure in less sustainable, greenfield locations. By so doing the Register will assist compliance with the Council's headline objective of "Striving to conserve the environment and promote sustainability."

8. Next Steps

8.1. The full Register will be published in December 2017 subject to the recommendations in this report being approved.

Background Papers:	None other than referred to in this report
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SUBJECT:	Car Park Strategy
REPORT OF:	Councillor Mike Smith
RESPONSIBLE OFFICER	Chris Marchant Head of Environment
REPORT AUTHOR	Julie Rushton, ext. 6877 jrushton@chiltern.gov.uk
WARD/S AFFECTED	All Chiltern

1. Purpose of Report

- 1.1 To present Members with a car park strategy for consideration for Chiltern District.

RECOMMENDATIONS

1. Cabinet to approve for consultation the draft five year car park strategy that sets out the Council's aim and objectives, along with associated parking operations for the District.
2. That following consultation, a revised strategy and action plan be developed and reported back to the Cabinet.

2a. Reason for Recommendations

- 2.1 An effective parking strategy will help to further a wide range of objectives such as, economic vitality of Towns and Villages in the District of Chiltern.

2. Content of Report

Strategy

- 3.1 Introducing a car park strategy enables us to openly set out our aims in respect of off street parking in Chiltern, along with the action we propose to take to ensure the car parks meet the needs of the local community. Consultation also enables us to engage with customers and receive feedback to ensure the final document is agreeable to the majority.
- 3.2 The proposed strategy (attached at Appendix A), sets out CDC's objectives for car parking in the District. This includes supply and demand, car park maintenance, parking charges/season tickets, parking for specialists groups etc.
- 3.3 The strategy also shows that we recognise our customers and thus are able to set objectives that are appropriate, relevant, and beneficial to the residents and local businesses in the area.
- 3.4 In addition, the strategy sets out management of the car parks, along with the enforcement action taken to ensure the parking regulations are adhered.

-
- 3.5 To enable customers to have a better understanding of the legalities to introduce/amend parking restrictions, an overview of the legal process has been provided.
 - 3.6 Parking is a sensitive issue, particularly the enforcement side. A key element to reduce any misconceptions and promote a fair and consistent approach for all is transparency. This is a key priority for the Department for Communities and Local Government (DCLG)

Parking Report

- 3.7 Currently, there is no mandatory requirement for local authorities to produce an annual parking report, although it is good practise to have one in place. The Operational Guidance for parking enforcement suggests as such.
- 3.8 Attached at Appendix B is the 2016/17 annual parking report for CDC. The report provides statistical information in relation to parking fines for the year to which the report refers. This includes the number of appeals received in respect of parking fines, the number of fines cancelled due to an appeal, and debt recovery information. The report also provides current information in respect of the car park provision, this includes, parking tariffs, season ticket prices etc.
- 3.9 The vision is for the parking report to sit alongside the strategy and provide the detail element. This removes the need for the strategy to be updated during the life of the document, should any changes occur on the car parks, and acknowledges DCLG's request for transparency.
- 3.10 The general period for publicising parking reports is six months after the financial year to which the performance statistics refer. Publishing the data at the same time each year enables true year on year comparisons.

3. Consultation

- 4.1 If agreed, consultation will commence with Bucks County Council as the highway authority, Thames Valley Police, and the Parish Councils. Notices will also be placed in the car parks.

4. Options

- 5.1 Take the decision not to have a car park strategy.
- 5.2 Approve the strategy in its existing format and agree for consultation to commence.
- 5.3 Approve the strategy in principle, but in a different format, so detail in respect of tariffs etc. are included in the one document. The downside to this option is that as changes occur, the strategy would become dated and regularly require updating.

5. Corporate Implications

6.1 Legal Implications

The purpose of the document is to clarify the Council’s car parking policy and thereby reduce the risk of a challenge to future decisions regarding the car park estate.

6.2 Financial Implications

There are no known financial implications to introducing the car park strategy.

6. Links to Council Policy Objectives

7.1 CDC’s car parks contribute to the Council’s medium term aim of planning for a thriving and sustainable District, with vibrant towns and villages.

7.2 This matter also contributes towards the Council’s aim to deliver value for money services driven by customer and community needs.

7. Next Step

8.1 If the recommendations are agreed officers will commence consultation to implement the strategy

Background	None other than those referred to in this report
Papers:	



Chiltern District Council

Car Park Strategy 2018 - 2023

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FOREWORD

It is widely recognised that parking takes up a lot of land and costs money to provide and to maintain. It also affects everyone in the community whether we are looking for somewhere to park or coping with the impact of other people's parked vehicles.

The availability of parking space determines how we travel and where we travel to. Parking availability influences the vitality and viability of local towns/villages, along with the attractiveness of tourist spots and residential areas.

Our customers vary depending upon demographics, their primary reason for parking, and the motoring group they fall under. One common factor is that parking features at the beginning and end of a visit for those customers using the car parks, and as such, the car parks are the first and last impression of a given area.

By recognising that parking is no longer a standalone issue, but a crucial element in the essential transport network to make the District of Chiltern a safe and healthy place to live and work we are able to implement a strategy that considers the needs of parking users. This five year Car Park Strategy identifies actions necessary to provide a sustainable modern parking service, which achieves a balance between local needs and the wider, more strategic requirements for parking.

In addition, by effectively managing the parking provision we are able to encourage use of other sustainable travel methods such as public transport without penalising customers in rural areas that do not have access to alternative travel modes, or disabled badge holders who may not be able to use public transport due to restricted mobility.

One of the priorities of the Department for Communities and Local Government is to ensure that the enforcement of parking restrictions is transparent, consistent and fair. Chiltern District Council (CDC) recognises that openness and accountability is critical to gaining public support and therefore in addition to this Car Park Strategy we endeavour to publish an annual parking report, which provides information on the parking account. We hope that by publishing this data our customers will be aware of our dedication to improving the parking provision for residents, businesses, and visitors to the District.

Councillor Mike Smith
Portfolio Holder for Environment

INTRODUCTION

Chiltern District lies in the centre of the Chilterns to the north-west of London. It adjoins the Hertfordshire Borough of Dacorum and District of Three Rivers to the north and east and the Buckinghamshire Districts of South Buckinghamshire to the south, Wycombe to the south west and Aylesbury Vale to the north west.

The District is predominantly rural, with its towns and villages in a countryside setting, all of which is part of the Green Belt around Greater London. Much of the countryside is also exceptionally high quality landscape of national reputation forming part of the Chilterns Area of Outstanding Natural Beauty. The District is fortunate in that its countryside is mostly well maintained in productive use. It is attractive to both residents and visitors for recreation.

Chiltern District is within an area, which consistently has one of the lowest unemployment rates in England. Information from the Office for National Statistics (ONS) in 2016 shows that the population of Chiltern is 95,103. Of the resident population, 83% are economically active. Around 50% of those in work commute out of the District for their employment, principally to Greater London.

Transport links with adjoining areas are good, with three main routes crossing the District (A404, A413 and A416/A355), providing access to the national road network; M1, M3, M4, M25 and M40. Direct rail links to Central London, particularly regular commuter services, or westwards to Aylesbury or High Wycombe and the Midlands, are provided by Chiltern Railways and London Underground Ltd from five stations in the District, at Amersham, Chalfont and Latimer, Chesham, Great Missenden and Seer Green and Jordans.

The District's population is highly mobile, with four out of every five households having the use of at least one car. Heathrow Airport is situated just to the south east of the District.

CDC currently has one multi-storey car park in Amersham and sixteen pay and display surface car parks across Amersham, Chesham, the Chalfonts, Great Missenden and Prestwood. These are regulated by the Chiltern District Council Off Street Parking Places Order 2013 (as amended). On street parking is regulated by Bucks County Council.

STRATEGIC OBJECTIVES

Parking provision and management is a key element of Buckinghamshire's Local Transport Plan 4 (LTP4) and whilst parking restrictions are rarely popular with motorists; a population in excess of 95,000, and regular visitors to the Chiltern District, mean that without them there would be significant reduction in the number of parking spaces available.

The question is, how can we best support the local economy, residents and businesses, and seek to minimise the impact on Climate Change? The list below sets out our parking objectives for the next five years:

Parking facilities

- Provide good quality public car parking facilities.
- Recognise the different characteristics of the areas in the District where parking facilities are provided by the Council and ensure the parking provision is appropriate to local circumstances.
- Provide sufficient parking for both short and long stay users.
- Provide a balance between short and long stay users where required by using a structured payment system.
- Maintain a charging structure that maximises the use of existing car parks, whilst managing a balance between economic and environmental objectives.
- Maintain a clear circulatory route around the car parks to maintain traffic flow and prevent obstruction.
- Make sure car parks are available for use by motorists and not taken up by illegally parked vehicles.
- Work to improve the safety of all car park users by dealing with dangerous and indiscriminate parking by encouraging responsible parking
- Provide adequate signage in the car parks with clearly stated terms and conditions that are easy to follow.
- Liaise with County Council to ensure adequate highway car park direction signs for ease of access.

Community

- Seek to support the vitality of local towns and villages through effective car parking management.
- Provide a turnover of available parking spaces for areas of high demand.
- Provide a charging structure that supports communities and the overall strategy.
- Provide parking opportunities for drivers to use more sustainable modes of transport.
- Dissuade commuter parking where it is necessary to accommodate users of our towns and villages. This is essentially in areas where the availability of land restricts the opportunity to increase car park capacity.
- Maximise off street parking capacity to reduce on street parking.

- Provision of parking options which encourage business and tourism and meet the needs of workers and residents.
- Meet the needs of customers with special requirements such as disabled badge holders.
- Ensure adequate provision for the different motoring groups.
- Offer a percentage discount for season ticket holders to aid local businesses and evening/weekend permits to support residents.
- Support crime reduction initiatives.

Efficient Parking Management

- Reduce the burden on the taxpayer and shift the cost of car parking provision towards the service users.
- Manage the Council's car parking assets in a cost effective manner.
- Ensure a cost effective and efficient car park management regime.
- Ensure car park services are carried out to a high standard in terms of economy, efficiency, safety and effectiveness.
- Provide a cost effective enforcement service.
- Continue to audit, and review the level of parking availability in Chiltern and plan accordingly.

Customer Focused

- Develop effective communication with customers in order to promote the service and gather information to aid service development.
- Ensure that the car park service is developed and delivered on the basis of good information on car park usage and customer needs.
- Improve information for customers.
- Continually seek to improve customer parking experience with varied payment options.
- Endeavour to provide an overall positive customer experience in the use of Council owned/managed off-street car parks in the District.
- Monitor the effectiveness and value of parking controls and respond to public needs.
- Communicate changes clearly through appropriate communication channels.
- Publish an annual parking report detailing financial and statistical information for the previous financial year.
- Place the customer at the heart of everything we do.

RECOGNISING OUR CUSTOMERS

Chiltern District Council is committed to listening and understanding customer needs and ensuring customers are at the heart of everything we do. We aim to deliver services that continually meet changing expectations and ensure the services we deliver are accessible to all.

Our customer requirements for off street car parking can be broken down as follows:

Local businesses

Require convenient parking for their customers as close to the premises as possible.

Residents

(Specifically if live near to town centre with limited or no on-site parking).

Will seek to park close to home.

Main needs likely to be evenings and weekends.

May seek reasonable season ticket parking to maintain parking in close proximity to their property at a minimal cost.

Shoppers

Needs will depend on the shopping experience available in the town.

The more variety and volume of shops, the longer the shopper will stay.

The shorter the stay, the closer to the shops the shopper will expect to park.

Visitors

Needs will vary from location to location depending on the tourist and social offerings (coffee shops, bars, restaurants in the area). May require 3-5 hours parking including evening parking.

Require clear direction signage to the car parks.

Workers

Require full day parking

Flexibility around parking tariff bands to accommodate half day/varying shift patterns.

Parking fees may be a significant cost for low paid workers, who may be tempted to try to locate "free" parking away from the car parks.

Commuters

Require long stay parking with good transport links.

Ideally, car parks located close to Railway stations.

In addition to the above, once parked customers require safe passageway in the car park.

The list is by no means absolute and feedback is welcomed.

ACTIONS TO ACHIEVE OBJECTIVES AND MEET CUSTOMER NEEDS

Car Park Provision:

Supply and Demand

The LTP4 identifies the need for effective parking management and the role of parking in managing demand for parking within towns and villages. It identifies that appropriate parking can make a significant contribution to town centre economic vitality and that appropriate parking levels are important to ensure that the local economy is supported.

CDC recognises the importance of car travel in the District as a means of boosting local economy and providing essential links to public transport facilities. As such, we seek to deliver a balanced approach to car parking that provides sufficient capacity to support economic growth and provide the necessary parking provision to facilitate travel to national destinations.

In July 2016 and February 2017, the Council commissioned car park studies to be undertaken in two of the towns in Chiltern; Amersham and Chesham. The results of the study showed that demand was on the increase and additional car parking supply would be required in the future. In addition, the outcome of the surveys showed that by 2036 there is likely to be significant parking stress in Amersham with little or no spare capacity. A recent survey undertaken in 2017 in Chesham shows that parking pressures will also apply in this area in the future. Work is underway to address the essential demand for car parking in Amersham and ongoing monitoring is taking place in Chesham and the surrounding areas to ensure a sufficient supply is in place to meet current and future demand.

The current occupancy figures show that the parking situation reflects the need for additional parking as predicted in the parking studies.

Demands on parking provision vary across the district; this can be affected by many variables including growth in population, change to infrastructure, and growth in car ownership.

The Department for Transport has published traffic growth predictions to 2025. These show an increase of up to 23% for urban areas and a slightly higher increase of 31% in rural areas. Rail passenger growth for the South East is expected to be between 34-42% by 2030 and the 2011 Census prediction for population growth in Chiltern is 2%. These growth predictions can affect the parking provision and the local economy if effective parking management is not in place.

In anticipation of the growth, particularly Rail passenger and population growth for the District, and consequently the impact this will have on parking pressures, we aim to continually audit, and review the level of parking availability and plan accordingly. In addition, we work alongside partner organisations to maintain a good understanding of the parking operations across non-council car parks so these can be taken into account when reviewing parking supply and demand for the District.

The aspiration for the car parks is to maximise space whilst maintaining an 85% buffer to allow for flexibility at peak times. Where the demand consistently increases beyond this usage the Council will seek where possible to develop existing car parks to increase

parking capacity. The priority for parking provision will be given to short stay for shoppers and visitors to the District in order to support the vitality of towns and villages.

The current parking provision in each area, including the number of car parks, parking spaces, and tariffs is provided on CDC's website and in CDC's Annual Parking Report. The report also provides information regarding forthcoming changes to the car park provision, along with changes that have happened in the 12 months since the previous report.

When designing car parks we follow general guidance for the size of the bays and aim to provide a clear and safe route around the car park to allow manoeuvres without causing accidental damage or putting the safety of people at risk.

Parking for Specialist Groups

There is a need to make provision for the specialist requirements of certain persons or vehicles, whose needs are not met by the provision of standard car parking spaces. These are listed below.

For actual off-street provision including space allocation for the different motoring groups within the car parks, please refer to CDC's Annual Parking Report.

Parking for Disabled

Suitable and sufficient disabled parking for blue badge users is important to support mobility and independence.

Many people with reduced mobility are dependent on cars for getting around. This is irrespective of whether they drive themselves or ride with someone else. The ease, with which they can reach their destination, is usually determined by where they can park.

Provision should be considered on an individual car park basis as some car parks may not be suitable for use by the disabled, e.g. car parks that are remote from the potential destinations or those accessed by routes with steep gradients. A reduced provision may be appropriate at such locations.

CDC adheres to the recommended standard for parking allocation of disabled parking bays whilst considering the car park locations and the closeness to which the car park is to local amenities.

The position of disabled bays in a car park is key to customer experience. We endeavour to allocate disabled bays close to a pedestrian exit on a route that is suitable for wheelchairs. To accommodate those with limited mobility the bays are positioned where there are no steps, bollards, or heavy doors. In a multi storey car park, disabled bays would be positioned on the same level as pedestrian access, or close to a lift with wheelchair access.

Concessions of the Blue Badge apply to on street parking. Off Street parking concessions vary from District to District and it is up to the car park owner as to whether concessions of the Blue Badge are available. In CDC car parks Blue Badge holders may park free of charge.

Motor Cycle Parking

There are designated motorcycle bays in some of the car parks. For locations of these bays, please refer to CDC's Annual Parking Report. Where there are no designated bays, motorcyclists may park in a standard parking bay. Provision for motorcycles is assessed on demand and where applicable, bays are clearly signed and the terms and conditions stated on the tariff board.

Electric Vehicle Parking

Rising demand in electric vehicles and electric vehicle owners brings forth the increase in demand for electric charging points across Chiltern.

To contribute towards the government's commitment to drive forward the market for ultra-low emission vehicles, whilst also addressing the carbon consequences of motoring, we endeavour to consider additional provision of charging points for electric vehicles within the life of this strategy, where funding permits.

Coaches / Lorry Parking / Motorhomes

Some car parks have parking facilities for coaches and lorry parking. More information to this regard is provided in CDC's Annual Parking Report. Motorhomes are not permitted to park.

Security and Maintenance

Security

All of our car parks have been awarded the Safer Parking Park Mark award. The award is an initiative of the Association of Chief Police Officers designed to reduce criminal behaviour within the parking environment. The scheme is managed by the British Parking Association and is supported by the Home Office.

To obtain the award an investigation is carried out by the police to assess the facilities in place and to ensure the parking area is of a high standard in relation to cleanliness, signage, surveillance and lighting. Once the Police are satisfied that the parking area sufficiently meets the appropriate standards and that it is correctly managed and maintained, the safer park mark status is awarded. To ensure car parks continue to meet the required criteria the award is renewed on a yearly basis following a re-assessment.

Maintenance

To ensure we continually meet the criteria to achieve the award we endeavour to maintain the car parks to a high standard.

Each month the car parks are fully inspected and a record of the visits are logged. The inspection includes checking the surfacing, markings, drainage, lighting levels, cleanliness, fencing/boundary, signs, car parking furniture, recycle centres (if applicable). Any defects are noted and remedial works are requested. These are carried out as soon as possible with priority given to safety. In addition to monthly checks, the Civil Enforcement Officers (CEOs) visit the car parks regularly throughout the day. On each visit the pay and display machines are checked and the officers remain vigilant for any defects that may have occurred. These are reported the same day.

Parking Charges

The objectives of the District Council's charging policy is to derive revenue from charged car parks, support the LTP4, and improve the vitality of the local economy by promoting short stay parking. Details of the current tariff structure are available on the Council's website and in CDC's Annual Parking Report.

The car park charging structure is reviewed annually to ensure that the charges are competitive with those of neighbouring authorities. A list of neighbouring authority charges is provided in Appendix A.

The comparison shows that the short stay charges levied in Chiltern are reasonable when compared to most of the neighbouring authorities. Similarly, all day charges are reasonable when compared with other districts.

Most notable are the long stay tariffs in Hillingdon, Watford, and West Berkshire. These are considerable higher than the long stay charges in Chiltern.

The cost of parking in each of the car parks is fair, reflecting the quality of the facility. It is important to note that for many the cost is the least important factor when considering the location and standard of the facilities. This is particularly the case for visitors and to a lesser extent for shoppers. Workers will usually seek slightly cheaper parking at a further distance to their destination.

The current level of charging for short and long stay parking varies from area to area. For simplicity, the Council is aiming to align the charges across the car parks where it is possible to do so; taking in to account the needs of the local communities.

In line with government policy on integrated transport systems there may be a time in the future when we are required to review the parking charges to discourage the use of cars in the short term. CDC will approach this review when attractive alternative ways of travelling into towns is available.

When making any changes to the parking charges the Council follows the relevant statutory process that is applicable at the time of the change.

Methods of Payment

All customers benefit from flexible payment options although their needs and the duration of their stay will vary. As new technology becomes available, the method of payment options will be reviewed to ensure a variety of user friendly options are available providing choice to those who may not wish to pay using just one payment method.

Currently, parking in CDC car parks can be paid for in the following ways:

Payment Machines

The ratio of payment machines to car park capacity is important, so too is the distance customers are expected to walk to purchase a ticket and return to their vehicle in order to display the ticket. If there is only one pay and display machine in a car park there is always a risk of loss of income in the event of a machine failure. However, it is difficult to justify more than one machine for car parks with less than 60 spaces.

In larger car parks, it is important that machines be spaced uniformly throughout the car park in order to reduce the distance users have to walk to purchase a ticket after parking their vehicle.

There are currently an adequate number of payment machines in the car parks, although this is not without difficulty if a car park has one machine and that machine shows a fault.

The machines are linked to a central database, which reads the data from each pay and display machine. This information is vital for enforcement evidence, cash reconciliation and car park usage. In addition to car park information, the database is able to notify us of any machine faults; these are reported and rectified as soon as possible.

The machines do not give change.

Mobile phone payment

RingGo pay by mobile option is available in all CDC car parks. Each car park has a unique reference number provided on the signage. This number is required to ensure you purchase parking for the correct location. Similar to purchasing parking using the payment machines, payment is required at the time of arrival at the car park.

There are additional services offered to the customer using the system, these are:

- VAT receipts on line.
- Text confirmation that parking has been purchased.
- Text to remind that the time purchased is about to expire.
- Parking time may be topped up providing any maximum stay for that car park is not exceeded.

Please note that charges apply for using this service.

When patrolling the car parks the CEOs have access to the list of vehicles that parking has been paid for and can therefore enforce in the normal manner.

In addition to the above, we aim to investigate and implement (where feasible) payment solutions linked to ANPR. This will provide the customer with greater levels of flexibility in terms of payment.

Season Tickets

Season Tickets are discounted against the daily parking tariff to support local businesses and workers. They are available to purchase for any CDC car park for periods of 1month, 3months, 6months, and 12months.

For full details on season ticket prices, the application process, and renewals, please see CDC's Annual Parking Report, which is available to view on the Council's website.

To maintain the short stay/long stay ratio and enable availability of space for daily paying customers, the number of season tickets that can be issued at any one time is capped. These are reviewed on a regularly basis.

The terms and conditions for the season tickets are listed below. They must be read in conjunction with the car park conditions of use, which are stated on the tariff boards in the car parks. Failure to comply with the conditions could result in a PCN being issued.

- Season tickets are issued at the discretion of CDC. If the scheme is abused the Council reserves the right to withdraw the ticket.
- Season tickets issued shall be marked with the nominated car park and are only valid for the car park for which they have been issued.
- Season tickets are not transferable.
- A lost season ticket will only be replaced up on receipt of the appropriate fee. If a season ticket is later recovered no refund will be given
- Whilst every effort is made to maximise car parking space availability, purchase of a season ticket does not guarantee a parking space.
- Season tickets are issued and registered against a specific vehicle registration. They are not transferable. Up to two registration numbers allowed on one season ticket, however only one vehicle can be on park at any one time.
- Season tickets should be displayed on the left hand side of the windscreen in clear view so they can be seen by the CEOs (unless a courtesy car at which point CDC must be informed immediately).
- For change of vehicle season ticket holders are required to contact CDC's Parking Services. A copy of the new V5 document is required to enable a new season ticket to be issued.
- Season tickets that are no longer valid due to change of vehicle **must** be returned to Parking Services within 7 days of the new season ticket being issued.
- Payment must be received in full for a season ticket to be issued.
- Season tickets will only be cancelled when surrendered to Parking Services
- CDC reserves the right to amend the terms and conditions of the season ticket. Should any changes occur we will advise accordingly.
- The onus is on the season ticket holder to apply for a renewal at least 7 days prior to the commencement date of the new season ticket.
- The Season ticket is issued under the various regulation, bye laws and orders relating to car parks and the Council accepts no liability or responsibility for personal injury, (whether fatal or otherwise) or for loss or damage to property unless caused by negligence of the Council or its employees.

Car Park Suspension

CDC may at times have cause to close a car park or part of for a period of time. A minimum of 7 days' notice is required unless the nature of the closure is due to essential works and consequently, delaying the suspension could present a safety risk.

REMOVAL OF VEHICLES

In certain circumstances, it may be necessary for CDC to arrange for the removal of a vehicle from its car parks.

This could be due to:

- A vehicle has been abandoned.
- A vehicle is causing an obstruction.
- A vehicle is a danger to other users of the car park.
- A vehicle has been burnt out.
- A vehicle is parked for the sole purpose of being sold.

If a vehicle is deemed abandoned and in a dangerous condition, or parked in a dangerous location, a 24hr destruction notice will be applied to the vehicle. In extreme circumstances i.e. the vehicle is burnt out, it will be removed immediately.

If the vehicle is deemed abandoned but not in a dangerous location or condition, a 7day destruction notice will be applied to the vehicle, with a letter sent to the registered keeper. If the vehicle is not claimed or moved after this period of time, CDC will arrange for the vehicle to be removed and disposed of.

For vehicles that are deemed abandoned but are taxed and in good condition a two week monitoring period will be initiated, after which, if there is no contact by the registered owner a 7day notice will be applied to the vehicle. If at the end of this period, the vehicle has not been moved CDC will arrange for the vehicle to be removed from the car park and placed in secured storage.

For further information regarding abandoned vehicles, please refer to CDC's Abandoned Vehicle Policy. A copy of which can be found on CDC's website.

Vehicles that are parked for the sole purpose of being sold are parked in beach of SCDC's Off Street Parking Places Order (OSPPO). These vehicles run the risk of being removed and placed in secure storage.

Once a vehicle has been removed, the owner may arrange to have the vehicle returned, or, provide information about the new owner. The new owner will have 14 working days to respond to written notice before the vehicle is disposed of.

If a vehicle owner makes no contact within the storage period SCDC will arrange for the vehicle to be disposed of.

The owner will be required to pay all recovery costs that may apply; removal, storage, and disposal.

CIVIL PARKING ENFORCEMENT

The Legal Background

In 2005, the Chiltern District was designated as a Civil Enforcement Area for parking contraventions. This means that CDC is able to enforce regulations on the car parks to minimise illegal parking in accordance with TMA04. The penalty charge notices (PCNs) issued are a civil debt owned by CDC and the Council has a duty to collect this debt. The level of charges are set in the Statutory Order.

Car Park Regulations

Civil Parking Enforcement is essential to the delivery of the car park strategy. Vehicles that are parked in contravention of car park regulations cause congestion and obstruction in a car park and reduce the availability of space. This has a detrimental impact on the local economy by discouraging visitors. Greater compliance and a better understanding of parking regulations help to support the vitality of a town.

All CDC controlled car parks have signs within or at the entrance to each car park. These signs provide details of the tariff and restrictions that are in place. Motorists are advised to read these signs to ensure they are aware of the restrictions before they park their vehicle and leave the car park.

Some of the car parks within the District have a maximum stay parking restriction. The parking time available in each of the car parks is displayed on the tariff board. For example, if the maximum parking time that can be purchased is three hours, then three hours is the maximum stay on that car park on any given day. If appealing against a PCN issued for this reason you will need to prove that you did not park for longer than the maximum period.

Introduction / Amendment to OSPPO

Before enforcement can commence, an OSPPO must be in place. This is the legal Order that enables CDC to introduce parking restrictions on the car parks. Under the provisions of RTRA84, CDC can implement and amend the OSPPO to regulate and enforce parking contraventions. CDC's policy for processing and implementing or amending the OSPPO is in accordance with the statutory legal process; this is as follows:

- A review is undertaken of the car park(s) in question and a report outlining recommendations is drafted and presented to members of the relevant Policy and Advisory Group. If agreed, the report is presented to Cabinet for approval to proceed with the proposals.
- Public consultation. Notices are advertised in the local press and copies are displayed in the car parks for the public to view.
- Consultation period. This lasts for a minimum of 21 days from when the notices are posted. During this period the general public may make comments on the proposals by writing to the Council.
- Objections. All comments are considered by the Council and the objectors informed of the outcome. This may result in the proposals not being introduced, or amended.
- The relevant markings, signs, machine configuration are then put into place.

Parking Enforcement

The level of enforcement helps shape the public's compliance to parking restrictions, with little or no enforcement generally leading to higher levels of illegal and inappropriate parking.

CDC has a team of CEOs enforcing the car parks across the whole of the District. Shift rotas ensure that CEOs are on duty during car park operating hours. To maintain a balance between the levels of compliance we consider acceptable and the level of enforcement necessary to achieve that balance, the enforcement regime is regularly reviewed and monitored.

CEOs not only provide advice and assistance to those wishing to park in the District but also a key role in assisting visitors with signposting and general information.

To protect the CEO's from allegations of inconsistency, favouritism or suspicion of bribery, they do not have the powers to exercise discretion. All appeals in relation to the issue of a PCN are dealt with by specially trained appeal officers who are knowledgeable and experienced in Civil Parking Enforcement. This promotes greater consistency in the approach taken to enforce the parking regulations.

Enforcement does not affect drivers who park their vehicle correctly, pay the correct parking tariffs or display valid season tickets/badges where applicable.

A PCN can be served by affixing it to the windscreen of the vehicle, handing it to the driver of the vehicle, or by post subject to the following:

- If the CEO has been prevented, for example by force, threats of force, obstruction or violence, from serving the PCN either by affixing it to the vehicle or by giving it to the person who appears to be in charge of that vehicle; and
- If the CEO had started to issue the PCN but did not have enough time to finish or serve it before the vehicle was driven away and would otherwise have to write off or cancel the PCN.

Once a PCN has been issued, the Notice can either be paid, or disputed following the appeal process. For information on the appeal process, please refer to the Concil's Annual Parking report.

Parking Contraventions

There is a national list of parking contraventions with two levels of charging. The more serious contraventions are charged at the higher level of £70.00 (£35.00 if paid within 14 days of issue) and the less serious contraventions are charged at the lower level of £50.00 (£25.00 if paid within 14 days of issue). Below is a list of parking contraventions that CDC enforces on, including the relevant level of charge.

CODE	DESCRIPTION OF CONTRAVENTION	Charge Level
73	Parked without payment of the parking charge	Lower
74	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	Higher
80	Parked for longer than the maximum period permitted	Lower
81	Parked in a restricted area in a car park	Higher
82	Parked after the expiry of time paid for in a pay & display car park	Lower
83	Parked in a car park without clearly displaying a valid pay & display ticket or voucher or parking clock.	Lower
84	Parked with additional payment made to extend the stay beyond time first purchased	Lower
85	Parked in a permit bay without displaying a valid permit.	Higher
86	Parked beyond the bay markings.	Lower
87	Parked in a disabled person, parking space without clearly displaying a valid disabled person's badge	Higher
89	Vehicle parked exceeds the maximum weight permitted in the area as defined in the Off Street Parking Order	Higher
91	Parked in an area not designated for that class of vehicle	Higher
92	Parked causing an obstruction	Higher
93	Parked in a car park when closed as a car park	Lower
94	Parked in a pay & display car park without clearly displaying two valid pay and display tickets when required	Lower
95	Parking in a parking place other than the designated purpose for the parking place	Lower

Once a Penalty Charge Notice has been issued, there is a three stage appeal process that may be followed if a motorist wishes to contest the Notice. CDC deals with appeals in accordance with The Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007. For in-depth information on the appeals process, please refer to CDC's Annual Parking Report.

ENFORCEMENT RECOVERY ACTION

CDC will undertake all action necessary to recover debt in relation to the issue of a Penalty Charge Notice. The recovery stages that CDC will follow are:

Charge Certificate

If payment is not received, a Charge Certificate may be issued which increases the original charge by 50%. It occurs, not less than 28 days beginning with the date on which:

- The Notice to Owner is served and no formal representation has been received;
- A Notice of Rejection of Representation is sent and no appeal is made to the Traffic Penalty Tribunal;
- The adjudicator's decision to dismiss the appeal is served on the appellant.

Debt Registration

If, after 18 days from the issue of the Charge Certificate, payment is not received, the Council will register the debt at County Court. There is an £8 fee for each case that is registered; this cost is passed on to the motorist. Once the debt has been registered, an Order for recovery of unpaid penalty charge is served.

Warrant of Control

If, after 21 days from the issue of the Order for recover payment has not been received the Council will seek approval from the court to issue a Warrant of Control. This enables an Enforcement Agent to be appointed. The Enforcement Agent has the power to apply fees in addition to the debt, and seize goods and sell them to recover the debt. This includes clamping and removing the vehicle.

If you do nothing or do not act quickly, you may lose your right to pay the PCN at the discounted amount, or your right to appeal. Ultimately leading to you having to pay considerably more.

It is important that you pay the PCN as early as possible to keep costs down for you or, appeal within the allotted timeframes to ensure you are not disappointed by being out of time.

PARKING ACCOUNT

CDC is committed to providing customers with a professional, personal and friendly service. We are also instrumental in providing a parking service that is consistent, fair to all, and transparent.

On an annual basis, we publish a parking report that provides information relating to the parking account for the previous financial year. This includes, but is not limited to, the number of PCNs issued, including representations/cancellations, along with Debt recovery and collection rates. In addition, we aim to provide an update to any changes to the parking provision and service that has taken place since the previous parking report, along with any forthcoming changes that are in the pipeline.

In accordance with the Local Government Transparency Code 2014, parking income and expenditure is published on CDC's website.

GLOSSARY

CEO	Civil Enforcement Officer
LTP4	Local Transport Plan 4
OSPPO	Off Street Parking Places Order
RTRA84	Road Traffic Regulation Act 1984

Appendix A Neighbouring Authority Charges

st - standard tariff

sbh - car park only open Sunday and bank holidays

Council	Town	Car Park	30mi	1hr	90mi	2hr	3hr	4hr	5hr	5hr+	6hr	7hr	8hr	9hr	9hr+	10h	10hr	12h	24h	Sun	B/Hc	
AVDC	Aylesbury	Coopers Yard	na	£1.00	na	£2.00	£2.00	£3.50	£5.00	£8.00	na	na	na	na	na	na	na	na	na	na	£1.50	£1.50
AVDC	Aylesbury	Exchange Street	£0.80	£1.50	na	£2.50	£2.50	£4.00	£5.00	£8.00	na	na	na	na	na	na	na	na	na	na	£1.50	£1.50
AVDC	Aylesbury	Friarscroft	na	£3.00	na	£3.00	£3.00	£3.00	£3.00	£3.00	na	na	na	na	na	na	na	na	na	na	£1.50	£1.50
AVDC	Aylesbury	Hale Street	na	£1.00	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	£1.50	£1.50
AVDC	Aylesbury	Hampden House	na	£2.50	na	£2.50	£2.50	£2.50	£2.50	£4.00	na	na	na	na	na	na	na	na	na	na	£1.50	£1.50
AVDC	Aylesbury	Upper Hundreds	na	£1.00	na	£2.00	£2.00	£3.50	£3.50	£8.00	na	na	na	na	na	na	na	na	na	na	£1.50	£1.50
AVDC	Aylesbury	Walton Green	na	£3.00	na	£3.00	£3.00	£3.00	£3.00	£3.00	na	na	na	na	na	na	na	na	na	na	£1.50	£1.50
AVDC	Aylesbury	Walton Street	na	£1.00	na	£2.00	£2.00	£2.50	£2.50	£4.00	na	na	na	na	na	na	na	na	na	na	£1.50	£1.50
AVDC	Aylesbury	Waterside (Mid/Low)	na	£1.00	na	£2.00	na	na	na	na	na	na	na	na	na	na	na	na	na	na	£1.50	£1.50
AVDC	Aylesbury	Waterside (Top)	na	£1.00	na	£2.00	£2.00	£3.50	£5.00	£8.00	na	na	na	na	na	na	na	na	na	na	£1.50	£1.50
AVDC	Aylesbury	Whitehall Street	na	£2.50	na	£2.50	£2.50	£2.50	£2.50	£4.00	na	na	na	na	na	na	na	na	na	na	£1.50	£1.50
AVDC	Buckingham	Cornwalls	na	£0.50	na	£0.50	£0.50	£1.00	£1.50	£2.50	na	na	na	na	na	na	na	na	na	na	foc	foc
AVDC	Buckingham	Stratford Fields	na	foc	na	foc	foc	foc	foc	foc	na	na	na	na	na	na	na	na	na	na	foc	foc
AVDC	Buckingham	Western Avenue	na	foc	na	foc	foc	foc	foc	foc	na	na	na	na	na	na	na	na	na	na	foc	foc
AVDC	Wendover	Wendover Car Park	na	foc	na	£0.50	£0.70	£1.00	£1.50	£4.00	na	na	na	na	na	na	na	na	na	na	foc	foc
AVDC	Windsor	Greyhound Lane	na	foc	na	foc	foc	foc	foc	foc	na	na	na	na	na	na	na	na	na	na	foc	foc
AVDC	Windsor	Market Square	na	foc	na	£0.20	na	na	na	na	na	na	na	na	na	na	na	na	na	na	foc	foc
Dacorum	Apsley	Durrants Hill	£0.10	£0.30	na	£0.30	£0.60	£0.90	£1.60	£1.60	na	na	na	na	na	na	na	na	na	na	st	st
Dacorum	Berkhamstead	Canal Fields	foc	foc	na	foc	foc	foc	foc	foc	na	na	na	na	na	na	na	na	na	na	st	st
Dacorum	Berkhamstead	Lower Kings Road	£0.60	£0.60	na	£1.20	£1.90	£2.50	na	na	na	na	na	na	na	na	na	na	na	na	st	st
Dacorum	Berkhamstead	St Johns Well Lane	£0.60	£0.60	na	£1.20	£1.90	£2.50	£3.50	£3.50	na	na	na	na	na	na	na	na	na	na	st	st
Dacorum	Berkhamstead	Water Lane	£0.60	£0.60	na	£1.20	£1.90	£2.50	na	na	na	na	na	na	na	na	na	na	na	na	st	st
Dacorum	Boxmoor	Cowper Road	foc	foc	na	£0.40	£0.50	£0.60	na	na	na	na	na	na	na	na	na	na	na	na	st	st
Dacorum	Hemel	Alexandra Road	£0.60	£0.60	na	£0.90	£1.20	£1.50	£2.50	£2.50	na	na	na	na	na	na	na	na	na	na	st	st
Dacorum	Hemel	Dacorum Way	£0.60	£0.60	na	£0.90	£1.20	£1.50	£2.50	£2.50	na	na	na	na	na	na	na	na	na	na	sbh	sbh
Dacorum	Hemel	Gadebridge Lane	foc	foc	na	foc	foc	foc	foc	foc	na	na	na	na	na	na	na	na	na	na	st	st
Dacorum	Hemel	High Street	£0.50	£0.50	na	£0.60	£0.70	£0.80	£0.80	£1.50	na	na	na	na	na	na	na	na	na	na	st	st
Dacorum	Hemel	Moor End Road	£4.00	£4.00	na	£4.00	£4.00	£4.00	£4.00	£4.00	na	na	na	na	na	na	na	na	na	na	st	st
Dacorum	Hemel	Park Road	£0.60	£0.60	na	£0.80	£0.90	£2.50	£2.50	£2.50	na	na	na	na	na	na	na	na	na	na	st	st
Dacorum	Hemel	Queensway	£0.60	£0.60	na	£0.90	£1.20	£1.50	£2.50	£2.50	na	na	na	na	na	na	na	na	na	na	st	st
Dacorum	Hemel	The Gables	£0.50	£0.50	na	£0.60	£0.70	£0.80	£0.80	£1.50	na	na	na	na	na	na	na	na	na	na	st	st
Dacorum	Hemel	Water Gardens (L)	£0.80	£0.80	na	£1.30	£2.00	£2.50	na	na	na	na	na	na	na	na	na	na	na	na	st	st
Dacorum	Hemel	Water Gardens (S)	£0.40	£0.80	na	£1.30	£2.00	£2.50	na	na	na	na	na	na	na	na	na	na	na	na	st	st
Dacorum	Hemel	Water Gardens (U)	£0.80	£0.80	na	£1.30	£2.00	£2.50	£3.50	£3.50	na	na	na	na	na	na	na	na	na	na	st	st
Dacorum	Hemel	Wood Lane End	£0.10	£0.30	na	£0.30	£0.60	£0.90	£0.90	£1.60	na	na	na	na	na	na	na	na	na	na	st	st
Dacorum	Kings Langley	Langley Hill	foc	foc	na	foc	foc	foc	foc	foc	na	na	na	na	na	na	na	na	na	na	st	st
Dacorum	Kings Langley	The Nap	foc	foc	na	foc	foc	foc	foc	foc	na	na	na	na	na	na	na	na	na	na	st	st
Dacorum	Markyate	Hicks Road	na	foc	na	foc	foc	foc	foc	foc	na	na	na	na	na	na	na	na	na	na	foc	foc
Dacorum	Tring	Church Yard	£2.00	£2.00	na	£2.00	£2.00	£2.00	£2.00	£2.00	na	na	na	na	na	na	na	na	na	na	st	st

Council	Town	Car Park	30mins	1hr	90mins	2hr	3hr	4hr	5hr	5hr+	6hr	7hr	8hr	9hr	9hr+	10hr	10hr+	12hr	24hr	Sun	B/Hol
Dacorum	Tring	Frogmore Street (E)	foc	foc	na	£0.90	£1.10	£1.40	na	na	na	na	na	na	na	na	na	na	na	st	st
Dacorum	Tring	Frogmore Street (W)	£2.00	£2.00	na	£2.00	£2.00	£2.00	£2.00	na	na	na	na	na	na	na	na	na	na	st	st
Dacorum	Tring	Old School Yard	foc	foc	na	£0.90	£1.10	£1.40	na	na	na	na	na	na	na	na	na	na	na	foc	foc
Dacorum	Tring	The Forge	foc	foc	na	£0.90	£1.10	£1.40	£2.00	£2.00	na	na	na	na	na	na	na	na	na	st	st
Dacorum	Tring	Victoria Hall	foc	foc	na	£0.90	£1.10	£1.40	na	na	na	na	na	na	na	na	na	na	na	st	st
Hillingdon	Eastcote	Devon Parade	foc	£0.70	£1.40	£2.10	£3.00	£5.20	na	na	na	na	na	£8.70	£12.00	na	na	na	na	st	st
Hillingdon	Eastcote	Devonshire Lodge	foc	£0.70	£1.40	£2.10	£3.00	£5.20	na	na	na	na	na	£8.70	£12.00	na	na	na	na	st	st
Hillingdon	Eastcote	Northview	foc	£0.70	£1.40	£2.10	£3.50	£5.20	£5.70	£5.70	na	na	na	na	na	na	na	na	na	st	st
Hillingdon	Hayes	Blyth Road	foc	£0.70	£1.40	£2.10	£3.00	£5.20	£8.70	£8.70	na	na	na	na	na	na	na	na	na	st	st
Hillingdon	Hayes	Civic Hall	foc	£0.70	£1.40	£2.10	£3.00	£5.20	na	na	na	na	na	£8.70	£12.00	na	na	na	na	st	st
Hillingdon	Hayes	Pump Lane	foc	£0.70	£1.40	£2.10	£3.50	£5.20	£5.70	£5.70	na	na	na	na	na	na	na	na	na	st	st
Hillingdon	Hillingdon	Long Lane	foc	£0.70	£1.40	£2.10	£3.00	£5.20	na	na	na	na	na	£8.70	£12.00	na	na	na	na	st	st
Hillingdon	Ickenham	Community Close	foc	£0.70	£1.40	£2.10	£3.00	£5.20	na	na	na	na	na	£8.70	£12.00	na	na	na	na	st	st
Hillingdon	Northwood	Green Lane	foc	£0.70	£1.40	£2.10	£3.00	£5.20	na	na	na	na	na	£8.70	£12.00	na	na	na	na	st	st
Hillingdon	Ruislip Manor	Pembroke Gardens	foc	£0.70	£1.40	£2.10	£3.50	£5.20	£5.70	£5.70	na	na	na	na	na	na	na	na	na	st	st
Hillingdon	Ruislip	Kingsend North	foc	£1.00	£1.50	£1.70	na	na	na	na	na	na	na	na	na	na	na	na	na	st	st
Hillingdon	Ruislip	Kingsend South	na	£1.00	na	£1.50	na	na	na	na	na	na	na	na	na	na	na	na	na	st	st
Hillingdon	Ruislip	St. Martins Approach	foc	£0.70	£1.40	£2.10	£3.50	£5.20	£5.70	£5.70	na	na	na	na	na	na	na	na	na	st	st
Hillingdon	Ruislip	Wood Lane	na	£1.00	na	£1.50	£2.90	£4.90	£5.50	£5.50	na	na	na	na	na	na	na	na	na	st	st
Hillingdon	Ruislip Manor	Linden Avenue	foc	£0.70	£1.40	£2.10	£3.00	£5.20	na	na	na	na	na	£8.70	£12.00	na	na	na	na	st	st
Hillingdon	S. Ruislip	Long Drive	foc	£0.70	£1.40	£2.10	£3.50	£5.20	£5.70	£5.70	na	na	na	na	na	na	na	na	na	st	st
Hillingdon	W. Drayton	Brandville Road	foc	£0.70	£1.40	£2.10	£3.50	£5.20	£5.70	£5.70	na	na	na	na	na	na	na	na	na	st	st
Hillingdon	Yiewsley	Fairfield Road	foc	£0.70	£1.40	£2.10	£3.00	£5.20	na	na	na	na	na	£8.70	£12.00	na	na	na	na	st	st
Slough	Langley	Harrow Market	foc	£0.60	na	£1.10	£1.80	£2.10	na	na	na	na	na	na	na	na	na	na	na	foc	foc
Slough	Slough	Buckingham Gardens	na	£1.00	na	£2.00	£3.00	£4.00	£5.00	£5.00	na	na	na	na	na	na	na	na	na	st	st
Slough	Slough	Burlington	na	£0.50	na	£1.00	£2.30	£3.30	£6.70	£6.70	na	na	na	na	na	na	na	na	na	£1.00	£1.00
Slough	Slough	Hatfield	na	£0.60	na	£1.10	£2.20	£3.30	£5.00	£5.00	na	na	na	na	na	na	na	na	na	£1.00	£1.00
Slough	Slough	Herschel	na	£0.70	na	£1.60	£2.80	£3.30	£5.00	£5.00	na	na	na	na	na	na	na	na	na	st	st
Slough	Slough	The Grove	na	£1.00	na	£2.00	£3.00	£4.00	£5.00	£5.00	na	na	na	na	na	na	na	na	na	£1.00	£1.00
S. Oxfordshire	Didcot	Broadway East	na	foc	na	£1.00	£1.60	na	£2.00	na	na	na	£3.40	na	na	na	na	na	na	foc	foc
S. Oxfordshire	Didcot	Broadway West	na	foc	na	£1.00	£1.60	na	£2.00	na	na	na	£3.40	na	na	na	na	na	na	foc	foc
S. Oxfordshire	Didcot	Edinburgh Drive	na	foc	na	£1.00	£1.60	na	£2.00	na	na	na	£3.40	na	na	na	na	na	na	foc	foc
S. Oxfordshire	Didcot	High Street	na	foc	na	£1.00	£1.60	na	£2.00	na	na	na	£3.40	na	na	na	na	na	na	foc	foc
S. Oxfordshire	Goring	Wheel Orchard	na	foc	na	£0.80	na	na	£2.00	na	na	na	na	na	na	£3.40	na	na	na	foc	foc
S. Oxfordshire	Henley	Greys Road	na	£0.60	na	£1.00	£1.60	na	na	na	na	na	na	na	na	na	na	na	na	foc	foc
S. Oxfordshire	Henley	Kings Road	na	£0.60	na	£1.00	£1.60	na	na	na	na	na	na	na	na	na	na	na	na	foc	foc
S. Oxfordshire	Henley	Southfields	na	na	na	na	na	na	£2.20	na	na	na	£3.20	na	na	na	na	na	na	foc	foc
S. Oxfordshire	Thame	Cattlemarket	na	foc	na	£1.00	na	na	£2.00	na	na	na	£2.40	na	na	na	na	na	na	foc	foc
S. Oxfordshire	Thame	Southern Road	na	foc	na	£1.00	£1.60	na	na	na	na	na	na	na	na	na	na	na	na	foc	foc
S. Oxfordshire	Wallingford	Cattlemarket	na	foc	na	£1.00	na	na	£2.00	na	na	na	£2.40	na	na	na	na	na	na	foc	foc
S. Oxfordshire	Wallingford	Goldsmith Lane	na	foc	na	foc	£1.60	na	na	na	na	na	£3.40	na	na	na	na	na	na	foc	foc
S. Oxfordshire	Wallingford	St Georges Road	na	na	na	na	na	na	na	na	na	na	£1.70	na	na	na	na	na	na	foc	foc
S. Oxfordshire	Wallingford	Thames Street	na	foc	na	£1.00	na	na	£2.00	na	na	na	£2.40	na	na	na	na	na	na	foc	foc

Council	Town	Car Park	30mins	1hr	90mins	2hr	3hr	4hr	5hr	5hr+	6hr	7hr	8hr	9hr	9hr+	10hr	10hr+	12hr	24hr	Sun	B/Hol	
Three Rivers	Rickmansworth	Bury Lane	na	na	na	na	na	£1.00	na	na	na	na	na	na	na	na	na	na	£3.00	foc	foc	
Three Rivers	Rickmansworth	High Street	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	£3.00	foc	foc	
Three Rivers	Rickmansworth	Park Road	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	£3.00	foc	foc	
Three Rivers	Rickmansworth	Talbot Road	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	£3.00	foc	foc	
Three Rivers	Rickmansworth	Talbot Road (S)	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	£3.00	foc	foc	
Three Rivers	S. Oxley	Bridlington Road	na	na	na	foc	na	na	na	na	na	na	na	na	na	na	na	na	£2.00	foc	foc	
Three Rivers	S. Oxley	Station Approach	na	na	na	foc	na	na	na	na	na	na	na	na	na	na	na	na	£2.00	foc	foc	
Watford	N. Watford	Harebreaks	na	£0.50	na	na	na	£1.00	na	na	na	na	na	na	na	na	na	na	na	st	st	
Watford	N. Watford	Longspring	na	£0.50	na	na	na	£1.00	na	£2.00	na	na	na	na	na	na	na	na	na	st	st	
Watford	N. Watford	Timberlake	na	£0.60	na	£1.20	£1.80	£3.00	na	na	na	na	na	na	na	na	na	na	na	st	st	
Watford	Watford	Avenue	na	£0.60	na	£1.20	£1.80	£2.40	£5.00	na	na	na	na	na	na	na	na	na	na	st	st	
Watford	Watford	Church	na	£1.00	na	£2.00	£3.00	£4.00	£5.00	na	£6.00	£10.00	na	na	na	na	na	na	£15.00	st	st	
Watford	Watford	Gade	na	£1.00	na	£2.00	£3.00	£4.00	£5.00	na	£6.00	na	na	na	na	na	na	na	£15.00	st	st	
Watford	Watford	Kings	na	£1.00	na	£2.00	£3.00	£4.00	£5.00	na	£6.00	£10.00	na	na	na	na	na	na	£15.00	st	st	
Watford	Watford	Palace	na	£1.00	na	£2.00	£3.00	£4.00	£5.00	na	£6.00	£10.00	na	na	na	na	na	na	£15.00	st	st	
Watford	Watford	Palace Charter	na	£1.00	na	£2.00	£3.00	£4.00	£5.00	na	£6.00	£10.00	na	na	na	na	na	na	£15.00	st	st	
Watford	Watford	Queens	na	£1.00	na	£2.00	£3.00	£4.00	£5.00	na	£6.00	£10.00	na	na	na	na	na	na	£15.00	st	st	
Watford	Watford	Sutton	na	£1.00	na	£2.00	£3.00	£4.00	£5.00	na	na	£10.00	na	na	na	na	na	na	£6.00	st	st	
Watford	Watford	Town Hall	na	£0.60	na	£1.20	£1.80	£2.40	na	£5.00	na	na	na	na	na	na	na	na	na	st	st	
Watford	Watford	Town Hall (Short Stay)	foc	£1.20	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	st	st	
W. Berkshire	Hungerford	Church Street	na	£0.50	na	£0.90	£1.10	£1.20	na	na	na	na	na	na	na	na	£4.00	na	£10.00	foc	foc	
W. Berkshire	Hungerford	Station Road	na	£0.50	na	£0.90	£1.10	£1.20	na	na	na	na	na	na	na	na	£4.00	£6.00	na	na	foc	foc
W. Berkshire	Newbury	Central	na	£1.30	na	£2.50	£3.70	£5.00	na	na	£7.00	£8.50	£8.50	na	na	na	na	na	£12.00	st	st	
W. Berkshire	Newbury	Corn Exchange	na	£1.30	na	£2.50	£3.70	£5.00	£5.00	na	£7.00	£8.50	£8.50	na	na	na	na	na	£12.00	st	st	
W. Berkshire	Newbury	Eight Bells Arcade	na	£1.30	na	£2.50	£3.70	£5.00	na	na	£7.00	£8.50	£8.50	na	na	na	na	na	£12.00	st	st	
W. Berkshire	Newbury	Football Club	na	na	na	£1.50	£3.00	£3.00	na	na	na	na	na	na	na	na	na	na	£5.00	st	st	
W. Berkshire	Newbury	Goldwell	na	£1.00	na	£1.00	£1.00	£1.00	na	na	na	na	na	na	na	na	na	na	£2.00	foc	foc	
W. Berkshire	Newbury	Kennett Centre	na	£1.30	na	£2.50	£3.70	£5.00	na	na	£7.00	na	£8.50	na	na	na	na	na	£12.00	st	st	
W. Berkshire	Newbury	Library	na	£1.30	na	£2.50	£3.70	£5.00	na	na	£7.00	na	£8.50	na	na	na	na	na	£12.00	st	st	
W. Berkshire	Newbury	Market Street	na	£1.30	na	£2.50	£3.70	£5.00	na	na	£7.00	na	£8.50	na	na	na	na	na	£12.00	st	st	
W. Berkshire	Newbury	Northbrook MS	na	£1.30	na	£2.50	£3.70	£5.00	na	na	£7.00	£8.50	£8.50	na	na	na	na	na	£12.00	st	st	
W. Berkshire	Newbury	Northcroft Lane	na	£1.30	na	£2.50	£3.70	£5.00	na	na	na	na	na	na	na	na	na	na	£12.00	st	st	
W. Berkshire	Newbury	Northcroft Lane West	na	na	na	£1.50	£3.00	£3.00	na	na	na	na	na	na	na	na	na	na	£5.00	st	st	
W. Berkshire	Newbury	Northcroft Leisure Cen.	na	foc	na	foc	foc	na	na	na	na	na	na	na	na	na	na	na	£5.00	foc	foc	
W. Berkshire	Newbury	Pelican Lane	na	£1.30	na	£2.50	£3.70	£5.00	na	na	£7.00	£8.50	£8.50	na	na	na	na	na	£12.00	st	st	
W. Berkshire	Newbury	West Street	na	£1.30	na	£2.50	£3.70	£5.00	na	na	£7.00	£8.50	£8.50	na	na	na	na	na	£12.00	st	st	
W. Berkshire	Newbury	Wharf Street	na	£1.30	na	£2.50	£3.70	£5.00	na	na	na	na	na	na	na	na	na	na	£12.00	st	st	
W. Berkshire	Pangbourne	River Meadow	na	£0.70	na	£1.20	£1.60	£2.00	na	na	na	na	£2.50	na	na	na	na	na	£5.50	foc	foc	
W. Berkshire	Pangbourne	Station Road	na	£0.70	na	£1.20	£1.60	na	na	na	na	na	na	na	na	na	na	na	£5.50	foc	foc	
W. Berkshire	Thatcham	Burdwood Centre	na	foc	na	foc	na	na	na	na	na	na	na	na	na	na	na	na	£2.00	foc	foc	
W. Berkshire	Thatcham	Gilbert Court (East)	na	foc	na	£0.50	£0.80	na	na	na	na	na	na	na	na	na	na	na	£2.00	foc	foc	
W. Berkshire	Thatcham	Kingsland Central	na	£0.70	na	£1.20	£1.60	na	na	na	na	na	na	na	na	na	na	na	£3.00	foc	foc	
W. Berkshire	Thatcham	Station Road	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	£3.40	foc	foc	
W. Berkshire	Theale	High Street	na	na	na	£0.70	na	na	na	na	na	na	na	na	na	na	na	na	£1.20	foc	foc	
W. Berkshire	Theale	High Street West	na	£0.70	na	£1.20	na	na	na	na	na	na	na	na	na	na	na	na	£5.50	foc	foc	

Council	Town	Car Park	30mins	1hr	90mins	2hr	3hr	4hr	5hr	5hr+	6hr	7hr	8hr	9hr	9hr+	10hr	10hr+	12hr	24hr	Sun	B/Hol
Wr & M'd	Maidenhead	Boulters Court	na	£0.50	na	£0.50	£0.50	£1.00	£1.00	£1.00	na	na	na	na	na	na	na	na	na	st	st
Wr & M'd	Maidenhead	Grove Road	£0.50	£1.00	na	£2.00	na	na	na	na	na	na	na	na	na	na	na	na	na	foc	foc
Wr & M'd	Maidenhead	Hines Meadow	na	£1.00	na	£1.80	£2.50	£3.50	£4.00	£5.50	na	na	na	na	na	na	na	na	na	foc	foc
Wr & M'd	Maidenhead	Magnet Leisure Cen.	£0.40	£0.80	£1.20	£1.50	£2.50	£4.00	£8.00	£8.00	na	na	na	na	na	na	na	na	na	st	st
Wr & M'd	Maidenhead	Nicholsons	£0.50	£1.00	na	£2.00	£3.00	£3.00	£6.00	£9.50	na	na	na	na	na	na	na	na	na	foc	foc
Wr & M'd	Maidenhead	Stafferton Way	na	£5.00	na	£5.00	£5.00	£5.00	£5.00	£5.00	na	na	na	na	na	na	na	na	na	foc	foc
Wr & M'd	Maidenhead	Town Hall	na	£1.00	na	£1.50	£2.50	£4.00	£6.50	£6.50	na	na	na	na	na	na	na	na	na	sbh	sbh
Wr & M'd	Maidenhead	West Street	£0.50	£1.00	na	£2.00	£3.00	na	na	na	na	na	na	na	na	na	na	na	na	foc	foc
Wr & M'd	Windsor	Alexandra Gardens	na	£1.00	na	£2.00	£3.00	£4.00	£6.00	£8.00	na	na	na	na	na	na	na	na	na	st	st
Wr & M'd	Windsor	Alma Road	na	£1.00	na	£2.00	£3.00	£4.00	£6.00	£8.00	na	na	na	na	na	na	na	na	na	st	st
Wr & M'd	Windsor	Coach Park	na	£10.00	na	na	na	£20.00	na	£30.00	na	na	na	na	na	na	na	na	na	st	st
Wr & M'd	Windsor	East Berks College	na	£1.00	na	£1.50	£2.00	£3.00	£6.00	£6.00	na	na	na	na	na	na	na	na	na	£2.00	£2.00
Wr & M'd	Windsor	Eton Court	na	£1.00	na	£2.00	£3.00	£6.00	£8.00	£10.00	na	na	na	na	na	na	na	na	na	st	st
Wr & M'd	Windsor	Home Park	na	£0.70	na	£1.50	£2.50	£2.50	£5.00	£5.00	na	na	na	na	na	na	na	na	na	foc	foc
Wr & M'd	Windsor	Horton Road	na	£0.10	na	£0.20	£0.50	£1.00	£5.00	£5.00	na	na	na	na	na	na	na	na	na	foc	foc
Wr & M'd	Windsor	King Edward VII	na	£1.00	na	£1.00	£3.00	£4.00	£5.00	£6.00	na	na	na	na	na	na	na	na	na	st	st
Wr & M'd	Windsor	King Edward VII Hosp.	na	£1.00	na	£1.00	£2.00	£2.00	£5.00	£5.00	na	na	na	na	na	na	na	na	na	st	st
Wr & M'd	Windsor	Meadow Lane	na	£1.00	na	£2.00	£3.00	£4.00	£8.00	£10.00	na	na	na	na	na	na	na	na	na	st	st
Wr & M'd	Windsor	River Street	na	£4.00	na	£6.00	£10.00	£12.00	£15.00	£15.00	na	na	na	na	na	na	na	na	na	st	st
Wr & M'd	Windsor	Romney Lock	na	£1.00	na	£2.00	£3.00	£4.00	£5.00	£6.00	na	na	na	na	na	na	na	na	na	st	st
Wr & M'd	Windsor	The Avenue	na	£0.50	na	£1.00	£2.50	£3.50	£5.00	£5.00	na	na	na	na	na	na	na	na	na	foc	foc
Wr & M'd	Windsor	Victoria Street	na	£1.50	na	£2.50	£4.00	£7.00	£10.00	£11.00	na	na	na	na	na	na	na	na	na	st	st
Wr & M'd	Windsor	Windsor Dials	na	£1.00	na	£2.00	£3.00	£4.00	£6.00	£8.00	na	na	na	na	na	na	na	na	na	st	st
Wr & M'd	Windsor	Windsor Leisure Cen.	£0.30	£0.70	na	£1.20	£2.50	£8.00	£10.00	£13.00	na	na	na	na	na	na	na	na	na	st	st
Wr & M'd	Windsor	Windsor Library	£0.20	£2.50	na	£4.50	na	na	na	na	na	na	na	na	na	na	na	na	na	foc	foc
Wr & M'd	Windsor	York House	na	£3.00	na	£3.00	£3.00	£3.00	£5.00	£5.00	na	na	na	na	na	na	na	na	na	st	st
WYC	Boume End	Wakeman Road	na	£0.30	na	£0.50	£0.80	£1.00	na	na	na	na	£2.00	na	na	na	na	£3.00	na	foc	foc
WYC	Marlow	Central	£0.40	£0.60	na	£1.20	£1.50	£2.00	na	na	na	na	na	na	na	na	na	na	na	£1.00	£1.00
WYC	Marlow	Dean Street	£0.40	£0.60	na	£1.20	£1.50	£2.00	na	na	£3.00	na	na	na	na	na	na	£5.50	na	£1.00	£1.00
WYC	Marlow	Insitute Road	na	£0.60	na	£1.20	£1.50	£2.00	na	na	£3.00	na	na	na	na	na	na	£5.50	na	£1.00	£1.00
WYC	Marlow	Liston Road	£0.40	£0.60	na	£1.20	£1.50	£2.00	na	na	£3.00	na	na	na	na	na	na	£5.50	na	£1.00	£1.00
WYC	Marlow	Pound Lane	na	£0.70	na	£1.20	£1.50	£2.00	na	na	£3.00	na	na	na	na	na	na	£5.50	na	st	st
WYC	Marlow	Riley Road	na	£1.00	na	£1.20	£1.50	£2.00	na	na	£3.00	na	na	na	na	na	na	£5.50	na	£1.00	£1.00
WYC	Marlow	West Street	£0.40	£0.60	na	£1.20	£1.50	£2.00	na	na	£3.00	na	na	na	na	na	na	£5.50	na	£1.00	£1.00
WYC	Princes Risbord	Horns Lane	£0.30	£0.60	na	na	£1.00	na	na	na	na	na	na	na	na	na	na	na	na	foc	foc
WYC	Princes Risbord	The Mount	na	£0.30	na	£0.60	£0.80	£1.00	na	na	na	na	£2.00	na	na	na	na	£3.00	na	foc	foc
WYC	Wycombe	Baker Street	na	na	na	£1.50	na	na	na	na	na	na	na	na	na	na	na	£3.00	na	foc	foc
WYC	Wycombe	Desborough Road	na	£1.00	na	£1.50	£2.00	£2.50	£3.00	na	£3.50	na	na	na	na	na	na	na	£5.00	foc	foc
WYC	Wycombe	Duke Street	na	£1.50	na	£3.50	na	na	na	na	na	na	na	na	na	na	na	£5.00	na	foc	foc
WYC	Wycombe	Easton Street	na	£1.00	na	£1.50	£2.00	£2.50	£3.00	na	£3.50	na	na	na	na	na	na	na	£5.00	£1.00	foc
WYC	Wycombe	George Street	£0.50	£1.00	na	£2.00	na	na	na	na	na	na	na	na	na	na	na	na	£3.00	foc	foc
WYC	Wycombe	Kingsmead	na	na	na	£0.20	na	£1.00	na	na	na	na	£2.00	na	na	na	na	na	na	foc	foc
WYC	Wycombe	Railway Place	na	£1.50	na	£3.50	na	na	na	na	na	na	na	na	na	na	na	£5.00	na	foc	foc
WYC	Wycombe	Richardson Street	na	£1.00	na	£1.50	na	na	na	na	na	na	na	na	na	na	na	£3.00	na	foc	foc
WYC	Wycombe	Totteridge Road	na	£1.50	na	£3.50	na	na	na	na	na	na	na	na	na	na	na	£5.00	na	foc	foc
WYC	Wycombe	Wycombe Swan	£0.50	£1.00	na	£1.50	£2.00	£2.50	na	na	£3.50	na	na	na	na	na	na	na	£10.00	£1.00	£1.00



Annual Parking Report 2016/17



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INTRODUCTION

Welcome to Chiltern District Council (CDC) first Annual Parking Report. The report, which has been produced in line with Part 6 of the Traffic Management Act 2004 (TMA04), compliments the information submitted in accordance with the Local Government Transparency Code 2014.

The purpose of the report is to provide factual information regarding our parking enforcement operations, up to date information on the parking facilities, and general information on parking throughout the Chiltern District.

One of the priorities of the Department for Communities and Local Government is to ensure that the enforcement of parking restrictions is transparent, consistent, and fair. CDC recognises that openness and accountability is critical to gaining public support and by publishing our Annual Parking Report, we hope that our customers will be aware of our dedication to improving the parking regime for residents, businesses, and visitors to the District. In addition to parking data, the report provides information regarding forthcoming changes to the car park provision. Future reports will also provide information regarding any changes that have happened in the 12 months since the previous report.

We thank you for taking the time to read this report. We hope you will find the contents interesting, and that it will give you a better understanding of the parking service we provide.

STATISTICAL PERFORMANCE

Penalty Charge Notices Issued

There is a national list of parking contraventions with two levels of charging. The more serious contraventions are charged at the higher level of £70.00 (£35.00 if paid within 14 days of issue) and the less serious contraventions are charged of the lower level of £50.00 (£25.00 if paid within 14 days of issue). The tables below shows the number of PCNs issued against each contravention during 20/15/16 and 2016/2017.

Higher Level Contraventions			
Code	Contravention Description	PCNs 2015/16	PCNs 2016/17
81	Parked in a restricted area in a car park	21	25
85	Parked in a permit bay without clearly displaying a valid permit	31	26
87	Parked in a designated disabled person's parking place without clearly displaying a valid disabled person's badge	116	91
89	Vehicle parked exceeds maximum weight or height or length permitted in the area	0	1
91	Parked in an area not designated for that class of vehicle	0	16
92	Parked causing an obstruction	36	39
	Total	204	198

Lower Level Contraventions			
Code	Contravention Description	PCNs 2015/16	PCNs 2016/17
73	Parked without payment of the parking charge	2240	1942
80	Parked for longer than the maximum period permitted	1	0
82	Parked after the expiry of paid for time	782	618
83	Parked in a car park without clearly displaying a valid pay & display ticket or voucher or parking clock	892	1487
84	Parked with additional payment made to extend the stay beyond time first purchased	4	13
86	Parked beyond the bay markings	228	139
95	Parked in a parking place for a purpose other than the designated purpose for the parking place	0	11
	Total	4147	4210

Representations and Cancellations

The table below shows that 711 PCNs were cancelled as a result of an informal or formal representation in 2016/17. This is approximately 16% of the overall PCNs that were issued, compared to 18% for 2015/16.

Description	Total PCNs 2015/16	Total PCNs 2016/17
PCNs Issued	4351	4408
Number of PCNs against which an informal or formal representation was made	1340	1252
Number of PCNs cancelled as a result of an informal or a formal representation	797	711
Number of PCNs cancelled for other reasons (driver untraceable, foreign vehicle)	115	94

The main reasons for cancelling PCNs were:

- 50% Pay by mobile customer paid/logged incorrect vehicle registration/location.
- 37% Pay and display ticket/season ticket in vehicle but not fully displayed to allow validity to be checked.
- 5% Disabled badge displayed incorrectly/partly obscured.
- 4% Discretion exercised due to mitigating circumstances
- 2% Vehicle breakdown/taken without consent
- 2% Cancelled at TPT

PCNs cancelled in 2016/17 for other reasons are mainly due to the 'Keeper at Date of Event' not being able to be obtained from the DVLA within the specified time, or the Keeper at Date of Event has been unable to be traced. These account for 96% of the PCNs cancelled for 'other reasons'. Foreign vehicles account for 4%.

Traffic Penalty Tribunal

Included in the statistics above are 12 cases that were registered with TPT. Of these, five were allowed, five were non contested due to further evidence being received from the appellant at the third stage appeal, and two were dismissed.

At regular intervals, TPT publishes local authority statistics on their website. This allows members of the public to view information regarding the enforcement of parking tickets and to compare a set of national statistics for all local authorities.

The data available at the moment shows that the average rate of appeal per PCN is 0.33%. CDC's rate of appeal is 0.27%.

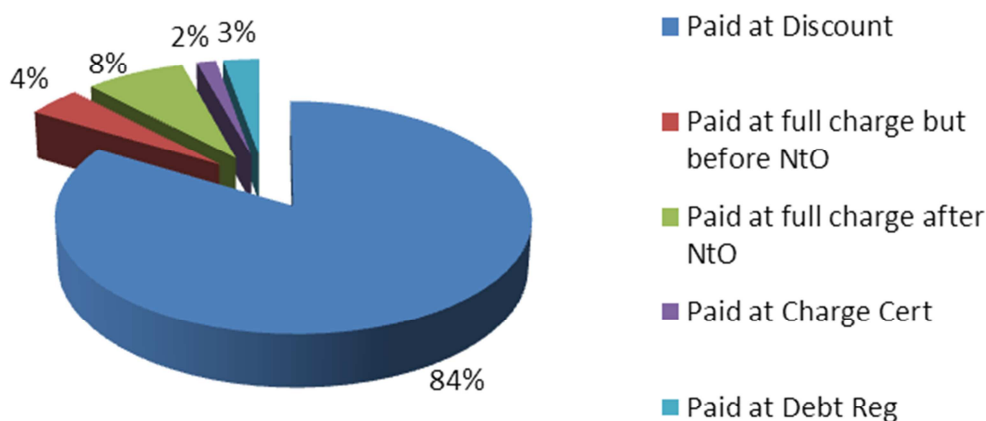
Where an Adjudicator has found in favour of the motorist the Council reviews all feedback from TPT to ensure CDC continually delivers a robust enforcement regime that is fair, transparent and meets the needs of the community.

In some instances, the evidence supporting an appeal is not submitted until the case has been referred to TPT. This prevents the Council from taking the mitigating circumstances into account, which could have resulted in discretion being exercised at a much earlier stage.

Recovery of Penalty Charge Notices

The pie chart below outlines the percentage of payments received at the various stages and the actions taken to recover the PCNs, which were issued throughout 2016/17

Collection Rates



The overall collection rate for 2016/17 was 79%. This is 1% higher than the collection rate for 2015/16. Of the remaining 21%, 16% of PCNs were cancelled as a result of an appeal, 2% were cancelled as a result of other reasons, and 3% are currently live in the system and are being pursued.

For information on appealing a PCN, please see Appendix A.

PARKING IN THE CHILTERNNS

Car Park Provision



We provide public parking facilities to assist with traffic management, environmental improvements, and to support our community by ensuring sufficient availability of space to meet the demands of residents, shoppers, visitors, and local businesses.

The tables below outline all of CDC's public car parks, along with their current tariffs and the maximum length of stay. Also provided is information specific to a given area.

Amersham

Charging period Monday to Saturday 07:30 to 18:00

Car Park	No. of Spaces	Tariff	Max Stay
Amersham MS	680	1 hr-70p; 2 hr-£1.40; 3 hr-£2.00; 4 hr-£2.50; Over 4 hr-£6.00	24hr
Chiltern Avenue	111	1 hr-70p; 2 hr-£1.40; 3 hr-£2.00; 4 hr-£2.50; 5 hr-£3.60	5hr
Chiltern Pools	57	1 hr-70p; 2 hr-£1.40; 3 hr-£2.00	3hr
Civic Centre	41	1/2hr free; 1 hr-70p; 2 hr-£1.40; 3 hr-£2.00	3hr
Council Offices	173	Open to public Mon-Fri 17:30-midnight + Sat & Sun (free of charge)	-
Sycamore Road	253	1 hr-70p; 2 hr-£1.40; 3 hr-£2.00; 4 hr-£2.50; 9 hr-£3.60; Over 9 hr-£6.00	24hr
Amersham Old Town	201	1 hr-70p; 2 hr-£1.40; 3 hr-£2.00; 4 hr-£2.50; Over 4hr-£3.60	24hr
Total Spaces	1516		
Sunday and Bank Holidays - free of charge across all car parks			

The long term aspiration for car parking in Amersham is for an extension to the existing multi storey car park. We envision the extension will provide an additional 366 car parking spaces.

Chiltern Pools - Pool users may park free of charge for up to one hour. Payment is reimbursed by the Leisure Centre upon receipt of the paid for pay and display ticket.

Chalfonts

Charging period Monday to Saturday 07:30 to 18:00

Car Park	No. of Spaces	Tariff	Max Stay
Chalfont. St Giles Blizzards Yard	94	1 hr free; 2 hr-£1.40; 3 hr-£2.00; 4 hr-£2.50; Over 4 hr-£3.60	24hr
Chalfont. St Peter Church Lane	165	1 hr free; 2 hr-£1.40; 3 hr-£2.00; 4 hr-£2.50; Over 4 hr-£3.60 Goods vehicles overnight parking £6	24hr
Little Chalfont Snells Wood	50	1 hr free; 2 hr-£1.40; 3 hr-£2.00; 4 hr-£2.50; 5 hr-£3.60 Goods vehicles overnight parking £6.00	5hr
Total Spaces	309		
Sunday and Bank Holidays - free of charge			

Chesham

Charging period Monday to Saturday 07:30 to 18:00 except for Catlings.
Catlings; Monday to Saturday 07:30 to 16:00

Car Park	No. of Spaces	Tariff	Max Stay
Albany Place	66	10min-10p; 20min-20p; 30min-30p; 40min-40p; 50min-50p; 1 hr-70p; 2 hr-£1.40; 3 hr-£2.00; 4 hr-£2.50; Over 4 hr-£3.60	24hr
Catlings	56	10min-10p; 20min-20p; 30min-30p; 40min-40p; 50min-50p; 1 hr-70p; 2 hr-£1.40; 3 hr-£2.00; 4 hr-£2.50	4hr
East Street	13	1 hr-70p; 2 hr-£1.40; 3 hr-£2.00; 4 hr-£2.50; Over 4 hr-£3.60	24hr
Star Yard	148	1 hr-70p; 2 hr-£1.40; 3 hr-£2.00 Goods vehicles overnight parking £6	3hr
Water Meadow	168	1 hr-70p; 2 hr-£1.40; 3 hr-£2.00; 4 hr-£2.50; Over 4 hr-£3.60 Market Traders (Wednesday & Saturday only) £4.10	24hr
Total Spaces	451		
Sunday and Bank Holidays - free of charge across all car parks			

Great Missenden and Prestwood

Charging period Monday to Sunday 07:30 to 18:00

Car Park	No. of Spaces	Tariff	Max Stay
Buryfield	39	1 hr free; 2 hr-£1.40; 3 hr-£2.00; 4 hr-£2.50; 9 hr-£3.60; Over 9 hr-£7.00	24hr
Link Road	75	1 hr-70p; 2 hr-£1.40; 3 hr-£2.00; 4 hr-£2.50; 9 hr-£3.60; Over 9 hr-£7.00	24hr
High Street	45	1 hr free; 2 hr-£1.40; 3 hr-£2.00; 4 hr-£2.50; Over 4 hr-£3.60 Goods vehicles overnight parking £6	24hr
Total Spaces	159		
Sunday and Bank Holidays - free of charge across all car parks			

General

There are a number of car parks across the Chiltern District with toilet facilities. These are:

- Amersham Old Town
- High Street
- Link Road
- Star Yard
- Snells wood

Parking time may be purchased after 18:00 to be carried over to the following day. This is 16:00 for Catlings car park.

Each car park has at least one tariff board informing customers of the rules and regulations of the car park, along with a pay and display machine.

Motorcycle Parking

Motorcycles may park free of charge on all CDC car parks. This must be parked in a marked bay, or a designated motorcycle bay (if applicable).

Coach Parking

Coach parking is available at Chiltern Pools and Buryfield when parking to access local facilities.

Electric Vehicle Charging Points

To contribute towards the government's commitment to drive forward the market for ultra-low emission vehicles, whilst also addressing the carbon consequences of motoring, we currently have charging points for electric vehicles installed on the following car parks:

- Albany Place
- Amersham Multi-Storey
- Church Lane
- Link Road
- Water Meadow

The charging points, which are part of the Milton Keynes Plugged-In Places Scheme, are slow charge. This means the charging time is approximately three hours. The link below provides some back ground information.

<http://www.thechargingpoint.com/knowledge-hub/charging-points.html>

To enable a vehicle to be charged there is a requirement to register the vehicle with a charging supplier to enable access to the charging points. The supplier for the Milton Keynes scheme is Chargemaster PLC. The website can be found at:

www.chargemasterplc.com

When charging an electric vehicle in a Council car park the motorist is required to pay the appropriate parking tariff. These tariffs are displayed on the tariff boards in the car parks.

Please note: electric vehicles may only be parked in an electric vehicle recharging bay if they are recharging.

Pay and Display Machines

All of our pay and display machines are supplied by Cale Briparc. Each machine is serviced regularly and checked on a daily basis to ensure they are in full working order.

Should any problems occur, faults are logged and rectified as soon as possible. To report a fault please contact Parking Services by either; telephone on 01494 732252 or, email parking@chiltern.gov.uk

Payment is by coins only except for Amersham multi-storey car park where payment can be made by credit/debit card on some of the machines. The machines do not give change.

RingGo Pay by Mobile

Each car park has a unique reference number provided on the signage. This number is required to ensure you purchase parking for the correct location. Please note; the following charges apply when purchasing parking using this payment option.

- Service charge per session £0.15p
- Text confirmation £0.10p
- Text reminder £0.10p

Additional services are available to the customer, such as;

- VAT receipts on line.
- Text confirmation that parking has been purchased.
- Text to remind that the time purchased is about to expire.
- Parking time may be topped up providing any maximum stay for that car park is not exceeded.

The Blue Badge Scheme

The Blue Badge Scheme provides a national arrangement of parking concessions for people with severe walking difficulties who travel as either drivers or passengers. The Scheme also applies to registered blind people, and people with very severe upper limb disabilities who regularly drive a vehicle but cannot turn a steering wheel by hand.

The concessions of the scheme apply to on-street parking only and it is important that all badge holders, carefully read the contents of the booklet before attempting to use their badge. Off Street parking concessions vary from town to town and it is up to the car park owner as to whether concessions of the Blue Badge are available. Blue Badge holders are therefore advised to always check the prevailing parking conditions of the area to which they are visiting.

CDC has designated off street disabled parking bays and the concessions of the Blue Badge apply in all CDC car parks, providing a valid Disability Badge is correctly displayed. For information on the number of designated disabled bays in each car park, please see the list below:

Location	No. of Bays	Location	No. of Bays
<u>Amersham</u>		<u>Chesham</u>	
Amersham MS/Station	6	Albany Place	3
Chiltern Avenue	9	Catlings	11
Chiltern Pools	4	East Street	0
Civic Centre	2	Star Yard	10
Sycamore Road	15	Water Meadow	5
Amersham old Town	10		
		<u>Great Missenden</u>	
<u>Chalfonts</u>		Buryfield	2
Blizzards Yard	4	Link Road	2
Church Lane	7		
Snells Wood	3	<u>Prestwood</u>	
		High Street	4



Blue badges in Buckinghamshire are issued by Buckinghamshire County Council. Their contact details are:

Buckinghamshire County Council
Social Services Department
County Hall
Aylesbury
Bucks, HP20 1YU

Tel: 01296 382902

Email: disabledcarbadges@buckscc.gov.uk Website: [Apply for Blue badge](#)

To help eliminate the potential misuse of Blue Badges, TMA04 introduced the “power to inspect”. This means that should a CEO ask to see your badge, you must show it to them. If you do not, you will be breaking the law and could be fined up to £1,000.

Please ensure your badge is clearly displayed to avoid the risk of being issued with a PCN.

Season Tickets

Season tickets for any particular car park are issued to a maximum of 50% of the capacity of the car park. This is to maintain the short stay/long stay ratio and enable availability of space for daily paying customers.



Season ticket prices vary depending on the location and the car park. A list of 2017/18 season ticket prices for each car park can be seen below:

2017/18 Season Tickets

	Car Park	1mth	3mth	6mth	12mth
Amersham					
	Amersham MS	99.00	293.00	580.00	972.00
	Sycamore Road	99.00	293.00	580.00	972.00
	Amersham Old Town	64.00	191.00	355.00	655.00
Chalfonts					
	Blizzards Yard	64.00	191.00	355.00	655.00
	Church Lane	45.00	136.00	273.00	437.00
	Snells Wood	64.00	191.00	355.00	655.00
Chesham					
	Albany Place	71.00	211.00	374.00	702.00
	East Street	71.00	211.00	374.00	702.00
	Star Yard	71.00	211.00	374.00	702.00
	Watermeadow	71.00	211.00	374.00	702.00
Great Missenden					
	Buryfield	110.00	327.00	582.00	1092.00
	Link Road	110.00	327.00	582.00	1092.00
Prestwood					
	High Street	64.00	191.00	355.00	655.00

Season tickets can be purchased by following the link below.

<http://www.chiltern.gov.uk/article/1840/Parking-Season-Tickets>

Business Season Ticket

Business season tickets are available to purchase for Sycamore Road, Buryfield, and Link Road car parks. The price is based on the lower all day tariff of up to 9 hours to support local businesses and workers. Prices for 2017/18 can be seen in the table below.

2017/18 Business Season Tickets

	Car Park	1mth	3mth	6mth	12mth
Amersham					
	Sycamore Road	71.00	211.00	374.00	702.00
Great Missenden					
	Buryfield	71.00	211.00	374.00	702.00
	Link Road	71.00	211.00	374.00	702.00

Terms and conditions for all season tickets can be found at:

<http://www.chiltern.gov.uk/article/1840/Parking-Season-Tickets>

Resident Parking

Resident permits are available to purchase for Water Meadow car park, Chesham. The 2017/18 price is £80 pa. Permits are registration specific and one vehicle per permit.

Resident permits are helpful to local residents who have no off-street parking facilities as they avoid the need to make a specific payment when they arrive home in the evening and at weekends.

FORWARD GLANCE

Amersham Multi-Storey car park extension.

Recent capacity studies in Amersham town centre identified an increasing demand for parking spaces, to serve the needs of both shoppers and rail commuters. This pressure for space was most evident at both Sycamore Road and King George V Road facilities and predictions showed that additional parking is required to meet expected growth.

In response, and to address this demand, CDC prepared development proposals to extend the existing Amersham Multi Storey car park at King George V Road in Amersham. This site was chosen for its development capacity and with the intent to concentrate the longer term parking (commuter) in the most convenient location, near the station. This decision also has a direct and beneficial effect of relieving the Sycamore Road capacity, freeing it for mostly shopping use.

The extension will replace the existing surface car park and connect with the existing adjacent multi-storey car park. The new car park will provide an additional 366 car parking spaces (total provision 1046 car parking spaces) across five levels. A full planning application has been submitted and approved, and work is due to commence in October 2017, with completion expected November 2018.

GLOSSARY

CDC	Chiltern District Council
CEO	Civil Enforcement Officer
PCN	Penalty Charge Notice
NtO	Notice to Owner
PATROL	Parking and Traffic Regulations outside London
TMA04	Traffic Management Act 2004
TPT	Traffic Penalty Tribunal

CONTACT DETAILS

If you would like to comment on the content of the report or, if you have an unanswered question, please let us know.

Email: Parkingservices@Chiltern.Gov.UK

Write to: Parking Services, Chiltern District Council, King George V House,
King George V Road, Amersham, Bucks, HP6 5AW

Tel: 01494 732252

J Rushton
Parking Manager

Appendix A - Appeals Process

Where a parking contravention occurs, it is the 'owner' of the vehicle involved who is legally obliged to pay the penalty charge. The 'owner' means the person by whom the vehicle is kept, which in the case of a vehicle registered under the Vehicle Excise and Registration Act 1994 (c.22) is presumed (unless the contrary is proved) to be the person in whose name the vehicle is registered at the DVLA. It is therefore essential that any changes of vehicle ownership are immediately notified to the DVLA.

When allowing other persons to use their vehicle, vehicle owners should bear in mind that it is still they, the vehicle owner and not the vehicle driver who will be liable to pay any penalty charges incurred in respect of parking contraventions.

The only exception to this is where the vehicle was hired from a firm under a hiring agreement and the person hiring it had a signed statement of liability in respect of any PCN served in relation to the vehicle during the currency of the agreement.

Vehicle owners may dispute the issuing of a PCN at three stages:

1. Informal

An informal 'challenge' or 'representation' can be made before the Council issues a Notice to Owner (NtO) (this does not apply in the case of a PCN issued by post, as the PCN then also acts as the NtO). As a challenge at this stage will be made by the person who has received the PCN, it may be that the person submitting the challenge was the driver of the vehicle, rather than the vehicle owner.

The PCN number should be included in the challenge along with reasons why the Notice has been incorrectly issued or compelling reasons why the PCN should be cancelled. Where applicable, include documentary evidence to enable the challenge to be fully considered.

If the challenge is rejected and it was received within 14 days from the issue of the PCN, a further 14 days in which to make payment at the discounted rate will be given. Once the 14 days have expired the full charge will be applicable. If the challenge is rejected and it was received after the 14 day discount period, the full penalty charge will be due.

2. Formal

If payment is not received within 28 days of the PCN issue date, the Council will make an enquiry to the DVLA for the keeper at date of event. An NtO will then be served requesting payment of the PCN. At this stage the owner has 28 days in which to make formal representations to the Council. The NtO sets out specific grounds on which formal representations may be made. However, representations may also be made on the basis that, in the particular circumstances of the case there are compelling reasons for the cancellation of the penalty charge.

If the formal representation is accepted the case will be closed and payment will not be required. If the representation is rejected, the full charge will be applicable and a 'Notice of Rejection of Representation' will be sent.

Statutory grounds on which a formal representation may be made to the Council and where, in the instance of supporting evidence, the PCN is likely to be cancelled:

- The contravention did not occur.
- The recipient has never owned the vehicle in question.
- The recipient had ceased to be the owner before the contravention date or, became the owner after that date. (Proof of sale or purchase will be required. If the vehicle has been sold, the name and address of the person buying the vehicle must also be supplied in order that the Council can redirect the Notice and serve an NtO on the new owner. It is not acceptable to simply say the vehicle was sold to somebody else without proof. A letter from the DVLA confirming you were not the owner at the date of event may assist the Council in making a decision).
- The vehicle was a hire vehicle, on hire under a formal hire agreement. (A copy of a signed hire agreement, which includes the start and end dates will be required).
- The vehicle was parked without the owner's consent. (This does not cover cases such as lending the vehicle to a friend who then parks illegally; or to a vehicle which is parked illegally whilst in the hands of a vehicle repair or service business). If the vehicle has been stolen, the Council will require details of the crime reference number and the name of the police station to which the crime was reported or a letter from an insurance company.
- The Penalty Charge exceeded the amount properly due (i.e. the amount is more than you are legally liable to pay - not that you feel the charge is too much).
- The Order was invalid (i.e. the Council had not followed the proper statutory steps in making the order). If the basis of the challenge is that the terms and conditions of a car park are unclear, Ground 1 above should be used.

Representations may also be made on compassionate grounds or “compelling reasons” and councils have a duty to act fairly, proportionately and apply discretion where appropriate. Each case will therefore be considered on its own merits and all mitigating circumstances will be taken in to account.

Mitigating Circumstances which may apply:

- Pay and display ticket face down in the vehicle. Copy of the valid ticket is required.
- Pay and Display machine faulty. This is subject to another Pay and Display machine not being available on the car park and our maintenance records supporting the claim.
- RingGo - payment made for the incorrect car park. If a PCN has not previously been cancelled for a similar reason, a first offence waiver is likely to be given.
- You became unwell while driving or whilst parked. Evidence of having a medical condition that is consistent with the symptoms described will be required.
- The vehicle had broken down. Evidence of breakdown is required such as, an authenticated garage repair/vehicle recovery bill.
- A Blue Badge displayed incorrectly (badge can partly be seen in the vehicle). Copies of both sides of the badge will be required to check against our records. If a PCN has

not previously been cancelled for a similar reason, a first offence waiver is likely to be given.

- The vehicle was on police, fire brigade or ambulance duties. Supporting evidence by a senior officer on letter headed paper is required.
- The owner liable for payment of the PCN is said to have died or the motorist claims to have been recently bereaved. The circumstances will be confirmed by sensitive enquiry.
- Circumstances that fall into the category of a statutory exemption due to provisions within CDC Off Street Parking Places Order.

The above list is not exhaustive and there can be many reasons to take into account when considering challenges or representations.

A PCN is unlikely to be cancelled on the following grounds:

- You had only parked for a few minutes.
- You had gone to get change for a pay and display machine.
- You were not causing an obstruction.
- There was nowhere else to park.
- Pay and display ticket / permit not on display.

The above list is by no means exhaustive.

The process of dealing with challenges and representations against the issue of a PCN is well documented and will be carried out in a fair, unbiased and consistent manner. These procedures include the ultimate right of all appellants to refer the matter to an independent arbitrator; the Traffic Penalty Tribunal (TPT).

To preserve the integrity of these procedures, they will be managed and carried out by the administration and processing staff in Parking Services and no undue external pressure shall be brought by either Members or senior officers of the Council, designed to unduly influence the decisions by virtue of their position alone.

3. Appeal to TPT

Following a 'Notice of Rejection of Representation', the owner (or hirer, if the vehicle was on hire when the PCN was issued) may, within 28 days from the date of issue of the 'Notice of Rejection of Representation' appeal to TPT. Details of how to appeal will be included in the Council's rejection letter. The adjudicators have a judicial position and are appointed with the agreement of the Lord Chancellor. They are independent of the Council and their decision is final (subject to their own power to review a decision).

The appellant has the choice of a postal decision, a personal hearing at the town or city of his/her choice, from the locations listed on the appeal form, or a telephone hearing. If the appeal is accepted, the case will be closed and payment will not be required. If the appeal is dismissed the full penalty charge is payable.

General information on associated rules and regulations, which may assist motorists in deciding whether to pay or to challenge a PCN, can be found on the PATROL website www.patrol-uk.info.

Outstanding PCNs can be quite upsetting for some motorists and we are sensitive to these needs. The Parking Services Team are experienced in parking issues and customer care and are able to address any concerns motorists may have whilst progressing through the appeal process.

As a Local Authority, we recognise that customer expectations change and therefore to ensure we continue to successfully deliver a quality service that is both effective and efficient, we regularly monitor our working methods and frequently review our staff training requirements.

Appendix B - Car Park Suspension

CDC may at times have cause to close a car park or part of for a period of time. A minimum of 7 days' notice will be given unless the nature of the closure is due to essential works and consequently, delaying the suspension could present a safety risk.

Appendix C - Park Mark



Park Mark, the safer parking award is an initiative of the Association of Chief Police Officers (ACPO) designed to reduce criminal behaviour within the parking environment. The scheme is managed by the British Parking Association and is supported by the Home Office and all the Police Forces in England, Scotland, Wales and Ireland.

To obtain the award an investigation is carried out by the police to assess the facilities in place and to ensure the parking area is of a high standard in relation to cleanliness, signage, surveillance and lighting. Once the police are satisfied that the parking area sufficiently meets the appropriate standards and that it is correctly managed and maintained, the safer park mark status will be awarded. To ensure car parks continue to meet the required criteria the award is renewed on a yearly basis following a re-assessment.

The Council is pleased to announce that all CDC's pay and display car parks have been awarded the safer park mark status.

Appendix D - Frequently Asked Questions

How do I pay an PCN?

Online:

www.chiltern.gov.uk/parking

Cheque/Postal Order:

Please make payable to Chiltern District Council and send to: Parking Services, King George V House, King George V Road, Amersham, Bucks, HP65AW. Please quote your PCN number and vehicle registration on the reverse of your payment.

Can I pay in instalments?

To be eligible for the 50% discount, payment must be received within 14 days from the date the PCN was issued. It would therefore not be in your best interest to enter into a payment plan at this stage.

Can I pay in installments once the discounted period has expired?

A payment plan will be considered if you can provide evidence that you are in receipt of a means tested benefit.

Can I pay at the discounted rate to stop the charge progressing and then still appeal?

No, once payment has been received it is deemed that liability has been accepted and the case is closed.

How do I appeal an PCN?

All appeals must be made in writing:

- **Online:** www.chiltern.gov.uk/parking
- **Post:** Chiltern District Council, King George V House, King George V Road, Amersham, Buckinghamshire HP6 5AW

My vehicle would not fit in the bay

Parking outside the bay markings causes inconvenience to other car park users. It is not acceptable to state that your vehicle was too large or the vehicle next to you was parked out of bay, so you did. It is a driver's responsibility to ensure the vehicle is parked correctly.

I was only just parked over the bay markings. Do I still have to pay?

Bay markings are in place to ensure safety and prevent inconvenience to other users of the car park. When vehicles are parked over the bay markings valuable parking space is lost. In addition, access could be restricted for emergency vehicles.

I am new to the area and did not know what the charges are / how to pay for parking

Tariff boards are displayed in all of the car parks detailing the terms and conditions of the car park along with the relevant charges. Information regarding the different payment methods is also provided. It is the motorists' responsibility to ensure they read the conditions of use in the car park and adhere to them.

My meeting / doctor's appointment over ran

It is a motorist's own responsibility to ensure enough parking time is purchased to cover the length of stay.

My disability badge fell to the floor when I closed the car door / I forgot to display my badge.

When Blue Badges are not on display and forwarded at a later date, it leaves the scheme open to abuse. Blue Badge holders are required to display their badge as stated in the 'The Blue Badge scheme: rights and responsibilities in England', which is to display the badge on the dashboard or facia panel, where it can be clearly read through the front windscreen.

I was not the driver, am I still liable?

Under TMA04 the registered owner/keeper of the vehicle is liable for any PCN that is issued, unless there is a signed hire agreement in place or, the vehicle has been taken without consent, in which case a police crime reference number is required

I sold the vehicle but do not know the name and address of whom I sold it to.

When you sell/dispose of a vehicle, you have a legal obligation to inform the DVLA. In order for the notice to be redirected written confirmation is required from the DVLA stating you were not the registered owner/keeper of the vehicle at the date of event. Failure to obtain and provide this information could result in the charge being pursued with you.

What happens if I ignore the PCN?

Please do not ignore. A PCN is a civil debt and could result in bailiff action being taken if the notice progresses and is successfully registered as a debt at County Court.

Where does the money from parking enforcement go?

The law states that parking enforcement must be self-financing. Any surplus income after the costs of administration and enforcement are deducted, goes back into the Council's overall reserves, which is allocated as required to benefit the needs of the community

Where can I obtain further information on parking enforcement?

Useful links have been provided on page [21](#).

A hardcopy of TMA04 can be obtained from Her Majesty's Stationery Office

Appendix E - Useful Links

Buckinghamshire's Local Transport Plan 4

<http://www.buckscc.gov.uk/media/4063873/BCC-Local-Transport-Plan-4.pdf>

DATA.GOV.UK

<https://data.gov.uk/>

Chiltern District Council - Car Parks

<http://www.southbucks.gov.uk/article/3183/Parking>

Chiltern District Council - Policy Documents (Abandoned Vehicle)

http://www.chiltern.gov.uk/policy_documents

PATROL

www.patrol-uk.info

Traffic Advisory Leaflet 5/95 April 1995 - Parking for Disabled People

<http://www.ukroads.org/webfiles/TAL%205-95%20Parking%20for%20Disabled%20People.pdf>

Traffic Penalty Tribunal

<https://www.trafficpenaltytribunal.gov.uk/publications/>

SUBJECT:	<i>Housing and Planning Act 2016: Impact on Housing Enforcement Policy</i>
REPORT OF:	<i>Portfolio for Community, Health and Housing – Cllr Liz Walsh</i>
RESPONSIBLE OFFICER	<i>Martin Holt, Head of Healthy Communities</i>
REPORT AUTHOR	<i>Louise Quinn 01494 732209 lquinn@chiltern.gov.uk</i>
WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

The purpose of the report is to:-

- Advise Members of the implications of the Housing and Planning Act 2016 in respect of enforcement options and penalties against private sector landlords
- Seek delegated authority for the Head of Healthy Communities to enforce the provisions of the Act and ask that the Scheme of Delegation be amended accordingly
- Seek Members comments on the draft amended housing enforcement policy.
- Seek delegated authority for the Head of Healthy Communities to agree the final policy in consultation with the Portfolio Holder.

RECOMMENDATIONS

1. That the new provisions of the Housing and Planning Act 2016 be noted.
2. That Cabinet agrees to give delegated authority to the Head of Healthy Communities to enforce the provisions of the Act and the Scheme of Delegations be amended accordingly.
3. That Cabinet authorises the Head of Healthy Communities to agree the final Housing Enforcement Policy in consultation with the Portfolio Holder, having regard to members' comments and the regulations in respect of Banning Orders, once published.

2. Reasons for Recommendations

The Housing and Planning Act 2016 introduced a range of new powers and tools to assist local authorities in dealing with poor landlords, with the aim of squeezing the worst landlords from the sector.

Statutory guidance on the new powers requires that councils develop their own policies for applying the new powers and duties. Further regulations are awaited in respect of Banning Orders.

The draft amended joint housing enforcement policy in Appendix X will provide a robust framework for the authority to implement the new powers as required. Delegated authority to the Head of Healthy Communities to agree the final version will enable amendments to be made in respect of the use of Banning Orders, once the regulations have been published.

3. Content of Report

The Housing and Planning Act 2016 introduced a range of new powers and tools to assist local housing authorities in dealing with landlords who fail to comply with statutory requirements.

The new provisions include:

- Power to apply to the First Tier Tribunal for a banning order where a landlord has been convicted of specified offences. A banning order will ban a landlord from letting or managing property for a period of at least 12 months.
- Power to issue a financial penalty of up to £30,000 as an alternative to prosecution in respect of certain specified offences.
- Extension of powers to apply to the First Tier Tribunal for a Rent Repayment Order where a landlord has committed specified offences and housing benefit has been paid in respect of the property
- Establishment of a 'database of rogue landlords' by the government, to which local authorities may add details of local landlords who have been convicted of specified offences or been issued with at least two civil penalties
- Requirement to consider additional factors when determining whether a landlord is a 'fit and proper person' to hold a licence.

The above powers and requirements are now in force, with the exception of banning orders, which are expected to come into force in October 2017.

The new enforcement tools are designed not only to act as a punishment to the offender and deter others, but also to remove any financial benefit the offender may have obtained as a result of committing the offence.

Statutory guidance has been issued in respect of the use of financial penalties and rent repayment orders. The guidance states that local authorities are expected to develop and document their own policies on:

- the circumstances in which it will issue a financial penalty as an alternative to prosecution,
- the circumstances in which it will apply for a rent repayment order and
- its approach in determining the appropriate level of penalty and/or the amount of rent to reclaim

and should decide which options to pursue on a case by case basis.

A financial penalty can only be considered where the authority has evidence to demonstrate "beyond reasonable doubt" that certain offences have been committed.

In setting the level of a financial penalty, the Council must have regard to a number of factors including the severity of the offence, the culpability of the offender, the level of harm caused. The maximum penalty is expected to be reserved for only the very worst offences.

The landlord has a right of appeal against a financial penalty and recovery of any charge would be via a court order. Consequently, the issue of a financial penalty as an alternative to

prosecution will have cost implications to the Council and will not necessarily result in a guaranteed income.

The Council currently has a joint housing enforcement policy with South Bucks District Council which sets out the councils' policies in using formal enforcement action to address hazards in housing. A draft amended policy is contained in Appendix X. Sections 1.2, 3.5, 3.8, 3.9 and Appendix 3 have been inserted/amended to take into account the new powers.

It is anticipated that the majority of residential landlords will comply with the requirements of the Housing Act 2004 and that enforcement action and penalties will only be required in a minority of cases.

4. Consultation

Statutory consultation is not required. The Government prepared two Regulatory Impact Assessments in relation to these Regulations. Informal consultation with other Bucks Authorities has taken place to ensure consistency of enforcement approach.

5. Options

The authority must have regard to the Statutory Guidance when using the new powers but has a discretion in determining the circumstances in which the various penalties can be applied, including the level of any financial penalty.

The options are:

1. To amend the housing enforcement policy to give robust guidance to be applied on a case by case basis, in accordance with the guidance
2. To amend the housing enforcement policy to include detailed and explicit circumstances when the powers will be used and a scale of financial penalty to be applied
3. To not make any amendments the existing enforcement policy and not make use of the new powers.

Option 1 is recommended as the other options are likely to restrict the Council's options in dealing with a non-compliant landlord and/or leave the authority open to challenge.

7. Corporate Implications

Financial	Revenue received from any civil penalty may be used for any purpose by the Council. However, there are likely to be staff resource/cost implications in preparing for and attending First Tier Tribunal hearings and debt recovery proceedings.
Legal	The Council has a duty to implement the regulations, and must have regard to the Statutory Guidance in doing so.

8. Links to Council Policy Objectives

The policy contributes to the 'Working towards safe and healthier local communities' aim of the Joint Business Plan 2014-19.

9. Next Steps

If agreed, officers will prepare and implement the final Housing Enforcement Policy and will publicise via letting agents, the Council's website and directly to landlords.

Background Papers:	None
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CHILTERN
District Council



SOUTH BUCKS
District Council

Stronger in partnership

DRAFT

**Chiltern District Council
South Bucks District Council**

Joint Housing Enforcement Policy

**Adopted March 2017
Revised: August 2017**

DRAFT

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Appendix

1. Summary of Enforcement Powers

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1.0 Introduction

1.1 Objectives

Chiltern District Council and South Bucks District Council are two sovereign authorities with separate budgets and separate decision making processes. The two authorities have operated a shared housing service since April 2014 and have implemented a joint Private Sector Housing Strategy.

This document sets out Chiltern District Council and South Bucks District Council policy in using enforcement action to address health and safety hazards in housing.

This policy is written in the context of Chiltern and South Bucks Private Sector Housing Strategy which aims to ensure that

- private sector housing meets basic standards of fitness and is maintained in good repair
- the private rented sector within the district provides good quality, well-managed, safe accommodation.

One of the tools identified to achieve these objectives is through the use of enforcement action.

Enforcement officers, by necessity, have considerable discretion in decision making and initiating enforcement action. This policy applies to all dealings, formal and informal, between officers and landlords and owners of residential property – all of which contribute to securing compliance with the law. It provides policy standards to aid professional judgements and decision making and ensure both consistent and effective enforcement.

References to 'the Council' shall mean Chiltern District Council or South Bucks District Council, depending upon the administrative area in which the property subject to enforcement action is located.

1.2 Background

The Council is granted extensive enforcement powers in several Acts of Parliament to secure improvements in houses in disrepair. The main powers are summarised in Appendix 1.

Where a breach of the legislation is identified, the following options may be available to the council to ensure that the law is complied with:

- **Informal action** – this includes verbal advice given by Officers and advisory letters.
- **Formal Action** – this includes a range of responses including the service of statutory notices, orders and carrying out of emergency works. Most notices served under Housing legislation require the recipient of the notice to carry out specified works within given time limits.

Some breaches of the legislation are criminal offences. Failure to comply with a formal notice or order is also a criminal offence. Where an offence has been committed, the following options may be available to the local authority:

- **Formal caution** - A formal caution is where an offender is given written details of the offence and s/he signs to say that s/he admits the offence. It is not a form of sentence. A record of the caution is kept at the Council for a period of three years and it may subsequently influence a decision to instigate proceedings if the offender breaks the law

in the future. It may also be cited if the Council takes legal action for a subsequent offence.

- **Prosecution** – In some cases, breaching the legislation is a criminal offence. The Council is the prosecuting authority for such offences and as they are criminal in nature, proceedings are taken in the Magistrates Court.
- **Financial Penalty** - *A financial penalty is available as an alternative to prosecution for certain offences under the Housing Act 2004. Financial penalties may also be given for breaches of the Smoke and Carbon Monoxide Alarm (England) Regulations 2015.*
- **Banning Order:** *The Council may apply for a Banning Order under the Housing and Planning Act 2016 for the most serious and prolific offenders. Banning Orders are scheduled to come into force in October 2017.*
- **Rent Repayment Order:** *The Council can apply to the First-tier Tribunal for an order requiring the landlord to repay to the Council any rent paid in housing benefits.*
- **Database of Rogue Landlords:** *In some circumstances, the Council may record details of landlords who have committed offences on a national database of 'Rogue Landlords'*

Paragraphs 3.2 to 3.10 below set down the factors to be considered by officers in deciding the most appropriate enforcement options.

1.3 Comments and Complaints

If you have any comments or questions in relation to this policy, please contact:

Senior Housing Standards Officer
Chiltern and South Bucks Housing
King George V Road
Amersham
Bucks
HP6 5AW
Telephone: 01494 732013
Email: housing@chiltern.gov.uk

The Council has a corporate complaints procedure in cases where disputes arising from this policy cannot be resolved.

2.0 Enforcement Principles

This service has adopted the central and local government Enforcement Concordat. We will also follow the Hampton principles as the basis for good enforcement.

Openness

We will provide information and advice in plain language and as far as possible, avoid jargon.

We will be open about how we do our work and in particular how we set our charges for enforcement. We will always discuss general issues, specific failures or problems with anyone who has been enforced against.

We will seek to make sure that people understand what is expected from them as well as knowing what they can expect from us.

Where notices have been served and are on a Public Register, this will be available for viewing free of charge.

Helpfulness

Our staff will provide a courteous and efficient service. All staff who visit properties will identify themselves by name and carry identification cards.

We will always provide a contact point and telephone number for further dealings with Officers.

Interpretation services will be made available for both office and on-site visits where people do not have English as their first language.

Landlords and owners of residential property will be encouraged to seek advice/information; information will be freely available in the form of leaflets and pages on the council's website. When appropriate, training courses/seminars will be provided for landlords on specific issues.

Proportionality

All enforcement actions and advice must be proportional to the risks posed to the public and the seriousness of any breach of legislation.

When considering enforcement action, consideration will be given to the cost of measures required to reduce the risk weighed against the benefit to be gained by reducing the risk.

In addition, there will be a staged approach to enforcement action with increasing degrees of enforcement if landlords and owners of residential property fail to respond to previous requirements.

Consistency and Fairness

Officers will carry out their duties in a fair and consistent way. To this end, we have developed and put in place procedures for the range of enforcement activities we carry out and make sure that Officers follow such procedures.

Although Officers have to use judgement in individual cases, we will make sure that procedures wherever possible are the same and people are treated equitably.

3.0 Enforcement Decisions

In deciding whether to take action and if so, the most appropriate course of action, each case will be considered individually having regard to the circumstances of the case and a range of relevant factors. In making enforcement decisions, officers must have regard to the following guidelines.

- Housing Health and Safety Rating System Enforcement Guidance published by the ODPM in February 2006
- The Neighbourhood Renewal Assessment process and associated guidance published by the ODPM in 2004
- Civil Penalties under the Housing and Planning Act 2016: Guidance for Local Housing Authorities
- Rent Repayment Orders under the Housing and Planning Act 2016: Guidance for Local Housing Authorities
- Guidance outlined in section 3.2 to 3.8 below.
- Any other subsequent national legislation and guidance

All enforcement decisions will be fully documented.

Before taking any action in respect of a tenanted property the tenant will normally be expected to contact their landlord about the problems first, though this will not be required in the following circumstances:

- Where the matter appears to present an imminent risk to the health and safety of the occupants.
- Where there is a history of harassment, threatened eviction or poor management practice.
- Where it is not considered reasonable, or the tenant is otherwise unable to contact his/her landlord

Where there is a shared or complimentary enforcement role, consultation will be carried out with the appropriate agency. Specifically, before serving a notice to address a Fire Hazard, consultation will be carried out with the Bucks Fire and Rescue Service. Where there is a problem with the gas installation in a property, the Health and Safety Executive (HSE) will be notified. Where dangerous conditions exist, the Building Control section will be notified. Contraventions of the furniture regulations will be notified to Trading Standards at Bucks County Council.

3.1 Authorisation and Delegation

Housing enforcement decisions are delegated to Head of Healthy Communities and in turn to authorised Officers of the Healthy Communities division, under the Council's Scheme of Delegation to Officers.

The decision to prosecute or administer a formal caution is determined, in consultation with the Legal Services Manager.

Demolition Orders, Clearance Areas and Compulsory Purchase Orders will normally only be served/declared following a decision by the Council's Cabinet.

The Council has developed procedures for the authorisation of officers undertaking housing work. Only officers who are competent by training, qualification and/or experience will be authorised to undertake enforcement action. Authorised officers will also have sufficient training and understanding of this enforcement policy in order to ensure a consistent approach to service delivery.

Officers who undertake criminal investigations will be conversant with and adhere to the provisions of the Police and Criminal Evidence Act, 1984 (PACE) and the Criminal Procedure and Investigations Act, 1996 (CPIA), Regulation of Investigatory Powers Act 2000 (RIPA).

3.2 Informal Action

Informal action, that is verbal advice, requests or warnings, or letters and inspection reports can be used when

- the breach is not of a serious nature
- past experience has shown that such action will be effective
- there is not a significant risk to the safety or health of the occupant (or the public)
- informal action will be more effective and/or quicker than formal action
- there is confidence in the Manager/owner

Informal action will in most cases be commenced first before serving statutory notices or orders

It is not always possible to adopt an informal approach especially where the legislation requires formal action to be taken straight away.

The service of a Hazard Awareness Notice, while strictly a form of formal action, may be considered appropriate in the above circumstances.

3.3 Formal Action

The range of formal action is that set out in section 5 of the Housing Act 2004, plus other formal notice options such as Overcrowding Notices, Remedial Notices under the Smoke Regulations or Abatement Notices under the Environmental Protection Act 1990. Paragraph 3.7 sets out additional requirements in respect of Demolition Orders and Clearance.

The most appropriate course of action will be determined having regard to the relevant legislation, enforcement guidance and a 'neighbourhood renewal assessment', if appropriate. The service of a Hazard Awareness Notice may only be considered appropriate, however, in the circumstances described under 'Informal Action'.

Notices and other formal action will normally only be taken when

- there is a duty to take formal action (eg there are Category 1 hazards), or
- there is a significant contravention of legislation, or

- there is a lack of confidence in the manager/owner to respond to an informal approach, or
- non compliance could be potentially serious to public health, safety or well being of individuals, or
- there is a history of non-compliance, or
- standards are poor (for example there are multiple Category 2 hazards) and the manager/owner has little awareness of statutory requirements,

3.4 Works In Default

Works in Default may be undertaken where an Improvement Notice, a Demolition Order or an Abatement Notice has not been complied with.

The decision whether to undertake Works in Default will include consideration of:

- The risk to public health, safety or wellbeing of individuals.
- Whether reasonable progress has been made by the owner with regard to the works.
- The ability of the owner to arrange for the works to be done.
- The time which has elapsed for compliance with the notice.
- The history of the owner with regard to compliance with notices.
- Whether default work may afford greater benefit than prosecution, ie the defects will be remedied.

In exceptional circumstances, the Council will consider carrying out works in default in addition to prosecution.

3.5 Formal Caution, Prosecution and Financial Penalties

The decision to offer a formal caution, take a prosecution or issue a financial penalty is one that is not taken lightly. Officers recognise that their decision is significant and could have far reaching consequences upon the alleged offender and others.

Prosecution

The decision to prosecute will be taken only in respect of one or more of the following:

- Where the alleged offence involves a flagrant breach of the law such that public health, safety or the wellbeing of individuals is or has been put at risk.
- Where the alleged offence involves a failure to correct an identified serious potential risk and the person responsible has been given a reasonable opportunity to comply

- Where the offence involves a failure to comply in full or in part with the requirements of a statutory notice.
- Where alternative remedies such as civil penalties or carrying out works in default are deemed insufficient or inappropriate having regard to the circumstances of the case
- Where there is a history of similar offences relating to risk of public health, safety or the wellbeing of individuals.

Where such circumstances have been identified, all relevant evidence and information must be considered to enable a consistent, fair and objective decision to be made.

It is necessary to establish that there is relevant, admissible, credible and reliable evidence that an offence has been committed by an identifiable person or company. There must be a realistic prospect of a conviction: a bare prima facie case is not enough.

There must also be a positive decision that it is in the public's interest to prosecute. The Code for Crown Prosecutors, issued by the Crown Prosecution Service, provides guidance which should be considered, including relevant public interest criteria. The factors to consider include:

- The seriousness of the alleged offence;
- The previous history of the party concerned;
- The ability of any important witnesses and their willingness to co-operate;
- The willingness of the party to prevent a recurrence of the problem;
- The probable public benefit of a prosecution and the importance of the case, ie whether it might establish legal precedent;
- Whether other action might be appropriate eg financial penalty
- Any explanation offered by the individual or company.

Formal Caution

In addition to the above considerations, there are certain conditions that must exist before a formal caution can be administered, namely

- there must be evidence of the offender's guilt sufficient to give a realistic prospect of conviction;
- the offender must admit the offence;
- the offender must understand the significance of the caution and give his informed consent to accepting the caution.

If any of the above criteria are not met, the Council will not consider the issuing of a formal caution. Above all, a caution will not be used as a substitute for a prosecution that would otherwise be unsustainable.

Financial Penalties

The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 give a power for the authority to impose a financial penalty where a landlord has failed to comply with a Remedial Notice. The Council's agreed Statement of Principles in respect of imposing financial penalties under these regulations is contained in Appendix 2.

The Housing and Planning Act 2016 enabled local authorities to impose a civil penalty as an alternative to prosecution for the following offences:

- Failure to comply with an Improvement Notice
- Offences in relation to licensing of Houses in Multiple Occupation or licensing under Part 3 of the Act
- Contravention of an overcrowding notice
- Failure to comply with management regulations in respect of Houses in Multiple Occupation

A financial penalty will only be considered in the circumstances set out above in respect of decisions to prosecute and where there is sufficient evidence to demonstrate beyond reasonable doubt that the offence has been committed.

Factors to be considered in deciding whether to issue a civil penalty **instead of** a prosecution are:

- the nature and seriousness of the offence ie the scale and scope of the offence and the potential for harm

- the culpability of the offender eg the attitude and history of the landlord

- the circumstances of the tenant and the actual harm caused

- Impact on the wider community

- whether a civil penalty is likely to act as a greater punishment or deterrent to the individual

- whether the offender has admitted the offence

- whether a Rent Repayment Order is to be sought

- whether a Banning Order is to be sought

The presumption will be in favour of prosecution for the most serious offences.

Decisions to prosecute, offer a formal caution or issue a financial penalty will be taken in consultation with the Head of Legal Services.

Level of Financial Penalty

The level of financial penalty will be determined having regard to the principles of sentencing set out in section 142 of Criminal Justice Act 2003.

The fine will be determined in relation to the seriousness of the offence, having regard to both the culpability of the offender and the potential for harm. Account will also be taken of any aggravating or mitigating factors, the offender's financial circumstances and whether any reduction is appropriate in the event of an admission of guilt.

Appendix 3 sets out the Statement of Principles in determining the level of a financial penalty.

3.6 Banning Orders

A power for a local authority to apply to the First Tier Tribunal for a Banning Order for any person who has been convicted of a Banning Order Offence is not currently in force but is expected to be introduced during 2017. Once in force, this policy will set out the circumstances in which the local authority will consider applying for a Banning Order.

3.7 Demolition, Compulsory Purchase and Clearance

A Neighbourhood Renewal Assessment is required in accordance with guidance contained in Government Circulars. Detailed consideration of a range of factors should to be undertaken in partnership with other departments and agencies to ensure that it was the most satisfactory method of dealing with a property or an area, with ultimately the decision being made by the Council's Cabinet. Any of these courses of action would be regarded as a last resort.

3.8 Rent Repayment Orders

The local authority has a duty to consider whether to apply to the First-tier Tribunal for a Rent Repayment Order where it becomes aware that a landlord has committed one of the following offences in relation to a property within its area:

- *Failure to comply with an Improvement Notice*
- *Failure to comply with a Prohibition Order*
- *Failure to licence a licensable HMO or other house*
- *Failure to comply with a banning order*
- *Violence in securing entry under the Criminal Law Act 1977*
- *Illegal eviction or harassment*

The Council will have regard to the following factors in considering whether to apply for a Rent Repayment Order:

- *The level of Housing Benefit which has been paid since the offence was committed, or the amount of housing costs included in any Universal Credit claim*
- *Whether the landlord has been convicted of the offence (or is there likely to be a prosecution taken)*
- *is there sufficient evidence to demonstrate beyond reasonable doubt that an offence has been committed*
- *whether a financial penalty has been issued for the offence*

The amount to be reclaimed may be adjusted to reflect the circumstances of the case having regard to the following factors:

- *the seriousness of the offence*
- *the conduct of the landlord*

- *other financial resources available to the landlord*

The decision to seek a Rent Repayment Order will be undertaken in consultation with the Head of Legal Services.

3.9 Rogue Landlord Database

The Council has discretion to include details of any landlord who has been convicted of a banning order offence or has received at least two financial penalties on the database of rogue landlords.

The Council will seek to include landlords on the database in all cases except where the following matters apply:

- *there were mitigating circumstances when the offence was committed eg personal circumstances, financial hardship*
- *The landlord has undertaken training or shown considerable improvement in management of the property since the offence(s)*

3.10 Enforcement against owner-occupiers

Enforcement decisions will be made in full consultation with the owner and having regard to owner's eligibility for a grant or loan.

Formal action will not be limited to the service of Hazard Awareness Notices. The service of statutory notices and orders and the carrying out of emergency works will be considered where the condition of an owner-occupied property is such that:-

- It is a danger or a serious health risk to the occupier or members of the public, **or**
- It is having a deleterious effect on adjoining properties

4.0 Enforcement Procedures

4.1 Inspections

Inspections and enforcement action will be targeted primarily on those activities giving rise to the most serious risks or where hazards are least controlled.

The prioritisation of inspections will be based on the risk assessment for Houses in Multiple Occupation, or following a complaint.

We will, wherever possible, seek to arrange routine visits and inspections at times to suit those concerned.

We will arrange routine inspections through landlords and their agents, but in the case of complaints will typically visit the complainant in the first instance to assess the facts of the case.

4.2 Actions

We will confirm our advice, findings and conclusions (as the case may be) at the earliest opportunity, will do so in a clear and simple manner and will accommodate at least one meeting to discuss these matters if requested, other than in urgent cases.

If we require remedial action this will be put in writing and we will explain why it is necessary and when it must be done.

We will make sure that legal requirements are clearly distinguished from best practice advice.

We will confirm any decision to undertake formal action, work-in-default or prosecution in writing.

Officers serving statutory notices will be prepared to discuss the specified works with individuals/company representatives and will consider the availability and suitability of any alternative solutions.

Where a formal notice is served, the method of appealing against the notice (ie if the recipient felt that the notice is excessive in its requirements) will be provided in writing at the same time.

4.3 Timescales for Completion of Works

We will take account of relevant factors when determining what deadlines to set for the commencement and completion of work. Relevant factors may include: the nature of the works; any ill effects that are likely to result if the work is delayed; the duration of the problem and the point at which it has been reported to us; any prior knowledge on the landlord or agent's part; and the nature of any attempts to remedy the problem. We will also seek to be sympathetic to financial and other practical constraints that may affect landlords' and agents' ability to act, whilst recognising that these do not limit obligations or legal duties to achieve appropriate standards.

We will consider properly made requests for the extension of deadlines where unforeseen problems have delayed works, but not simply to accommodate lack of sufficiently early action.

4.4 Charges for Enforcement Action

A charge will be made for the cost of administrative and other expenses involved in serving Improvement Notices and Prohibition Orders.

The charge is £100 for the first notice/order and £50 for additional notices where served concurrently, with a maximum charge of £300 per property. Where more than one person is served with a notice/order the charge will be recovered from the main recipient, usually the person who is primarily responsible for the management of the property.

The charge will be waived where the notice is complied with within the timescales set out on the notice or where the notice is served and works arranged by the Council with the agreement of the property owner (eg as an alternative to a grant or loan).

Where there is an appeal against the Notice, or the notice is suspended, the charge is also suspended, until the appeal is resolved or the suspension is ended. There is no separate right of appeal against the demand. In cases of hardship the Head of Healthy Communities has discretion to reduce charges for enforcement action.

Where works are Emergency Remedial Works or works arranged by the local authority in default of a statutory notice served under the Housing Acts or other public health legislation, the expenses to be recovered are as follows:

- The actual cost to the local authority of undertaking the works in default
- The costs of serving the relevant notices at the rate set out above
- All other administrative costs reasonably incurred in relation to arranging the works. These costs will be calculated having regard to actual time spent and the hourly rate (including overheads) of the Healthy Communities department.
- Interest at base rate plus 2%.

5.0 Monitoring and Review

Actions taken under this policy will be monitored annually as part of the overall monitoring of the Private Sector Housing Strategy outcomes.

This policy, including the charges, will be reviewed on an annual basis.

Appendix 1: Summary of Housing Legislation

Legislation	Summary of Powers
Protection from Eviction Act 1977	
Section 1	This section creates the offences of unlawful eviction and harassment of a residential occupier. Chiltern District Council is a prosecuting authority for the purposes of this section and it is Housing Officers who investigate claims of unlawful eviction and harassment. The Council can prosecute landlords, agents or others who contravene this section.
Environmental Protection Act 1990	
Section 80	<p>Section 79 of this Act lists what are statutory nuisances. As far as the legislation enforced by the Housing Section is concerned, a statutory nuisance is any house in such a state as to be prejudicial to health or a nuisance.</p> <p>Prejudicial to health is defined as injurious or likely to cause injury to health. This typically includes properties that are damp or have mould growth, as dampness and mould growth can have an affect on people's health.</p> <p>A nuisance is taken to be anything that interferes with the use and enjoyment of a neighbouring property or which materially affects the comfort and quality of life of the public at large. Examples of nuisances include a hole in the roof of one property allowing rain to penetrate through and affect the neighbouring property or slates falling off a roof onto the footpath and thus endangering passers by.</p> <p>Once the Council is satisfied that a statutory nuisance exists or is likely to occur, it is under a duty to take action to deal with it. This means that Officers have to serve a notice requiring the abatement of the statutory nuisance within certain time limits or preventing the occurrence of a statutory nuisance. In the case where a house is let, this is generally served on the landlord of the property.</p> <p>If such a notice is served and not complied with, the Council is able to carry out the necessary work in default and recharge the person upon whom the notice was served. Not keeping to a notice is a criminal offence and the Council is able to prosecute the person who received the notice if he does not have a reasonable excuse for not keeping to it.</p>
Housing Act 1985	
Section 17	<p>Power to make a Compulsory Purchase Order</p> <p>The legal powers are contained in s17 Housing Act 1985 and s93 Local Government and Housing Act 1989.</p> <p>A compulsory purchase order may be served upon the owner of land or property by the Council to acquire the land for the public good, usually at a valuation set by the district valuer.</p>
Section 265	<p>Power to make a Demolition Order</p> <p>Where a Council finds a property that has Category 1 hazards (under the Housing Health and Safety Rating System), it is under a duty to take the most suitable course of action. The service of a Demolition Order is one of the actions that can be taken.</p> <p>A demolition order requires the property to be vacated within a specific time and</p>

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		subsequently demolished. It is a criminal offence to allow the property to be occupied after the demolition order has come into effect. If the person upon whom the order has been served does not demolish the building, the Council can demolish it instead and recharge the person accordingly.
Section 289		<p>Declaration of clearance area</p> <p>A clearance area is an area that is to be cleared of all buildings. The Council shall declare an area to be a clearance area if each of the residential building contains a Category 1 hazard and the other buildings in the area are dangerous or harmful to health and safety. The Council is required to consult on the declaration of a clearance area and publish its intentions. Owners and in certain cases occupiers of properties are compensated accordingly.</p>
Housing Act 2004		
Sections 11 and 12		<p>Power to serve an Improvement Notice</p> <p>Where a Council finds a property that has Category 1 hazards (under the Housing Health and Safety Rating System), it is under a duty to take the most suitable course of action. The service of an Improvement Notice is one of the actions that can be taken. This course of action is also available where Category 2 hazards exist.</p> <p>An Improvement Notice under this section requires the recipient of the notice (usually the owner but not in all cases) to carry out certain works within a specified time scale. If the notice is not complied with, the Council can carry out the work in default and recharge the person upon whom the notice was served. Not keeping to a notice is a criminal offence and the Council is able to prosecute the person who received the notice, or issue a financial penalty.</p> <p>An Improvement Notice can be suspended, varied or revoked.</p>
Sections 20 and 21		<p>Power to Serve a Prohibition Order</p> <p>Where a Council finds a property that has Category 1 hazards (under the Housing Health and Safety Rating System), it is under a duty to take the most suitable course of action. The service of a Prohibition Order is one of the actions that can be taken. This course of action is also available where Category 2 hazards exist.</p> <p>A Prohibition Order under this section requires the recipient of the notice (usually the owner but not in all cases) to cease or limit the use of a property or part of the property for residential purposes. Prohibition Orders may also relate to the use of the premises by a specified number of people. Not keeping to an Order is a criminal offence and the Council is able to prosecute the person who received the notice, if he has intentionally failed to keep to it.</p> <p>An Prohibition Order can be suspended, varied or revoked</p>
Sections 28 and 29		<p>Power to Serve a Hazard Awareness Notice</p> <p>Where a Council finds a property that has Category 1 hazards (under the Housing Health and Safety Rating System), it is under a duty to take the most suitable course of action. The service of a Hazard Awareness Notice is one of the</p>

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	<p>actions that can be taken. This course of action is also available where Category 2 hazards exist.</p> <p>A Hazard Awareness Notice advises the person on whom it is served (usually the owner, but not in all cases) of the existence and the nature of the hazards identified, and the works considered to be required to address the hazard. The notice is advisory only - it does not require the recipient to take any action.</p>
Section 40	<p>Power to take Emergency Remedial Action</p> <p>Where a Council finds a property that has Category 1 hazards (under the Housing Health and Safety Rating System), it is under a duty to take the most suitable course of action. Where they are satisfied that the hazard presents an imminent risk of serious harm to the occupiers of the property or other residential premises, it can take Emergency Remedial Action.</p> <p>This means that the Council can arrange for works to be undertaken to remove the risk of harm. Within 7 days of starting the work, they must serve a notice under section 41 of the Act on the person having control of the house explaining the action taken. The Council have powers to recover expenses incurred in taking emergency remedial action.</p>
Section 43	<p>Powers to make an Emergency Prohibition Order</p> <p>Where a Council finds a property that has Category 1 hazards (under the Housing Health and Safety Rating System), it is under a duty to take the most suitable course of action. Where they are satisfied that the hazard presents an imminent risk of serious harm to the occupiers of the property or other residential premises, it can take Emergency Prohibition Order.</p> <p>This prohibits the use of the premises of part of the premises for residential use, with immediate effect. The Council must serve a notice on the person having control of the property on the day (or as soon as possible) that the Emergency Prohibition Order is made.</p>
Section 64	<p>Licensing of HMOs and other houses</p> <p>The local authority must licence Houses in Multiple Occupation which meet a specified description (currently those of three or more storeys with five or more occupiers forming two or more households). They also have a discretion to introduce licensing schemes for other HMOs or other houses to address specific local issues.</p> <p>It is an offence to fail to licence a licensable HMO or house, for which the local authority may prosecute or issue a financial penalty.</p>
Section 73	<p>Power to apply to the FtT for a Rent Repayment Order</p> <p>Where a licensable HMO is not licensed, the Council can apply to the First-tier Tribunal for an order requiring the landlord of the HMO to repay any housing benefit paid in respect of the HMO.</p> <p>The Housing and Planning Act 2016 extended the power to apply for a Rent Repayment Order where a landlord has committed one of the following offences (it is not necessary that they have been convicted):</p>

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	<ul style="list-style-type: none"> - Illegal eviction or harassment - failure to comply with an Improvement Notice - Failure to comply with a Prohibition Order - Control or management of an unlicensed HMO or house - Failure to comply with a Banning Order - Violence for securing entry under the Criminal Law Act 1977 <p>The local authority has a duty to consider applying where it becomes aware that a landlord has been convicted of a relevant offence.</p>
Section 102	<p>Interim Management Orders</p> <p>Where an HMO which is required to be licensed is not licensed and there is no reasonable prospect of it becoming licensed or action is considered necessary to protect the health, safety or welfare of occupants of a HMO or persons living or owning property in the vicinity, the local authority may make an Interim Management Order (IMO).</p> <p>An IMO can last for up to 12 months and enables the local authority to take steps to secure the proper management of an HMO, or to protect the health, safety or welfare of occupants of a HMO or persons living or owning property in the vicinity.</p> <p>An IMO gives the council rights to collect rents and carry out works to the property.</p> <p>An IMO may also be made in respect of any other dwelling, but only with the authority of the Residential Property Tribunal.</p>
Section 113	<p>Final Management Orders</p> <p>A local authority can serve a Final Management Order following an Interim Management Order, where, on expiry of the IMO, the HMO is required to be licensed and there is still no reasonable prospect of it becoming licensed or the Order is considered necessary to protect the health, safety or welfare of occupants of a HMO or persons living or owning property in the vicinity, on a long term basis.</p> <p>A Final Management order can last for up to five years.</p>
Section 139	<p>Overcrowding Notices</p> <p>Where the Council considers that excessive numbers of people are (or are likely to be) accommodated in a non-licensable HMO, they may serve an Overcrowding Notice on the owner or a person having control of the house.</p> <p>It is a criminal offence to breach an overcrowding notice, for which the Council may prosecute or issue a financial penalty.</p>
Section 234	<p>HMO Management Regulations</p> <p>Managers of HMOs are required to comply with the HMO Management Regulations which specify duties to keep the property and facilities within it safe, clean and in good repair.</p> <p>It is a criminal offence to breach the management regulations for which the local authority may prosecute or issue a financial penalty.</p>

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The Smoke and Carbon Monoxide Alarm Regulations 2015	
Regulation 5	<p>Remedial Notice</p> <p>Where the Council has reasonable grounds to believe that a landlord is in breach of his/her duties under these regulations, they must serve a Remedial Notice on the landlord giving him/her 28 days in which to carry out the actions specified in the notice.</p>
Regulation. 7	<p>Duty to arrange remedial action</p> <p>Where a local authority is satisfied, on the balance of probabilities, that a landlord has failed to comply with a Remedial Notice, it must arrange to undertake the actions in the Notice.</p>
Regulation 8	<p>Power to issue Penalty Charge Notice</p> <p>Where a local authority is satisfied, on the balance of probabilities, that a landlord has failed to comply with a Remedial Notice, they may require the landlord to pay a penalty charge.</p>
Housing and Planning Act 2016	
Sections 14-27	<p>Power to apply for a Banning Order (Not yet in force)</p> <p>The local authority may apply to the First tier Tribunal for a banning order in respect of any person or corporate body who has been convicted of a banning order offence.</p> <p>The effect of a Banning Order is to ban that person/company from being involved in letting and/or management of property or being involved in any company which carries out those activities.</p>
Sections 28-29	<p>Database of Rogue Landlords and Agents</p> <p>The government must establish a database of rogue landlords and give access to local authorities.</p> <p>A local authority will be given powers to maintain the database and must include details of any landlord who has received a banning order.</p> <p>They may include landlords who have been convicted of banning order offences, or who has received at least two financial penalties in 12 months for banning order offences, but authorities must first give notice to the landlord which may be appealed.</p>

Appendix 2: Statement of Principles: Smoke and Carbon Monoxide Regs 2015

The Smoke and Carbon Monoxide Alarm (England) Regulations 2015

Regulation 13: Statement of Principles in relation to Requirement to Pay a Penalty Charge

Background

The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 confer a statutory duty on landlords of residential premises to ensure that:

(i) A smoke alarm is equipped on each storey of the premises on which there is a room used wholly or partly as living accommodation:

(ii) A carbon monoxide detector is equipped in any room of the premises on which there is a room used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance:

(iii) Checks are made by or on behalf of the landlord to ensure that each prescribed alarm is in proper working order on the day the tenancy begins if it is a new tenancy.

Where a local authority has reasonable grounds to believe that a landlord is in breach of one or more of these duties, they must serve a remedial notice on the landlord giving him/her 28 days in which to carry out remedial actions specified in the notice.

Where a local housing authority is satisfied, on the balance of probabilities, that landlord has failed to comply with a Remedial Notice, the local authority must arrange to undertake the remedial actions in the Notice, and they may also require a landlord to pay a Penalty Charge.

The local authority may determine the amount of the penalty charge, but it must not exceed £5000. The purpose of this Statement of Principles is to set out the principles the authority will follow in determining a penalty charge.

Principles in Relation to Decision to Impose a Penalty Charge

A penalty charge will be imposed in the following cases

- The landlord is unable to demonstrate that he/she has attempted to make contact with the tenant by text, email or letter to arrange to carry out the remedial actions
- The landlord is unable to demonstrate that the tenant has refused access to allow alarms to be installed or to be checked
- The landlord has not made any representations in relation to service of the Remedial Notice, or representations were made but dismissed

Principles in Relation to Amount of Penalty Charge

Where a penalty charge is considered appropriate, the amount of charge will be the maximum £5000. The principles followed in determining this amount are:

- The actions required to comply with the regulations are not expensive or onerous for a landlord
- The landlord was made aware of the need to comply by the service of the Remedial Notice and had an opportunity to make representations if he/she did not agree with it, therefore any breach is considered to be deliberate or reckless.
- Failure to comply potentially could lead to death or serious injury of an occupant
- The penalty charge should act as a sufficient deterrent to non-compliance

Dated: 3 September 2016

Appendix 3: Statement of Principles: Determining the amount of a Financial Penalty

The level of financial penalty will be determined having regard to the principles of sentencing set out in section 142 of Criminal Justice Act 2003.

The fine will be determined in relation to the seriousness of the offence, having regard to both the culpability of the offender and the potential for harm. Account will also be taken of any aggravating or mitigating factors, the offender's financial circumstances and whether any reduction is appropriate in the event of an admission of guilt.

Determining the Offence Category

Culpability

Low or No Culpability: Offence has been committed with limited or no fault on behalf of the landlord or agent eg. Obstruction by tenant to allow contractor access for repairs, damage caused by tenant negligence.

Negligent: Failure of the landlord or agent to take reasonable care to put in place or enforce proper systems to avoid committing an offence Eg. Failure to instruct or follow up contractors, failure to liaise adequately with tenant, failure to make adequate financial arrangements to cover the costs of repairs

Reckless: Actual foresight of or wilful blindness to risk of offending, but risks taken nevertheless by the landlord or agent Eg Failure to comply with strict liability offence HMO Management Regulations,

Deliberate: Intentional breach by landlord or flagrant disregard for the law Eg Failure to comply with an Improvement Notice without 'reasonable excuse'

Level of Harm

Extreme and Severe Harm Outcomes: The housing defect giving rise to the offence poses an imminent danger with a potential risk of death or severe injury or illness eg electrocution, carbon monoxide poisoning, serious fire safety risk.

Serious Harm Outcomes: The housing defect giving rise to the offence poses a significant risk of harm to the occupants where the potential outcomes are serious illness or injury eg mild heart attack, fractures, diarrhoea, vomiting, chronic stress.

Moderate Harm: The housing defect giving rise to the offence poses a risk of harm to the occupiers which are significant enough to warrant medical attention eg moderate cuts, severe bruising, persistent coughs and colds.

A higher degree of harm may be assessed where there are multiple victims (for example in a house in multiple occupation) or the victim is particularly vulnerable.

Adjustments for Aggravating or Mitigating Factors

Aggravating Factors

- History of similar offences
- High level of financial gain
- Attempt to conceal or dispose of evidence
- Hostility or contempt for the victim

Mitigating Factors

- First offence
- Genuine remorse
- Relevant personal circumstances at time of the offence eg illness, bereavement
- Ready co-operation with authority

Financial Circumstances of the Offender

In view of the high property and rental values in the Chiltern and South Bucks Districts, claims of hardship will only be considered where the landlord provides compelling evidence. Landlords who are unable to afford to operate a safe rental property and comply with the law will usually have the option to sell.

Admission of Guilt

A reduction of up to a third may be applied to the fine where the offender admits guilt during an interview.

SUBJECT:	<i>Chiltern Community Grant Awards 2017-2018</i>
REPORT OF:	<i>Councillor Elizabeth Walsh – Cabinet Member for Community, Health & Housing</i>
RESPONSIBLE OFFICER	<i>Martin Holt</i>
REPORT AUTHOR	<i>Joanne Fowler (01494) 732103 jfowler@chiltern.gov.uk</i>
WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

To agree funding grant awards for the Council's 2017/18 Community Grant Aid Scheme.

RECOMMENDATION

That Cabinet agree the allocation of awards from the 2017/18 Community Grant Aid Scheme as detailed in Appendix 1.

2. Executive Summary

2.1 Chiltern District Council's Community Grant Aid Scheme plays an important role in supporting a diverse range of local voluntary organisations to improve services and facilities for local residents. The grant scheme has helped build and enhance Chiltern's already strong community infrastructure as well as raise the Council's standing as a supporter of the local voluntary sector.

2.2 The scheme also attracts additional external funding and supports local voluntary and community organisations to deliver a diverse range of services enabling local residents to;

- **Connect** with others in the community
- **Be Active** by participating in sports or community activities
- **Take Notice** of what is going on in the community
- **Learn** new skills or pass on their skills to others
- **Give** through volunteering

3. Reasons for Recommendations

3.1 Chiltern District's active voluntary sector ensures that the Community Grant Aid scheme always attracts a high volume of applications. Therefore, to fairly prioritise applications only projects that directly support the Council's key corporate objectives, namely, improving community safety, promoting healthy communities, promoting cohesive communities, conserving the environment and promoting sustainability are considered for funding.

4. Content of Report

- .1 This year's scheme attracted thirty three applications (Appendix 1) that collectively requested funding totalling £49,391. The cumulative value if all the applicants' schemes were delivered totalled £235,197 which would be achieved by applicants accessing funding from other grant awarding bodies, running internal fundraising events and utilising their own internal reserves.
- .2 To provide a fair and consistent approach, all applications were assessed and evaluated with their overall quality categorised as being Green, Amber or Red. Using this assessment approach results in the Council awarding £32,584 to thirty two different community organisations.
- .3 All application forms have been placed in the Members' Room (04.08.17) along with a summary report highlighting each applicant's key strengths and weaknesses along with associated Councillor comments.
- .4 The total grant fund available for Chiltern's Community Grant Aid scheme is £32,584 which includes a £2,000 contribution from the Community Safety and £584 from the Communities budgets. The high volume and improved quality of applications has resulted in the decision making process being even more challenging.
- .5 All applications were arranged into three distinct categories. Those attaining the;
 - **Green** standard (Appendix 1, Table 1), strongly support four of the Council's key objectives, have support from their local ward councillor(s) and have successfully secured additional external funding. It is proposed that applicants achieving Green status receive 90% of their requested grant apart from those requesting £500 or less who will receive 100% funding.
 - **Amber** status (Appendix 1, Table 2), support three of the Council's objectives and have support from their local ward councillor(s) receive up to 60% of their grant request.
 - **Red** status (Appendix 1, Table 3) do not strongly support the Council's objectives, have limited or no match funding, have limited/no councillor support and/or can secure funding from an alternative source, receive no funding.

5. Consultation

- 5.1 The community grant process involves ongoing consultation with the local voluntary sector to ensure that it is fit for purpose and meets community needs. Also the Council's Services Committee feedback is involved in the evaluation process with the group's views passed onto Cabinet to consider.

6. Options

- 6.1 Not to accept the report's recommendations and propose alternative options of grant awards to community groups.
- 6.2 Endorse the report's recommendations in accordance to the evaluation process agreed by Cabinet.

7. Corporate Implications

- 7.1 **Financial** – There is sufficient funding available within the community grant, community safety and general community budgets to meet the recommendations detailed in this report.
- 7.2 **Environmental** – Several projects have a positive impact in helping protect the local environment.
- 7.3 **Equalities** - Support to the voluntary sector and helps assists the Council in targeting disadvantaged communities.

8. Links to Council Objectives***Work towards safer, healthier and cohesive local communities****Improve Community Safety*

- Work with partners to reduce crime, fear of crime and anti-social behaviour

Promote healthier communities

- Address the needs of the elderly and those who are vulnerable

Promote cohesive communities

- Support the voluntary sector and promote volunteering

Strive to conserve the environment and promote sustainability**9 Next Step**

Subject to Cabinet approval allocate community grant awards as detailed in Appendix 1.

Appendix 1 Recommended Community Grant Aid Awards for Chiltern District Council 2017/2018

Table 1 – Community Grant Aid Applications Achieving Green Status

Organisation	Project	Requested Funding	Funding Recommended	No of Beneficiaries
Amersham Museum	A programme of varied activities to engage with older people, regular sessions at Amersham Museum in local care homes	£2,000	£1,800	400
Carers Bucks	To support unpaid family carers to meet at monthly support groups providing refreshments, guest speakers and trainers and a special Christmas dinner for carers.	£1,600	£1,440	60
1st Chalfont St Giles Scout group- new floor	Scout Hall Floor Renovation	£2,000	£1,800	500
Chalfont St Peter Youth Centre	Tuesday Night Youth Club evening with a focus on developing young people on the autistic spectrum (ASD).	£2,000	£1,800	300
Chesham in Bloom	Community Polytunnel	£400	£400	20000
Chesham Over 50's' Positive Action Group	Support a range of social activities for elderly residents living in Chesham includes day trips, IT training, Christmas lunch and coffee mornings.	£400	£400	50
Chesham Walkers are Welcome	To install two RADAR operated gates at the entrances to Hockeridge Wood near Ashley Green.	£800	£720	N/A

Organisation	Project	Requested Funding	Funding Recommended	No of Beneficiaries
Little Chalfont Good Companions Club	The club exists to provide companionship and social contact for older people in Little Chalfont including entertainment, regular speakers, outings and Christmas party.	£500	£500	30
Pond Park Rangers	Expand outreach community diversionary football programme	£1,700	£1,530	1000
Relate Mid Thames and Buckinghamshire	Bursary Funding Scheme	£2,000	£1,800	250
Total		£13,400	£12,190	

Table 2 - Community Grant Aid Applications Achieving Amber Status

Organisation	Project	Requested Funding	Funding Recommended	No of Beneficiaries
Asheridge Vale and Lowndes Community Association	To attract new members to the association and trial a new fitness programme to engage with residents.	£750	£450	14
Bucks Youth Anti hate	Design and deliver an education package across schools and youth providers.	£1,848	£1,109	320
Chesham Cricket Club	To purchase new equipment to assist with community outreach work	£1,050	£630	100
Chesham Youth Centre Making Gardens Grow	An intergenerational project with Chesham in Bloom	£900	£540	500

Chiltern Child Contact Centre	Provides a safe neutral space for separated parents to interact, play and have access to their children. Grant to recruit and train volunteers and promote the service locally.	£1,900	£1,140	60
Chiltern Youth Centre	Run a series of sessions to teach a range of skills to young people. Training will include cooking, health & fitness, decorating, hair styling/nail/teeth care, interviewing and form filling.	£2,000	£1,200	
CSG and J Revitalisation Steering Group- CSG and J Literary Festival 2018	Brochures to advertise the thirteen day Literary Festival.	£1,800	£1,080	6000
DrugFAM	DrugFAM will provide a weekly support group and 7 day a week helpline to families, friends and carers affected by someone else's drug or alcohol misuse.	£2,000	£1,200	50
Enrych Bucks	Chiltern Disability Partnership Service - partner each new member with a like-minded volunteer who will support them and share their interest and complement this by supporting access to local interest groups	£2,000	£1,200	50

Holmer Green Squash and Racketball Club	Train coaches to deliver junior session	£376	£226	40
Holmer Green Youth Club	Funding is being sought for 3 existing adult leaders to attend a 2-day training course provided by MIND, with a view to developing a course for the club's 8 young volunteer leaders.	£1,572	£943	120
Chesham Waterside over 50s Stretch & Flex Group	Funding to enable the group to meet once a week for gentle exercise	£1,645	£987	24
Hawridge and Cholesbury Cricket Club Practise net replacement project	Funding towards a new two-lane practice net to replace the existing single-lane net	£2,000	£1,200	100
Little Chalfont Community Library-	Teenage and children's books and DVD's	£1,500	£900	1000
Little Missenden Festival	The Festival runs for 10 days each October and includes music, literature and the visual	£1,000	£600	1500
Movers and Shakers for Older Men Chesham	Group sessions for adults to meet others and take part in a number of enjoyable activities including: art and craft work, gentle exercise and guest speakers.	£1,000	£600	20
Pond Park Community Association	To fund and support 8 community	£2,000	£1,200	3000

	groups /projects			
Prestwood Colts and Girls Football Club	Investment in pitches and equipment	£2,000	£1,200	400
Prestwood FC Ltd	Investment in pitches and equipment	£1,000	£600	500
Rennie Grove Hospice Care	Health care assistants provide support and personal care to patients and their families	£2,000	£1,200	125
Voices and Choices	Promote the service that supports people to help them remain in their own homes, recruit and train volunteers, room hire and training materials.	£1,650	£990	100
Wycombe Child Contact Centre	Support children whose parents are separated to spend time with the parent that they do not live with. Grant to cover hall hire, administration and part time employment of one staff member.	£2,000	£1,200	40
Total		£33,991	£20,395	

Table 3 - Community Grant Aid Applications Achieving Red Status

Organisation	Project	Requested Funding	Funding Recommended	No of Beneficiaries
Chesham United AFC	New kits	£2,000	£0.00	
Total		£2,000	£0.00	

SUBJECT:	<i>Buckinghamshire Affordable Warmth Strategy 2017-2022</i>
REPORT OF:	<i>Portfolio for Community, Health and Housing – Cllr Liz Walsh</i>
RESPONSIBLE OFFICER	<i>Martin Holt, Head of Healthy Communities</i>
REPORT AUTHOR	<i>Louise Quinn 01494 732209 lquinn@chiltern.gov.uk</i>
WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

The purpose of the report is to:-

- Advise Members of the draft updated Buckinghamshire Affordable Warmth Strategy
- Seek Members comments on the draft updated Strategy
- Seek Members agreement to the updated Buckinghamshire Affordable Warmth Strategy.

RECOMMENDATIONS

1. That Members note the draft strategy
2. That delegated authority is given to the Head of Healthy Communities to adopt the final updated Buckinghamshire Affordable Warmth Strategy, in consultation with the Portfolio Holder.

2. Reasons for Recommendations

The current Affordable Warmth Strategy is now out of date. The revised updated version will provide a clear direction and focus to the Council and its partners in targeting actions towards those residents who are most at risk of fuel poverty.

3. Content of Report

Chiltern District Council leads the Bucks-wide Affordable Warmth Network, a partnership of the four district councils, the county council and the National Energy Foundation, which aims to ensure that all residents of Buckinghamshire can heat their homes adequately and affordably.

In 2009 the partnership produced a county-wide Affordable Warmth Strategy, which identified the geographical areas and communities most at risk of fuel poverty, the range of help or assistance available to residents and set out an action plan to target the key causes of fuel poverty.

The Strategy has been implemented chiefly via the Affordable Warmth Network's delivery partner, the National Energy Foundation, which

-
- operates a free helpline providing advice to residents on grants and financial assistance for insulation and heating measures, dealing with fuel debt, supplier switching, energy efficiency advice etc
 - provides free local training in affordable warmth and energy awareness to health, care and other professionals and community groups in Buckinghamshire who support people who are vulnerable to fuel poverty
 - attends local events to give face-to-face information and advice
 - seeks funding to operate schemes to install measures in homes, such as the recent British Gas Energy Trust funded 'Better Housing Better Health' project which installed heating and insulation improvements in the homes of residents with respiratory and cardiovascular disease.

Since the strategy was first prepared, the definition of fuel poverty has been revised by government and many of the schemes and organisations providing financial support for residents have changed.

The strategy has therefore been revised and updated by the National Energy Foundation to reflect the current position both locally and nationally. The draft Buckinghamshire Affordable Warmth Strategy is contained in the Appendix.

The updated strategy seeks to identify those residents who are most vulnerable to fuel poverty, and to target actions at these groups to address the key causes of fuel poverty.

Once approved, the strategy will be implemented and monitored by the Affordable Warmth Network, which meets quarterly to review progress made by the National Energy Foundation in undertaking the above-mentioned activities.

The Council's role in implementing the strategy will be principally to promote the Affordable Warmth Helpline, and any schemes, events or services which support the aims of reducing fuel poverty.

4. Consultation

The National Energy Foundation has undertaken a six week consultation with key stakeholders, seeking comments on the strategy and the action plan. Stakeholders include the Citizens Advice Bureau, AgeUK, Children's Centres, Community Practice Workers, Clinical Commissioning Groups, voluntary and community groups such as Carers Bucks and Older People's Action Groups, and social landlords including Paradigm Housing and London and Quadrant.

5. Options

The options are:

1. Members agree to give delegated authority to the Head of Healthy Communities to adopt the final strategy following the consultation period.
2. The final strategy is reported back to Members for agreement following the consultation with third parties and the other Bucks Councils.

Option 1 is recommended as this will allow for amendments to be made to the strategy following consideration by Members and by the other Buckinghamshire authorities.

7. Corporate Implications

Financial	There are no financial implications. The actions under the Strategy can be met within existing budgets and resources.
Legal	The current Joint Private Sector Housing Strategy and the Home Energy Conservation Act progress report commits the Council to updating the Buckinghamshire Affordable Warmth Strategy.
Sustainability	The proposed actions set out in the report will help to reduce carbon emissions by improving home energy efficiency.

8. Links to Council Policy Objectives

The strategy contributes to the 'Working towards safe and healthier local communities' and 'Striving to conserve the environment and promote sustainability' aims of the Joint Business Plan 2014-19.

9. Next Step

Once the strategy is approved, the Council will seek to promote the services available to residents to address fuel poverty and will support and monitor the work of the National Energy Foundation in implementing the action plan.

Background Papers:	None
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Buckinghamshire Affordable Warmth Strategy 2017 – 2022



Affordable Warmth Network

Bucks Affordable Warmth Network



Stronger in partnership



Chiltern

Clinical Commissioning Group



Aylesbury Vale

Clinical Commissioning Group



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1.1. INTRODUCTION

Fuel poverty continues to be a major concern for local authorities, registered housing providers, and other support organisations. National Energy Action (NEA) estimates that just over 4 million households in the UK are living in fuel poverty and the latest figures from Government show that the number of fuel poor households in England in 2014 was 2.38 million, an increase of around 1.4% from 2013. This rise in fuel poverty has been summarised as being due to increasing fuel prices (outweighing the energy efficiency gains) and a generally lower rate of disposable income.

The Government defines a household as living in fuel poverty if *“required fuel costs are above average and if they were to spend that amount, they would be left with a residual income below the official poverty line”*. This updated definition was created as a result of the Hills Fuel Poverty review published in 2012 and shows a shift away from the previously implemented 10% definition in the hope of addressing fuel poverty as a distinct issue away from more generalised poverty. The Government now measures fuel poverty by using the ‘Low Income High Costs (LIHC)’ indicator, with a household being considered as fuel poor if:

- Their income is below the poverty line (taking into account energy costs); *and*
- Their energy costs are higher than is typical for their household type.



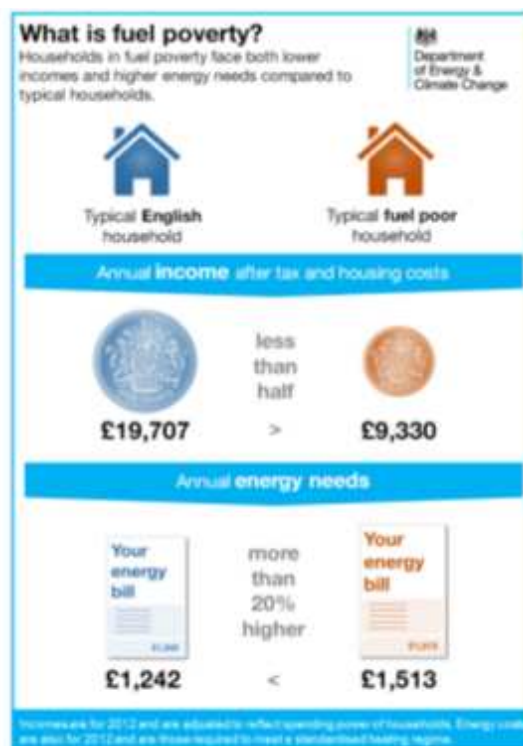
Figure 1: Low Income High Cost (LIHC) Indicator. DECC, 2016

Prior to this, the Government previously defined a household as fuel poor if they were spending *'more than 10% of income on energy bills'*. This definition is still used in parts of the UK such as Scotland, Wales and Northern Ireland. However, as a result of the updated definition in England, the number of fuel poor households nationally have been significantly reduced (as shown in the table below).

Table 1: Buckinghamshire fuel poverty levels in 2012 with the change of definition

Definition	Year	Region	No. of Fuel Poor Households	Proportion of fuel poor households
10%	2012	Buckinghamshire	38,802	10%
LIHC	2012	Buckinghamshire	15,207	7.6%

The LIHC definition also describes a fuel poverty gap. This is the difference between a household's modelled bill and what their bill would need to be for them to no longer be fuel poor. This approach therefore provides twin indicators of the 'extent' and 'depth' of fuel poverty. Example values for typical income and typical energy bills are given by the Department of Energy and Climate Change (now BEIS) in the diagram below:-



In this example, figures on the left hand side represent a typical English household with an annual income (after tax and housing costs) of around £19,700 and annual energy needs equating to around £1,242. The right hand side shows a fuel poor household, with a much lower annual income of around £9,300 (after tax and housing costs). Usually these households have above average energy needs (often due to a resident over the age of 60 or long-term health conditions) resulting in higher energy bills.

Alongside the financial and comfort implications of fuel poverty, there are many health risks associated with living in a cold and damp home which include heart attacks, strokes, respiratory illness, hypothermia and falls. Fuel poverty can also be associated with mental health issues, increasing the likelihood of depression, anxiety and social exclusion.

According to Age UK, the estimated cost of cold homes to the NHS is around £1.36 billion (Age UK, 2012), with around 24,300 excess winter deaths occurring in 2015/16. Health risks associated with fuel poverty can apply to all parts of society, however, there are certain demographics that are more susceptible to these risks due to spending longer periods of time at home and these are listed below:

- Older people
- Disabled residents
- Residents with long term conditions
- Unemployed residents
- Children under 5

These residents are often the hardest to reach with information. We should also appreciate that for many in this demographic, it can sometimes be a choice between adequately heating their home or buying other essential items such as food.

1.2. POSSIBLE CAUSES OF FUEL POVERTY

There are six main reasons people find themselves in fuel poverty:

1. **Low household income** – This could be caused by unemployment, inability to work due to ill health or caring responsibilities. Pensioners may also find themselves in this situation.
2. **Inefficient homes** – This could be because there is little or no insulation, leading to higher fuel bills.
3. **Inefficient heating systems** – Old boilers with limited controls and storage heaters can be expensive to run.
4. **Under-occupancy** – With only a small number of people living in a large house, it costs more, per person, to keep warm.
5. **Fear of high bills** – Householders can fear receiving high energy bills so they do not switch their heating on, resulting in them living in cold homes. This is particularly an issue among older people.
6. **High fuel costs** – Increasing fuel bills are still being experienced. Low income households often use prepayment meters to pay for their heating, which is still more expensive than paying by direct debit. Many residents are sometimes confused by the different tariffs on offer from energy companies. There is also a lack of confidence when it comes to switching supplier, which results in many not actively checking whether they are on the cheapest tariff. Also, properties that are located off the mains gas network are subject to more expensive fuels such as oil and LPG.

The majority of these scenarios can be resolved and potential solutions to each are highlighted below:

Potential Solutions:

- 1.1. **Low household income** – This could be improved by carrying out a benefits assessment to check whether the householder is receiving all support they are entitled to.
- 1.2. **Inefficient homes** – Raise awareness of energy efficiency and enhance through physical improvements such as increased insulation (encourage resident to explore potential ECO funding to assist with this/and or any potential Local Authority support).
- 1.3. **Inefficient heating systems** – explore grant options available nationally or locally to upgrade to a more efficient system.
- 1.4. **Limited awareness of alternative tariffs and fear of high bills** – Ensure the general public are educated in the importance of switching energy tariff or supplier.
- 1.5. **High fuel costs** – whilst we cannot control external pressure on fuel costs, it is hoped that the Smart Meter roll out will increase awareness of associated increases in fuel bills. It is possible for residents to improve the fabric and heating in a property to such an extent that increases

in fuel bills will have less impact. It is also important to ensure the general public are educated in the importance of switching energy tariff or supplier

1.3. EXCESS SUMMER DEATHS

Whilst in a temperate nation such as the UK, it is winter cold that tends to headline as the major cause of death and hospital admissions, excess summer heat can also be damaging to health leading to heat stroke, additional hospital admissions and occasionally death.

Affordable cooling is a term that will become more prevalent as extreme weather events/conditions normalise with the effects of climate change. For example in 2003, over 70,000 excess deaths occurred in the summer as a direct result of the heat and the actions taken or not taken across Europe. During this year, the hottest temperature ever recorded in the UK was experienced in Kent where temperatures reached 38.5°C. There are many health risks associated with extreme heat and these include:

- Dehydration
- Heat rash
- Heat cramp
- Exhaustion
- Heatstroke
- Increased incidents of skin cancer
- Hay fever irritation
- Overheating (can pose serious risk to those with underlying health conditions)

Residents should not only ensure that themselves and their properties will be warm enough during the winter period, but also that they are cool enough during particularly hot spells during the summer.

Well insulated and energy efficient homes will help to protect residents from excess heat and reduce the need for use of electrical cooling systems such as fans and air conditioning units.

1.4. AIM OF THE STRATEGY

The aim of this strategy is to enable residents within Buckinghamshire to achieve affordable warmth. Affordable Warmth can be accomplished through well insulated homes with, efficient use of all fuel types. This is, in part, facilitated by access to grant assistance and income maximisation services. As a result, residents will benefit from warmer homes, lower fuel bills, improved health, greater comfort and better housing conditions. This strategy is not only aimed at those classed as living in fuel poverty, but aims to help anyone struggling to adequately heat their home. It requires a strategic approach, reflecting the complexity of the issue.

2. PROFILE OF BUCKINGHAMSHIRE

POPULATION

Buckinghamshire County is in the South East region of England. It is 600 square miles in size with a population of 505,300 (Census, 2011). Figures show a largely ageing population, with a 24% increase of people over the age of 60 accounting for just under a quarter of Buckinghamshire's total population. However, 25% of the population is still made up of people aged 19 and under. 13.6% of the population are of a non-white ethnic background, made up mainly of Asian and Asian British populations (Bucks County Council, 2017).

HOUSING

The population are living in 200,727 houses (Bucks County Council, 2017) showing a 6.7% increase in housing from the 2009-2014 strategy. Almost a third of the population live in two main towns; High Wycombe and Aylesbury. The housing type in Buckinghamshire County is vast, with properties ranging from pre-1919 to new builds (Table 1)¹. The age of a property is a major determinant in how energy efficient it is, with properties from the mid-1930s often having cavity walls which can be filled with insulation to reduce heat loss. Older properties tend to have solid walls, so insulation is more difficult. Generally, newer properties are more energy efficient.

Table 2: Age of Properties in Buckinghamshire

	Pre 1919	1919 - 1944	1945 - 1964	1965 - 1980	Post 1980
Aylesbury	10.3%	9.0%	18.0%	33.7%	29.0%
Chiltern	12.6%	21.4%	24.6%	25.5%	16%
South Bucks	DATA NOT COLLECTED				
Wycombe	10.1%	13.7%	23.1%	35.4%	17.8%

Tenure can also affect the energy efficiency of a property (Table 2)² and majority of housing in Buckinghamshire falls within the Private Sector. Most social housing is likely to have already had cost-effective insulation installed whereas within the private sector, it is the responsibility of the homeowner or landlord to improve the energy efficiency of the property. Often, there is high upfront cost associated with this which is one of the reasons why private sector housing is usually not as energy efficient at that of social tenure.

Table 3: Tenure of properties in Buckinghamshire, 2015

	Local Authority	Social Housing	Other public sector	Private sector	Total
Buckinghamshire	10	28,260	970	186,000	215,240
Aylesbury Vale	0	10,770	410	65,150	76,330
Chiltern	0	4,840	50	34,150	39,050
South Bucks	0	3,550	20	24,780	28,350
Wycombe	10	9,100	490	61,920	71,520

HEALTH

The residents of Buckinghamshire are generally healthier than the national average, experiencing better self-reported health; a good proxy for mental and physical health. Life expectancy at birth for females in the area is 85 compared to 83 nationally and for males is 81 compared to 79 nationally (Public Health England, 2014).

¹ Data from the district councils

² Data from Department of Communities and Local Government (DCLG), 2015

However, 13.4% of the population are reported to have a limiting long-term illness (Census, 2011) and as highlighted previously, these residents may be particularly susceptible to issues around living in a cold and damp home.

Excess Winter Deaths

Excess winter deaths are additional deaths that occur during the winter period due to cold weather. These are monitored using the excess winter mortality index, which calculates how many more deaths occur during the winter months compared to the summer months. This is calculated as winter deaths (deaths occurring between December and March) minus the average of non-winter deaths (April to July of the current year and August to November of the previous year) and is expressed as a percentage.

Figure 3 shows the excess winter mortality index between 2012 and 2015 for each local authority district in Buckinghamshire (Office for National Statistics, 2015). The graph shows that the index has ranged between 4% and 33% more winter deaths than non-winter deaths during this three year period, with the highest winter mortality seen in the winter of 2014/15. During this winter, the excess winter mortality index reported 33% more deaths in winter in Wycombe, 30% in Aylesbury Vale, 26% in South Buckinghamshire and 22% in Chiltern. Nationally, the year 2014/15 saw abnormally high winter deaths, with an estimated 43,900 excess winter deaths occurring in England (the highest number since 1999/00). This shows the importance of ensuring homes are well insulated and adequately heated, especially where there is a resident suffering with a long-term health condition residing within the property.

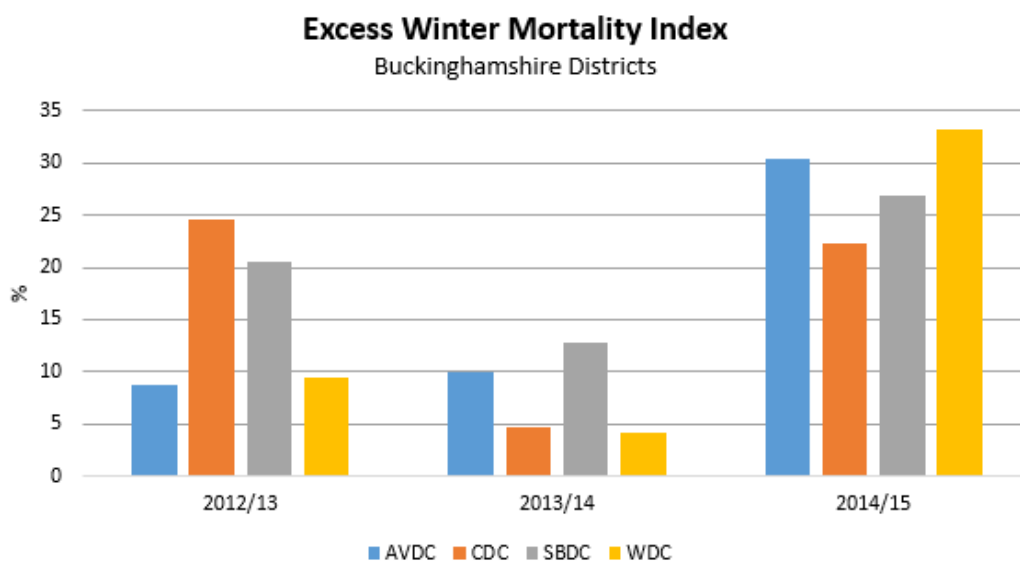
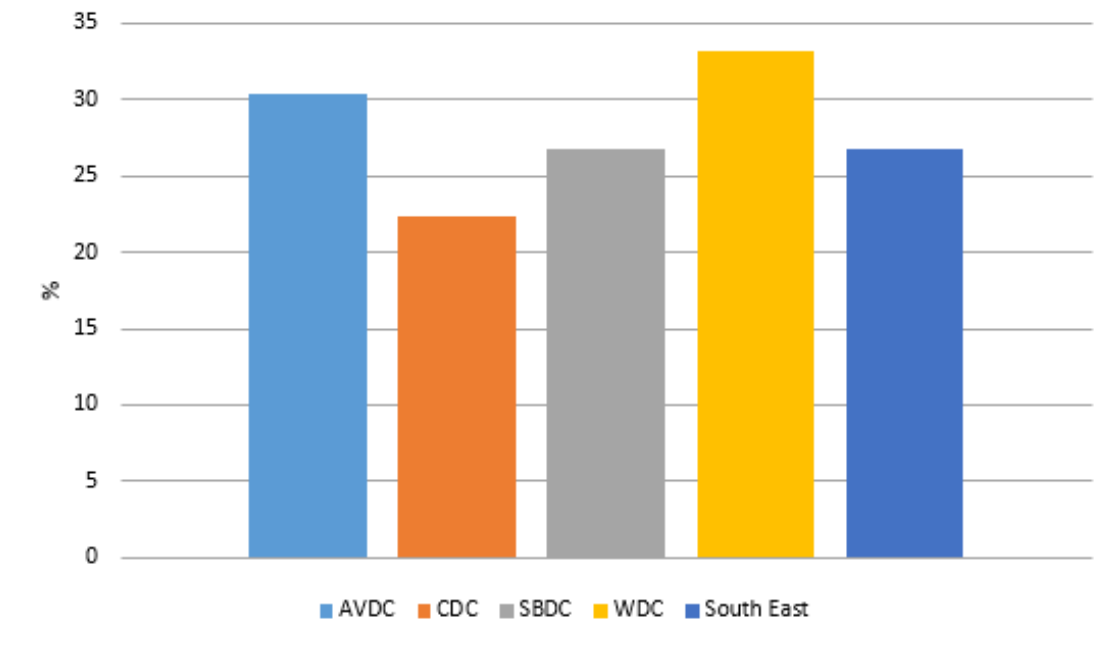


Figure 2: Excess Winter Mortality Index for Buckinghamshire Districts between 2012 and 2015. ONS, 2015

When comparing 2014/15 figures for Buckinghamshire districts against the South East average, South Bucks (SBDC) is on par with the regional average and Chiltern (CDC) slightly below this. Both districts, however, still experienced over 20% excess winter mortalities during 2014/15. Aylesbury Vale (AVDC) and Wycombe (WDC) districts have both experienced more excess winter mortalities than the regional average, with Aylesbury Vale observing 30.4% excess winter mortalities and Wycombe experiencing the highest in the County of 33.2%. These points highlight the need for support around keeping warm and well during the winter in Buckinghamshire to ensure that excess winter mortalities do not increase further over the next reporting period.

2014/15 Excess Winter Mortality Index
Buckinghamshire Districts vs South East average



MULTIPLE DEPRIVATION

The Index of Multiple Deprivation is the official measure of deprivation for small areas in England. The measure combines information from seven domains³ in order to produce an overall score for Lower Super Output Areas (LSOA)⁴ and then ranks these in terms of their multiple deprivation, with 1 being the most deprived and 32,844 being the least. In 2015, 12 LSOA's in Buckinghamshire featured within the 30% most deprived areas in England (Department for Communities and Local Government, 2015). These are highlighted in red in Figure 2 below and are clustered in Aylesbury and High Wycombe, with one in Chesham.

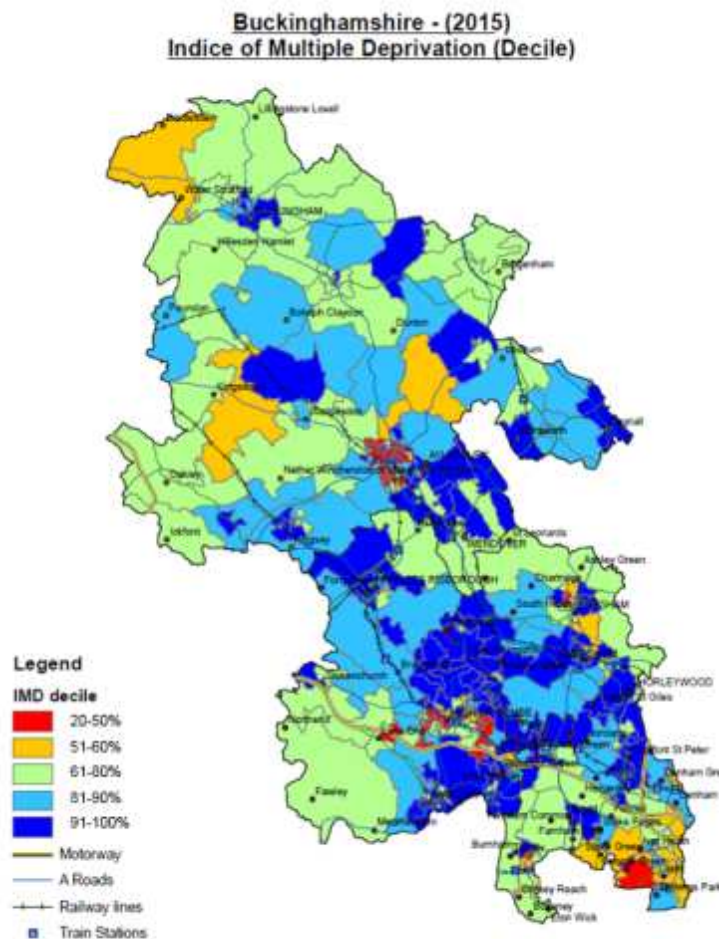


Figure 3: Index of Multiple Deprivation deciles for Buckinghamshire. (DCLG, 2015)

EMPLOYMENT

Buckinghamshire is a very affluent county compared to the national average, with unemployment only at 2.6% among those who are able to work (Office for National Statistics, 2016). The workforce is highly skilled, with 35% of Buckinghamshire population being educated to degree level or above. It also has above average representation of managers, senior officials and other professional occupations (Census, 2011).

³ Income deprivation, Employment deprivation, Education, skills and training deprivation, Health deprivation and disability, Crime, Barriers to housing and services and Living environment deprivation

⁴ A LSOA is a geographic area used to improve reporting of small area statistics. It typically includes (on average) a population of around 1,500 but will also involve a minimum of 1,000.

3. FUEL POVERTY IN BUCKINGHAMSHIRE

Fuel Poverty data in this strategy has been obtained from recent annual statistics published by the Department of Business, Energy and Industrial Strategy (BEIS), using the Low Income, High Cost definition. Figure 4 shows the most recent mapped fuel poverty data for Buckinghamshire, with red areas highlighting locations that are experiencing highest levels of fuel poverty. A map featuring individual legends for each district can be found in Appendix A, which illustrates higher levels of fuel poverty for each local authority area.

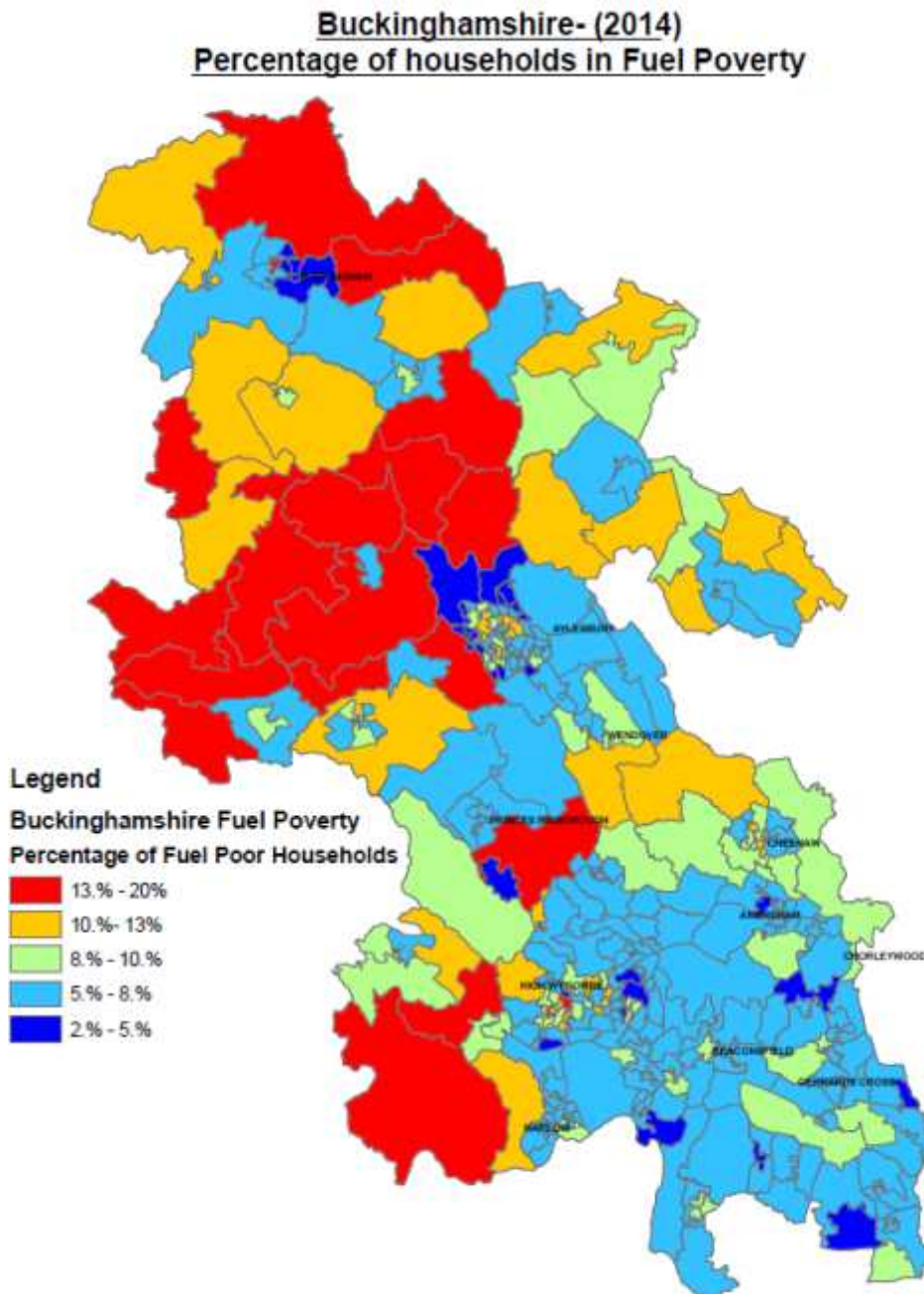


Figure 4: Percentage of Fuel Poor residents in Buckinghamshire 2015.

Between 2012 and 2014, there was a 0.3% increase of fuel poor households within the County, but this still remains below South East and national averages. It is likely that this slight increase is associated with

increasing energy prices and the ageing population within the county, resulting in the need to heat properties for longer. This highlights how there is still scope to increase the energy efficiency of properties within the County and raise awareness around the importance of keeping warm and well, especially to those residents who fall into vulnerable categories identified previously.

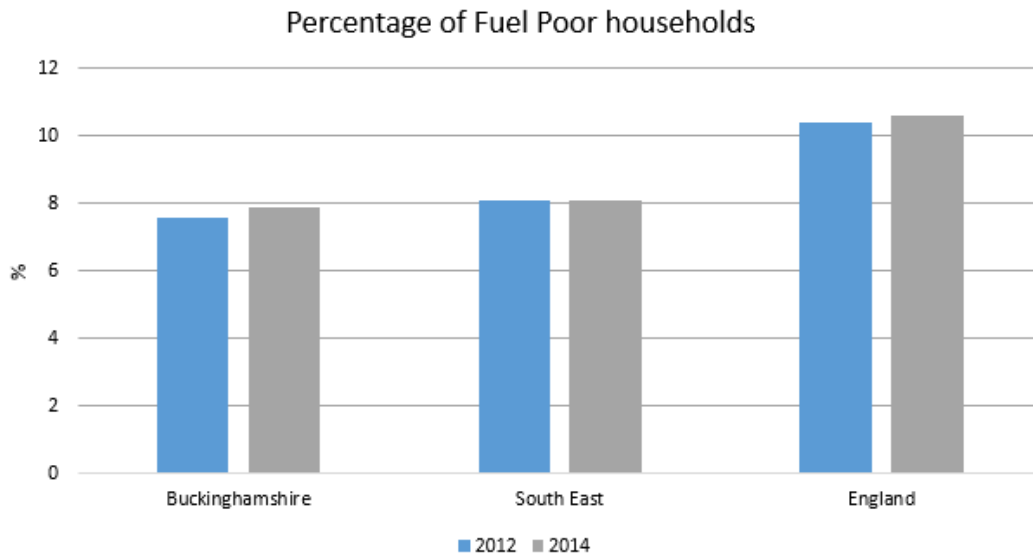


Figure 5: Percentage of Fuel Poor households in Buckinghamshire, South East and England. (BEIS, 2016)

4. HARD TO TREAT PROPERTIES

The age and build of a property that a resident lives in can greatly influence the level (and cost) of energy efficiency measures. A ‘hard to treat’ property is defined as a dwelling that is unable to accommodate cost effective energy efficiency improvements and includes homes with solid walls, limited or no loft space, homes without a mains gas connection and homes where for technical reasons, an energy efficiency measure cannot be fitted (BRE, 2008). It can be very expensive to install energy efficiency measures on these types of properties and this is often the reason that they remain inefficient therefore resulting in the resident living in a cold home.

Tackling ‘hard to treat’ properties will form a huge part of making homes warmer and more energy efficient in the UK. Displayed in Figure 6, is the percentage of solid walled properties in Buckinghamshire, with darker areas of the map showing areas with higher proportions of solid walled properties. Overall, solid walled properties feature across the County but are especially concentrated in Aylesbury Vale. However, it must be noted that some may be listed buildings or in conservation areas that are potentially difficult to insulate due to building regulations.

Over this period, the Affordable Warmth Network will continue to seek funding that will help assist residents in installing expensive measures such as solid wall insulation which will substantially improve the efficiency of their property. The Network will also work alongside energy companies to seek funding under Energy Company Obligation (ECO) phase ECO2 Transition which may also assist eligible residents in installing insulation measures on their homes.

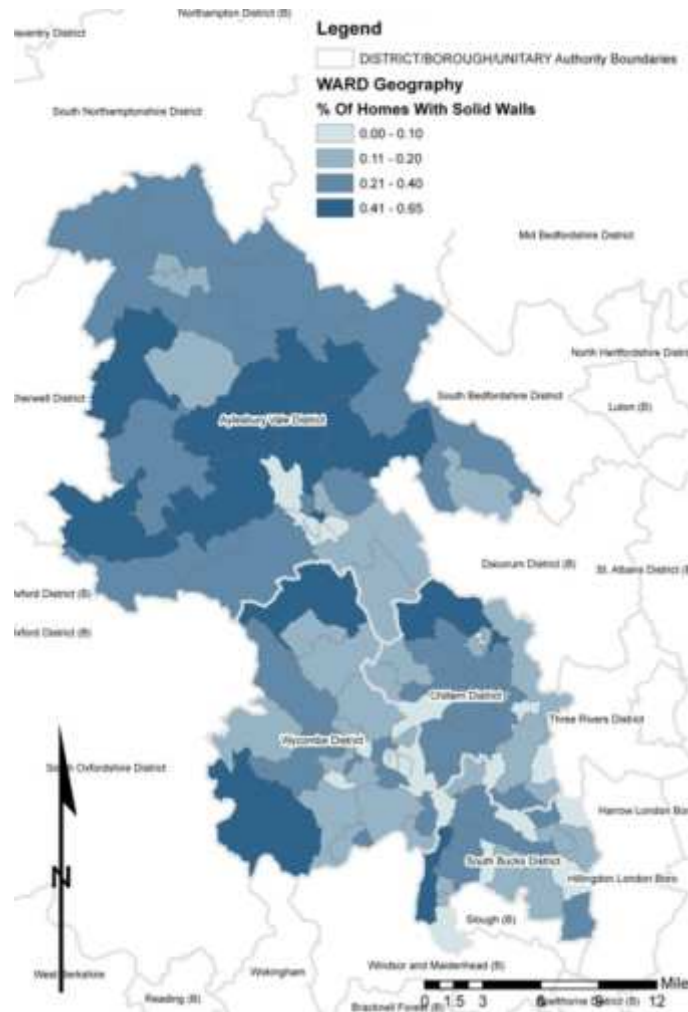


Figure 6 - Solid Walled Properties in Buckinghamshire. CSE, 2009

5. INCOME MAXIMISATION AND FUEL POVERTY

Latest statistics from the Department for Work and Pensions show that in 2014/15, around £16.6 billion of benefits went unclaimed. It is becoming increasingly apparent that income maximisation should be playing a larger role in combatting fuel poverty and can include support around assessing whether residents are receiving all the benefits they are entitled to, supporting those who are currently in debt to their supplier and even checking if someone is on the best energy tariff. Alongside improving the efficiency of a property, residents should also be looking at ways they can save money and these simple steps could potentially increase a household’s income which could go towards heating the property efficiently and eventually being lifted out of fuel poverty. The main organisations that provide this service are listed in Table 4, and residents (especially those who are struggling to pay fuel bills) should be encouraged to contact these providers to find out if they are claiming all that they are entitled to.

Table 4: Contact details of income maximisation support in Buckinghamshire

Organisation	Contact details
Citizens Advice	https://www.citizensadvice.org.uk/ Telephone - 034444 111 444
Age UK	www.ageuk.org.uk Age UK Advice – 0800 169 2081
Disability Alliance Network	www.disabilityrightsuk.org Personal budgets helpline – 0300 555 1525 E-mail – personalbudgets@disabilityrightsuk.org
Turn2Us	https://benefits-calculator.turn2us.org.uk/AboutYou

Within this reporting period, the Affordable Warmth Network will continue to build upon relationships established with the Citizens Advice (CAB) through the now completed Better Housing, Better Health project. The network will continue to provide onward referrals to services such as CAB and Prevention Matters to ensure that residents are receiving the maximum amount of support available when contacting the helpline.

6. COMMUNITY ENGAGEMENT

The Government has highlighted that community-led action often leads to greater change and tackling local issues more effectively than a top down approach (DECC,2014). Engaging the local community is a huge part of the Affordable Warmth Network in Buckinghamshire, this manifests through regular outreach events in local communities and training sessions available for local groups. Ensuring that as many local residents are aware of and understand the signs and implications of Fuel Poverty will play a pivotal role in achieving Affordable Warmth across the County. Over the coming period, the Affordable Warmth Network will continue to work and engage closely with local communities to promote the service and support on offer, along with raising awareness of the implications of living in a cold or damp home. Assistance will also include providing information and advice where relevant around Smart Meters and how they can be used within the home to monitor energy along with the advantages of this.

Engagement with these groups will be made either through existing relationships already created through the Network (such as connections with Prevention Matters and Age UK events) or through the creation of new relationships by further promoting the Network and its benefits.



Figure 7 - Promotional material used for Affordable Warmth Outreach

7. PARTNERS INVOLVED WITH AFFORDABLE WARMTH IN BUCKINGHAMSHIRE

Fuel Poverty and Affordable Warmth are terms that are commonly used interchangeably but are issues that can impact any parts of society, therefore we are calling for a multifaceted approach, which includes many different stakeholders and organisations.

The Buckinghamshire Affordable Warmth Network allows the collaboration of organisations that work with vulnerable people across Buckinghamshire. The network specifically aims to assist residents at risk of fuel poverty, or impaired health as a result of living in a cold or damp home. It includes representatives from Buckinghamshire local authorities, health authority partners, local support services and the National Energy Foundation, who work together using a cross-referral mechanism in order to maximise the benefit to residents. Although the service targets vulnerable residents, there is no eligibility criteria for accessing it and it is hoped that this encourages residents to not only assess their own situations, but to look out for others who may benefit from support in making their homes warmer and healthier places to live.

Of course, resident behaviour also plays a huge part in ensuring homes are adequately heated, especially where there are vulnerable residents within the property. This is why advice, outreach and training feature heavily across the network, allowing experts to discuss ways in which residents can not only keep their homes warmer (and potentially healthier and safer) in winter but also how they can potentially save money on their fuel bills.

8. PREVENTION MATTERS

The Buckinghamshire Affordable Warmth Network is partly funded by Prevention Matters which is delivered by Buckinghamshire County Council. The service provides advice that can support residents in regaining confidence, independence and ways to prevent loneliness. A referral mechanism has been set up so any residents who contact the Affordable Warmth helpline and may benefit from the support available will be referred across to Prevention Matters. Alternatively, residents can also obtain a referral from their local GP or health professional. It is hoped that this service will improve their quality of life of residents who contact the Network alongside

9. SUPPORT AVAILABLE

The table below shows the various local and national schemes available to residents in Buckinghamshire that may assist financially in improving the warmth of their home. To find out further information, residents should contact the **Buckinghamshire Affordable Warmth Helpline** on **0800 107 0044**.

Scheme	National/ Local	Purpose of the scheme	Qualifying criteria	Automatic/Apply for
Affordable Warmth Helpline	Local	Advice for those struggling with heating their home	Available to all – contact 0800 107 0044	N/A
Prevention Matters	Local	Free advice service that links adults to social activities, volunteers and community services	Available to eligible adults (over the age of 18)	Referral
Citizens Advice	National	Financial advice for those struggling with fuel bills and benefits assessments	Available to all – visit your local centre or call 03444 111 444	N/A
Winter Fuel Payment	National	Money for the cost of keeping warm through the winter	Over 60's	Automatic
ECO – HHCRO (Affordable Warmth) grant	National	Able to fund energy efficiency measures that will help reduce a residents heating bills. The stream accounts for 70% of all activity funded through ECO.	Eligibility based on fuel poverty (some benefits used as proxies), EPC ratings in Social Housing and households identified by local authorities under 'flexible eligibility'	Apply via AWN Helpline
ECO – CERO grant	National	Currently able to fully-fund cavity-wall insulation, and loft insulation where current level does not exceed 100mm	The amount of carbon that can be saved through insulating the property	Apply via AWN Helpline
Flexible Home Improvement Loan	Countywide	Low interest loan for home improvements. Minimum loan £1,000	Homeowners in Buckinghamshire aged over 60	Apply via Local Authority
Aylesbury Essential Repairs Grant	Local	Grant of £2,500 for minor repairs of an emergency nature	Owner occupier in receipt of means tested state benefit, Aged 60+ or Under 60 with 1+ child under 10 years	Apply via Local Authority
Chiltern & South Bucks Home Renovation Loan	Local	Means tested loan of up to £20,000 for repairs and hazards addressed under HHSRS	Owner-occupier, on low income and not eligible for a Flexible Home Loan. Repayable on sale of property with 10% fee	Apply via Local Authority
Chiltern & South Bucks Safer Homes Grant	Local	Small means tested grant of up to £5,000 to address significant hazards (including lack of heating)	Homeowners on low incomes. Repayable if property sold within 3 years of work completion	Apply via Local Authority
Chiltern & South Bucks Mobile Home Grant	Local	Means tested grant of up to £10,000 to carry out essential repairs and energy efficiency measures	Owner-occupiers on low incomes and live in a mobile home	Apply via Local Authority

Disabled Facilities Grant	Local	Up to £30,000 available for specific adaptations to the property to accommodate individual needs. Grant amount is allocated based upon household income	Residents with a permanent and substantial disability	Referral from Occupational Therapist
Wycombe Healthy Homes on Prescription Grant	Local	Grant up to £5,000 available to residents with disability or long-term conditions to provide small scale adaptations, repairs or improvements to properties	Residents with long-term condition or disability and at high risk of hospital admission or awaiting discharge	Referral from Health professional

10. DEVELOPMENT OF THE STRATEGY

This strategy has been updated from the previous county-wide fuel poverty strategy (2009 – 2014) by the National Energy Foundation with partners from the Bucks Affordable Warmth Steering Group. Partners included in the development of the strategy are listed below:

- National Energy Foundation (NEF)
- Aylesbury Vale District Council
- Chiltern District Council
- South Bucks District Council
- Wycombe District Council
- Prevention Matters (Buckinghamshire County Council)

11. ACTION PLAN

The Affordable Warmth Network works together to help alleviate fuel poverty and improve energy efficiency across the county. They do this in a number of ways and will use the following action plan to track progress. The status of the action plan will be reviewed on an annual basis with suggestions accepted at any point during the year. There is some flexibility, as grants and government focus change and the Affordable Warmth Network will always try to make best use of funds available. The following action plan has been agreed for the next five year period.

Factor	Objectives	Key Actions	Timescale	Organisations involved
Low Income	1. Use benefit assessments to increase income	<ul style="list-style-type: none"> • Link up with benefit agencies • Promote benefit assessments at events 	<ul style="list-style-type: none"> • Short term • Ongoing 	<ul style="list-style-type: none"> • NEF • BCC Welfare Benefits Team • Age Concern • CAB
	2. Increase awareness of available schemes	<ul style="list-style-type: none"> • Promote Affordable Warmth Helpline • Promote flexible home improvement loans • Promote district council grants 	<ul style="list-style-type: none"> • Ongoing • Ongoing • Ongoing 	<ul style="list-style-type: none"> • NEF • District councils • BCC • CCG / Public Health
	3. Supplier switching/social tariff promotion	<ul style="list-style-type: none"> • Promote U Switch as an independent switching service • Organise switching events • Promote social tariffs • Promote Ebico – the non-profit energy company who charge the same to all their customers regardless of payment method • Advise on spreading the cost through direct debits 	<ul style="list-style-type: none"> • Ongoing • Short term • Ongoing • Ongoing • Ongoing 	<ul style="list-style-type: none"> • NEF • Housing Associations • District councils • BCC • CAB
Energy Efficiency	1. Improve the energy efficiency of properties in owner occupied tenure	<ul style="list-style-type: none"> • Promote availability of Energy Company Obligation (ECO) grants for heating and insulation improvements • Investigate an ECO referral mechanism through Affordable Warmth Helpline • Target eligible households in each district under the new ECO 2T 'flexible eligibility' • Launch community focused projects • Promote flexible home improvement loans • Undertake mail out(s) to promote funding • Look into developing a carbon offset fund in Bucks to provide insulation measures at low cost • Work with NHS-CCG and NEF to link up GP referrals 	<ul style="list-style-type: none"> • Ongoing • Ongoing • Short Term • Medium term • Ongoing • Medium term 	<ul style="list-style-type: none"> • NEF • District councils • BCC • Community groups • CCG

		for boilers and energy efficient technologies and thereby free up hospital beds.	<ul style="list-style-type: none"> • Ongoing 	
	2. Improve energy efficiency of properties in private rented tenure	<ul style="list-style-type: none"> • Continue to use landlord’s forums to disseminate information • Promote availability of ECO grants for insulation and heating improvements • Ensure properties are meeting minimum energy efficiency standards 	<ul style="list-style-type: none"> • Ongoing • Ongoing • Ongoing 	<ul style="list-style-type: none"> • NEF • District councils
	3. Improve energy efficiency of properties in social tenure	<ul style="list-style-type: none"> • Establish relationship with Housing Associations • Train Housing Association staff • Host Switching Days for social housing tenants to help them find the best deal for their gas and electricity 	<ul style="list-style-type: none"> • Ongoing • Short term • Short term 	<ul style="list-style-type: none"> • NEF • Housing Associations •

	4. Promote Energy Saving Advice	<ul style="list-style-type: none"> • Raise awareness of the benefits of energy efficiency • Increase awareness of energy use through current cost monitors libraries 	<ul style="list-style-type: none"> • Ongoing • Ongoing 	<ul style="list-style-type: none"> • NEF • District councils • BCC • BCC Libraries
Expensive Fuels	1. Encourage bulk buying oil	<ul style="list-style-type: none"> • Use Community Impact Bucks to promote bulk buying oil in off gas network communities 	<ul style="list-style-type: none"> • Medium term 	<ul style="list-style-type: none"> • NEF • Community Impact Bucks • Community groups
	2. Large scale renewable energy schemes	<ul style="list-style-type: none"> • Look into possible funding streams for renewable energy schemes including BSP innovation funding • Look into LEADER funding (to rejuvenate rural business) for potential wood pellet scheme in off gas network communities 	<ul style="list-style-type: none"> • Long term • Long term 	<ul style="list-style-type: none"> • BCC • NEF • Community Energy Groups
Hard to Treat properties	1. Investigate possible solutions to solid walled properties	<ul style="list-style-type: none"> • Look at funding opportunities to deal with solid walled properties 	<ul style="list-style-type: none"> • Long term 	<ul style="list-style-type: none"> • NEF • District councils
	2. Explore ways to help mobile homes	<ul style="list-style-type: none"> • Look into possible funding for improving the energy efficiency of mobile homes 	<ul style="list-style-type: none"> • Medium term 	<ul style="list-style-type: none"> • NEF • District councils
Accessing hard to reach groups	1. Work with the disabled and long-term sick	<ul style="list-style-type: none"> • Work with Clinical Commissioning Group / Public Health through GP surgeries, flu campaigns and events • Launch health focused projects • Try to seek additional funding for continuation of Better Housing, Better Health project (which ended in December 2016) 	<ul style="list-style-type: none"> • Ongoing • Medium term • Ongoing 	<ul style="list-style-type: none"> • NEF • CCG / Public Health • NHS • District councils
	2. Work with the unemployed	<ul style="list-style-type: none"> • Establish relationships with job centres • Launch community focused projects 	<ul style="list-style-type: none"> • Short term • Medium term 	<ul style="list-style-type: none"> • NEF • Job centres • Community groups

	3. Work with older people	<ul style="list-style-type: none"> Attend senior wellbeing days Work with Women’s Institutes Work with Bucks Age-Well group to link into older people activities 	<ul style="list-style-type: none"> Ongoing Medium term Short term 	<ul style="list-style-type: none"> NEF Bucks AgeWell group Women’s Institute AgeUK
	4. Target single parent families or families with very young children	<ul style="list-style-type: none"> Continue to work with children centres Link with Bucks Family Information Services Launch community focused projects 	<ul style="list-style-type: none"> Ongoing Ongoing Medium term 	<ul style="list-style-type: none"> NEF Children centres BFIS team (BCC) Community groups
	5. Work with BME groups	<ul style="list-style-type: none"> Use minority community leaders to promote available schemes 	<ul style="list-style-type: none"> Medium term 	<ul style="list-style-type: none"> NEF Community leaders
	6. Develop partnerships with other agencies who work with hard to reach groups	<ul style="list-style-type: none"> Identify key partners including voluntary and community groups Share information and data to target the right groups Identify any training needs 	<ul style="list-style-type: none"> Short term Ongoing Short term 	<ul style="list-style-type: none"> NEF Voluntary groups Community groups
Confusion among residents	1. Promote the Affordable Warmth Helpline as referral service	<ul style="list-style-type: none"> Train trusted professionals such as health, social and advisory staff around fuel poverty and how to use referral network Promote helpline through partner’s websites Promote helpline through council newsletters 	<ul style="list-style-type: none"> Ongoing Ongoing Ongoing 	<ul style="list-style-type: none"> NEF CCG / Public Health BCC District councils Advice agencies CAB Job centres
	2. Continue to attend events to educate residents	<ul style="list-style-type: none"> Affordable warmth advice stands at organised events Affordable warmth talks to community groups 	<ul style="list-style-type: none"> Ongoing Ongoing 	<ul style="list-style-type: none"> NEF Community groups

	3. Work closely as partners	<ul style="list-style-type: none"> • Confirm projects and schemes work together • Verify there is consistency of message • Identify and work collectively on bids for potential extensions to the network that mirror previous projects such as Better Housing, Better Health 	<ul style="list-style-type: none"> • Ongoing • Ongoing • Ongoing 	<ul style="list-style-type: none"> • NEF • District councils • BCC • CCG / Public Health
Targeting appropriate areas/groups	1. Target through GIS mapping	<ul style="list-style-type: none"> • Continue to map areas with high levels of fuel poverty • Improve existing mapping of off gas households, solid walled properties and low income and use as indicators of fuel poor households • Use mapped data as a way of targeting households for support and assistance 	<ul style="list-style-type: none"> • Ongoing • Ongoing 	<ul style="list-style-type: none"> • NEF • District councils
	2. Use partner databases	<ul style="list-style-type: none"> • Continue to work with BCC InTouch team and Prevention Matters 	<ul style="list-style-type: none"> • Ongoing 	<ul style="list-style-type: none"> • NEF • BCC • Prevention Matters
Smart meter roll out	1. Raise awareness of smart meters	<ul style="list-style-type: none"> • Promote the installation and benefits of Smart meters • Use project run by Community Impact Bucks to help promote smart meters to off-gas residents • Encourage householder behaviour change • Make use of smart meter data to target energy efficiency campaigns 	<ul style="list-style-type: none"> • Medium term • Ongoing • Ongoing • Ongoing 	<ul style="list-style-type: none"> • NEF • BCC • District councils • Community Impact Bucks • CAB
Affordable Cooling	1. Raise awareness of benefits of insulation in keeping homes cool during hot weather	<ul style="list-style-type: none"> • Promote benefits of insulated homes during periods of hot weather 	<ul style="list-style-type: none"> • Ongoing 	<ul style="list-style-type: none"> • NEF • BCC • District councils

12. REVIEWING AND MONITORING

This strategy needs to be reviewed and monitored to ensure aims and objectives are being met. Monitoring should be carried out by the Affordable Warmth Steering group, and should be reviewed at the quarterly meeting with a progress report produced annually.

All members of the Affordable Warmth Network have made a commitment to working to support this strategy and comments and suggestions will be continually reviewed by the Steering Group.

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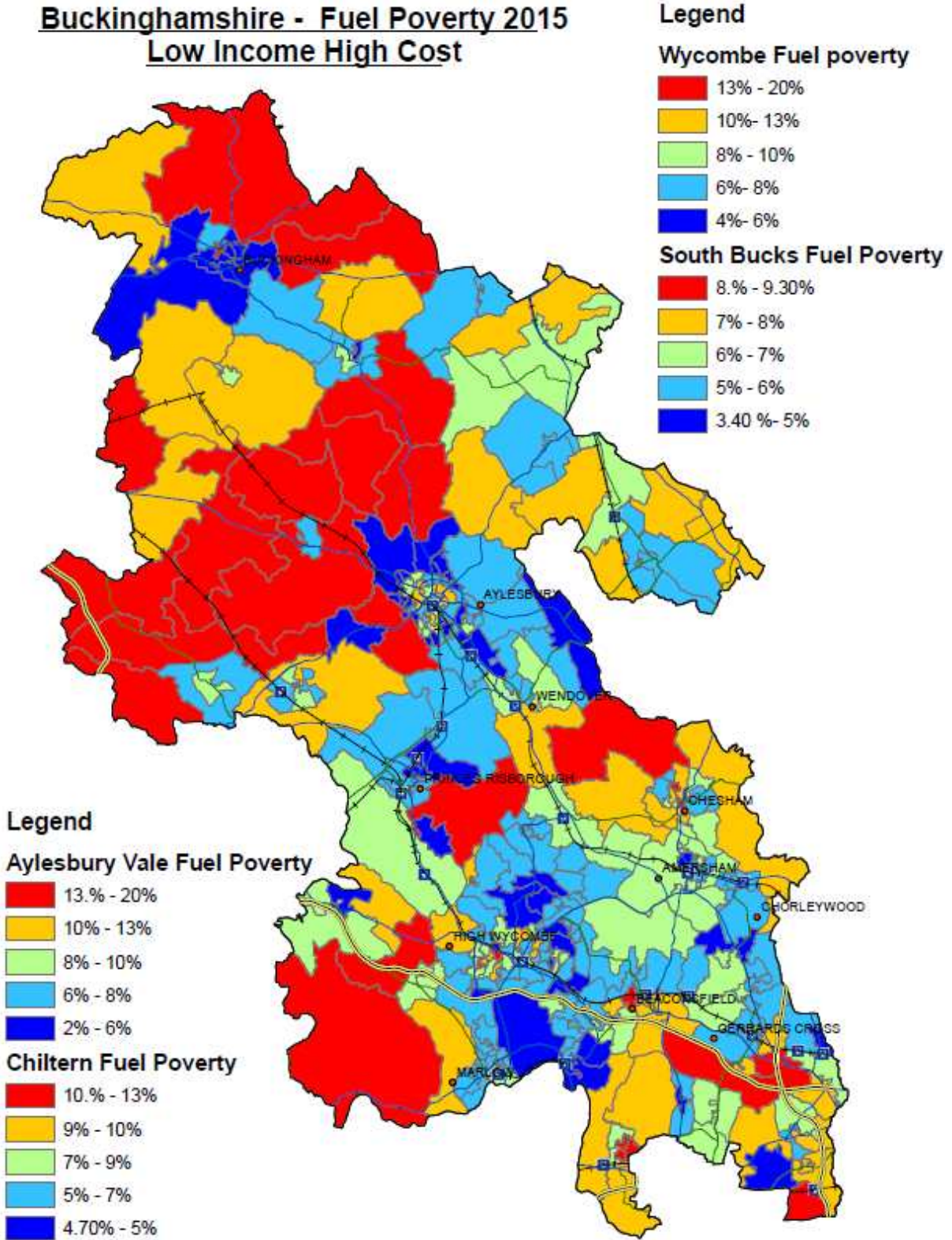
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APPENDIX A – FUEL POVERTY IN BUCKINGHAMSHIRE – MAP 2

Buckinghamshire - Fuel Poverty 2015
Low Income High Cost



SUBJECT:	<i>Chiltern Leisure Advisory Report – Leisure Contract Performance 2016</i>
REPORT OF:	<i>Councillor Liz Walsh – Cabinet Member for Community, Health & Housing</i>
RESPONSIBLE OFFICER	<i>Martin Holt</i>
REPORT AUTHOR	<i>Paul Nanji (01494) 732110 pnanji@chiltern.gov.uk</i>
WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

RECOMMENDATION

That GLL's 2016 leisure contract performance be noted.

2. Reasons for Recommendations

Given the importance of the leisure contract in supporting the health and wellbeing of residents the Council places a strong emphasis on closely monitoring Chiltern's leisure centre operator Greenwich Leisure Limited (GLL) who manage the Council's three leisure centres. (Chalfont, Chesham and Chiltern Pools) Collectively the leisure centres attract over 940,000 visits annually and generate an annual turnover of in excess of £4.2M. GLL is a major local employer (particularly of young people) and provide key services to local residents that directly support several of the Council's key corporate objectives including improving residents health and well-being. As covered within the report the contract has evolved since it commenced in 2005 and now includes targeted outreach work that helps reduce health inequalities in targeted communities at no additional cost to the Council.

3. Content of Report

Chiltern and South Bucks Leisure Advisory Board (LAB) undertake an important scrutiny role as well as provide a strategic overview of leisure in the district. This report outlines the overall performance of the Chiltern's Leisure Contract with GLL - BETTER from January 1st to December 31st 2016. The key themes covered, include visitor numbers, financial performance, service quality, investment in facilities, energy usage and outreach community development work.

GLL performance report and annual accounts are attached as Appendices 1 and 2. In 2016 the key outcomes include:

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- An overall surplus of £442,143
- Investment of £185k in 'Repairs and Renewals' which included air handling unit repairs, new pool filtration and upgraded disinfection systems
- Investment of £125k in 'Planned Preventative' works including new energy efficient lighting and improved shower systems
- £694,000 invested in centre improvements including the refurbishment of changing rooms, fitness studios and poolside areas via the contract surplus fund
- 940,391 customer visits an increase of nearly 37,000 visits from the previous year.
- Council inspections revealed an overall good quality service albeit with inconsistencies in relation to cleanliness and maintenance responsiveness
- Outreach community development work goes from strength to strength with an exciting range of projects including walking football, falls prevention, diversionary projects, disability climbing programme and activities for elderly residents. (Tai chi, gentle exercise, day trips and Nordic walking)

This report was considered by the Services Overview Committee on 5 September and Members' comments will be reported at the meeting.

4. Consultation

The report was developed in close partnership with senior managers from GLL through Chiltern and South Bucks Leisure Advisory Board. (LAB)

5. Corporate Implications**5.1. Financial**

The Chiltern Leisure Contract delivered a surplus of £442,143 with GLL investing £694,000 through the contract surplus fund to improve leisure centre changing room, spinning studio and reception area facilities at no costs to the Council.

5.2 Environmental

Collectively the leisure centres account for over 75% of the Council's energy usage and on-going investment to improve energy efficiency and reduce energy usage is a key performance target as detailed in Appendix 1.

5.3 Equalities

GLL delivers a range of activities that support of the Council's equality standards. These include ladies only swimming, reduced charges for older and younger people, targeted activities to maximise uptake by members of all communities, a range of diversionary activities and the delivery of the exercise rehabilitation schemes. The centres have also improved building access, extended the range of activities for disabled users including adapted fitness studio equipment and climbing wall equipment.

6. Links to Council Objectives

Work towards safer and healthier local communities

Promote healthier communities

- Plan our leisure provision for the future

Strive to conserve the environment and promote sustainability

- Promote energy efficiency and encourage the reduction of carbon emissions

7. Next Step

Members' feedback and comments will be presented to the next Chiltern Leisure Advisory Board meeting on the 9th November 2017.



APPENDIX 1

GLL-BETTER – CHILTERN PERFORMANCE REPORT 2016

Report

- 1 This report captures the key financial and operational performance of the Chiltern leisure contract against its financial year, 1 January 2016 – 31 December 2016. More detailed information regarding the contract's financial performance is detailed in **Appendix. 2.**

Finance – Revenue

2. Overall the contract has performed well with the total surplus of £442,143, a £114k increase on the previous year. This was achieved despite the challenging financial climate for the reasons detailed below.
 - An £40k increase of adult wellness & healthy living following the refurbishments of Chiltern Pools and Chesham at the end of 2015
 - A £30k reduction in utilities following investment in Chiltern Pools lighting
 - An £80k reduction in Head Office costs due to regionalisation within GLL
3. The summary of the main financial issues arising from each leisure centre is detailed in the Table 1 below.

Table 1 – Leisure Centres Financial Performance

Chiltern Pools	<p>Total income was £23,517 lower than the previous year. The key reason for this was a drop in casual swimming.</p> <p>Expenditure was £25,168 lower than the previous year and can be attributed to staff vacancies. Recruitment agencies were used to source candidates to resolve vacancies.</p> <p>Overall, the centre surplus increased by £1,651</p>
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Chesham Leisure Centre	<p>Total income was £17,007 higher than the previous year, in addition expenditure reduced by £46,318.</p> <p>The key reasons for this were increased main activities, including casual swimming, swim memberships and sports hall use together with school utilisation. Health & Fitness remained static whilst Healthwise increased by 17%.</p> <p>Savings were made in Junior instructor costs due to reduced activities for coached sessions both swim school and gymnastics.</p> <p>Overall, the centre surplus increased by £63,324.</p>
Chalfont Leisure Centre	<p>Total income was £51,306 higher than the previous year, with expenditure falling slightly by £2,838</p> <p>Overall, the centre surplus increased by £54,144.</p> <p>Income growth was achieved through £18k Junior, £16k, Health & Fitness and Healthwise by £7k. The centre also achieved its highest membership base of 1,863</p>
Contract Overheads	<p>GLL overheads were £384,100 a fall of £87,226 compared to the previous year.</p>
Summary	<p>Collectively during 2016 the centres recorded a total surplus of £442,143 and increase of £113,466 from the previous year.</p>

Finance – Capital

4. In 2016, GLL-Better invested £185k in its Repairs and Renewal Programme replacing and repairing buildings, plant and equipment including pool filtration and disinfection systems, air conditioning and air handling unit repairs. Additionally GLL-Better invested £125k from the Planned Preventative programme which included upgrading building lighting systems.
5. Since commencing in 2005 the contract has generated a financial surplus year on year. In 2016 GLL invested a further £694,000 from the surplus investment scheme which funded several projects including refurbishing of changing rooms, fitness studios, reception areas and spinning rooms. To date the total investment from the surplus fund is £1,940,105.

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Table 2 – Leisure Contract Surplus and Investment

Year	Surplus available	Re-Investment	Areas of Investment
2005/6	81,764	99,588	Amersham and Chalfont gym refurbished and new Gym equipment, Spin Bikes in Chesham, Fencing at Chiltern Pools
2007	185,059	208,981	Chiltern Pools Changing Room refurbished
2008	110,168	214,019	Chesham gym refurbished
2009/2010	201,290	11,895	Chalfont and Chiltern Pools windows
2010	72,997	666,689	Chiltern Pools & Chalfont gyms refurbished, Chiltern Pools dry changing rooms, Disabled change creation, Chiltern Pools hot and cold water system replaced
2011	236,245	44,933	Chalfont Leisure Centre Spinning Studio
2012	202,688	0.00	None during period
2013	157,799	0.00	None during period
2014	152,983	0.00	None during period
2015	137,858	0.00	None during period
2016	147,471	694,000	Chiltern Pools gym & reception refurbishment including new kit. Chesham reception and gym refurbishment
Total	1,686,322	1,940,105	Agreed forward funding

Usage

6. Attendance at the leisure centres increased by 4%, resulting in the highest number of annual centre visits (940,391) since the contract commenced. (Table 3)
7. Participation from the swimming pools attracted 266,630 visits and gym usage attracted 468,539 visits.
8. Swim school participation (visits) increased to 95,550.

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Table 3 - Total Usage at the Leisure Centres

2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
713,262	733,624	759,423	779,672	810,949	829,954	842,300	841,092	927,317	903,127	940,301

Monitoring Service Quality

9. To assess cleanliness, service quality, maintenance and health & safety GLL commissions' independent external inspections through a specialist company called Leisure Client Ltd. The assessments focus on standards from the customers' perspective and are acquired from unannounced visits to the centres at different times and days of the weeks. The inspections scores result in each centre having an improvement action plan which outlines how each centre will improve standards. The centres all achieved a good rating with Chiltern Pools scoring 84%, Chesham – 83% and Chalfont 83%. Each centre also achieved the industry standard charter mark standard via the Quest assessment programme.
10. The Council also undertakes monthly monitoring inspections to ensure that each centre is providing a good quality service. Inspection data combined with customer feedback highlighted positive improvements but also revealed inconsistent standards in cleaning and in the promptness of addressing maintenance issues. These concerns have been raised through the Leisure Advisory Board and will be closely monitored moving forward.

Health & Safety

11. The Council undertakes six monthly audits to assess a range of policies and procedures including each centre's Water Management Plan, Safeguarding policy and Asbestos Management Plan. Audit findings revealed that overall the operator continues to deliver safe services through good quality health and safety practices. Issues that have been identified through the audit process including access issues with the new electronic entrance systems at Chiltern Pools were addressed.

Community Development

- 12 In addition to the operating the Council's leisure centre facilities, GLL also provide a community development function comprising of three outreach officers. These officers are based with the Council's community team and deliver an extensive range of projects that have benefited local communities. Over the last twelve months these have included:

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- Diversionary programmes including football, cooking, parkour and cinema club delivered in Chesham helping support a reduction in anti- social behaviour
- Activities for elderly residents including exercise referral, gentle exercise, tai chi and Nordic walking encouraging more older people to participate in regular physical activity
- Disability climbing programme developed at Chiltern Pools utilising specialist climbing equipment
- Successfully attracted over £10,000 funding to support community sports projects across Chiltern

Conclusion

13. The leisure contract financial performance for the period January 2016 to December 2016 delivered a surplus of £442,143.
14. The contract has successfully delivered an extensive range of outreach community activities that support the Councils key corporate aims and objectives.
15. The Contract surplus investment fund reached £1,686,322 in 2016 which includes the development of a new multi-functional fitness area at Chalfont, new reception areas at Chiltern Pools and Chesham and improved fitness suite at Chalfont and Chesham.
16. The contract achieved its highest visitor number level of 940,301 and continues its upward trend of year on year increases in leisure centre visits since the contract commenced in 2005.

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APPENDIX 2 GREENWICH LEISURE LIMITED MANAGEMENT ACCOUNTS 2016



GLL (Greenwich Leisure Ltd) - Management Accounts										
Year 2016 - Quarter 4 - Oct-Dec 2016										
<u>CHILTERN PARTNERSHIP - SUMMARY</u>										
	Jan-Mar 2016	Jan-Mar 2015	Apr-Jun 2016	Apr-Jun 2015	Jul-Sep 2016	Jul-Sep 2015	Oct-Dec 2016	Oct-Dec 2015	YTD 2016	YTD 2015
	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual
NB02 - Chiltern Pools										
Total Centre Income	460,487	459,579	421,653	416,738	412,894	426,735	358,019	373,519	1,653,054	1,676,571
Total Centre Expenditure	454,982	430,784	368,338	339,785	301,356	351,824	316,221	343,672	1,440,897	1,466,065
Centre Surplus / (Deficit)	5,505	28,795	53,315	76,953	111,538	74,911	41,799	29,847	212,157	210,506
NB03 - Chesham Leisure Centre										
Total Centre Income	338,515	336,959	306,487	293,709	280,031	268,483	267,516	276,391	1,192,549	1,175,542
Total Centre Expenditure	246,415	247,128	245,387	270,699	181,212	196,558	182,071	187,019	855,085	901,403
Centre Surplus / (Deficit)	92,100	89,831	61,100	23,010	98,819	71,926	85,445	89,372	337,463	274,139
NB04 - Chalfont Leisure Centre										
Total Centre Income	373,012	354,591	330,518	320,055	324,612	309,998	313,673	305,865	1,341,815	1,290,509
Total Centre Expenditure	255,110	251,719	243,976	175,811	198,219	233,921	190,442	229,134	887,747	890,585
Centre Surplus / (Deficit)	117,902	102,872	86,542	144,244	126,393	76,077	123,231	76,732	454,068	399,924
All Centres Income										
All Centres Income	1,172,014	1,151,129	1,058,657	1,030,502	1,017,537	1,005,216	939,208	955,775	4,187,417	4,142,621
All Centres Expenditure										
All Centres Expenditure	956,507	929,631	857,702	786,294	680,787	782,302	688,734	759,825	3,183,730	3,258,052
All Centres Surplus / (Deficit)										
All Centres Surplus / (Deficit)	215,507	221,498	200,956	244,208	336,751	222,914	250,474	195,950	1,003,688	884,569
NB01 - Chiltern Partnership										
Total Central Partnership Income	0	0	0	0	0	0	0	0	0	0
Total Central Partnership Expenditure	76,231	52,692	72,580	45,640	70,226	45,100	63,040	45,532	282,077	188,963
Total Central Partnership Costs Surplus / (Deficit)	(76,231)	(52,692)	(72,580)	(45,640)	(70,226)	(45,100)	(63,040)	(45,532)	(282,077)	(188,963)
TOTAL TRADING INCOME (FOR PARTNERSHIP)										
TOTAL TRADING INCOME (FOR PARTNERSHIP)	1,172,014	1,151,129	1,058,657	1,030,502	1,017,537	1,005,216	939,208	955,775	4,187,417	4,142,621
TOTAL TRADING EXPENDITURE (FOR PARTNERSHIP)										
TOTAL TRADING EXPENDITURE (FOR PARTNERSHIP)	1,032,738	982,323	930,281	831,934	751,013	827,402	751,774	805,357	3,465,807	3,447,016
TRADING SURPLUS / (DEFICIT) for PARTNERSHIP										
TRADING SURPLUS / (DEFICIT) for PARTNERSHIP	139,276	168,806	128,376	198,568	266,525	177,814	187,434	150,418	721,611	695,606
HO OVERHEADS										
HO OVERHEADS	91,826	133,326	87,578	124,047	90,463	115,398	114,233	98,554	384,100	471,326
SURPLUS / (DEFICIT) INC HO OVERHEADS										
SURPLUS / (DEFICIT) INC HO OVERHEADS	47,450	35,479	40,799	74,521	176,062	62,416	73,201	51,864	337,511	224,280
MANAGEMENT FEE										
MANAGEMENT FEE	26,099	26,099	26,177	26,099	26,177	26,099	26,177	26,099	104,631	104,396
TOTAL SURPLUS / (DEFICIT)										
TOTAL SURPLUS / (DEFICIT)	73,549	61,579	66,976	100,620	202,239	88,515	99,378	77,963	442,143	328,677

SUBJECT:	Update on Heathrow Expansion and Changes to Airspace
REPORT OF:	Leader Cllr. Isobel Darby /Cllr Peter Martin Portfolio Holder
RESPONSIBLE OFFICER	Peter Beckford Head of Planning
REPORT AUTHOR	Jane Griffin, 01895 837315, jane.griffin@southbucks.gov.uk
WARD/S AFFECTED	All

1. Purpose of Report

Heathrow Airport has been selected as the Government's preferred scheme for meeting the need for additional runway capacity in the south east of England. This report provides information on the process by which this will occur and the proposed changes to airspace.

RECOMMENDATION

That Cabinet note the report.

2. Content of Report

Earlier this year the Government published a Draft National Policy Statement (NPS) for consultation together with a separate consultation on reforming UK airspace policy. The consultation document was supported by numerous background documents. This consultation closed on 25th May. The response of South Bucks District Council to the NPS was placed on both Councils websites together with a joint response from Bucks CC, Bucks Thames Valley LEP and South Bucks DC to the airspace consultation. The link to these responses is [here](#). The consultations responses are now being analysed and the transport select committee which began before the general election will reconvene after the Parliamentary recess in September. The amended NPS will then be debated by Parliament in the spring and it is anticipated that the final decision will be taken in late spring.

The consultation on reforming the policy on the design and use of UK airspace will help manage the rising number of aircraft; help introduce the latest technology to make airspace more efficient and reduce the need for stacking which will have considerable environmental benefits. In terms of managing aircraft noise a new Independent Commission on Civil Aviation Noise will be set up which will facilitate communication between industry and communities and provide expertise on noise management and be a credible and authoritative voice on aviation noise issues.

Once the NPS is approved as government policy this will form the planning policy for the Development Consent Order (effectively the planning application) which will be submitted by Heathrow Airport Ltd directly to the Planning Inspectorate and the examination that follows will be restricted to only assessing the extent the proposals meet the NPS. It is likely that the DCO will be submitted in 2019.

In the meantime Heathrow Airport Ltd is progressing in the production of its evidence base in consultation with the Heathrow Strategic Planning Group (HSPG) of which South Bucks District Council is a member. The HSPG is an officer group represented by all the Local Authorities

which will be Host authorities as defined by the DCO legislation (with the exception of LB Hillingdon who believe that their intention to challenge the NPS through Judicial Review would be compromised by membership). The four planning authorities which will be Hosts are Slough, South Bucks, Spelthorne and Hillingdon. These authorities will either have the new runway in the case of Hillingdon and Slough or secondary development in the case of South Bucks and Spelthorne. In addition the adjoining authorities of Hounslow, Ealing, Windsor and Maidenhead and Runnymede are also members together with Bucks CC and Surrey CC, the three affected LEPs and the Colne Valley Regional Park. We are all bound by an MOU with Heathrow Airport Ltd and are working towards an agreed evidence base which will help fulfil our duty to cooperate requirements. It is important to note that this work has no implications for the currently emerging Joint Local Plan as no decision will have been made on the airport when the JLP is submitted but could potentially necessitate a review in due course to consider the implications.

Work on employment needs predict an increase in the need for employment related land use within 5km of the airport. This would deliver replacements for uses potentially displaced by the third runway including BAs HQ, Colnbrook immigration centre, Lakeside Incinerator, BAs data centre and several hotels. Heathrow consider they need a number of additional hotels and large amounts of commercial floorspace. They also want to double the freight capacity of the airport which will require regional logistics centres.

South Bucks is currently discussing sites within the District for potential employment uses.

Surface Access is discussed at a sub-group of the HSPG. The draft NPS has stated that there should be no net increase in traffic accessing the expanded Heathrow Airport which will necessitate a substantial increase in passengers and staff using public transport. Schemes such as Western Rail Access, Southern Rail Access and Crossrail will help deliver that step change. Western Rail Access is proceeding via a DCO to be submitted in 2018 and will enable passengers to connect from Slough and points west to Heathrow. The journey time from Slough will take 6 minutes. However Southern Access does not yet have a confirmed route but does have government support. South Bucks has also pushed for some of the Chiltern Line services from Wycombe, Beaconsfield etc to be diverted via Old Oak Common when the station there is complete. This will enable access to the airport by rail from South Bucks together with the new Crossrail services. Chiltern residents however will need to go via London or use enhanced bus services.

Other matters such as noise and air quality, highway alterations, construction issues including methods, sites and workers accommodation and potentially new housing development will form the topic of later work streams.

Heathrow will be going out to consultation on their initial scheme later this year.

3. Consultation

Not applicable

4. Corporate Implications

Reports must include specific comments addressing the following implications;

3.1 Financial - none

3.2 Legal - none

3.3 Sustainability - some benefits for public transport users.

8. Links to Council Policy Objectives

The Councils will continue to use the objective of striving to conserve the environment and promote sustainability in their negotiations with the airport.

9. Next Step

N/A

Background Papers:	https://www.gov.uk/government/publications/about-the-airport-and-airspace-consultations/about-the-airports-and-airspace-consultations
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SUBJECT:	<i>Exemption to Contracts Procedure Rules – Instructing Counsel</i>	
REPORT OF:	<i>Director of Resources</i>	
RESPONSIBLE OFFICER	<i>Head of Legal & Democratic Services</i>	<i>Joanna Swift</i>
REPORT AUTHOR	<i>Principal Solicitor</i>	<i>Anna Dell</i> <i>Tel: 01895 837232</i>
WARD/S AFFECTED	<i>All</i>	

1. Purpose of Report

- 1.1 To report to Cabinet that an exemption to the joint Contracts Procedure Rules has been granted by Management Team.

RECOMMENDATION

That Cabinet note that Management Team has agreed an Exemption to the Joint Contracts Procedure Rules, to permit Counsel (Mr Simon Bird QC) to be instructed to advise and advocate on behalf of both Councils regarding the issues arising and process related to the adoption of the draft Joint Local Plan 2014-2036.

2. Reasons for Recommendation

In order to comply with the joint Contracts Procedure Rules exemptions authorised by Management Team must be reported to the next appropriate Cabinet Meeting.

3. Content of report.

- 3.1 The joint CDC / SBDC Contracts Procedure Rules set out the approach to dealing with all aspects of Procurement. They state at A6 that:

The Councils must comply with these Contracts Procedure rules at all times. However there are sometimes valid reasons why an exemption from one or more elements of these rules is required.

All exemptions must be formally approved by Management Team, and shall be reported to the next appropriate Cabinet meeting.

- 3.2 Chiltern and South Bucks District Councils are undertaking a joint Local Plan 2014 - 2036, and are progressing towards Draft Local Plan consultation. It has been necessary to seek Counsel's advice on the Draft Plan process and related matters arising therefrom.

- 3.3 It is highly likely that Counsel's advice will continue to be required and at times required urgently and we need Counsel to have an immediate understanding of the issues in order to advise the Councils within tight deadlines and prescribed timetables to ensure the Councils adoption of the Joint Local Plan is sound and robust against any subsequent challenge.

- 3.4 Mr Bird QC is an expert Planning and Planning Policy QC and has provided advice on 2 specific issues to date and has therefore become familiar with the current position in relation to the Joint Draft Local Plan. It was therefore considered that he was best placed to continue to provide advice and to represent the Councils as required.
- 3.5 On 12th July 2017, Management Team therefore agreed an exemption from the requirement to obtain competitive tenders, so that the Councils could instruct Mr Bird QC and accept quotes to provide any extra work as a direct consequence of the issues and the process relating to the preparation and adoption of the Draft Joint Local Plan.

4 **Options**

N/A.

5. **Corporate Implications**

Financial – Counsels fees will be met from within existing Planning Policy budgets and as host Council, Chiltern District Council will seek reimbursement of the fees from South Bucks District Council on a shared basis.

6. **Links to Council Policy Objectives**

There are no direct links to the policy objectives.

7. **Next Steps**

Counsel will be instructed as required.

Background Papers:	None except those referred to in the report.
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**CHILTERN DISTRICT COUNCIL
SOUTH BUCKS DISTRICT COUNCIL**

MINUTES of the Meeting of the
CHILTERN & SOUTH BUCKS JOINT COMMITTEE
held on **24 JULY 2017**

PRESENT:

Councillor	I Darby	Chiltern District Council	- Chairman
Councillors:	R Bagge	South Bucks District Council	
	T Egleton	South Bucks District Council	
	N Naylor	South Bucks District Council	
	L Sullivan	South Bucks District Council	
	P E C Martin	Chiltern District Council	
	M R Smith	Chiltern District Council	
	M J Stannard	Chiltern District Council	

APOLOGIES FOR ABSENCE were received from Councillors F S Wilson (Chiltern District Council) and E A Walsh (Chiltern District Council).

9 MINUTES

The minutes of the meeting of the Joint Committee held on 11 April 2017 were agreed by the Committee and signed by the Chairman as a correct record.

10 DECLARATIONS OF INTEREST

There were no declarations of interest.

11 SHARED SERVICE COST SPLITS

The majority of shared services reviews had now concluded, and the Joint Committee were asked to review the new cost splits to be used for shared services. It was proposed that in order to strike a balance between accuracy and simplicity that the standard cost split of 58% (CDC) and 42% SBDC be used for all joint services, except for Revenues and Benefits and Waste.

Members welcomed the proposed approach that was simple to apply and represented a very small difference in cost. It was considered the right time to implement the proposal, particularly in light of the forthcoming review of shared service budgets.

RESOLVED:

- 1. That from 2018/19 the standard cost split be amended to CDC 58% / SBDC 42%, and that this be used for all joint services apart from Revenues and Benefits and Waste.**
- 2. The cost splits be reviewed at least once during every Administration.**

12 JOINT WORKING - APPOINTMENT OF A JOINT OVERVIEW AND SCRUTINY COMMITTEE

Phase 2 of joint working arrangements between Chiltern and South Bucks Districts Councils was nearing completion. The Joint Committee was responsible for establishing and monitoring performance indicators, as well as taking forward Phase 3 Stronger in Partnership and progressing the Joint Local Plan.

The Joint Committee was therefore asked to consider the proposal to implement a new Joint Overview and Scrutiny Committee (JOSC) with specific authority to scrutinise and make recommendations on decisions taken, and functions discharged, by the Joint Committee. The JOSC's size of membership and make up was for Members consideration, however, the Committee would be politically balanced, and the proposals would require the Councils' procedure rules to be amended accordingly.

On balance it was felt that the Councils' respective Governance and Electoral Arrangements Committees were the appropriate meetings to consider the proposals because of the proposed constitutional changes, rather than the Overview and Scrutiny Committees

RESOLVED:

That subject to receiving and considering comments from the Councils' respective Governance & Electoral Arrangements Committees and the agreement of both Councils;

- 1. That pursuant to section 102 of the Local Government Act 1972 the Councils agree to appoint a Joint Overview and Scrutiny Committee with authority to discharge the Councils' overview and scrutiny functions in relation to the functions delegated to the Chiltern and South Bucks Joint Committee as set out in the Joint Committee's terms of reference attached as Appendix 1, and the proposed Chiltern and South Bucks Joint Overview and Scrutiny Committee (JOSC) terms of reference attached as Appendix 2.**

2. That the Joint Overview and Scrutiny Procedure Rule be agreed as set out in Appendix 3.

3. The Councils' constitution and respective Cabinet Procedure Rules, Access to Information and Overview and Scrutiny Procedures Rules be amended to reflect the new Joint Committee.

4. That the Head of Legal and Democratic Services be authorised to make the necessary amendments to the IAA to reflect the above decisions in consultation with the Chief Executive and Leaders

13 CHILTERN & SOUTH BUCKS JOINT COMMITTEE PROGRAMME UPDATE

The Joint Committee considered the joint working programme update which provided an update on: flexible and agile working; Customer Experience Strategy which would be considered by the Joint Committee at the next meeting on 5 October 2017; organisational development; office accommodation; Planning shared service implementation, and next steps.

During the update on office accommodation it was confirmed that all office moves would be completed by December. Detailed communications would be sent to affected staff in advance of each office move to assist staff. The new office layout plans had also been informed by staff feedback.

RESOLVED:

That the joint working programme update be noted.

14 PEER REVIEW 2017 (INFORMATION ITEM)

Members received an update on the LGA peer review which would take place from 27 - 30 November. Stephen Baker (Shared Chief Executive Suffolk Coastal and Waveney Council) was part of the Peer review team, and had been involved in the last peer review held in 2014. Councillor Linda Robinson (Leader of Wychavon Borough Council) was also part of the Peer review team. The process would be similar to the last review in 2014, and Rachel Prance (Manager of Joint Communications, Performance & Policy) was the lead officer contact.

Following a discussion, Members agreed that the 2014 Peer review was worthwhile, and

RESOLVED:

That the report, and the dates set aside for the Local Government Association Peer Review on 27 – 30 November, be noted.

Note: Councillor Luisa Sullivan entered the meeting at 6.30pm.

15 EXCLUSION OF THE PUBLIC

RESOLVED:

That under section 100 (A) (4) of the Local Government Act 1972 (as amended) the public be excluded from the meeting for the following item(s) of business on the grounds that they involved the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act.

16 DELIVERY OF SOUTH BUCKS REVENUES AND BENEFITS SERVICE - POST NOVEMBER 2018

The Joint Committee considered the options for the future delivery of the Revenues and Benefits Service at South Bucks District Council from November 2018 when the current Revenues and Benefits contract ended. The strengths, weaknesses, opportunities and threats associated with each of the options were considered. Members considered the modelling showing the costs for each of the options. It was noted that the demographics were very similar between both districts.

Service performance was considered extremely important, and following the discussion the Joint Committee then,

RESOLVED:

- 1. That the options available to the Revenues and Benefits Service at South Bucks District Council going forward be noted**
- 2. That the preferred option for the future delivery of the Revenues and Benefits Service at South Bucks District Council is Option 3 and officers be instructed to begin the process for implementation.**

Note: Councillor Mike Stannard left the meeting at 6.45pm.

17 LOCAL LAND CHARGES SHARED SERVICE REVIEW

The Joint Committee received a report setting out the results of a shared service review of the Local Land Charge Service (LLCS) at Chiltern and South Bucks. The report concluded that based on the analysis of the current operations, the benefits and costs in terms of resilience and quality of service and the requirements of supporting ICT systems, there is a basis for implementing a shared service.

It was noted that harmonised fees for LLC and searches would be introduced but the income would be retained by the respective Council.

RECOMMENDED that

- 1. the establishment of a joint service is proven and that both Councils should proceed to establish a joint service;**
- 2. staff in the respective services be shared to work across the two local authority areas under section 113 of the Local Government Act 1972.**

AND RESOLVED:

That subject to the councils' agreement of recommendation 1 that:

- 3. the implementation of the shared service be approved as described in Sections 4 and 5 of the report which proposes that the team is based at King George V House with staff being able to work flexibly across both offices and from home.**
- 4. the approach to cost sharing set out in Section 6 of the report be approved.**
- 5. Agree the high level implementation plan (Appendix 3) be agreed as the basis for the implementation phase of the service review.**

The meeting ended at 7.00 pm

Item 21.1

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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