



## Cabinet

**Tuesday, 26 June 2018 at 4.30 pm**

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

### A G E N D A

#### Item

1 Evacuation Procedures

2 Apologies for Absence

3 Minutes (*Pages 5 - 16*)

To sign the minutes of the meeting held on 1 May 2018.

4 Declarations of Interest

5 28-Day Notice (*Pages 17 - 18*)

*Appendix: Cabinet 28 Day Notice (Working Draft) (Pages 19 - 22)*

*Appendix: Joint Committee 28 Day notice - 28 June 2018 (Pages 23 - 26)*

6 Current Issues

7 Cabinet Appointments (*Pages 27 - 48*)

To note the appointments made by Council, and agree appointments made by the Cabinet.

- 8 Refreshed Joint Business Plan 2018-19 (*Pages 49 - 50*)
- Appendix 1 - Chiltern and South Bucks Business Plan 2018-19 (Pages 51 - 72)*
- 9 2017/18 End of Year Performance Report (*Pages 73 - 76*)
- Appendix A - Priority Pls End of Year 2017-18 (Pages 77 - 80)*
- Appendix B - Corporate Pls End of Year 2017-18 (Pages 81 - 86)*
- Appendix C - Annual Report 2017-18 (Pages 87 - 88)*
- 10 Capital and Repairs & Renewals Outturn Report 2017/18 (*Pages 89 - 90*)
- Appendix A - Capital Carry Forward 2017/18 (Pages 91 - 92)*
- Appendix B - Repair & Renewals Carry Forward 2017/18 (Pages 93 - 94)*
- 11 Treasury Management Annual Report 2017/18 (*Pages 95 - 98*)
- 12 Waste Contract - Joint Working (*Pages 99 - 102*)
- Appendix 1: IDAA - Draft Heads of Terms (Pages 103 - 108)*
- 13 Change to the Membership Size of the Leisure Needs Member Working Group (*Pages 109 - 110*)
- 14 Redevelopment of the Chiltern Pools and adjacent Community Facilities (*Pages 111 - 124*)
- Appendix 1: Proposed Leisure Centre Facility Mix (Pages 125 - 126)*
- Appendix 2: Stage 2 Proposals (Pages 127 - 172)*
- 15 Chiltern & South Bucks Playing Pitch Strategy (*Pages 173 - 178*)
- Appendix 1 - Draft South Bucks and Chiltern District Council Playing Pitch Strategy 2018-2036 (please see supplementary pack here <https://isa.chiltern.gov.uk/democracy/ieListDocuments.aspx?CId=115&MId=3732&Ver=4> )*

16 Joint Food and Health and Safety Business Plans (*Pages 179 - 182*)

*Appendix A - Joint Food and Safety Service Plan 2018-19 (Pages 183 - 212)*

*Appendix B - Food Policy 2018-19 (Pages 213 - 244)*

*Appendix C - Health and Safety Enforcement Policy 2018-19 (Pages 245 - 268)*

17 Pest and Dog Control Framework (*Pages 269 - 274*)

*Appendix 1 (Pages 275 - 276)*

18 Crowd Funding (*Pages 277 - 280*)

19 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.

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

20 Cabinet Reports from Policy Advisory Groups:

20.1 Planning and Economic Development Notes - 16 April 2018 (*Pages 281 - 284*)

20.2 Environment Notes - 17 April 2018 (*Pages 285 - 288*)

20.3 Healthy Communities Notes - 19 April 2018 (*Pages 289 - 296*)

21 Waste Contract Options Appraisal (*Pages 297 - 308*)

22 Property Acquisition in Amersham (*Pages 309 - 316*)

*Appendix 1 (Pages 317 - 322)*

*Appendix 2 (Pages 323 - 326)*

**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**

Councillors: I Darby (Chairman)  
M Stannard  
P Martin  
M Smith  
E Walsh  
F Wilson

**Date of next meeting – Tuesday, 16 October 2018**

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<p><b>Publication Date 4 June 18</b></p>
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**CHILTERN DISTRICT COUNCIL  
MINUTES of the CABINET  
held on 1 MAY 2018**

**PRESENT**      Councillors    I Darby                    - Leader  
   M Stannard               - Deputy Leader  
   P Martin  
   M Smith  
   E Walsh  
   F Wilson

**ALSO IN ATTENDANCE:** Councillors P Jones

**76      MINUTES**

The Minutes of the Cabinet meeting held 6 February 2018 were approved and signed by the Cabinet Leader as a correct record.

**77      DECLARATIONS OF INTEREST**

There were no declarations of interest.

**78      28 DAY NOTICE**

The Cabinet received a report attaching the draft 28-Day Notice which provided a forward plan of the agenda for the next meeting of the Cabinet. The Notice would be published on 25 May 2018. It was noted that the following 2 items had been deferred: Mill Meadow Bridge and King George V House Parking.

**RESOLVED:**

**that the draft 28-Day Notice to be published on 25 May 2018 be noted.**

**79      CURRENT ISSUES**

The following updates on current issues were raised:

**Councillor I Darby**

Councillor Darby welcomed the appointment of James Brokenshire as Secretary and State for Housing, Communities and Local Government on 30

April 2018 and looked forward to sharing the Council's views on Modernising Local Government with him.

**Councillor P Martin**

Councillor Martin informed Members that the new Head of Planning and Economic Development, Mark Jaggard, would be joining the Councils on 9 July 2018. It was noted that the Interim Enforcement Manager, Mitch Kitts, and the Interim Building Control Manager, Adam Heeley, were now in post.

**Councillor M Smith**

Councillor Smith advised Members that the work on Amersham Multi-Storey Car Park was progressing well.

**Councillor L Walsh**

Councillor Walsh advised Members that applications for community grants could now be made and further information could be found on the website. The closing date for applications is 29 June 2018.

The community cards scheme had launched in April 2018 and is a sticker-collecting scheme to help prepare Year 6 pupils transitioning to secondary school. The sticker scheme is designed to encourage pupils to try out new activities and learn about their community; each sticker is related to a different topic such as personal safety and money management.

It was reported that the Community Safety Team is carrying out a Chiltern Neighbourhood Survey to identify Chiltern residents top three community safety priorities. It was noted that a separate survey for under 18's had been created for the district's younger residents. The closing date for the survey is 10 May 2018. The survey results would help inform local community forums of areas of focus within the district.

**Councillor F Wilson**

Councillor Wilson informed Members that small businesses granted relief last year would automatically receive relief this year, provided the ratepayer continued to satisfy the conditions for relief.

**80 PERFORMANCE INDICATOR REVIEW 2018-19**

The Cabinet received a report updating Members on the outcome of the performance indicator (PI) review for 2018/2019, and which also sought approval for the proposed changes to reporting. The priority, corporate and data only PIs were at Appendices A – C respectively. It was proposed that additional PIs be added under the portfolios, making a total of 62 PIs.

**RESOLVED:**

**that the changes to the performance indicators for each service be approved.**

**81 PERFORMANCE REPORT QUARTER 3 2017-18**

The Cabinet considered a report outlining the performance of Council services against pre-agreed performance indicators and service objectives for Quarter 3 of 2017-18. The quarterly priority and corporate PIs were at Appendices A and B respectively. The Performance and Policy Officer updated Members on the quarterly PIs against the Councils targets.

Members questioned the timescale for receiving the quarterly reports as the data presented was not as up to date as possible, and asked that performance updates align with reporting to Members as a priority.

**RESOLVED:**

**that the performance reports be noted.**

**82 LOCAL ENFORCEMENT PLAN**

The Cabinet received a report which set out a revised way of handling planning enforcement complaints, and which sought approval of the Local Enforcement Plans for the Chiltern and South Bucks districts.

The Interim Head of Planning and Economic Development advised Members that the Local Enforcement Plans would provide a common platform for the delivery of efficient and effective enforcement services for the Councils, whilst taking into account national guidance set out in the National Planning Policy Framework (NPPF). Further, that the existing and interim Enforcement

Managers had given assurance that the Councils had the capacity to deliver through this plan. Town and Parish Councils, and members of the public via the CDC website, would be updated throughout the investigation process and key phases.

Members welcomed the plan and agreed that clear communication relating to enforcement action was key to effective delivery of the service.

**RESOLVED:**

**that the Joint Local Enforcement Plan at Appendix 1 be approved.**

**83 THE DELIVERY OF AN EXEMPLARY PLANNING SERVICE IN CHILTERN & SOUTH BUCKS**

The Cabinet received a report which sought approval for the draft Exemplary Planning Service Action Plan at Appendix 1. It was reported that the work on the shared planning service had identified the need for a long term vision within which the various process changes for the service could be delivered, as well as the opportunity to take the planning service from its current position to an exemplary position. The plan focussed on short, medium and long term actions, with a degree of flexibility relating to long term actions so that the new Head of Planning and Economic Development could help to shape the service going forward. It was advised that the preparation and adoption of the Local Enforcement Plan was a critical part of the plan. Members noted that staff recently recruited to the service were very enthusiastic.

The Cabinet welcomed the news that the new members of staff were settling into the service, and expressed their thanks to Andrew Ashcroft and the Planning Team for the success of the service review.

**RESOLVED:**

**that the Exemplary Planning Service Action Plan at Appendix 1 be approved.**

**84 TEN YEAR PLAN PROGRAMME FOR KING GEORGE V HOUSE**

Members considered a report detailing works to be carried out at King George V House (KGVH) over the next few years in order to address health and safety concerns and essential maintenance required at the offices, and also considered changes to the capital programme to fund these works. The proposed works were set out in the table at 4.3 of the report.

The Portfolio Holder for Environment advised Members that this report had been previously been considered by the Corporate Asset Management Group on 25 April 2018, and Members agreed the report set out a sensible approach to the urgent works required.

**RESOLVED:**

- 1. That the current capital programme spend for KGVH is reprofiled to allow the urgent identified works to be funded from the existing programme be agreed;**
- 2. That the identified works estimated in the sum of £730,750 be planned and carried out as soon as possible, and authority be delegated to the Head of Environment to conduct procurements and award contracts;**
- 3. That the unspent Repairs & Renewals budget of £210,411 for KGVH be carried forward from 2017/18 to 2018/19 for the works;**
- 4. That the unspent capital budget of £14,000 for KGVH be carried forward from 2017/18 to 2018/19 for the works;**
- 5. That the remaining sum of £327,000, including the above amounts carried forward, for the other KGVH works in the capital and R & R programme after the identified urgent works have been accounted for, be utilised for any further works for KGVH as required or if the estimated costs of urgent works change, to be agreed by the Head of Environment in consultation with the Portfolio Holder for Environment.**

6. **That a further update report be presented to Members when the final costs are known after tendering and the timetable to deliver all the works is clear.**

## 85 **CHILTERN POOLS OPEN SPACE UPDATE**

The Cabinet considered a report on the consultation to dispose of the Public Open Space at Woodside Close and land off Chiltern Avenue to Amersham Town Council in return for an area of King George V Playing Fields to facilitate the development of the Chiltern Life Centre. It was noted that there had been no objections to the transfer. The Cabinet expressed their thanks to Amersham Town Council for their support in the project.

### **RESOLVED:**

1. **That the Chief Executive be advised that the Cabinet supports the decision to acquire the area of land marked in Appendix 1 and dispose of the land referred to in Appendix 2 to Amersham Town Council in support of the redevelopment of the Chiltern Pools, library, Drake Hall, and Youth club in Amersham; and**
2. **That the public be informed about the redesigned centre ahead of any decision to proceed with a planning application.**

## 86 **PUBLIC SPACES PROTECTION ORDER (PSPO) CONSULTATION**

The Cabinet received a report proposing to introduce a Public Spaces Protection Order (PSPO). It was noted that the draft PSPO had previously been considered at the Healthy Communities PAG on 19 April 2018. An updated map of the Sycamore Road Car Park had been published as a supplementary agenda and copies provided at the meeting. It was then

### **RESOLVED:**

1. **to make the Public Spaces Protection Order in the form of the draft appended to the report; and**
2. **that authority be delegated to the Head of Healthy Communities in consultation with the Head of Legal and Democratic Services to undertake the three yearly review of the**

**Public Spaces Protection Order and implement any changes as required.**

## **87 UNAUTHORISED ENCAMPMENTS**

The Cabinet was asked to consider and adopt the Thames Valley Police (TVP) and Local Authority Joint protocol, and the Buckinghamshire Councils' and TVP Memorandum of Understanding for dealing with unauthorised encampments. It was noted that TVP had proposed the introduction of a tolerated temporary site but this proposal would be explored further, and Members could consider this opportunity going forward. The Cabinet welcomed the opportunity for partnership working, and therefore

### **RESOLVED:**

- 1. that the final decision to adopt the Thames Valley Police (TVP) and Local Authority Joint protocol, and the Buckinghamshire Councils' and TVP Memorandum of Understanding on unauthorised encampments be delegated to the Head of Healthy Communities in consultation with the Portfolio Holder for Healthy Communities; and**
- 2. to work with all Bucks authorities to see if there is any scope to identify a tolerated temporary site(s) somewhere in Bucks to support the moving on of unauthorised encampments.**

## **88 ASYLUM SEEKERS**

The Cabinet considered adopting an agreement in principle with the Home Office to accommodate asylum seekers. Local authorities across the UK had been requested to participate in permitting people seeking asylum to live in their local authority areas, alleviating housing pressures in the main areas where asylum seekers are based. The Head of Healthy Communities advised that potential accommodation would be vetted by the Council and should meet local and national standards.

### **RESOLVED:**

- 1. that the final decision to adopt an 'in principle agreement' with the Home Office to accommodate asylum seekers be delegated to the**

**Head of Healthy Communities in consultation with the Portfolio Holder for Healthy Communities.**

**89 COMMUNITY SPORTS ASSOCIATIONS**

The Head of Healthy Communities advised that further work needed to be undertaken on this report and that the report would be withdrawn from the agenda.

**90 CHILTERN DISTRICT COUNCIL AND PARADIGM HOUSING PRINCIPLES OF CO-OPERATION**

The Cabinet was asked to agree to Chiltern District Council entering into a Principles of Co-Operation Agreement with Paradigm Housing. Members noted that the report had been considered by the Affordable Housing Member Working Group and the Healthy Communities PAG on 14 March 2018 and 19 April 2018 respectively. Members welcomed agreement and the strengthening of the relationship with Paradigm, but advised that the agreement should not preclude the Council from continuing to look for affordable housing opportunities, including use of the Council's own land.

**RESOLVED:**

- 1. that Chiltern District Council enter into a Principles of Co-Operation Agreement with Paradigm Housing; and**
- 2. that authority be delegated to the Chief Executive to enter into the agreement on behalf of Chiltern District Council.**

**91 AFFORDABLE HOUSING CONTRIBUTIONS UPDATE**

The Cabinet received an update of the receipt and expenditure of section 106 Affordable Housing Contributions (AHCs). These contributions were to support the delivery of affordable housing within the district. The numbers of homes delivered through the use of AHCs were set out in the table at 3.13 of the report.

**RESOLVED:**



**1. That, subject to the balance of £424,902 being added to the sum allocated for “enabling opportunities to acquire land for the development of affordable housing”, the allocation of Affordable Housing Contributions proposed in paragraph 3.12 be agreed subject to final decision on an individual scheme being delegated to the Head of Healthy Communities in consultation with the Portfolio Holder for Healthy Communities.**

**92 BUCKINGHAMSHIRE DOMESTIC VIOLENCE & ABUSE STRATEGY 2018-2021**

Members considered the draft Buckinghamshire Domestic Violence and Abuse Strategy 2018-2021 and draft consultation. It was noted that the strategy needed to better reflect the impact and costs of homelessness in particular, and that all those impacted by domestic abuse needed to be further supported through the delivery of the strategy. The draft strategy was at Appendix 1.

**RESOLVED:**

- 1. that the draft response to the consultation on the strategy be agreed;**
- 2. that the approval and endorsement of the final strategy be delegated to the Head of Healthy Communities in consultation with the Portfolio Holder for Healthy Communities; and**
- 3. that the intention to produce a multi-agency action plan to support delivery of the strategy be noted.**

**93 SUMMER YOUTH DIVERSIONARY PROJECTS**

The Cabinet was asked to agree that funding should be provided from within existing budgets for the voluntary youth sector to enable them to deliver a range of summer holiday activities. Members agreed with the importance of helping to provide young people with valuable experiences.

The Cabinet was asked to consider increasing the figure due to the previous success of the programme.

The Portfolio Holder for Healthy Communities informed Members of the positive feedback received by local communities when having provided the support previously.

**RESOLVED:**

**that financial support of up to £3000 be provided to support voluntary youth organisations to deliver summer holiday activities.**

**94 MINUTES OF JOINT EXECUTIVE COMMITTEES**

**RESOLVED:**

**that the minutes of the Joint Executive meetings be noted**

- **Chiltern and South Bucks Joint Committee 4 April 2018**
- **Chiltern, South Bucks and Wycombe Joint Waste Collection Committee 22 January 2018**
- **Chilterns Crematorium Joint Committee 29 January 2018**

**95 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.**

**96 CABINET REPORTS FROM POLICY ADVISORY GROUPS:**

**RESOLVED:**

**That the confidential Notes from the Policy Advisory Groups (PAGs) be noted**

- **Customer Services PAG 29 January 2018**
- **Planning and Economic Development PAG 22 January 2018**

**97 HS2 WORK AND RESOURCING REPORT**

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

The Cabinet received an update on the work of the HS2 project, as well as the resource forecast of this work. It was reported that community liaison meetings had recently been held to which positive feedback had been received. The Portfolio Holder for Planning and Economic Development expressed thanks for the work undertaken so far.

**RESOLVED:**

- 1. that the report and progress made on the project be noted;**
- 2. that authority be delegated to the Chief Executive in consultation with the Leader and the Head of Legal and Democratic Services to enter into a Funding Agreement with HS2 for the delivery of the Additional Projects approved by the AONB Group under Section 1 of the Localism Act 2011; and**
- 3. that authority be delegated to the Chief Executive in consultation with the Leader and the Head of Legal and Democratic Services to enter into agreements with relevant stakeholders/project leads appointed by the AONB Group for the delivery of the Additional Projects under Section 1 of the Localism Act 2011.**

**The meeting ended at 5.36 pm**



<b>SUBJECT:</b>	<i>28 Day Notice</i>
<b>REPORT OF:</b>	<i>Cabinet Portfolio Holder for Support Services (Deputy Leader)</i>
<b>RESPONSIBLE OFFICER</b>	<i>Head of Legal &amp; Democratic Services</i>
<b>REPORT AUTHOR</b>	<i>Leslie Ashton, 01494 732011, lashton@chiltern.gov.uk</i>
<b>WARD/S AFFECTED</b>	<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 (9 October 2018) due to be published on 10 September and the Joint Committee (28 June 2018).

<b>Background</b>	None
<b>Papers:</b>	



## 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](http://www.chiltern.gov.uk/democracy)

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

<b>Support Services - Deputy Leader (Councillor Mike Stannard)</b>					
Key Decision (Y/N) <sup>1</sup>	Report Title & Summary <sup>2</sup>	Consultation <sup>3</sup>	Decision Maker & Date	Private Report (Y/N) and Reason Private <sup>4</sup>	Lead Officer <sup>5</sup>

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

<b>Planning &amp; Economic Development (Councillor Peter Martin)</b>					
Key Decision (Y/N) <sup>1</sup>	Report Title & Summary <sup>2</sup>	Consultation <sup>3</sup>	Decision Maker & Date	Private Report (Y/N) and Reason Private <sup>4</sup>	Lead Officer <sup>5</sup>

Environment (Councillor Mike Smith)					
Key Decision (Y/N) <sup>1</sup>	Report Title & Summary <sup>2</sup>	Consultation <sup>3</sup>	Decision Maker & Date	Private Report (Y/N) and Reason Private <sup>4</sup>	Lead Officer <sup>5</sup>
N	<b>Recycling Update Report</b> to receive an update on recycling within the Districts	Services Overview <b>9 Oct 18</b>	For information	N	Chris Marchant Chris.Marchant@chiltern.gov.uk

Healthy Communities (Councillor Liz Walsh)					
Key Decision (Y/N) <sup>1</sup>	Report Title & Summary <sup>2</sup>	Consultation <sup>3</sup>	Decision Maker & Date	Private Report (Y/N) and Reason Private <sup>4</sup>	Lead Officer <sup>5</sup>
Y	<b>Chiltern and South Bucks Open Space Strategy and Playing Pitch Strategy:</b> to agree the final strategies (if material changes arise following the consultation)	Services 9 Oct 18	Cabinet <b>16 Oct 18</b>	N	Paul Nanji pnanji@chiltern.gov.uk
Y	<b>Review of the Council's Gambling Act 2005 Statement of Principles:</b> Following consultation, that Cabinet recommend to Council to adopt the Gambling Act 2005 Statement of Principles	Licensing 10 May 18  Licensing 10 July 2018 (to receive the consultation results)	Cabinet 16 Oct 18  Council 13 Nov 18	N	Charlie Robinson crobinson@chiltern.gov.uk
Y	<b>2018 Community Grants Awards:</b> to approve community grant awards 2018/19	Services 9 Oct 18	Cabinet <b>16 Oct 18</b>	N	Paul Nanji pnanji@chiltern.gov.uk
Y	<b>Chiltern Service Level Agreements</b> - To agree 3 year SLA's with key voluntary organisations	HC PAG 8 Oct 18	Cabinet <b>16 Oct 18</b>	N	Martin Holt MHolt@Chiltern.gov.uk
N	<b>Chiltern Leisure Centre performance report:</b> to receive a performance update	HCPAG 8 Oct 18	Cabinet <b>16 Oct 18</b>	N	Paul Nanji pnanji@chiltern.gov.uk
Y	<b>Chiltern redevelopment Pools procurement:</b>	Services 27 Nov 18	Cabinet <b>11 Dec 18</b>	N	Paul Nanji pnanji@chiltern.gov.uk



	to consider a report on 1) the operator contract and 2) the appointment of the operator	HCPAG 26 Nov 18			
N	<b>Chiltern and South Bucks Community Lottery Scheme:</b> annual review of the scheme	HCPAG 26 Nov 18	Cabinet <b>11 Dec 18</b>	N	Paul Nanji pnanji@chiltern.gov.uk

- 1 The Council's Constitution defines a 'Key' Decision as any decision taken in relation to a function that is the responsibility of the Cabinet and which is likely to:-
  - result in expenditure (or the making of savings) over £50,000 and / or
  - have a significant impact on the community in two (or more) district wards.
 and
  - relates to the development and approval of the Budget; or
  - relates to the development, approval and review of the Policy Framework, or
  - is otherwise outside the Budget and Policy Framework.
 As a matter of good practice, this Notice also includes other items – in addition to Key Decisions – that are to be considered by the Cabinet. This additional information is provided to inform local residents of all matters being considered.
- 2 Each item considered will have a report; appendices will be included (as appropriate). Regulation 9(1g) allows that other documents relevant to the item may be submitted to the decision-maker. Subject to prohibition or restriction on their disclosure, this information will be published on the Council website usually 5 working-days before the date of the meeting. Paper copies may be requested (charges will apply) using the contact details below.
- 3 In order to support the work of the Cabinet and to enhance decision-making, reports are often presented to other meetings for comment before going to the Cabinet. As such, this Notice also includes information on which meeting (if any) will also consider the report, and on what date.
- 4 The public can be excluded for an item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act 1972. The relevant paragraph numbers and descriptions are as follows:

Paragraph 1	Information relating to any individual
Paragraph 2	Information which is likely to reveal the identity of an individual
Paragraph 3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)
Paragraph 4	Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority
Paragraph 5	Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings
Paragraph 6	Information which reveals that the authority proposes: <ol style="list-style-type: none"> <li>(a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or</li> <li>(b) to make an order or direction under any enactment</li> </ol>
Paragraph 7	Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime

Part II of Schedule 12A of the Local Government Act 1972 requires that information falling into paragraphs

1-7 above is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Nothing in the Regulations authorises or requires a local authority to disclose to the public or make available for public inspection any document or part of a document if, in the opinion of the proper officer, that document or part of a document contains or may contain confidential information.

Should you wish to make any representations in relation to any of the items being considered in private, you can do so – in writing – using the contact details below. Any representations received, together with any response from the Council, will be published on the Notice (the 'Agenda') issued no less than 5 working-days before the meeting. This will be available on the Council website

- 5 The lead officer is usually the report author, and their contact details are provided in this column. The officer's email address is a standard format: first initial followed by their surname e.g. Bob Smith = [bsmith@chiltern.gov.uk](mailto:bsmith@chiltern.gov.uk)

**Democratic Services, Chiltern District Council, King George V House, King George V Road, Amersham, HP6 5AW; [democraticservices@chiltern.gov.uk](mailto:democraticservices@chiltern.gov.uk); 01494 732143**

**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: [Chiltern District Council](#) & [South Bucks District Council](#)

**CHILTERN & SOUTH BUCKS JOINT COMMITTEE (JC)**

<b>Meeting: 28 June 2018, Amersham</b>					
Key Decision (Y/N) <sup>1</sup>	Report Title & Summary <sup>2</sup>	Consultation How/When <sup>3</sup>	Decision Maker & Date	Private Report (Y/N) and Reason Private <sup>4</sup>	Contact Officer and Telephone Number
No	<b>Joint Committee Programme Update:</b> an update report on joint working		<b>JC</b> 28 June 18	No	Jim Burness <a href="mailto:jburness@chiltern.gov.uk">jburness@chiltern.gov.uk</a> <a href="mailto:jim.burness@southbucks.gov.uk">jim.burness@southbucks.gov.uk</a>
Yes	<b>Customer Experience Strategy Business Case:</b> to consider a report setting out the business case for this project		<b>JC</b> 28 June 18	No	Nicola Ellis <a href="mailto:nellis@chiltern.gov.uk">nellis@chiltern.gov.uk</a> <a href="mailto:Nicola.ellis@southbucks.gov.uk">Nicola.ellis@southbucks.gov.uk</a>
Yes	<b>ICT Strategy Update:</b> an update on the joint ICT strategy		<b>JC</b> 28 June 18	No	Sim Dixon <a href="mailto:sdixon@chiltern.gov.uk">sdixon@chiltern.gov.uk</a> <a href="mailto:sim.dixon@southbucks.gov.uk">sim.dixon@southbucks.gov.uk</a>

- 1 The Chiltern & South Bucks Joint Committee membership comprises of the following Cabinet Members from each authority:

**Chiltern District Council:** I Darby; M Smith; M Stannard; L Walsh; P E C Martin and F Wilson

**South Bucks District Council:** N Naylor; J Read; B Gibbs; P Kelly; D Smith and L Sullivan

A Key Decision is defined as:

- a) Decisions likely to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the Decision relates; or
- b) To be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the Council

Each of the constituent local authorities provides the following definition of a Key Decision, as detailed in the Constitution.

#### **Chiltern District Council**

A 'Key' Decision is any decision taken in relation to a function that is the responsibility of the Cabinet and which is likely to:

- result in expenditure (or the making of savings) over £50,000 and / or
  - have a significant impact on the community in two (or more) district wards.
- and
- relates to the development and approval of the Budget; or
  - relates to the development, approval and review of the Policy Framework, or
  - is otherwise outside the Budget and Policy Framework.

#### **South Bucks District Council**

A key decision is defined by Regulation 8 of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 to comprise any decision which is likely to:

- Result in expenditure or the making of savings which are significant, having regard to the budget for the function or service to which the decision relates; or
- Be significant in its effect on persons living or working in an area comprising two or more wards in the district.

Key decisions will only be taken in accordance with the requirements of the Cabinet Procedure Rules set out in Part B of this Constitution and will also be subject to the requirements of the Access to Information Procedure Rules, the Budget and Policy Framework Procedure Rules and the Overview and Scrutiny Procedure Rules all of which are set out in Part B of this Constitution.

For the purpose of the Regulation, the Council has defined a key decision as a decision which:

1. Has an income or expenditure effect of £50,000 or more.
2. Is likely to have a significant effect on more than one ward.

Excluded from 1 above are contracts for and expenditure on repairs, maintenance and improvements works within budget provision and approved policy where the contract or expenditure has either been properly and specifically approved by or on behalf of the Cabinet or by an Officer acting under delegated powers, except where Contract Standing Orders require the Cabinet itself to authorise acceptance of a tender and such acceptance has not previously been authorised or delegated by the Cabinet.

- 2 Each item considered will have a report; appendices will be included (as appropriate). Regulation 9(1g) allows that other documents relevant to the item may be submitted to the decision-maker. Subject to prohibition or restriction on their disclosure, this information will be published on the Council website – [Chiltern District Council & South Bucks District Council](#) – usually 5 working-days before the date of the meeting. Paper copies may be requested (charges will apply) using the contact details below.
- 3 This column shows the process of consultation, which takes place prior to Joint Committee. Further information on each of the Councils' Committees can be found at: [Chiltern District Council](#) & [South Bucks District Council](#)

- 4 The public can be excluded for an item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act 1972. The relevant paragraph numbers and descriptions are as follows:

Paragraph 1	Information relating to any individual
Paragraph 2	Information which is likely to reveal the identity of an individual
Paragraph 3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)
Paragraph 4	Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority
Paragraph 5	Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings
Paragraph 6	Information which reveals that the authority proposes: (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment
Paragraph 7	Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime

Part II of Schedule 12A of the Local Government Act 1972 requires that information falling into paragraphs 1-7 above is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Nothing in the Regulations authorises or requires a local authority to disclose to the public or make available for public inspection any document or part of a document if, in the opinion of the proper officer, that document or part of a document contains or may contain confidential information.

Should you wish to make any representations in relation to any of the items being considered in private, you can do so – in writing – using the contact details below. Any representations received, together with any response from the Council, will be published on the Notice (the 'Agenda') issued no less than 5 working-days before the meeting. This will be available on the Council website – [Chiltern District Council](#) & [South Bucks District Council](#)

### Contact

Democratic Services, Chiltern District Council, King George V House, King George V Road, Amersham, HP6 5AW; [democraticservices@chiltern.gov.uk](mailto:democraticservices@chiltern.gov.uk); 01494 732143

Democratic Services, South Bucks District Council, Capswood, Oxford Road, Denham, UB9 4LH; [democratic.services@southbucks.gov.uk](mailto:democratic.services@southbucks.gov.uk); 01895 837200



**Cabinet Portfolios 2018-19**

<b>Portfolio</b>	<b>Functions</b>	<b>Director</b>	<b>HOS/Manager</b>	<b>HOS Service Areas</b>	<b>Partnerships</b>
Leader (Isobel Darby)	Communications, Performance & Policy	CE	Rachel Prance	Communications, Performance and Policy	Chiltern & South Bucks Strategic Partnership
	Personnel	R	Louise Cole	Human Resources	Health & Wellbeing Board
	Strategic Finance		Rodney Fincham	Strategic Finance	
Support Services (Deputy Leader) (Mike Stannard)	Business Transformation ICT	R	Sim Dixon	Transformation Programme Management and Support, ICT Client, ICT Operations, GIS, Web Services, Information Management including FOI/Data Protection	
	Legal and Democratic Services		Joanna Swift	Legal, Democratic Services, Electoral Registration, Elections, Land Charges	
	Audit Finance		Rodney Fincham	Management & Statutory Accountancy, Financial Administration, Internal Audit, External Audit Liaison	
Planning & Economic Development (Peter Martin)	Planning Enforcement Building Control Strategic Transport Economic Development	S	Mark Jaggard	Planning Policy, Development Management, Conservation & Tree Preservation, Enforcement, Building Control, Strategic Transportation Issues, Economic Development	Bucks Planning Group
Environment (Mike Smith)	Estates Facilities Parking Waste Management	S	Chris Marchant	Property & Asset Management, Facilities Management, Parking, Cemeteries & Memorial Gardens, Public Conveniences, Street Naming, Engineering Services, Ground Maintenance, Operational Transport Issues, Waste Collection, Street Cleaning, Landscape Advice	Chilterns Crematorium Joint Committee; Joint Waste Collection Committee; Joint Waste Committee for Bucks
	Flooding Carbon Management		Martin Holt		
Healthy Communities (Liz Walsh)	Community & Leisure Environmental Health Community Safety Licensing Housing	S	Martin Holt	Community Development & Cohesion, Grants, Safeguarding, Leisure Client, Leisure Operations, Sports Development, Environmental Health, Community Safety, Housing, Licensing, Emergency Planning/Health & Safety/Business Continuity	Chiltern Leisure Advisory Board;  Chiltern Community Safety Partnership  Healthy Communities Partnership
Customer Services (Fred Wilson)	Revenues and Benefits Customer Services	R	Nicola Ellis	Revenues & Benefits Client, Revenues & Benefits Operation, Fraud & Welfare Partnership, Customer Services,	





<b>Chairman of Council</b>	N Shepherd	Con
<b>Vice-Chairman of Council</b>	G Harris	Con
<b>Leader</b>	I Darby	Con
<b>Deputy Leader</b>	M Stannard	Con
<b>Conservative Group Chairman</b>	J MacBean	Con
<b>Conservative Group Vice-Chairman</b>	M Flys	Con
<b>Conservative Group Secretary</b>	L Smith	Con
<b>Lib. Dem. Group Leader</b>	P Jones	LD

<b>THE CABINET (2 to 9 members + Leader)</b>		
<b>Portfolio</b>	<b>Councillor</b>	
Leader	I Darby	Con
Support Services (Deputy Leader)	M Stannard	Con
Planning & Economic Development	P Martin	Con
Healthy Communities	L Walsh	Con
Environment	M Smith	Con
Customer Services	F Wilson	Con

<b>APPOINTMENT OF EXTERNAL MEMBERS PANEL</b>		
G Harris		Con
A Bacon		LD
<b>Council Chairman:</b> N Shepherd		Con
<b>Leader:</b> I Darby		Con
<b>Conservative Group Chairman:</b> J MacBean		Con
<b>Lib Dem Group Leader:</b> P Jones		LD
<b>Restrictions on Membership:</b> 1 Conservative appointment & 1 Liberal Democrat appointment		

<b>APPEALS &amp; COMPLAINTS COMMITTEE (11)</b>	
<b>Chairman:</b> S Patel	Con
E Culverhouse	Con
J MacBean	Con
D Varley	Con
J Gladwin	Con
G Harris	Con
P Martin	Con
J Burton	Con
D Bray	Con
J Cook	Con
A Bacon	LD
<b>Restrictions on Membership:</b> Although all members of the Council are eligible for appointment, any who are also members of the Joint Staffing Committee or Joint Staffing Sub-Committee will be ineligible to hear appeals that result from the decisions of that Committee.	
<b>Political Balance (Seats):</b> 10 Conservative; 1 Liberal Democrat	

<b>AUDIT &amp; STANDARDS COMMITTEE (9)</b>	
<b>Chairman:</b> J Gladwin	Con
D Phillips	Con
J Wertheim	Con
N Varley	Con
C Jackson	Con
C Ford	Con
R Jones	Con
V Martin	Con
A Bacon	LD
<b>Restrictions on Membership:</b> CM and VCM of the Council and Members of the Cabinet may not be members.	
<b>Political Balance (Seats):</b> 8 Conservative; 1 Liberal Democrat	

<b>GOVERNANCE &amp; ELECTORAL ARRANGEMENTS COMMITTEE (11)</b>	
<b>Chairman:</b> D Varley	Con
D Bray	Con
M Stannard	Con
I Darby	Con
M Shaw	Con
J Waters	Con
J Burton	Con
N Rose	Con
H Wallace	Con
L Walsh	Con
P Jones	LD
<b>Restrictions on Membership:</b> None.	
<b>Political Balance (Seats):</b> 10 Conservative; 1 Liberal Democrat	

<b>LICENSING (15)</b>	
<b>Chairman:</b> J Rush	Con
<b>Vice-Chairman:</b> C Jackson	Con
M Flys	Con
M Harrold	Con
M Harker OBE	Con
G Harris	Con
R Jones	Con
C Jones	Con
C Rouse	Con
N Varley	Con
F Wilson	Con
J Waters	Con
H Wallace	Con
N Southworth	Con
P Jones	LD
<b>Restrictions on Membership:</b> Cabinet Leader may not be a member; Cabinet Members may not be CM/VCM. Membership of Licensing Sub Committee drawn from this Committee. All Members must undergo training.	
<b>Political Balance (Seats):</b> 14 Conservative; 1 Liberal Democrat	
<b>JOINT STAFFING COMMITTEE (6 CDC MEMBERS)</b>	
<b>Leader:</b> I Darby	Con
<b>1 Cabinet Member:</b> M Stannard	Con
D Phillips	Con
C Jones	Con
M Smith	Con
P Jones	LD
<b>Restrictions on Membership:</b> Must have Leader + 1 other Cabinet Member All Members Eligible	
<b>Political Balance (Seats):</b> 5 Conservative; 1 Liberal Democrat	

<b>PLANNING COMMITTEE (13)</b>	
Chairman: D Phillips	Con
Vice-Chairman: M Titterington	Con
J Rush	Con
S Patel	Con
N Rose	Con
J Gladwin	Con
J MacBean	Con
J Wertheim	Con
C Jones	Con
M Harrold	Con
J Burton	Con
J Cook	Con
P Jones	LD
<b>Restrictions on Membership:</b> Chairman of the Council may not be a member; Cabinet Members may not be CM/VCM. All Members must undergo training.	
<b>Political Balance (Seats):</b> 12 Conservative; 1 Liberal Democrat	

<b>JOINT COMMITTEE (6 + 6 SBDC Members)</b>	
I Darby	Con
M Smith	Con
M Stannard	Con
P Martin	Con
L Walsh	Con
F Wilson	Con
<b>Restrictions on Membership:</b> 6 Cabinet Members from each authority	

<b>OVERVIEW COMMITTEE: SERVICES (15)</b>	
<b>Chairman:</b> J Burton	Con
<b>Vice-Chairman:</b> N Varley	Con
M Titterington	Con
S Patel	Con
J Rush	Con
M Harker OBE	Con
C Jackson	Con
E Culverhouse	Con
C Rouse	Con
L Smith BEM	Con
D Bray	Con
H Wallace	Con
M Flys	Con
J Cook	Con
P Jones	LD
<b>Restrictions on Membership:</b> Council Chairman/Vice-Chairman & Cabinet Members cannot be on Overview Committees. The Chairman and Vice-Chairman of the Overview Committee will be elected by the members of the Committee.	
<b>Political Balance (Seats): 14 Conservative; 1 Liberal Democrat</b>	

<b>OVERVIEW COMMITTEE: RESOURCES (15)</b>	
<b>Chairman:</b> N Rose	Con
<b>Vice-Chairman:</b> C Jones	Con
M Harrold	Con
C Ford	Con
J Gladwin	Con
J Wertheim	Con
D Phillips	Con
A Garth	Con
R Jones	Con
D Varley	Con
J MacBean	Con
N Southworth	Con
J Waters	Con
V Martin	Con
A Bacon	LD
<b>Restrictions on Membership:</b> Council Chairman/Vice-Chairman & Cabinet Members cannot be on Overview Committees. The Chairman and Vice-Chairman of the Overview Committee will be elected by the members of the Committee.	
<b>Political Balance (Seats): 14 Conservative; 1 Liberal Democrat</b>	

<b>JOINT OVERVIEW AND SCRUTINY COMMITTEE (5 CDC MEMBERS)</b>	
<i>Subject to the decisions of the Ordinary Council meetings at Chiltern and South Bucks District Councils 15 May 2018 and 16 May 2018 respectively regarding the proposal to appoint a Joint Overview and Scrutiny Committee. If the Committee is appointed, the Chairman and Vice-Chairman will be elected at the first meeting of the Committee.</i>	
V Martin	Con
C Rouse	Con
N Varley	Con
J Waters	Con
A Bacon	LD
<b>Plus 5 SBDC Members (see SBDC appointments)</b>	
<b>Restrictions on Membership:</b> Council Chairman/Vice-Chairman & Cabinet Members cannot be on Overview Committees. The Chairman and Vice-Chairman of the Overview Committee will be elected by the members of the Committee. To avoid a conflict of interest, Members should not also be members of the Joint Staffing Committee. 5 Members from each authority.	
<b>Political Balance (Seats): 4 Conservative; 1 Liberal Democrat</b>	

<b>POLICY ADVISORY GROUP: SUPPORT SERVICES</b>	
<b>*Chairman:</b> C Ford	
<b>Portfolio Holder:</b> M Stannard	
J Gladwin	
N Rose	
J Wertheim	
R Jones	
A Bacon	
S Patel	
<b>Restrictions on Membership:</b> Appointments made by relevant Cabinet Member. Maximum term is 12 months (ending at Annual Council), but Members can be re-appointed. Chairman can be any member of the PAG. *Subject to Support Services PAG meeting 18/06/18.	
<b>Number of Members:</b> Minimum: 6 Maximum: 8	

<b>POLICY ADVISORY GROUP: PLANNING AND ECONOMIC DEVELOPMENT</b>	
<b>*Chairman:</b> D Bray	
<b>Portfolio Holder:</b> P Martin	
J Burton	
A Garth	
D Phillips	
J Rush	
D Varley	
P Jones	
<b>Restrictions on Membership:</b> Appointments made by relevant Cabinet Member. Maximum term is 12 months (ending at Annual Council), but Members can be re-appointed. Chairman can be any member of the PAG. *Subject to Planning and Economic Development PAG meeting 21/06/18.	
<b>Number of Members:</b> Minimum: 6 Maximum: 8	



<b>POLICY ADVISORY GROUP: ENVIRONMENT</b>	
<b>*Chairman:</b> C Jones	
<b>Portfolio Holder:</b> M Smith	
M Flys	
J MacBean	
J Waters	
J Cook	
V Martin	
N Shepherd	
<b>Restrictions on Membership:</b> Appointments made by relevant Cabinet Member. Maximum term is 12 months (ending at Annual Council), but Members can be re-appointed. Chaiman can be any member of the PAG. *Subject to Environment PAG meeting 12/06/18.	
<b>Number of Members:</b> Minimum: 6 Maximum: 8	

<b>POLICY ADVISORY GROUP: HEALTHY COMMUNITIES</b>	
<b>*Chairman:</b> C Rouse	
<b>Portfolio Holder:</b> L Walsh	
N Southworth	
N Shepherd	
C Jackson	
G Harris	
M Harker OBE	
E Culverhouse	
<b>Restrictions on Membership:</b> Appointments made by relevant Cabinet Member. Maximum term is 12 months (ending at Annual Council), but Members can be re-appointed. Chaiman can be any member of the PAG. *Subject to Healthy Communities PAG meeting 18/06/18.	
<b>Number of Members:</b> Minimum: 6 Maximum: 8	

<b>POLICY ADVISORY GROUP: CUSTOMER SERVICES</b>	
<b>*Chairman:</b> J Cook	
<b>Portfolio Holder:</b> F Wilson	
M Harker OBE	
L Smith BEM	
M Shaw	
M Harrold	
N Varley	
J MacBean	
<b>Restrictions on Membership:</b> Appointments made by relevant Cabinet Member. Maximum term is 12 months (ending at Annual Council), but Members can be re-appointed. Chairman can be any member of the PAG. *Subject to Customer Services PAG meeting 11/06/18.	
<b>Number of Members:</b> Minimum: 6 Maximum: 8	

<b>Informal Meeting / Group</b>	<b>Membership 2018-19</b>	<b>LA</b>
<b>HS2 Members' Steering Group</b>	Rose (Chairman)	CDC
	Martin, Vanessa	CDC
	Gladwin	CDC
	Martin, Peter	CDC
	Shepherd	CDC
	Smith, Linda	CDC
	Jones, Peter	CDC
	Varley, Diana	CDC
	<i>Plus SBDC Members (see SBDC appointments)</i>	<i>SBDC</i>
<b>HS2 Information Group</b>	Phillips	CDC
	Gladwin	CDC
	Rose	CDC
<b>Corporate Asset Management Group</b>		
<i>Support Services Cabinet Member</i>	Stannard	CDC
<i>Environment Cabinet Member</i>	Smith, Mike (Chairman)	CDC
<i>EPAG Chairman</i>	Jones, Caroline	CDC
<i>SSPAG Chairman</i>	Ford	CDC
<i>PEDPAG Chairman</i>	Bray	CDC
<i>HCPAG Chairman</i>	Rouse	CDC
<i>CSPAG Chairman</i>	Cook	CDC
<b>Affordable Housing Member Working Group</b>	Bray	CDC
	Walsh	CDC
	Gladwin	CDC
	Harris	CDC
	Jones, Peter	CDC
	Martin, P	CDC
	Phillips	CDC
	Stannard	CDC
<b>Leisure Needs Members Working Group</b>	Harris	CDC
	Harker	CDC
	Gladwin	CDC
	Jones, R	CDC
	Rouse	CDC
	Smith, Mike	CDC
	Stannard	CDC
	Walsh	CDC

<b>Joint Planning Policy Member Reference Group</b>	Martin, P	CDC
	Garth	CDC
	Phillips	CDC
	Burton	CDC
	Jones, Peter	CDC
	Darby, Isobel	CDC
	<i>Plus SBDC Members (see SBDC appointments)</i>	<i>SBDC</i>
<b>Customer Experience Programme Member Working Group</b>	Shepherd	CDC
	Cook	CDC
	MacBean	CDC
	Wilson	CDC
	<i>Plus SBDC Members (see SBDC appointments)</i>	<i>SBDC</i>

Outside Body	Appointment made by	Relevant PAG	Restrictions (4)	Councillors Appointed 2018/19	Representatives required (total)
Amersham & District Community Association		Healthy Communities		Councillor Nigel Shepherd Councillor Liz Walsh	2
Amersham Action Group and Amersham Community Vision		Healthy Communities		Councillor Mimi Harker	1
Amersham Old Town Community Revitalisation Group		Healthy Communities		Councillor Mark Flys Councillor M Harker	2
Armed Forces Champion		Healthy Communities		Councillor Mimi Harker	1
Amersham United Charities	A meeting held according to the ordinary practice of the Council: Cabinet appointment	Healthy Communities	Must be a 4 year term The person appointed doesn't have to be a Member	Ian Arthurton (external representative)	1
Ashley Green & District Community Association		Healthy Communities	None	Councillor Andrew Garth	1
Buckinghamshire and Milton Keynes Natural Environment Partnership	Cabinet Leader	Planning & Economic Development		Councillor Jane MacBean	1
Buckinghamshire & Milton Keynes Association of Local Councils	Cabinet	Healthy Communities		Councillor Isobel Darby	1
Buckinghamshire County Council Health and Adult Social Care Select Committee		Healthy Communities		Councillor Caroline Jones Reserve - N Shepherd	2

Outside Body	Appointment made by	Relevant PAG	Restrictions (4)	Councillors Appointed 2018/19	Representatives required (total)
Buckinghamshire Health and Well Being Board		Healthy Communities		Councillor Isobel Darby	1
Buckinghamshire Historic Buildings Trust Ltd		Planning & Economic Development		Councillor Carl Jackson	1
Buckinghamshire Mind		Healthy Communities	None	Councillor Jane MacBean	1
Buckinghamshire County Council Pension Fund Committee				Councillor J Gladwin	
Buckinghamshire Strategic Flood Management Group		Planning & Economic Development		Councillor Jane MacBean Reserve: Councillor Jonathan Rush	2
Buckinghamshire Thames Valley Local Enterprise Partnership	Cabinet	Planning & Economic Development		Councillor Isobel Darby Reserve - Peter Martin	2
Central Area Growth Board (Oxford - Milton Keynes -Cambridge Corridor)			Leader/ Leader to nominate Cabinet Member. Substitute required (also Cabinet member)	Councillor Isobel Darby Reserve - Peter Martin	1
Chalfont St Giles Youth Club		Healthy Communities	None	Councillor Caroline Rouse	1
Chalfont St Giles Revitalisation Steering Group				Councillor Carl Jackson Reserve - Councillor Des Bray	2

Outside Body	Appointment made by	Relevant PAG	Restrictions (4)	Councillors Appointed 2018/19	Representatives required (total)
Chalfont St Peter Village Action Group		Healthy Communities		Councillor Linda Smith	1
Chalfont St Peter Community Centre		Healthy Communities		Councillor Jonathan Rush	1
Chalfont St Peter Neighbourhood Action Group		Healthy Communities		Councillor Isobel Darby Councillor Jonathan Rush	2
Chesham & District Community Association		Healthy Communities		Councillor Jane MacBean	1
Chesham Connect (previously Chesham Action Partnership CHAP)		Healthy Communities	None	Councillor Nick Varley	1
Chesham Museum	Cabinet	Healthy Communities		Councillor Jane MacBean	1
Chesham Over Fifties Positive Action Group		Healthy Communities	None	Councillor Jane MacBean	1
Chesham Youth Club Management Committee	Cabinet	Healthy Communities		Councillor Jane MacBean	1

Outside Body	Appointment made by	Relevant PAG	Restrictions (4)	Councillors Appointed 2018/19	Representatives required (total)
Chiltern, South Bucks and Wycombe Joint Waste Collection Committee	Cabinet	Environment	1 relevant Cabinet Member 1 Member not on the Cabinet or on Services Overview Committee	Councillor Mike Smith Councillor Caroline Jones	2
Chiltern Citizens' Advice Bureau	Cabinet	Healthy Communities	None	Councillor Emily Culverhouse	1
Chiltern & South Bucks Strategic Partnership				Councillor Caroline Jones Councillor Mimi Harker Councillor Jonathan Rush	3
Chilterns Conservation Board		Planning & Economic Development		Councillor Nick Rose	1
Chiltern LEADER Local Action Group		Planning & Economic Development		Councillor Nick Rose	1
Chiltern and South Bucks Leisure Advisory Board		Healthy Communities		Councillor Mimi Harker OBE Councillor Liz Walsh Reserve - Councillor Graham Harris	2 (plus reserve)
Chiltern Open Air Museum Advisory Council		Healthy Communities		Councillor Carl Jackson Councillor Linda Smith Councillor Des Bray Councillor Caroline Jones	4
Chiltern Woodlands Project Limited		Planning & Economic Development	None.	Councillor John Gladwin	1
Chiltern Youth Activities (Chiltern Youth Centre Management Committee)		Healthy Communities		Councillor Liz Walsh	1
Chilterns Crematorium Joint Committee	Cabinet	Environment	2 relevant Cabinet Members	Councillor Peter Martin Councillor Mike Smith	2
Colne Valley Park Community Interest Company		Planning & Economic Development		Councillor Chris Ford	1



Outside Body	Appointment made by	Relevant PAG	Restrictions (4)	Councillors Appointed 2018/19	Representatives required (total)
Denham Aerodrome Consultative Committee		Planning & Economic Development	None	Councillor Don Phillips	1
District Councils Network Assembly		Leader	Must be the Leader. Leader can appoint substitutes	Councillor Isobel Darby	1
European Structural and Investment Funds (ESIF)		Planning & Economic Development		Councillor Peter Martin	1
Great Missenden Parish Revitalisation Group & Community Vision for HP16		Healthy Communities	None	Councillor Heather Wallace Councillor John Gladwin	2
Groundwork South Trust Limited		Healthy Communities	None	Councillor Chris Ford	1
Healthy Communities Partnership	Cabinet - Relevant Cabinet Member	Healthy Communities	Must be a Member	Councillor Liz Walsh	1
Holmer Green Village Centre		Healthy Communities		Councillor Mark Titterington	1
Housing Interaction Trust		Healthy Communities		Councillor Carl Jackson	1
HS2 Joint Project Board (51M)		Planning & Economic Development		Councillor Nick Rose	1
Little Chalfont Community Association And The Big Vision for Little Chalfont		Healthy Communities	Representative should be a Cabinet Member, but this not compulsory	Councillor Peter Martin	1
Local Area Forum: Amersham		Healthy Communities		Councillor Mimi Harker OBE	1
Local Area Forum: Chalfonts		Healthy Communities		Councillor Linda Smith BEM	1

Outside Body	Appointment made by	Relevant PAG	Restrictions (4)	Councillors Appointed 2018/19	Representatives required (total)
Local Area Forum: Chesham		Healthy Communities		Councillor Fred Wilson	1
Local Area Forum: Missenden		Healthy Communities		Councillor John Gladwin	1
Local Government Association General Assembly				Councillor Isobel Darby	1
Pond Park Community Association		Healthy Communities		Councillor N Southworth	1
South East England Councils (SEEC)	Cabinet	Planning & Economic Development	Usually the Leader/Deputy Leader, but this is not compulsory. Substitutes must be from the same political party.	Councillor Isobel Darby	1
Thames Valley Police and Crime Panel	Cabinet	Healthy Communities		Councillor Emily Culverhouse	1
The Chilterns Dial-a-Ride		Healthy Communities		Councillor Carl Jackson	1
Way In (Chiltern Youth Matters)		Healthy Communities		Councillor Peter Hudson Reserve - Councillor Jane MacBean	2

Outside Body	Appointment made by	Relevant PAG	Restrictions (4)	Councillors Appointed 2018/19	Representatives required (total)
Wycombe Rape Crisis		Healthy Communities	Should be a female Member	Councillor Emily Culverhouse	1



<b>REPORT SUBJECT</b>	Refreshed Joint Business Plan 2018 - 2019
<b>REPORT OF</b>	Councillor Isobel Darby (CDC) and Councillor Nick Naylor (SBDC)
<b>RESPONSIBLE OFFICER</b>	Bob Smith, Chief Executive
<b>REPORT AUTHOR</b>	Ani Sultan (01494 586 800)
<b>WARD/S AFFECTED</b>	Report applies to whole district

### 1. Purpose of Report

To seek approval for the refreshed Joint Business Plan 2018 – 2019

### RECOMMENDATION

Cabinet is asked to approve the refreshed Joint Business Plan.

### 2. Executive Summary

This report seeks approval for the following document attached as Appendix A:  
Refreshed Joint Business Plan 2018 -2019

### 3. Reasons for Recommendations

The Joint Business Plan Aims, Priorities and Objectives replaced the former Chilterns Aims and Objectives document and the South Bucks Corporate Plan during 2014/15. The Joint Business Plan is reviewed every year to reflect the changing needs of the locality and the communities that live and work within Chiltern and South Bucks, as well as the service planning process.

### 4. Content of Report

4.1 The Joint Business Plan links to the Sustainable Community Strategy, which sets out the vision for the districts to 2026 and is based on extensive consultation with residents, local community groups and partner organisations.

4.2 The proposed refreshed Joint Business Plan 2018-2019 is attached as Appendix 1.

4.3 This year, the format of the Business Plan has been overhauled in terms of layout, look and length, with only key information relating to residents included within the document. The document is therefore more user-friendly, easier to understand, and takes into account our resident demographic.

### 5. Consultation

The refreshed Joint Business Plan has been circulated to Leaders and their respective Cabinets for comment.

**6. Options**

Failure to refresh the plan annually will soon render it out of date and out of touch with residents’ priorities.

**7. Corporate Implications**

7.1 Financial – The Joint Business Plan complements the budgeting process and has close links to the medium-term financial strategy. It affects the budget planning process by setting the priorities for the future.

7.2 Legal – No legal implications have been identified.

7.3 Risks issues – Business planning helps to alleviate risk through ensuring each service unit is aware of how their work fits into the work of the Councils and is closely linked to the needs of the community.

7.4 Equalities – An integrated impact assessment, including equalities, was conducted on the Joint Business Plan and showed no adverse impacts.

7.5 Others – None.

**8. Links to Council Policy Objectives**

The Joint Business Plan sets the aims and priorities of the Councils for the next year.

**9. Next Step**

The Joint Business Plan will be uploaded onto the Council websites. It will be updated again next spring to reflect the new service plans for 2019/20 and their actions, which support the Councils’ aims and objectives.

<p><b>Background</b></p> <p><b>Papers:</b></p>	<p>Not applicable.</p>
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# Business Plan 2018 - 2019



CHILTERN  
District Council

SOUTH BUCKS  
District Council

Stronger in partnership



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## Foreword

Welcome to Chiltern and South Bucks' Joint Business Plan for the coming year.

We have made changes to the presentation of this document to make it easier to understand and to better summarise some of the changes the Councils have experienced.

The purposes of the Councils are set out in more detail within the following pages. We review these annually, updating priorities as needed. This is based on feedback, customer and community need, Government guidance and targets, and our commitment to provide best value services for our residents.

We hope you find the following pages informative and interesting.

Please feel free to contact one of us if you have any feedback.



**Bob Smith**  
Chief Executive of  
Chiltern and South  
Bucks District Councils



**Cllr Isobel Darby**  
Leader of Chiltern  
District Council



**Cllr Nick Naylor**  
Leader of South Bucks  
District Council

## Looking forward & our priorities

We have three main areas of focus in terms of aims, objectives and priorities for the coming years. The aim is to position both Chiltern and South Bucks as districts that deliver great value, customer-focused, sustainable services to its residents, whilst enhancing both districts as desirable places to live, work and visit.

We will:

1. Provide best value for money services by listening to our customers to ensure the provision of excellent services across all areas of the Councils;
2. Work towards safer, healthier and more cohesive communities by improving community safety and promoting and supporting local communities;
3. Strive to conserve the environment and promote sustainability.



## What is the Business Plan?

The Business Plan is a key element within our strategic decision-making process.

Our aims, objectives and priorities are outlined, providing a focus for service delivery and performance. This sets out what the Councils will seek to achieve over the coming year.

## The Medium-Term Financial Strategy

This is our key financial policy, which considers financial implications and provides a framework to ensure we manage our money in the most cost-effective way possible. The strategy also feeds into the annual budget-setting process.

Since embarking on a project of shared services in 2012, the Councils have made joint savings of £6million. However, we will continue to face budgetary challenges, and as funding from central Government reduces, we will continue to identify further efficiencies whilst maintaining core services. This has been

considered in the planning and management of the Medium-Term Financial Strategy.

## The Joint Local Plan

The emerging Chiltern and South Bucks Joint Local Plan will outline policies for determining planning applications, site allocations, or proposed new developments, as well as other land designations (including Green Belt areas). This joint local plan will replace an assortment of current documents.

## Service Plans

Our service plans set out how individual teams will be delivering their objectives.

Service plans stem directly from the Business Plan and its associated aims, objectives and priorities, describing the key objectives and activities for each area, as well as highlighting performance indicators and risks that will be used to assess progress.

## Challenges facing the Councils

- Acute shortage of affordable housing and temporary accommodation
- Putting in place an up to date Local Plan to the Local Development Scheme timetable and to maintain this, with reviews every 5 years
- Uncertainty around the future funding model for Local Government
- Assisting businesses to support the local economy and create new local job opportunities
- Uncertainty around the future model for Local Government in Buckinghamshire



# Chiltern District - our purpose: to enhance Chiltern District as a desirable place to live, work, visit and enjoy



## We will deliver cost-effective, customer-focused services

### 1. Provide great value services

- Optimise the effectiveness of our assets and resources
- Reduce costs through the transformation programme with South Bucks District Council.
- Better use of ICT to drive through savings

### 2. Listen to our customers

- Consult and respond to you on key issues
- Communicate widely and embrace social media
- Develop a Customer Services Strategy

### 3. Provide excellent services

- Agree a vision for outstanding service delivery
- Attract, retain and develop dedicated staff



## We will work towards safer and healthier local communities

### 1. Improve community safety

- Work with partners to safeguard children and vulnerable adults
- Work with partners to reduce crime and anti-social behaviour

### 2. Promote healthier communities

- Address the needs of the elderly and vulnerable
- Plan our leisure provision for the future, including the re-development of the Chiltern Pools site

### 3. Provide excellent services

- Support the voluntary sector
- Engage with Parish and Town Councils and local neighbourhoods
- Work to support the local community and businesses through broadband roll-out
- Support the economy through development of more affordable homes and implementation of the Economic Development Strategy
- Provide increased off street car parking to help meet future needs



## We will strive to conserve the environment and promote sustainability

### 1. Conserve the environment

- Conserve the Green Belt through the planning process, whilst balancing the need for housing
- Minimise the impact caused by HS2
- Conserve our valuable heritage including the AONB and Conservation Areas

### 2. Promote sustainability

- Support residents to reduce waste and increase recycling
- Promote a healthy, sustainable and safe environment
- Produce a new Joint Local Plan with South Bucks District Council to help meet local development needs
- Promote energy efficiency across the Council's operations



# South Bucks District - our purpose: to enhance South Bucks District as a desirable place to live, work, visit and enjoy



## We will deliver cost-effective, customer-focused services

### 1. Provide great value services

- Optimise the effectiveness of our assets and resources
- Reduce costs through the transformation programme with Chiltern District Council
- Better use of ICT to drive through savings

### 2. Listen to our customers

- Consult and respond to you on key issues
- Communicate widely and embrace social media
- Develop a Customer Services Strategy

### 3. Provide excellent services

- Continue delivering outstanding services
- Attract, retain and develop dedicated staff



## We will work towards safer and healthier local communities

### 1. Improve community safety

- Work with partners to safeguard children and vulnerable adults
- Work with partners to reduce crime and anti-social behaviour

### 2. Promote healthier communities

- Address the needs of the elderly and vulnerable
- Work with communities affected by closure of services to redeliver in alternative ways
- Develop measures to improve air quality and to target pollution hotspots
- Work with partners to prevent and relieve homelessness
- Bring forward local schemes

### 3. Provide excellent services

- Support the voluntary sector
- Engage with Parish and Town Councils and local neighbourhoods
- Work with local MP, voluntary & community groups to inform the South Bucks Community & Wellbeing Plan
- Support the economy through development of more affordable homes and implementation of the Economic Development Strategy
- Provide increased off-street parking to meet future needs



## We will strive to conserve the environment and promote sustainability

### 1. Conserve the environment

- Conserve the Green Belt through the planning process
- Safeguard our heritage for future generations whilst balancing the need for housing
- Minimise the impact caused by HS2
- Work with partners to secure provision of the Beaconsfield relief road
- Develop a master plan for the Ivers to address current issues with excessive HGV movements and other environmental issues including working with partners to secure provision of a relief road

### 2. Promote sustainability

- Support residents to reduce waste and increase recycling
- Produce a new Joint Local Plan with Chiltern District Council to help meet local development needs
- Promote a safe and sustainable space for people to live, work and relax in
- Promote energy efficiency in the Council's operations
- Support residents to reduce their carbon emissions
- Support the roll-out of superfast broadband to enable more working from home

# Your District - Chiltern

Chiltern has a population of

# 95,103



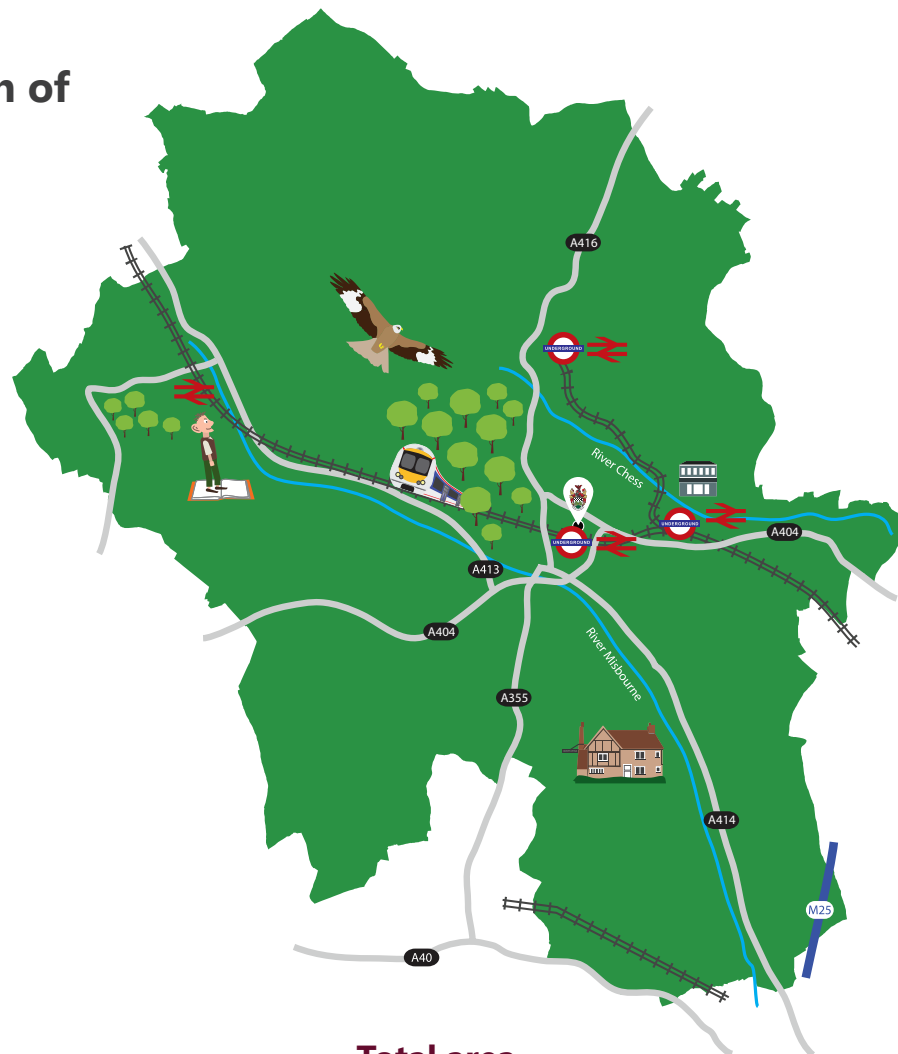
# 49,012

 51.5%

# 46,091

 48.5%

**3** neighbourhood areas made



Total area **196km<sup>2</sup>**



**17** Car Parks



**4** Railway Stations



**2,630** Businesses



Almost **1 million** Visits to leisure centres in 2017/18

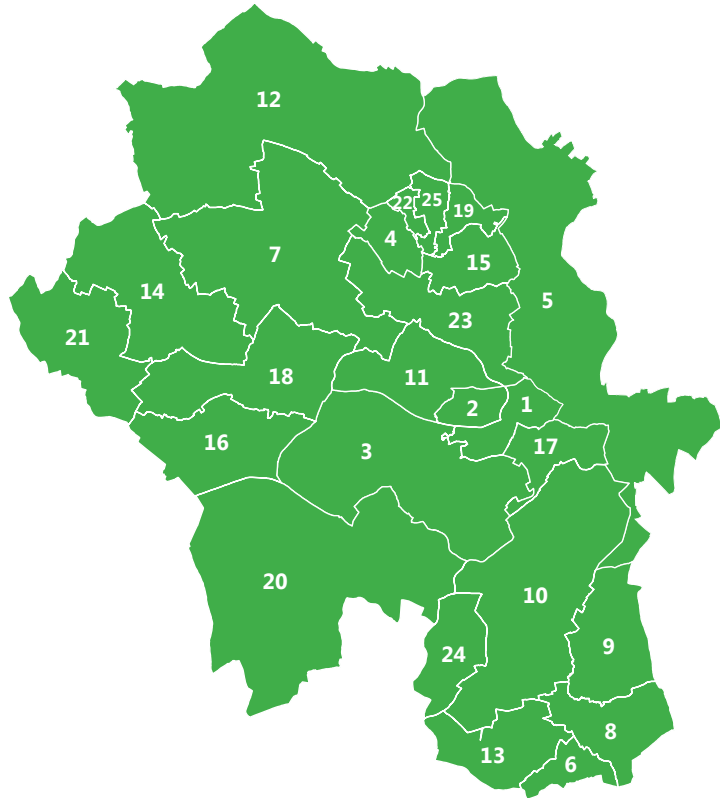


**72%** Area of Outstanding Natural Beauty (AONB)

**80%** of the district is Green Belt



**19** Conservation Areas



- |                                       |                          |
|---------------------------------------|--------------------------|
| 1 Amersham Common                     | 14 Great Missenden       |
| 2 Amersham-on-the-Hill                | 15 Hilltop and Townsend  |
| 3 Amersham Town                       | 16 Holmer Green          |
| 4 Asheridge Vale & Lowndes            | 17 Little Chalfont       |
| 5 Ashley Green, Latimer & Chenies     | 18 Little Missenden      |
| 6 Austenwood                          | 19 Newtown               |
| 7 Ballinger, South Heath & Chartridge | 20 Penn and Colehill     |
| 8 Central (Chalfont St Peter)         | 21 Prestwood & Heath End |
| 9 Chalfont Common                     | 22 Ridgeway              |
| 10 Chalfont St Giles                  | 23 St Mary's & Waterside |
| 11 Chesham Bois & Weedon Hill         | 24 Seer Green            |
| 12 Cholesbury, The Lee & Bellingdon   | 25 Vale                  |
| 13 Gold Hill                          |                          |

there are  
**40**

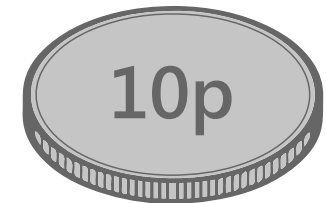


elected Councillors  
representing 25 wards



each year we empty  
**5,000,000**  
waste & recycling bins

for every £1 you paid  
in Council tax in 2017/18  
**Chiltern District Council**  
received 10p



in 2017/18 we held 101 council  
meetings to make decisions  
regarding your district



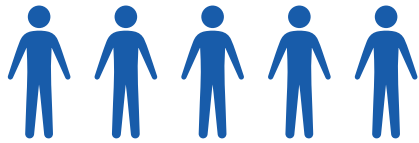
# Your District - South Bucks

South Bucks has a population of

# 69,636



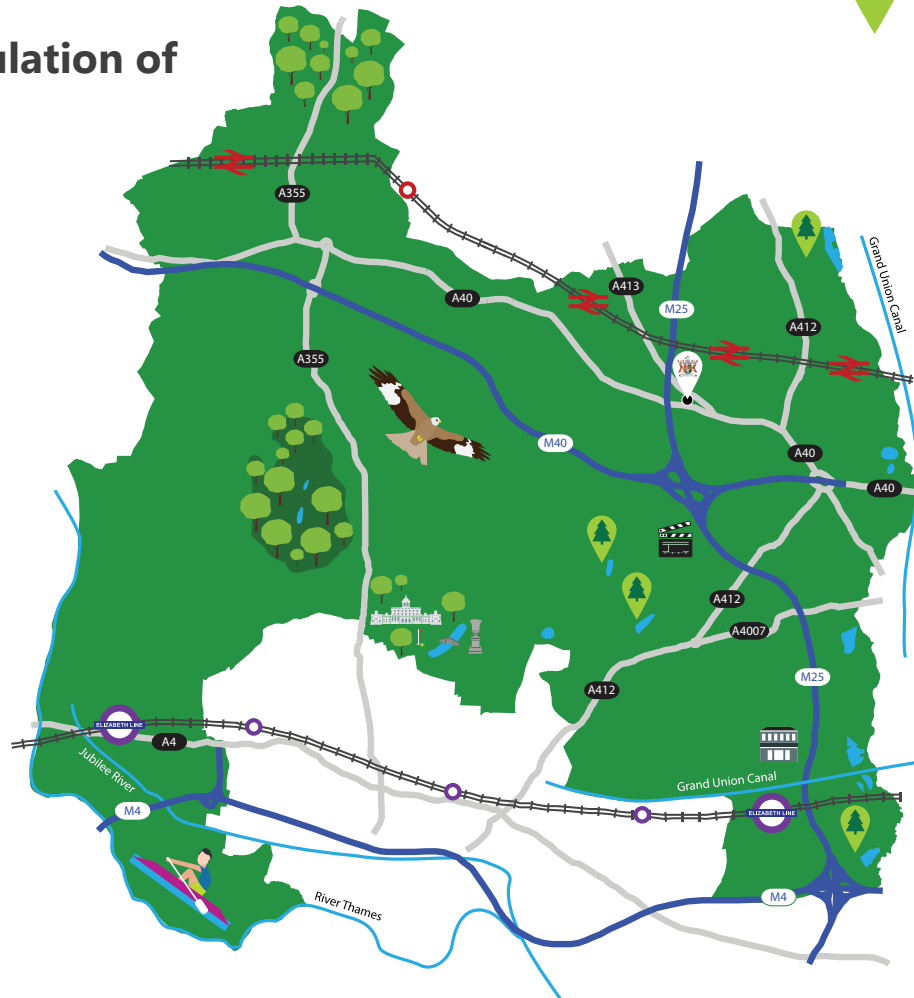
**36,013** 51.7%



**33,623** 48.3%



**5** neighbourhood areas made



Total area **141km<sup>2</sup>**



**4** Country Parks



**10** Car Parks



**6** Railway Stations



**2,000** Businesses



**20** Conservation Areas

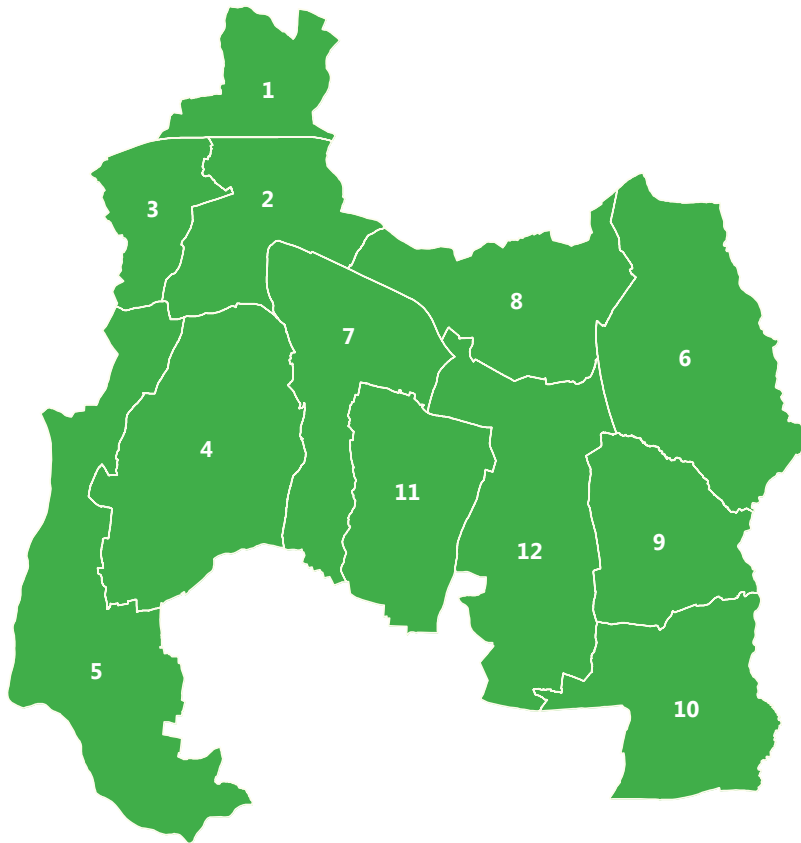
Almost **200,000** Visits to leisure centres in 2017/2018



**3%** Area of Outstanding Natural Beauty (AONB)

**87%** of the district is Green Belt





- 1 Beaconsfield North
- 2 Beaconsfield South
- 3 Beaconsfield West
- 4 Burnham Church & Beeches
- 5 Burnham Lent Rise & Taplow
- 6 Denham

- 7 Farnham & Hedgerley
- 8 Gerrards Cross
- 9 Iver Heath
- 10 Iver Village & Richings Park
- 11 Stoke Poges
- 12 Wexham & Fulmer

there are  
**28**



elected Councillors  
representing 12 wards



each year  
we empty almost  
**4,000,000**  
waste & recycling bins

for every £1 you paid in  
Council tax in 2017/18  
South Bucks District  
Council received 9p



in 2017/18 we held 98 council  
meetings to make decisions  
regarding your district

## Your cabinets

Following local elections every four years, the Leader and Cabinet are formed by the majority party.

The Leader then appoints the other members of their Cabinet. Decisions are either taken by the Cabinet as a whole, or delegated to individual Members. These decisions can also be scrutinised by other councillors sitting on the Scrutiny Committees.

## Chiltern District Council Cabinet



**Councillor  
Isobel Darby**

Leader of the Cabinet



**Councillor  
Michael Stannard**

Deputy Leader of the Cabinet and  
Cabinet Member for Support Services



**Councillor  
Peter Martin**

Cabinet Member for Planning  
and Economic Development



**Councillor  
Michael Smith**

Cabinet Member for Environment



**Councillor  
Liz Walsh**

Cabinet Member for  
Healthy Communities



**Councillor  
Fred Wilson**

Cabinet Member for  
Customer Services

## South Bucks District Council Cabinet



**Councillor  
Nick Naylor**

Leader of the Cabinet



**Councillor  
John Read**

Deputy Leader of the Cabinet and Cabinet  
Member for Planning and Economic Development



**Councillor  
Barbara Gibbs**

Cabinet Member for Resources



**Councillor  
Patrick Hogan**

Cabinet Member for  
Healthy Communities



**Councillor  
Duncan Smith**

Cabinet Member for Customer  
Services and Business Support



**Councillor  
Luisa Sullivan**

Cabinet Member  
for Environment

**Amersham Common**



Caroline Jones

**Amersham-on-the-Hill**



Liz Walsh



Nigel Shepherd

**Amersham Town**



Jules Cook



Mark Flys

**Asheridge Vale & Lowndes**



Alan Bacon



Jane MacBean

**Ashley Green,  
Latimer &  
Chenies**



Andrew Garth

**Austenwood**



John Wertheim

**Ballinger,  
South Heath  
& Chartridge**



Peter Jones

**Central  
(Chalfont St Peter)**



Jonathan Rush



Murray Harrold

**Chalfont Common**



Isobel Darby



Linda Smith BEM

**Chalfont St Giles**



Des Bray



Carl Jackson



Caroline Rouse

**Chesham Bois  
& Weedon Hill**



Mimi Harker OBE



Graham Harris

**Cholesbury,  
The Lee &  
Bellington**



Nick Rose

Page 65

**Gold Hill**



Chris Ford

**Great  
Missenden**



Vanessa Martin

**Hilltop & Townsend**



Emily Culverhouse



Fred Wilson

**Holmer Green**



Michael Smith



Mark Titterington

**Little Chalfont**



Don Phillips



Peter Martin

**Little  
Missenden**



Diana Varley

**Newtown**



Mark Shaw

**Penn & Coleshill**



Julie Burton



Jonathan Waters

**Prestwood & Heath End**



John Gladwin



Robert Jones



Heather Wallace

**Ridgeway**



Nick Southworth

**Seer Green**



Siddharth Patel

**St Mary's & Waterside**



Peter Hudson



Mike Stannard

**Vale**



Nick Varley



**Beaconsfield North**



Damian Saunders

**Beaconsfield South**



Jacquetta Lowen-Cooper



John Read

**Beaconsfield West**



Philip Bastiman



Patrick Hogan

**Burnham Church & Beeches**



Lin Hazell



Paul Kelly



Nick Naylor

**Burnham Lent Rise & Taplow**



Matthew Bezzant



David Pepler



George Sandy

**Denham**



Barry Harding



Guy Hollis



Roger Reed

**Farnham and Hedgerley**



David Anthony



Dev Dhillon



Marlene Lewis

**Gerrards Cross**



Santokh Chhokar



Barbara Gibbs



Duncan Smith

**Iver Heath**



Ray Sangster



Luisa Sullivan

**Iver Village & Richings Park**



Paul Griffin



Jilly Jordan



Dr Wendy Matthews

**Stoke Poges**



Ralph Bagge



Trevor Egleton

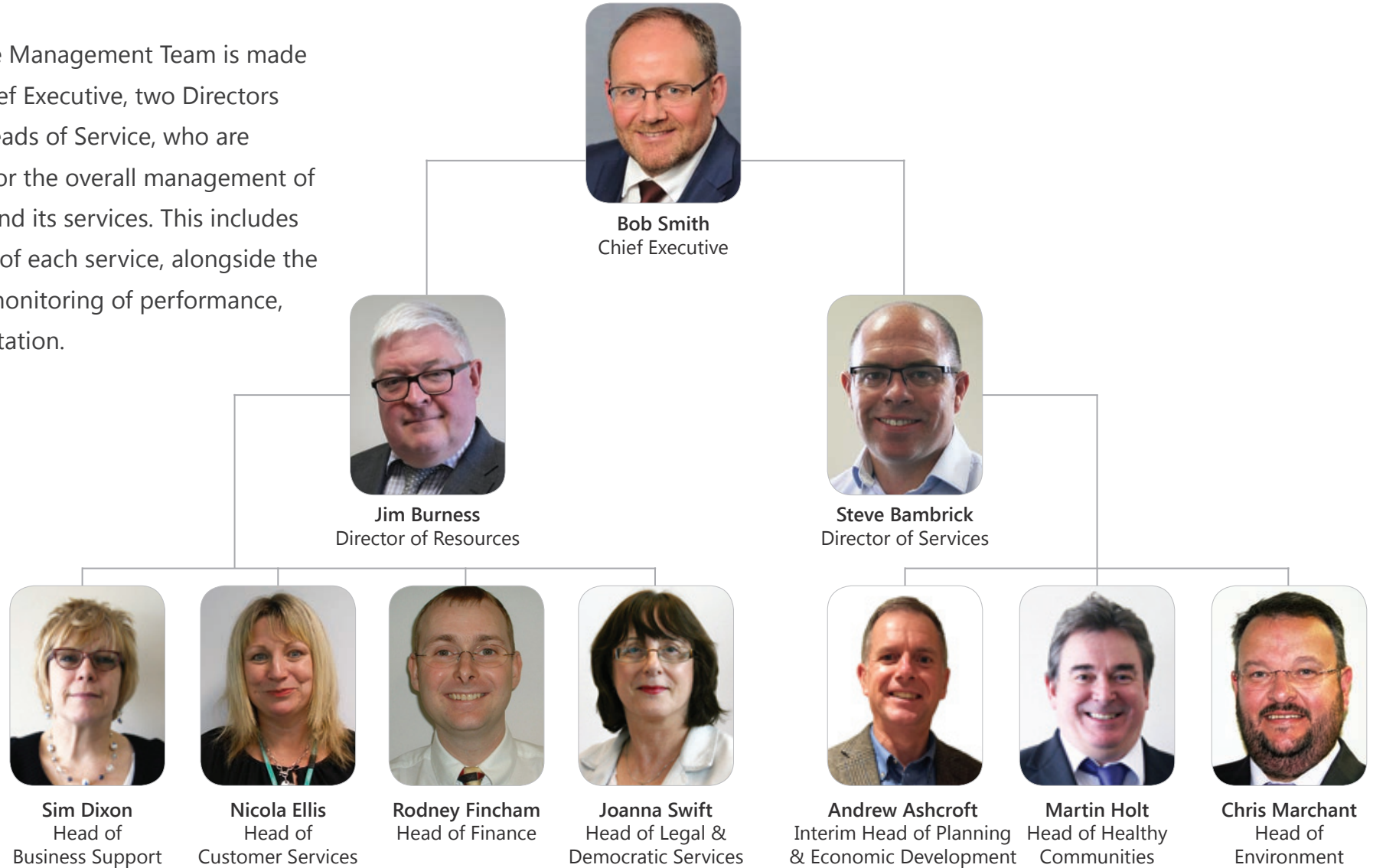
**Wexham & Fulmer**



Malcolm Bradford

# Executive Management Team

The Executive Management Team is made up of the Chief Executive, two Directors and seven Heads of Service, who are responsible for the overall management of the Council and its services. This includes the direction of each service, alongside the setting and monitoring of performance, risk and reputation.



# How we work

## Values and Behaviours

In order to achieve our vision, our staff embrace the set values and behaviours, known as the five C's.

- Courteous
- Committed
- Collaborative
- Challenging
- Customer Focused

These embody the culture of our organisations, and have been created through collaborative working across the Councils.



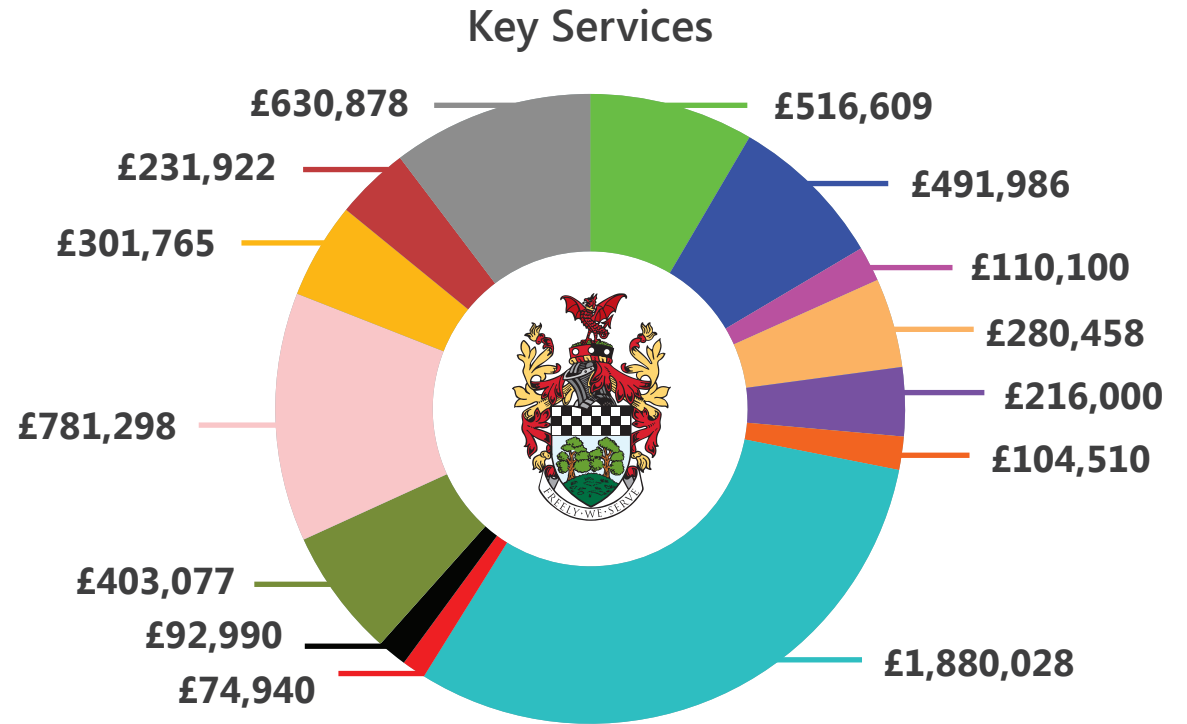


# Where our budget goes

Chiltern District Council has an annual budget of **£9.5million**

which is used to deliver services to **95,103 residents** each year

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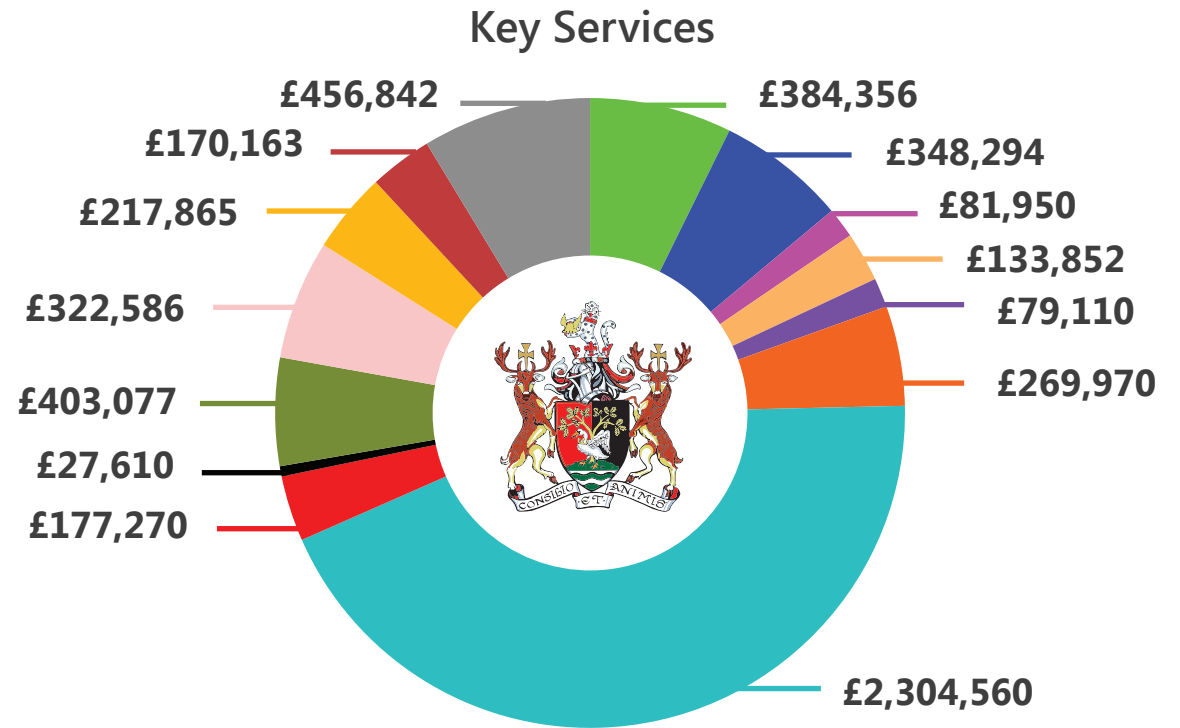


- Environmental Health
- Homelessness
- Revenues & Benefits
- Housing
- Waste Service
- Democratic & Electoral Services
- Community Safety
- Public Conveniences
- Enforcement
- Community & Leisure
- Community Parks & Open Spaces
- Planning Policy / Local Development Framework
- Grants
- Customer Services

# Where our budget goes

South Bucks District Council has an annual budget of **£7.8million**

which is used to deliver services to **69,636 residents** each year



- Environmental Health
- Housing
- Community Safety
- Community & Leisure
- Grants
- Homelessness
- Waste Service
- Stoke Poges Memorial Gardens
- Community Parks & Open Spaces
- Planning Policy / Local Development Framework
- Revenues & Benefits
- Democratic & Electoral Services
- Enforcement
- Customer Services

# Partnership Working

Both councils work in partnership with organisations from the public, private voluntary and community sectors. These include:

## Neighbouring authorities

- Aylesbury Vale District Council
- Buckinghamshire County Council
- Wycombe District Council
- Town & Parish Councils

## Emergency services

- Buckinghamshire Healthcare NHS Trust
- Buckinghamshire and Milton Keynes Fire Authority
- Thames Valley Police

## Private sector companies / contractors

- Biffa
- Greenwich Leisure Limited
- Northgate Public Services
- Serco

## Charitable / not-for-profit, voluntary & community organisations

- Citizens Advice Bureau
- Community Impact Bucks
- Connection Support
- English Heritage
- Local Authority Building Control
- Padstones

## Housing associations

- London & Quadrant
- Paradigm

## Public bodies

- Natural England
- Food Standards Agency
- Environment Agency
- Public Health England





<b>REPORT SUBJECT:</b>	<i>Chiltern District Council End of Year Performance Report 2017-18</i>
<b>REPORT OF:</b>	<i>Leader of the Council – Councillor Isobel Darby</i>
<b>RESPONSIBLE OFFICER</b>	<i>Chief Executive – Bob Smith</i>
<b>REPORT AUTHOR</b>	<i>Ani Sultan (01494 586 800)</i>
<b>WARD(S) AFFECTED</b>	<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 4 and end of year for 2017-18.

### RECOMMENDATION

Cabinet is asked to note the performance reports.

## 2. Executive Summary

Overview of **End of Year 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
<b>Leader</b>	5	1	1	2	0	1	0
<b>Healthy Communities</b>	13	7	1	3	0	2	0
<b>Planning and Economic development</b>	12	10	0	0	2	0	0
<b>Environment</b>	4	2	1	0	0	0	1
<b>Support services</b>	5	3	2	0	0	0	0
<b>Customer services</b>	5	4	0	0	0	0	1
<b>Total PIs</b>	<b>44</b>	<b>27</b>	<b>5</b>	<b>5</b>	<b>2</b>	<b>3</b>	<b>2</b>

## 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: End of Year 2017-18**
- **Appendix B – Corporate PIs: End of Year 2017-18**

#### 4. Key points to note:

4.1 Of the 2 unknown PIs: both fall within the Planning and Economic Development Portfolio, relating to enforcement. Further to the establishment of a joint planning service, changes to ways of working have resulted in warping of enforcement stats, leading to the figures being hard to obtain and not having meaning to them anymore. As such it is not possible to collate these, and the introduction of more pertinent indicators will be occurring via the 2018/19 Performance Indicator Review.

#### 4.2 Off target PIs:

4.2.1 **Leaders:** The priority PI relating to long term sickness absence was over the target of 5, at 5.9. Long-term absence (comprised of 5 employees) is being managed by managers, with HR support and alongside occupational health. Promoting positive attendance and absence management workshops are being implemented during May, and there are now some cases that have now been resolved

4.2.2 **Healthy Communities:** 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, however this applicant has subsequently moved out of B&B after being deemed intentionally homeless.

JtLI3 - Percentage of customers satisfied with the licensing service received – scored 68.2%, under the target of 89%. Within the responses received this year, there were 2 main themes - the usability of IT systems (comprising the online payment portal and the website), and the inconsistent speed of responses to customers. Through the survey feedback, it is apparent that the Licensing team are working hard to provide good customer service. 2184 applications were received in 2017/18; however the response level to the survey was disappointingly low at just 29 responses. As such, it only takes a small number of negative responses to have a significant impact on the overall satisfaction percentages. Licensing will do more work to publicise the Survey for the next year in order to seek to make the results more representative.

4.2.3 **Planning and Economic Development:** The priority and corporate PIs are on target for this portfolio, with performance above the target set – please see paragraph 4.1 above for further detail on data not yet reported.

4.2.4 **Environment:** The priority PI relating to percentage of household waste sent for reuse, recycling and composting was slightly under target of 53% at 52.6%,

mainly due to the cyclical nature of the reduction of garden waste collected in quarter one.

**4.2.5 Customer Services:** All PIs remain on target.

**4.2.6 Support Services:** JtBS1 – availability of ICT systems to staff from 8am to 6pm was under target of 99.5% at 98.8% for quarter 4. Continued issues with the environment hosting Vworkspace meant that the systems were not available for the target amount of time. These issues have now been resolved. JtBS2 - Percentage of calls to ICT helpdesk resolved within agreed timescales was under target of 95% at 90.5% for quarter 4. An increase in calls - partly regarding Vworkspace being down - plus the team attempting to rectify the situation meant less capacity to answer calls.

**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.

<p><b>Background Papers:</b></p>	<p>N/A</p>
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Appendix A - CDC End of Year Priority Indicator Report

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	2017/18	Traffic Light	Target 2017/18 (YTD)	Latest Note
<b>Leader's</b>																		
JtHR1	Working days lost due to sickness absence	12	8.1	9.7	9.8	10.7	11.1	11.0	10.8	10.7	10.4	11.1	11.1	10.9	10.9		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>210 working days lost for March + 3,118 working days lost for April - February = 3,328 days.</p> <p>3,328 / 305.89 (average FTE figure) = 10.88 average working days lost to sickness absence (cumulative).</p> <p>These figures relate to absence days from 29 employees</p>
JtHR4	Working days lost due to short term sickness absence (upto 20 working days)	New PI	5.11	4.6	4.1	4.4	4.4	4.5	4.4	4.5	4.5	5	5	4.7	4.7		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>1,447.50 working days lost in 2017/2018.</p> <p>1,447.50 / 305.89 (average FTE figure) = 4.73 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	3.0	5.0	5.7	6.3	6.7	6.5	6.4	6.1	5.9	6.2	6.1	6.2	6.2		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>1,880.50 working days lost in 2017/2018.</p> <p>1,880.50 / 305.89 (average FTE figure) = 6.15 average working days lost to long term sickness absence (cumulative).</p> <p>Promoting positive attendance and absence management workshops are being implemented during May, and there are now some cases that have now been resolved.</p>
<b>Community, Health and Housing</b>																		

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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	2017/18	Traffic Light	Target 2017/18 (YTD)	Latest Note
CdCmSf1	Percentage reduction in burglaries from dwellings year on year for Chiltern (quarterly)	Data Only			0%			0%			0%			0%	0%	Data Only	Data Only	There were 263 burglaries in Chiltern District in 2017/18.  We are unable to compare this to the previous year because the way in which burglaries are recorded changed in April 2017.
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	1	1	4	3	4	2	1	1	1	1		0	This applicant has subsequently moved out of B&B after being deemed intentionally homeless
CdHS8	Number of households living in temporary accommodation (snapshot at the end of the month)	34	27	32	35	34	38	36	39	29	27	23	32	27	27		38	On target
<b>Planning and Economic Development</b>																		
CdSD10	Processing of planning applications: minor applications processed within 8 weeks (cumulative)	75%	93.8%	96.8%	88.2%	87.2%	85.8%	86.1%	86.8%	87.1%	87.8%	88.5%	89.3%	88.9%	88.9%		75%	288 of 324 minor planning applications determined within target cumulatively. 20 of 24 minor planning applications determined within target for this month.
CdSD11	Other planning applications decision performance - within 8 weeks or other agreed period (cumulative monthly)	90.0%	96.1%	95.5%	96.0%	95.8%	95.2%	95.6%	95.2%	95.3%	85.0%	95.8%	95.8%	96.0%	96.0%		85%	1135 of 1182 other planning applications determined within target cumulatively. 93 of 95 other planning applications determined within target for this month.
<b>Environment</b>																		
CdWR3	Percentage of household waste sent for reuse, recycling and composting (cumulative)	58%			54.2%			53.8%			52.1%			48.8%	52.6%		53%	The recycling rate is lower for Q4 as expected, due to the reduction in the amount of garden waste collected.
<b>Customer Services</b>																		
CdRB1	Speed of processing - new HB/CTB claims (cumulative)	18	19.2	18.1	14.7	13.3	13.9	16.7	16.9	16.6	16.6	16.7	16.8	17	17		18	On target

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	2017/18	Traffic Light	Target 2017/18 (YTD)	Latest Note
<b>CdRB2</b>	Speed of processing - changes of circumstances for HB/CTB claims (cumulative)	5	4.8	3.4	4.3	4.5	4.7	4.3	4.3	4.3	4.4	4.4	4.3	3.2	3.2	<input checked="" type="checkbox"/>	5	On target
<b>CdRB3</b>	% of Council Tax collected (cumulative)	99%	5.4%	15.5%	25.2%	34.8%	44.3%	53.8%	63.5%	73.2%	82.8%	92.5%	98.8%	99.4%	99.4%	<input checked="" type="checkbox"/>	99%	On target
<b>CdRB4</b>	Percentage of Non-domestic Rates Collected (cumulative)	98%	9.7%	19.7%	29.6%	38.9%	48.3%	55.6%	65.0%	72.4%	81.9%	90.3%	96%	98.7%	98.7%	<input checked="" type="checkbox"/>	98%	On target



**Appendix B - CDC End of Year Corporate Performance Indicator Report**

Note: Excludes Priority Performance Indicators - see Appendix A

Code	Title	Annual Target 16/17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18	2017/18	Traffic Light	Target 2017/18 (YTD)	Latest Note
<b>Leader's portfolio</b>																		
CdCP1 (C)	Number of unique visitors to the main website (by period)	data only	33,693	37,673	49,375	49,794	42,881	85,249	108,381	98,019	104,209	123,473	93,662	120,498	946,907	Data Only	Data only	Data only.
CdHR2 (C)	Voluntary leavers as a % of workforce (extrapolated for the year)	16%			35.2%			23.2%			20.8%			17.6%	17.6%		16%	4 leavers during quarter 4 + 34 leavers for quarters 1 - 3 = 38. 38 leavers for the full year. 38 leavers / average headcount of 216 x 100 = 17.59% We expect the leavers figures to reduce as we are no longer moving employees between councils Please note that the Q1 figure was high due to 9 cleaners TUPE to Derwent FC..
<b>Community, health and housing</b>																		
CdCL1 (C)	Customer satisfaction rating at the Chiltern leisure facilities	65.00%	annual PI												75.8%		65%	Breakdown: Chalfont - 90.60% an increase of 14% on the 2016/17 survey. The most important factors to the customers, and those that scored highly included the social aspect, variety of equipment and variety of classes. Chesham - 58.19% The main source of dissatisfaction for customers at Chesham was the lack of parking availability. Research has been conducted around this, with the results showing the the parking is being used solely by Leisure Centre users. Cleanliness was also an issue. Chiltern Pools - 78.70% This is an increase of 37% from 2016/17, with the current main areas of concern being the maintenance, cleanliness and pool temperature.
CdCL2 (C)	Total participation in physical activities delivered through the GLL community engagement plan (by period)	6,600			6,871			4,943			5,416			17,478	34,708		15,000	Now collecting 60+ club members.
CdCL3 (C)	Total number of users at all leisure centres (by period)	900,000			230,658			227,319			224,825			271,559	954,361		900,000	On target.
CdCmSf2 (C)	Percentage reduction in violent offences against a person, rolling year on year	data only			-7.7%			-14.1%			-21.7%			-22.5%	-22.5%	Data Only	Data only	Chiltern saw an increase in recorded violence against a person offences. This increased to 968 from 790 the previous year. It is envisaged that the number of offences recorded will continue to increase with the improvement in recording standards.

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			0			18			58	58	<input checked="" type="checkbox"/>	33	Total comprises (i) 46 units at former Holy Cross Convent site in CSP (Hightown HA - 35 x affordable rent and 11 x s/ownership) and 12 units on former enterprise site in Chesham (Hightown HA - 8 x affordable rent and 4 x s/ownership) (ii) 0 and (iii) 0
CdHS3i (C)	Average Length of stay in B & B temporary accommodation for all households (snapshot at end of quarter)	10			7			12			12			5	10	<input checked="" type="checkbox"/>	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										0	<input checked="" type="checkbox"/>	28	No active intervention work undertaken by Housing Team during 2017/18 due to other workload demands and limited identification of suitable empty homes. Enforcement work for empty homes causing nuisance or health concerns is dealt with on case by case basis. Capacity Grid review and cleansing of Council Tax database from April/May 2018 will identify long term empty homes which will then be targeted by home visits and letters.		
CdEH2 (C)	Percentage of food premises (risk rating A to C) that are broadly compliant (snapshot quarterly)	96%			85.6%			86.2%			86.5%			84.7%	84.7%	<input type="checkbox"/>	93%	Those that are not broadly compliant will receive extra visits and/or enforcement to raise their standards but the only way that this is demonstrated in terms of them being broadly compliant is for them to request a re-inspection at which point they will be re-scored. Unfortunately, until the display of their FHRS rating is mandatory, we cannot force them to apply for a re-inspection. Additionally this now costs £150 and businesses may not see the value in spending this money. We have also seen that financial pressures are having an impact (also seen nationally) with businesses not spending money on things like repair and maintenance, in-depth cleaning and staff training which all lead to lower standards of hygiene.
JtLI3 (C)	Percentage of customers satisfied with the licensing service received (annual)	89%	annual PI										68.2%	<input checked="" type="checkbox"/>	89%	Within the responses received this year, there were 2 main themes - the usability of IT systems (comprising the online payment portal and the website), and the inconsistent speed of responses to customers. Through the survey feedback, it is apparent that the Licensing team are working hard to provide good customer service. 2184 applications were received in 2017/18, however the response level to the survey was disappointingly low at just 29 responses. As such, it only takes a small number of negative responses to have a significant impact on the overall satisfaction percentages. Licensing will do more work to publicise the Survey for the next year in order to seek to make the results more representative.		

<b>JtLI5 (C)</b>	Percentages of licences received and issued/renewed within statutory or policy deadlines (cumulative)	97%			99.6%			99.6%			96.1%			98.1%	98.1%	✓	97%	On target
<b>Sustainable development</b>																		
<b>JtBC1 (C)</b>	Applications checked within 10 working days	92%	100%	99.2%	94.6%	95.6%	95.9%	95.7%	94%	96%	94.3%	94.3%	97%	96%	96.8%	✓	92%	On target
<b>JtBC4 (C)</b>	Customer satisfaction with the building control service (cumulative)	92%	87.5%	84.6%	92.9%	93.6%	93.3%	93.8%	94.6%	95.4%	95.6%	96%	96.3%	96.4%	96.4%	✓	92%	On target
<b>CdSD7 (C)</b>	Percentage of planning applicants who are satisfied or very satisfied with the planning service (cumulative)	80%			86.3%			86.4%			85.2%			84.1%	84.1%	✓	80%	On target
<b>CdSD8 (C)</b>	Planning appeals allowed (cumulative)	35%			22.7%			33.3%			31%			30.7%	30.7%	✓	35%	23 allowed or part allowed of 75 appeals decided (cumulative total) 5 or 18 for the month.
<b>CdSD12 (C)</b>	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%	100%	100%									NA	100%	Unable to collate figures further to the new ways of joint working within the planning service. Please see accompanying report, paragraph 4.1 for further detail.
<b>CdSD32 (C)</b>	% 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%	100%	100%	100%								NA	100%	Unable to collate figures further to the new ways of joint working within the planning service. Please see accompanying report, paragraph 4.1 for further detail.
<b>CdSD41 (C)</b>	2019 Majors speed of planning decisions - special measures 2 year assessment period ending Sep 2018 (cumulative monthly)	60%	90.9%	92.3%	88.2%	90.0%	90.9%	91.3%	92.3%	92.3%	93.6%	93.6%	94.1%	94.1%	94.1%	✓	60%	32 of 34 major cases determined within target  Note: 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 2016 to Sep 2018 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.

CdSD42 (C)	2019 Non-Majors speed of planning decisions - special measures 2 year assessment period ending Sep 2018 (cumulative monthly)	70%	94.56%	94.75%	94.40%	94.31%	93.92%	94.02%	93.89%	93.92%	94.1%	94.3%	94.4%	94.5%	94.5%	✓	70%	2129 of 2253 Non major cases determined within target  Note: 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 2016 to Sep 2018 is the assessment period The threshold is 70% or more to be determined within the statutory 13 week period or alternative time period agreed with the applicant.	
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%	3.60%	3.30%	3.20%	2.90%	2.90%	2.60%	2.56%	2.38%	2.38%	2.38%	2.38%	✓	9.99%	1 of 42 major cases determined, allowed or part allowed on appeal  Note: 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 2016 to Dec 2018 is the assessment period is for appeals determined Apr 2016 to Mar 2018 is the period for decisions on major applications determined The threshold is less than 10% of major application appeals against refusal to be overturned at appeal
CdSD44 (C)	2019 Non-Majors quality of planning decisions - special measures 2 year & 9 month assessment period ending Dec 2018 (cumulative monthly)	9.99%	1.20%	1.30%	1.30%	1.30%	1.30%	1.30%	1.20%	1.30%	1.30%	1.41%	1.37%	1.34%	1.34%	1.34%	✓	9.99%	42 of 3132 Non Major cases determined, allowed or part allowed on appeal  Note: 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 2016 to Dec 2018 is the assessment period is for appeals determined Apr 2016 to Mar 2018 is the period for decisions on major applications determined The threshold is less than 10% of major application appeals against refusal to be overturned at appeal
<b>Environment</b>																			
CdSE1 (C)	Cumulative CO2 reduction from local authority operations from base year of 2008/09	11.70%	annual PI												NA	NA	12%	Reported annually. Cumulative Figure against baseline - figure currently unavailable.	
CdWR1 (C)	Waste customer satisfaction survey	86%	6 monthly				84.3%	6 monthly				NA	NA	□	86%	Survey not carried out due to incident in Chalfont St Peter in the autumn, but will now be reintroduced.			



<b>CdWR4 (C)</b>	Household refuse collections, number of containers missed per month (calculated by P&C team on wkly basis)	1733	1,274	1,486	3,224	2,259	1,380	853	1,479	1,626	1,547	1,938	1,027	1334	19,427	<input checked="" type="checkbox"/>	1733	Target/month=1733, equating to 20796 per year. Total misses for 2017/18 = 19,427, equating to 1619 average per month, meaning we are under target.		
<b>Support Services</b>																				
<b>JtLD1 (C)</b>	Client satisfaction with the shared	96%	6 monthly						97.00%	6 monthly						100%	98.50%	<input checked="" type="checkbox"/>	98%	PI on target.
<b>JtBS1 (C)</b>	Availability of ICT systems to staff from 8am to 6pm (by period)	99.50%			100.0%			99.7%			85.5%			98.8%	96.1%	<input type="checkbox"/>	99.5%	Continued issues with the environment hosting Vworkspace meant that the systems were not available for the target amount of time. These issues have now been resolved.		
<b>JtBS2 (C)</b>	Percentage of calls to ICT helpdesk resolved within agreed timescales (by period)	95%			92.60%			94.50%			86%			90.5%	90.9%	<input type="checkbox"/>	95%	An increase in calls - mainly regarding Vworkspace being down - plus the team attempting to rectify the Vworkspace situation, meant less capacity to answer calls.		
<b>CdBS3 (C)</b>	Percentage of responses to FOI requests sent within 20 working days (by month)	90%	96.0%	100%	100%	67.0%	100%	100%	88.0%	88.0%	96.6%	94.7%	91.1%	100%	93.5%	<input checked="" type="checkbox"/>	90%	PI on target.		
<b>CdLD2 (C)</b>	The percentage response to the annual canvass	94%	annual PI												98%	<input checked="" type="checkbox"/>	94%	<p>Elections - CDC Turnout</p> <p>Bucks County Council: 4 May 2017                      Amersham &amp; Chesham Bois 39.3%                      Chalfont St Peter 34.6%                      Chess Valley 39%                      Little Chalfont &amp; Amersham Common 38.5%                      Chalfont St Giles 34.9%                      Chesham 40.9%                      Great Missenden 40.1%                      Penn Wood &amp; Old Amersham 38.6%</p> <p>Penn &amp; Coleshill District Election – 16 Nov 2017 24%                      Ridgeway District Election – 22 March 2018 37.1%                      Ridgeway Parish Election – 22 March 2018 37%</p>		
<b>Customer services</b>																				
<b>CdCS1 (C)</b>	New measure for complaints - t.b.a.	t.b.a.				NA				NA				NA	NA	<b>NA</b>	TBA	New PI for when the joint customer services team is implemented.		





## We will deliver cost-effective, customer-focused services



Continued to make savings in order to deal with further reductions in Government funding

Introduced an online system for appealing penalty charge notices, enabling customers to view notices online the same day they are issued



maintained a performance of **95% of licences** being issued within the target timescales



Implemented a noise app for the Councils

Winners of the CIEH Excellence Award 2017 for Outstanding Environmental Health Team

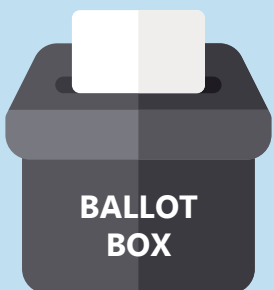


Managed to keep all council sites operational throughout the severe weather conditions in the early months of 2018



Our customer services team have handled **153,707** calls since April 2017

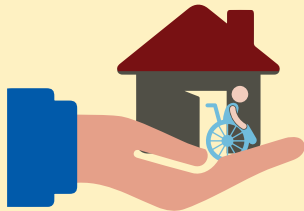
Improvements as to how PennFest is delivered through partnership working with the Safety Advisory Group



Ran the Buckinghamshire County Council Elections in May 2017, followed by the Parliamentary Election in June 2017



## We will work towards safer & healthier local communities



We helped **over 60** elderly or disabled persons to remain in their homes with adaptation works



Relaunched the Safe Place Scheme in both districts  
[www.chiltern.gov.uk/safeplacescheme](http://www.chiltern.gov.uk/safeplacescheme)



Launched Ask for Angela with a very positive response from licensed premises

List of premises who have signed up can be found on our website:  
[www.chiltern.gov.uk/askforangela](http://www.chiltern.gov.uk/askforangela)



**over 80%** of our taxi drivers are trained in safeguarding



Introduced the Modern Slavery Victim Service across Thames Valley – RAHAB (The Rahab Project)

Supported launch of Homelessness Trailblazer Resilience Service to support homelessness prevention across Buckinghamshire



Launched Hotel Watch with a number of hotels and B&Bs supporting signed up



A list of premises who have signed up can be found on our website:

[www.chiltern.gov.uk/hotelwatch](http://www.chiltern.gov.uk/hotelwatch)



Successfully launched the Chiltern and South Bucks Lottery

**60%** of the ticket price goes to local good causes:

[www.chilternsouthbuckslottery.co.uk/support/find-a-good-cause](http://www.chilternsouthbuckslottery.co.uk/support/find-a-good-cause)



## We will strive to conserve the environment & promote sustainability



In Chiltern and Wycombe, food waste collections have increased by **8.5%**

An extra **329 tonnes**



of food waste was collected from September 2017 - February 2018



Duty to co-operate talks have led to Aylesbury Vale District Council agreeing to take on Chiltern and South Bucks' 5,750 unmet housing need



**356** planning enforcement investigations carried out



**17,952 tonnes**

of garden waste collected in Chiltern and Wycombe



Introduction of food waste collections in plastic bags and newspapers

**50,316 tonnes**

of waste was diverted from landfill and incineration





<b>SUBJECT:</b>	<i>Capital and Repairs &amp; Renewals Outturn Report 2017/18</i>
<b>REPORT OF:</b>	<i>Support Services Portfolio Holder – Cllr Mike Stannard</i>
<b>RESPONSIBLE OFFICER</b>	<i>Head of Finance – Rodney Fincham</i>
<b>REPORT AUTHOR</b>	<i>Capital Accountant – Jane Clarke – 01494 732 223- jclarke@chiltern.gov.uk</i>
<b>WARD/S AFFECTED</b>	<i>All</i>

## 1. Purpose of Report

To:

- Report the 2017/18 capital and repairs & renewals outturn position.
- Request the carry forward of unspent capital and repairs & renewals budgets.

### RECOMMENDATIONS

**Cabinet is asked to:**

- **Note the 2017/18 capital and repairs & renewals outturn position.**
- **Agree which capital and repairs & renewals budgets should be carried forward to 2018/19.**

## 2. Capital Expenditure

Appendix A provides the following information for each 2017/18 capital scheme.

- Latest Budget
- Actual Expenditure
- Variance
- Requested Carry Forward
- Comments from Head of Service/Scheme Manager.

## 3. Repairs & Renewals Expenditure

Appendix B provides the following information for each 2017/18 repairs and renewals scheme.

- Latest Budget
- Actual Expenditure
- Variance
- Requested Carry Forward
- Comments from Head of Service/Scheme Manager.

**4. Options**

Other options would be to not allow any carry forwards to schemes. However, this would mean projects could not be progressed.

**5. Corporate Implications**

If all proposed carry forward budgets are agreed, the additional budgeted capital expenditure in 2018/19 will be £1,175k, and the additional budgeted repairs & renewals expenditure in 2018/19 will be £417k.

**6. Links to Council Policy Objectives**

Effective budgeting helps ensure that, as far as possible, the Council can deliver cost-effective, customer-focused services.

**7. Next Step**

Agreed carried forward budgets will be added to the 2018/19 original budgets.

<b>Background</b>	None
<b>Papers:</b>	

CDC Capital Outturn 2017/18		Latest Budget	Actual	Variance	Requested Carry Forward	Comments
		£	£	£	£	
<u>Environment</u>						
D012	Public convenience refurbishment	15,000	10,845	-4,155	0	Project complete, no carry forward.
D307	Shared Parking Service - ICES 360	13,438	5,351	-8,087	0	Citizen project is complete - no carry forward required
D308	Sycamore Road - Additional parking spaces & resurfacing	70,000	67,313	-2,687	2,687	Retention for works carried out will be spent May 18
D300	AMSCP	4,159,000	4,315,813	156,813	0	Overspent, no carry forward
D305	Additional off street parking measures	10,000	0	-10,000	10,000	Carry forward to go towards CCTV in off street car parks, initially in Amersham.
D024	Mill Meadow Bridge - Major Works	35,000	16,679	-18,321	18,321	Carry forward for potential works
<u>Healthy Communities</u>						
D002	Town & Village Revitalisation	10,000	7,800	-2,200	0	No carry forward, one of the schemes did not go ahead.
D007	Leisure Centres	383,192	242,093	-141,099	141,099	Carry forward for continuing plan of works
D026	Leisure Centre - Redevelopment of Chiltern Pools	500,000	0	-500,000	500,000	Carry forward project is progressing
D500-1	Disabled Facility Grants	1,002,299	537,478	-464,821	354,500	Carry forward £354,500. The reflects commitments of £265k & £90k contribution from Paradigm.
D502-5	Renovation Grants	91,592	37,920	-53,672	53,672	Carry forward to cover outstanding commitments
D509	Flexible Home Loan Fund	100,000	0	-100,000	0	No carry forward, no longer required for this scheme.
D508	Days Alms Houses - Grant	28,572	28,572	0	0	Budget spent, no carry forward
<u>Support Services</u>						
D621	Virtual environment upgrades	25,000	17,310	-7,690	7,690	Carry forward (VWorkspace)
D620	IP telephony - core infrastructure	23,537	3,951	-19,586	19,586	Carry forward
D626	Shared F&P Service - Uniform & FM System	7,400	0	-7,400	7,400	Carry forward, as new project manager will progress projects
D627	ICT Strategy Projects - Unified Network	0	866	866	0	Overspent, no carry forward
D618	KGVH WIFI Replacement	50,000	12,215	-37,785	0	No carry forward as project is complete.
D606	KGVH - Atrium Refurbishment	14,000	0	-14,000	14,000	Carry forward, as part of the amalgamated budget for urgent works to KGVH
D629	KGVH - Undercroft Car Park Security Enhancements	10,978	3,534	-7,444	7,444	Carry forward, project not yet complete.
D632	KGVH - Increase Parking	50,000	11,594	-38,406	38,406	Carry forward
		<b>6,599,008</b>	<b>5,319,333</b>	<b>-1,279,675</b>	<b>1,174,805</b>	





CDC Repairs and Renewals Outturn 2017/18		Latest Budget	Actual	Variance	Requested Carry Forward	Comments
		£	£	£	£	
<b>Environment</b>						
J001	Public Conveniences : Repair buildings & equipment	4,429	988	-3,441	3,441	Carry forward works ongoing
J002	Barn Hall Annex	0	2,251	2,251	0	Overspend, no carry forward
J006	Cleansing services: Replacement dog waste bins	5,000	0	-5,000	5,000	Carry forward
J116	Depot - Annual Allocation	200,000	87,838	-112,162	112,162	Carry forward as committed works
J100	Depot: Access road improvements	5,569	4,275	-1,294	1,294	Carry forward as committed works
J111	Depot security fencing to South boundary	6,000	0	-6,000	6,000	Carry forward as committed works
J112	Depot: CDC/BCC food waste skips	19,000	0	-19,000	0	No carry forward, as skips no longer required.
J300	Car park surface repairs: Annual allocation	9,395	0	-9,395	9,395	Carry forward required to support car park developments
J307	AMSCP: Repair pedestrian barriers	6,822	0	-6,822	6,822	Carry forward required as contribution towards pay and display machines.
J315	AMSCP: Redecoration	8,000	0	-8,000	8,000	Carry forward required as original multi storey will need redecorating when the new multi storey is complete.
J316	Mill Meadow, Chalfton St Peter, Bridge Repairs - Monitoring	8,414	9,776	1,362	0	Overspend, no carry forward
<b>Healthy Communities</b>						
J003	Ashley Green old school community centre: Building repairs	15,977	12,289	-3,688	3,688	Carry forward as committed works
<b>Support Services</b>						
Various	Offices: Maintenance works	233,185	22,816	-210,369	210,411	See breakdown below.
J700	IT: Replacement equipment/alterations	57,943	7,628	-50,315	50,315	Carry forward
<b>Leisure Centres</b>						
J200	Leisure Centres Fund	10,104	9,683	-421	421	Carry forward works ongoing
J203	Leisure Centre - Needs Assessment	4,669	2,989	-1,680	0	No carry forward, assessment complete
		<b>594,507</b>	<b>160,533</b>	<b>-433,974</b>	<b>416,949</b>	
<b>Breakdown of Offices: Maintenance Works</b>		<b>Latest Budget</b>	<b>Actual</b>	<b>Variance</b>	<b>Requested Carry Forward</b>	<b>Comments</b>
J600	KGVH - Air conditioning upgrade in post room.	4,380	4,380	0	0	Budget spent, no carry forward
J608	Offices: Replace chamber roof windows	5,000	0	-5,000	5,000	Carry forward and amalgamate as part of urgent works to KGVH
J610	Offices: Small maintenance works	4,805	4,342	-463	463	Carry forward and amalgamate as part of urgent works to KGVH
J614	KGVH - Overhaul Windows, Drainage & Gutters	30,200	7,740	-22,460	22,460	Carry forward and amalgamate as part of urgent works to KGVH
	KGVH - Audio System for Council Chamber	24,000	0	-24,000	24,000	Carry forward and amalgamate as part of urgent works to KGVH
J615	KGVH - Refurbishment of Atrium	46,000	1,313	-44,688	44,688	Carry forward and amalgamate as part of urgent works to KGVH
J616	KGVH - Refurbishment of General Office	113,800	0	-113,800	113,800	Carry forward and amalgamate as part of urgent works to KGVH
J617	KGVH - Lighting Circuit improvements for statutory requirements	5,000	5,041	41	0	Overspend, no carry forward
		<b>233,185</b>	<b>22,816</b>	<b>-210,369</b>	<b>210,411</b>	



<b>SUBJECT:</b>	<i>Treasury Management – Annual Report 2017/18</i>
<b>REPORT OF:</b>	<i>Jim Burness, Director of Resources</i>
<b>RESPONSIBLE OFFICER</b>	<i>Helen O'Keeffe, Principal Accountant</i>
<b>REPORT AUTHOR</b>	<i>Helen O'Keeffe, <a href="mailto:hokeeffe@chiltern.gov.uk">hokeeffe@chiltern.gov.uk</a> 01494 732781</i>
<b>WARD/S AFFECTED</b>	<i>All</i>

## 1. Purpose of Report

- 1.1 To report on the Treasury Management performance of the Council for 2017/18 as required by the Code of Practice on Treasury Management.

### RECOMMENDATION

**Cabinet is asked to note the Treasury Management performance for 2017/18 as required by the Code of Practice on Treasury Management.**

## 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. Annual Report on Treasury Management 2017/18

- 3.1 In July 2017 the Council took out a loan from the PWLB to finance the construction of the new Amersham Multi Storey car park following the approval of the business case and planning. The value of the loan was £10.8m, borrowed at an interest rate of 2.7% repayable over 40 years.

- 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 was increased to 0.5% on 2 November 2017.
- 3.3 Officers invest cash flow surpluses with approved counter parties. During the year, officers invested funds in accordance with counter parties approved as part of the Treasury Management Strategy 2017/18 as in the table below.

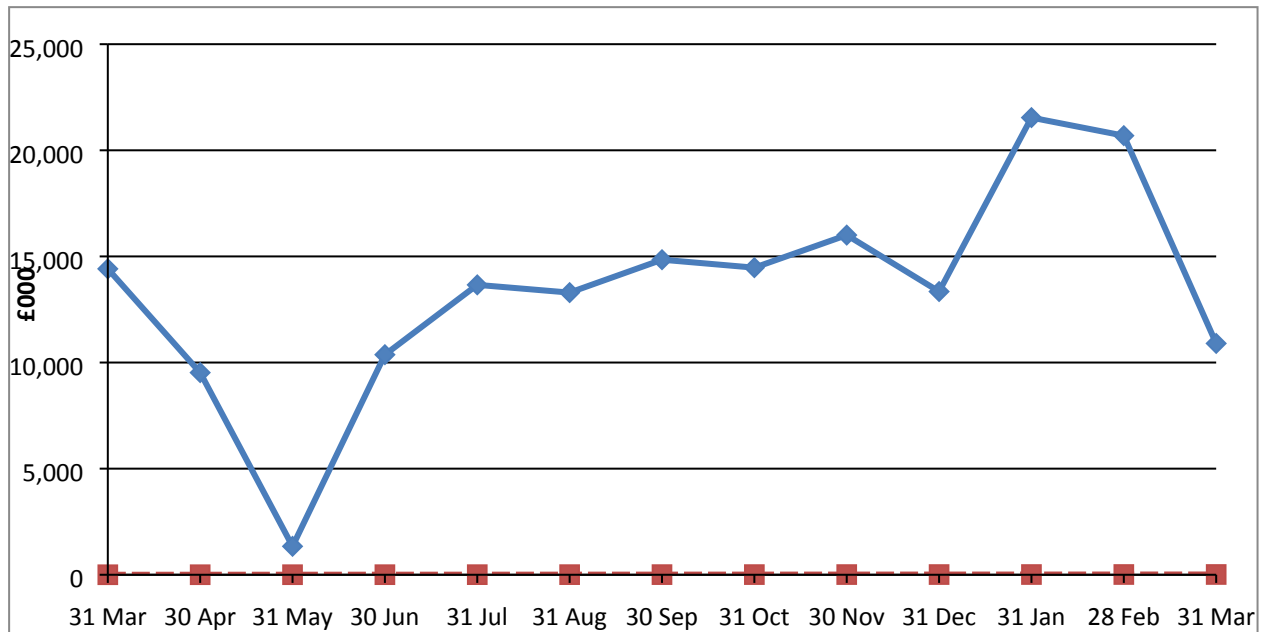
	Duration	Maximum Amount	Fitch Rating	Comment
Money Market Funds	-	£5m	AAA	
UK Institutions	Up to 5 years	£5m	A- or better	
	Up to 3 years	£5m	BBB+ or better	
Non UK Institution	Up to 3 years	£2m	A or better	Sovereignty rating AA or better
Corporate Bonds/Bond Funds	Up to 5 years	£5m	A- or better	
Other Approved Investments (eg Property Funds)	-	£5m	-	-

- 3.4 Link Asset Services is engaged by the Council as its Treasury Management consultants providing advice on investment, performance and regulations where necessary.
- 3.5 A summary of the movements in the year is as follows:

	Fund Balance 1.4.2017 £000	Fund Withdrawals £000	Added to Fund £000	Fund Balance 31.3.2018 £000
Instant Access Deposits	4,415	(3,515)		900
Money Market Funds	10,000	(10,000)	10,000	10,000
Fixed Deposits	11,000	(18,000)	20,000	13,000
Total	25,415	(31,515)	30,000	23,900

- 3.6 The Instant Access deposit as at 31 March 2018 is held with our bankers Barclays.
- 3.7 The following graph shows how the level of cash and instant access investments has fluctuated over the year. The level of cash reserves has increased over the year owing to funds which have been borrowed for the Amersham Multi Storey Car Park

having not yet been spent. These funds were invested on a short term basis until payment of suppliers was required.



- 3.8 The weighted average interest rate earned on fixed rate investments in the year was 0.76%. By way of comparison, the weighted average interest rate earned in the year by South Bucks District Council was 0.58%.
- 3.9 A summary of the Council's Fixed Deposits as at 31<sup>st</sup> March 2018 is shown below:

UK Institutions	Fitch Credit Rating	Principal £	Interest Rate	Invested	Matures
Lloyds Banking Group	A+				
Fixed Deposit		1,000,000	0.90%	06/11/17	06/11/18
Fixed Deposit		1,000,000	0.70%	29/01/18	29/10/18
Fixed Deposit		1,000,000	0.65%	26/07/17	26/07/18
Fixed Deposit		2,000,000	0.70%	26/01/18	26/10/18
Santander	A				
Fixed Deposit		2,000,000	0.85%	09/03/18	09/03/19
Fixed Deposit		1,000,000	0.85%	15/05/17	15/05/18
Fixed Deposit		1,000,000	0.60%	26/07/17	26/07/18
Fixed Deposit		1,000,000	0.73%	26/01/18	26/10/18
Close Brothers	A				
Fixed Deposit		1,000,000	0.90%	13/10/17	15/10/18
Fixed Deposit		1,000,000	0.90%	28/02/18	28/02/19
Fixed Deposit		1,000,000	1.10%	20/11/17	20/11/18
<b>Total Deposits</b>		<b>13,000,000</b>			

#### 4. Corporate Implications

- 4.1 A comparison between the actual and budgeted interest returns for 2017/18 is shown below:

	Budget 2017/18 £000	Actual 2017/18 £000
Interest	100	147

- 4.2 Actual interest received from investments is above the budgeted figure of £100,000. The budget was set at a modest level owing to uncertainty around probable interest rates. The increase of the base rate in November led to increases in interest rates earned, particularly on short term and instant access investments such as money market funds. Additional unbudgeted interest has been earned from the short term investment of the funds borrowed for the construction of the multi storey car park. The budgeted income from investments for 2018/19 has been set at £90,000.

<b>Background Papers:</b>	None
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<b>SUBJECT</b>	Waste Contract – Joint Working
<b>REPORT OF</b>	Cllr Mike Smith
<b>RESPONSIBLE OFFICER</b>	Steve Bambrick – Director of Services (CDC & SBDC) Chris Marchant – Head of Environment (CDC & SBDC) Caroline Hughes – Head of Environment (WDC)
<b>REPORT AUTHOR</b>	Sue Markham, Sally Gordon
<b>WARD/S AFFECTED</b>	All

### 1. Purpose of Report

To seek the approval of the Cabinet for Chiltern District Council, South Bucks District Council and Wycombe District Council to work together to procure the delivery of waste collection, recycling and street cleansing services at the expiry of the current contracts with Serco and Biffa.

#### RECOMMENDATIONS:

##### 1. That the Cabinet:

- (i) Notes the report;
- (ii) Agrees the longer term strategy to procure a three way single joint contract for Chiltern District Council, South Bucks District Council and Wycombe District Council;
- (iii) Agrees to enter into an Inter District Authority Agreement (IDAA) reflecting the Heads of Terms at Appendix 1;
- (iv) Delegates authority to the Head of Environment in consultation with the Head of Legal and Democratic Services and the relevant Portfolio Holder to approve the detailed terms of the IDAA.

### 2. Reasons for Recommendations

- 2.1. A formal decision must be made by 3<sup>rd</sup> September 2018 as to whether the current Serco contract should be extended by Chiltern and Wycombe Councils or whether a new waste contract should be procured.
- 2.2. The councils have a duty to collect waste and to cleanse the highways under the Environmental Protection Act, 1990.
- 2.3. The recommended way forward of a single, three-way, joint contract seeks to manage risks and optimise opportunities for greater joint working while ensuring continuity of service provision.
- 2.4. The Chiltern, South Bucks & Wycombe Joint Waste Collection Committee considered this report on 23 April and supports the recommendation to procure a three-way joint contract.

### **3. Background**

- 3.1. A contract option review has been carried out to look at the contracting options going forward for the three southern districts' waste and cleansing services. Eunomia Research and Consulting Ltd were commissioned to conduct a piece of work to present and evaluate the options and the results were presented to Portfolio Holders at a workshop on 14th March 2018. A member decision is now required regarding the way forward for the Serco and Biffa contracts and whether there is a commitment to ultimately procure a three way contract for Chiltern, South Bucks and Wycombe District Councils.
- 3.2. Irrespective of the 'minded to' status of the unitary decision at the time of writing this report, the district councils have a statutory duty to collect waste and to provide street cleansing under the Environmental Protection Act, 1990, and commissioning arrangements for these services need to be made in a timely fashion.

### **4. Benefits of Joint Working**

- 4.1. Chiltern and Wycombe have benefited from the joint working which commenced with the procurement of the Serco contract. The technical, legal, financial and procurement expertise of officers from across both authorities was combined to deliver a successful procurement. The outcome was a joint waste contract which yielded significant savings for those two authorities. The commitment of the two authorities to work together on this was made known to the market in the OJEU notice and made the subsequent contract package attractive to bidders. This was confirmed during the dialogue phase of the procurement process and was well received by the bidders, particularly the fact that there would be a single point of contact for the purposes of contract management.
- 4.2. Efficiencies have been delivered through the contract and through the formation of the joint waste team, which now oversees the services for all three southern districts.
- 4.3. The Joint Waste Collection Committee has updated its governance procedures to include South Bucks and Members have worked well together.
- 4.4. The Joint Waste team currently delivers contract management, policies, processes and project delivery across the two contracts, (Serco and Biffa). Greater efficiencies and streamlined processes can be achieved if the team ultimately manages one contract, going forward.

### **5. Inter District Authority Agreement (IDAA)**

- 5.1. It is important that all districts intending to participate in the procurement of a joint contract sign an IDAA at the earliest opportunity. The IDAA will provide details of the joint funding arrangements, key milestone dates, legal and contractual terms, and points at which individual authorities may withdraw.
- 5.2. The suggested Heads of Terms are attached at Appendix 1.



**6. Next Steps**

6.1. Progress the IDAA between all three Councils.

<b>Background Papers:</b>	<b>None</b>
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**APPENDIX 1****IDAA - Draft Heads of Terms**Introduction- Purpose of the IDAA

Chiltern District Council, South Bucks District Council and Wycombe District Council ("the Councils") are co-operating on a joint procurement of their waste collection, recycling collection and street cleansing services. There is a need to put in place obligations to cover such issues as:-

- Each Council's share of the costs of procurement
- Each Council's share of the benefits
- Controls on entering and leaving the partnership, both during the procurement phases and during the term of the contract
- Mechanisms to prevent the actions of one Council damaging the interests of another

These obligations are described in these draft IDAA Heads of Terms, which are similar to the document entered into by Chiltern and Wycombe in respect of the previous procurement. Chiltern and Wycombe are committed to remain in their current partnership for the duration of the Serco contract, but a new procurement would need a new IDAA.

The IDAA will address each stage of the procurement, with appropriate obligations on the parties, dependent upon the implications of each stage.

There will be an overarching obligation to collaborate and work together with the intention of successfully delivering the procurement to achieve a set of Project Objectives and to comply with a set of Procurement Objectives and Joint Working Principles.

The project governance is different for this procurement as the Joint Waste Collection Committee (JWCC) is already established and all three authorities are members.

Phase 1- Pre Official Journal of the European Union (OJEU) contract notice

The three Councils will contribute to the costs of getting to the point of publishing the OJEU notice on the basis of a suitable funding formula, suggested to be based on the current cost sharing arrangements for the joint waste team.

In order to protect the interests of the individual Councils it is necessary to have the IDAA in place as soon as possible, particularly before the issue of any Prior Information Notice (PIN), a precursor to taking market soundings from suppliers.

These are the proposed Heads of Terms for the remainder of this first phase:-

### **Contribution to costs**

In this phase all Councils commit to pay their share of the net costs in the Resource Plan relating to this Phase. These costs would be those necessary to engage external resources for project activity. For the avoidance of doubt this may include personnel, procurement, finance, technical, legal and project management activities. Costs will have been committed and contributions are therefore not refundable if a partner Council withdraws.

### **Withdrawal and Confidentiality**

An individual Council may withdraw at any time during this phase but must keep all procurement related information strictly confidential. Confidentiality on all aspects is a binding condition of participation.

### **Mutual Indemnification**

The Councils agree that, in the event that any costs or damages are awarded against one or more of the Councils as a result of the Programme, the agreed proportions of those costs or damages shall be paid by each of the Councils which are involved in the Programme at the commencement of the Phase during which the causative event occurred. The Councils acknowledge that they and the Project Team will work in good faith on the Project and agree that no Council will at any time seek to recover from any of the other Councils direct, indirect or consequential costs or damages.

### *Phase 2- live and active procurement phase*

### **The OJEU notice will not be issued until the detailed IDAA has been signed by all of the participating Councils.**

It is intended that each individual Council would commit to award the work to a bidder and enter into a binding joint contract if specified value for money and quality criteria are satisfied.

### **Governance**

The IDAA will identify the Lead Authority for the procurement phase, whose role will include holding and managing the joint procurement budget, invoicing the other Councils and producing regular financial reports to the JWCC on spend.

During the procurement phase, the role of the JWCC will be to consider the following matters and either make decisions under its delegated powers or advise the respective Cabinets as to:

- The nature and scope of the procurement
- The work required to progress the procurement
- The resourcing requirements of the procurement, including technical/specialist support
- Arrangements for evaluation of tenders from bidders
- Governance and risk sharing
- Apportionment of contract costs
- Consultation and communication plans

### **Contribution to costs and participation in dialogue**

Each of the Councils would be obliged to do the following:-

- Assist in development of a full set of up to date documents describing the desired service and targets
- Play a full part in any competitive dialogue meetings
- Meet the full cost of the live procurement stage of the programme, in the agreed proportions

### **No “market testing”**

The Councils agree not to use any phase of the procurement process for market testing activity purposes only (i.e. obtaining a price for the work with no intention of awarding it to suppliers).

### **Withdrawal and Confidentiality**

An individual Council may withdraw at any time during this phase but must keep all procurement related information strictly confidential. Confidentiality on all aspects is a binding condition of participation.

If a Council withdraws it will forfeit its share of the contribution for the costs of Phases 1 and 2. Should a Council withdraw during this Phase it will also be responsible for 100% of any costs due to such withdrawal e.g. contract re-drafting, abortive work and additional communications activity. These costs are likely to be considerable. In addition, a withdrawal has considerable potential to damage the interests of other authorities. Councils should note that this may include considerable costs necessary to extend existing contracts at less than ideal prices should the viability of the joint procurement be significantly damaged.

### **Mutual Indemnification**

The Councils agree that, in the event that any costs or damages are awarded against one or more of the Councils as a result of the Programme, the agreed proportions of those costs or damages shall be paid by each of the Councils which are involved in

the Programme at the commencement of the Phase during which the causative event occurred. The Councils acknowledge that they and the Project Team will work in good faith on the Project and agree that no Council will at any time seek to recover from any of the other Councils direct, indirect or consequential costs or damages.

*Phase 3 commissioning, operational commencement and the term of the Joint Contract i.e. the post contract award phase*

### **Governance**

Following contract award and during the operational phase of the contract, the JWCC shall exercise the functions as set out in its constitution and delegated authority.

The JWCC shall not have authority to take any of the following decisions, which are executive decisions reserved to the Cabinets of the respective Councils:

- Making the final award decision following the procurement
- Decisions to authorise expenditure in excess of budget
- Changes to recycling policy
- A decision to extend or terminate the contract

### **Cost partition**

In this phase the breakdown of costs would be as follows:-

- The Councils agree to continue to pay a share of the costs of the joint client side based upon the current cost sharing arrangements.
- Any project costs (e.g. advisers) would continue to be divided on the agreed basis 1
- In respect of the Joint Contract, the Councils will receive a global bill from the contractor. The bill will be apportioned amongst the Councils on the basis of an agreement to be reached between the Section 151 officers before the issue of the OJEU notice

### **Withdrawal and Confidentiality**

After the award of the joint contract, no Council may withdraw from the IDAA or the contract until it is terminated or expires.

### **Mutual Indemnification**

The Councils agree that, in the event that any costs or damages are awarded against one or more of the Councils as a result of the Programme, the agreed proportions of those costs or damages shall be paid by each of the Councils which are involved in the Programme at the commencement of the Phase during which the causative event occurred. The Councils acknowledge that they and the Project Team will work in good faith on the Project and agree that no Council will at any time seek to recover from any of the other Councils direct, indirect or consequential costs or damages.

**Appendices**

Project Objectives, Procurement Objectives and Joint Working Principles to be updated from previous IDAA





<b>SUBJECT</b>	<i>Change to the Membership Size of the Leisure Needs Member Working Group</i>
<b>REPORT OF</b>	<i>Leader – Councillor Isobel Darby</i>
<b>RESPONSIBLE OFFICER</b>	<i>Chief Executive, Bob Smith</i>
<b>REPORT AUTHOR</b>	<i>Charlie Griffin 01494 732011; <a href="mailto:cgriffin@chiltern.gov.uk">cgriffin@chiltern.gov.uk</a></i>
<b>WARD/S AFFECTED</b>	<i>Not ward specific</i>

### 1. Purpose of Report

At the Cabinet meeting held on 23 June 2015, members agreed that a Leisure Needs Member Working Group, comprising of 6 members, be established to develop a clear approach to reviewing the provision of sports and leisure facilities in the Chiltern District. The Cabinet are asked to consider increasing the membership of the Group from 6 to 8 members to help the Group deliver its aims as the redevelopment of the Chiltern Pools project progresses, and to reflect the changing leisure needs of the district's residents.

### **RECOMMENDATION:**

**That the membership of the Leisure Needs Member Working Group be increased from 6 to 8 members.**

### 2. Reasons for Recommendation

The Member Working Group's aim is to review the leisure needs of Chiltern's residents and plan leisure provision for the future, including the identifying of potential opportunities for leisure provision. Increasing the size of the Member Working Group will help the Group deliver its aims in considering the redevelopment of the Chiltern Pools project as it progresses, and to reflect the changing leisure needs of the district's residents.

### 3. Content of Report

On 23 June 2015, the Cabinet considered a report to establish an officer/member working group comprising of 6 councillors from the Corporate Asset Management Group and the Healthy Communities Policy Advisory Group (formerly the Community Policy Action Group), along with officers, including the Director of Services and the Head of Healthy Communities. The purpose of the Group is to review the leisure needs of Chiltern's residents and identify potential opportunities for leisure provision. The Group will then make recommendations to Cabinet.

### 4. Consultation

Not applicable

### 5. Corporate Implications

Financial: there are no financial implications arising directly from this report

Legal: none

Risks issues: none

Equalities: none

## 6. Links to Council Policy Objectives

The recommendation in this report will help the Council deliver its key objective: working towards safe and healthier local communities.

## 7. Next Steps

Subject to Cabinet agreement, the membership of the Member Working Group will be increased from 6 to 8 members.

<b>Background Papers:</b>	Minutes of the Cabinet meeting Tuesday 23 June 2015 <a href="https://isa.chiltern.gov.uk/democracy/ieListDocuments.aspx?CId=115&amp;MId=3117&amp;Ver=4">https://isa.chiltern.gov.uk/democracy/ieListDocuments.aspx?CId=115&amp;MId=3117&amp;Ver=4</a>
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<b>SUBJECT:</b>	<i>Redevelopment of the Chiltern Pools and adjacent Community Facilities</i>
<b>REPORT OF:</b>	<i>Cllr Mike Stannard, Support Services Portfolio Holder Cllr Liz Walsh Community, Healthy Communities Portfolio Holder</i>
<b>RESPONSIBLE OFFICER</b>	<i>Martin Holt 01494 732055, <a href="mailto:mholt@chiltern.gov.uk">mholt@chiltern.gov.uk</a></i>
<b>REPORT AUTHOR</b>	<i>Martin Holt 01494 732055, <a href="mailto:mholt@chiltern.gov.uk">mholt@chiltern.gov.uk</a></i>
<b>WARD/S AFFECTED</b>	<i>All</i>

### 1. Purpose of Report

To update members on the evolving design, cost plan and business case to re-provide a combined community and leisure facility in Amersham serving the whole of Chiltern District, and to seek agreement to develop and submit a planning application for the King George V Road/Chiltern Avenue site. This will enable the project team to progress with the RIBA Stage 3 Developed Design phase, also working up the cost plan and business case to a further level of detail, whilst commissioning surveys required to inform the planning application.

### RECOMMENDATIONS

1. **To note the findings of the current version of the design proposals and business plan to re-provide a combined community and leisure facility in Amersham.**
2. **To agree the facility mix incorporated in the current design proposals and detailed in Appendix 1.**
3. **To delegate the decision to the Director of Services to submit a detailed planning application for the proposed leisure and community centre.**
4. **To delegate authority to the Director of Services, to undertake a feasibility study of the development opportunities offered by the release of the existing leisure and community sites (the existing site) and subject to an outline business case, to submit a planning application for that site at the appropriate time.**
5. **To delegate authority to the Head of Environment and Head of Legal to carry out due diligence to identify and take steps to address any legal constraints for the proposed leisure and community centre project.**

- 6. To authorise the Head of Healthy Communities, in consultation with the Support Services Portfolio Holder to draw down up to £500,000 of funding from the Council Reserves to enable an outline business case, and planning application of the existing leisure and community sites (the existing site) to be determined.**
- 7. To authorise the Director of Services to agree the maintenance arrangements for the land to be transferred to Amersham Town Council.**
- 8. To authorise the Director of Services to agree the provision of replacement outdoor leisure facilities to be managed and owned by Amersham Town Council following the transfer of the section of King George V Playing Fields to be developed to the District Council.**

## **2. Executive Summary**

- 2.1 Following overwhelming support from the community, the proposals to redevelop the Chiltern Pools and adjacent community facilities have now concluded the RIBA Stage 2 Concept Design and moved to the Developed Design stage. This design stage will provide the necessary information to support, develop and submit a detailed planning application.
- 2.2 The Council has been supported through this process following the appointment of the project team of Cost Consultant (Appleyard & Trew), Project Manager (Hadron Consulting Ltd), Lead Design Consultant & Architect (Space & Place), Mechanical & Electrical Engineers (Desco Ltd) and Structural & Civil Engineers (Engenuity). Appointments for a Planning Consultant and Transport Consultant are being concluded.
- 2.3 The concerns raised through the consultation; parking, accessibility, size and scale of the building close to residential areas, the provision of temporary facilities during any development and the protection of the historic barns have been addressed through orienting the building along King George V Road.
- 2.4 The Stage 2 Report confirms the preferred approach to develop a single facility incorporating a range of leisure activities and a spa alongside the community facilities to enable income generation over a 40 to 45 year period, funded via the Public Works Loan Board and enabling development. To determine the extent and nature of any enabling development of the current Chiltern Pools site a feasibility study and outline planning application is required.
- 2.5 Amersham Town Council has provided strong support enabling the project to proceed by agreeing with the Council and Fields in Trust to swap land on the King George V Playing fields and increase the protection for a number of open spaces within Amersham.

2.6 The increased range of community and leisure activities would support the District, County and Sport England's drive to increase physical activity across the population with particular attention on those who don't currently participate. The centre would also support a range of activities assisting those at risk of social isolation, or with disabilities or aging to participate, assisting the aims of supporting a healthier community. The indirect benefit of a healthier lifestyle reduces the public sector costs arising from long term health conditions, loneliness and social isolation. A key target group for the centre would be to meet the needs of an elderly population whilst enabling physical activity across the generations.

2.7 The project plan currently aims to deliver a new facility managed by a leisure provider from Q1 2021 (April-June 2021). To achieve this target the Council has appointed leisure specialists to assist in drafting the leisure provider tender to operate all the Council's leisure facilities and is seeking authority to submit a detailed planning application for the new centre in September 2018.

### **3. Reasons for Recommendations**

3.1 The current Chiltern Pools has an operational life until 2020 following which significant capital investment will be required to the building structure, plant and equipment and internal facilities. Future operational and capital costs arising from the continued operation of the Chiltern Pools in its current condition are anticipated to average £700k/annum over a 10 year period.

3.2 Without significant investment the facility will be a drain on the Council's resources and risks closure, impacting on current and future users of the leisure centre. The opportunity to invest in a new facility enables a significant return on investment reducing the future costs of leisure provision and allows income generation to the Council.

3.3 The public consultation attracted a high level of support and provided a clear public mandate to provide modern replacements for the facilities in Amersham. Discussions with current users of the centre and stakeholders including; Greenwich Leisure Limited, Amersham Swimming and Diving Clubs, Amersham Community Association, Gateway Disability Club, Linfield's Nursery, Amersham Youth Club and BCC Library Service all support the opportunity to develop modernised facilities addressing their future needs.

### **4. Content of Report Background**

- 4.1 Chiltern District Council currently operates three leisure centres managed by Greenwich Leisure Limited under its trading arm Better Leisure. The current leisure operator contract ends March 2020 and work is currently commissioned to retender the operator contract.
- 4.2 The Council currently pays a management fee of £105,000/annum and is required to invest £100,000/year in capital improvements to the leisure facilities. GLL is also required to reinvest £145,000/annum in the planned preventative maintenance programme across the three centres. To gain value for money CDC and GLL jointly manage the programme. The current contract also provides a surplus reinvestment fund which will total £2.1M when the contract ends in 2020.
- 4.3 The annual income profile produced by GLL identifies that the Chesham and Chalfont centres produce an average surplus to the contract of £433k/annum. The Chiltern Pools currently impacts negatively on this surplus and is responsible for the current levels of management fee and capital expenditure (-£199 baseline costs in the business case).
- 4.4 If the Council continued to operate the current three centres the estimated management fee payable by the Council for a 10 year contract is forecast to be £600k/annum plus £100k/annum capital. If the Chiltern Pools is replaced as per the business case, the £4M surpluses from Chalfont and Chesham would enable significant reinvestment in these centres and has not been included in the business plan.
- 4.5 The Council has tendered a structural condition survey to identify the future expenditure over a 10 year period across all three centres. This will inform the operator tender requirements and improvement schedules required.

### **Proposed replacement community and leisure facilities**

- 4.6 The Indoor Sport and Leisure Facilities Strategy and Chiltern Pools Options Appraisal and Feasibility study indicated that there was a viable business case to develop a new multi-purpose leisure centre/community facility which could deliver a good return on the investment required enabling the facility to be delivered at no additional cost to the council tax payer.
- 4.7 Respondents to the consultation identified that there was a clear justification for the Council to prioritise its investment in a new leisure and community hub with over 80% agreeing or strongly agreeing that this was the right thing to do. Almost 70% of respondents thought it was appropriate to develop a new facility under one roof as opposed to individual facilities and 80% of respondents agree that the new facility should offer a wider range of sport, leisure and community activities

### **Business Case**

- 4.8 Members have sought to deliver a proposal for a new leisure and community centre at nil additional cost to the Council and were possible reduce the future costs of leisure provision whilst providing a centre that has flexibility to deliver future leisure and community needs. A modern purpose built centre would enable reduced operating costs, and a wider range of activities to meet the needs of all the community. In doing so a new facility would assist in regenerating an aging collection of buildings which poorly use the Councils land asset enabling opportunities for future income generation to be considered. In an era of negative council tax subsidy the Council has to increasingly manage its assets to gain maximum benefit for the community.
- 4.9 In consideration of these aims the evolving business case has incorporated features that would enable income generation to offset the building and operational costs of any proposed centre. It has been recognised that there needs to be high income generation areas such as; swimming, health and fitness, children's play and spa facilities to offset the cost of low income areas such as; the sports hall, squash, and community facilities.
- 4.10 The revised business case has reviewed the needs of current stakeholders and secured their intentions to support the project including an identification of their specific requirements. The business case has also addressed the opportunity to develop the site so as to mitigate the concerns in relation to transitional arrangements, car parking, the protection of the historic barns, accessibility and massing of the site close to adjoining properties.
- 4.11 The current facility mix detailed in **Appendix 1** includes an eight lane 25m swimming pool with associated spectator seating, dive facility/teaching pool (with associated dry diving facility), children's splash pad, changing village, 170 station fitness studio, climbing wall, soft play/clip and climb facility, 4 court sports hall, café, spin studio, 2/3 x dance studios, hot yoga studio, 2 x squash courts, community hall and meeting rooms, library and spa facility with treatment rooms. Accommodation has also been included to support the Linfield Nursery and Gatehouse Disability Club which currently operate from the Youth Club. Increased parking is provided as a result of the reorientation of the centre, together with the use of the Council office car park. As a temporary option the use of the existing Chiltern Pools site could form additional parking once demolished.
- 4.12 The current estimated costs of the proposed leisure and community facilities incorporating stakeholders' requirements and the provision of a spa together with additional accommodation anticipated to meet future needs is provisionally estimated between £30M -£34M. The final contract price will be the subject of a competitive OJEU compliant tender process.

- 4.13 The current evolving business case is detailed in **Appendix 2** identifies the options of adopting a more commercial approach to the leisure provision together with the inclusion of a spa facility. The proposals enable a contractor surplus of between £1.25M and £1.5M/annum. This would allow a payment to the Council of between £1M and £1.3M to offset the Councils loan costs. At the current fixed rate cost (2.74%) of prudential borrowing the income would sustain a PWLB loan over a 40-45 year period.
- 4.14 The spa plus and commercial pricing option demonstrates that the Council would achieve a saving against the future leisure associated costs arising from the continued operation of the Chiltern Pools, and would deliver a surplus by year 3 of between £10k and £85k, depending on the loan period.
- 4.15 The inclusion of the Community facilities at an estimated cost of £4M would be a cost to the Council of between £100k and £110k depending on the loan period.
- 4.16 The sensitivity analysis reflects the impact of higher build costs, interest rates and changes to health fitness throughput on the business case and surplus income to the Council. The sensitivity analysis can lead to a number of conclusions.
- The increase in interest rate has the lowest impact but is probably the most certain
  - Construction cost increases should be limited through the construction process and have been assessed in the cost plan at 5%. The OJEU competitive tender process will confirm the final costs.
  - Income sensitivity is the largest risk, but this will be the subject of market testing through the operator procurement process with the risk being transferred to the new leisure operator.
  - Combining sensitivity elements has a compounding effect
- 4.17 The NPV/Rol are important considerations but as the proposals seek to include £4M of community elements this project should not be considered a purely commercial operation and the inclusion of some consequential enabling development would help reduce the cost of the construction and especially the community element

### **Impact of Facility Mix on the business case**

#### **Community facilities**

- 4.18 The business case recognises that the community facilities, which include the replacement library, community hall and pre-school nursery, are estimated to cost



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£4M. It is clear that the Council is unlikely to generate sufficient income from rent to cover the cost of capital. Therefore, there will be a need for the Council to enter into negotiation with Bucks County Council (as the provider of pre-school education and library services) and the Community Association to consider how it will cost their access to the new development.

- 4.19 It is anticipated that the negotiation with the County will focus on a potential capital contribution, rental agreement or enabling development. However, the negotiation with the Community Association also needs to consider the range of tenants it accommodates (i.e. not in competition with the leisure operator) as well as its approach to charging commercial rates for commercial activities.

### **Leisure facilities**

- 4.20 At an estimated cost of £30.6M for the leisure centre the business case would enable borrowing to meet this cost, with the inclusion of the spa plus and a more commercial approach to charging the business case further improves. The main income being derived from health and fitness, swimming, and play.
- 4.21 Following the inclusion of the capital costs it is clear that only health and fitness generates income to cover the building and operational costs. It also subsidises the ability to provide less income generating features in the centre. The centre has been designed to provide a 170 station gym, three dance studios and a hot yoga studio enabling over 4,500 members by year 3. Soft market testing, assessment of the latent demand and comparison with other areas has identified that this target is feasible in the current competitive climate.
- 4.22 The business plan also recognises that the wide range of offers provided by the proposed centre attracts new visitors to the centre and each of the facility mix contributes to the overall throughput and income generation.
- 4.23 In terms of the business plan the sports hall, due in part to its size and scale and future maintenance and repair costs does not provide a return, however its inclusion is considered of significant benefit to the leisure mix in Chiltern. Whilst the Climbing wall has a slight deficit and is almost at break-even point, this could change with any increased throughput above the predicted numbers of participants or following changes to the allocation of costs. Squash makes a marginal impact on the business case and as a result of the additional studio space incorporated in to the current design has limited additionality, but it may be used to support children's activities and or table tennis when not required for squash.
- 4.24 The general circulation area is a key drain on resources which is not uncommon within the context of the business case as the area does not have a defined point of income generation but the area will support the opportunity for the space to provide advice, information and support to residents or to enable

exhibitions and events attracting customers from wider afield. The area will also support the need for spectator provision at swimming galas without the need to include a significant viewing area in the pool hall with limited secondary usage. The café positioned centrally in the street provides the opportunity for secondary spend from users and visitors to the centre.

- 4.25 The remaining areas of the leisure centre all contribute to a lesser or greater extent to the overall business case. The costs associated with the dry dive facility have been incorporated in to the swimming income/expenditure projections as is based purely on the use by the Diving Club. This facility also supports the development and expansion of the diving club as a regional venue. As the dry diving is designed to be used in association with the sports hall this provides opportunities for local gymnastics clubs to hire and use the space.
- 4.26 The inclusion of the Spa provides a marginal but positive return on the business case however with the inclusion of the Spa Plus with the associated increased hot and cold experience, and additional treatment rooms a better return on the capital investment is provided and a greater contribution made to the business case. It also brings potential new entrants to the leisure facilities benefiting cross sales, and access to the community facilities.
- 4.27 In determining the final facility mix, it is recognised that each element of the design; swimming pool, spa, sports hall, climb, café, library, community centre, etc. all contribute to the overall business case. Should a decision be made to remove an element such as diving or spa, there would have to be a significant change to the design, and a knock on to the overall throughput, business case and development timescales.
- 4.28 The inclusion of all the facilities detailed in the current designs has been included in previous public consultation(s) and are currently supported by the community.

### **Enabling Development**

- 4.29 With the demolition of the existing leisure and community buildings there is a once in a lifetime opportunity to consider the whole of the King George V Road and Chiltern Avenue site to
- Maximise the opportunities that benefit the community,
  - Rationalise the boundary between the built area and the King George V Playing Fields, and
  - Provide an income stream to support the Council's aspirations.

4.30 It is proposed that the Head of Environment and Head of Legal are asked to undertake due diligence to identify and take steps to address any legal constraints that impact the proposed leisure and community centre project. Due diligence is necessary to ensure there are no legal constraints that limit the scope of this project and to manage and plan for any risks that are identified.

4.31 Whilst community and leisure parking is currently being considered through the provision of a surface car park, future development opportunities may require the provision of low rise layered car parking alternatives, similar to those proposed in Marlow.

4.32 It is therefore recommended that a feasibility study exploring various options, as part of the project's overall financial viability, with a view to submitting a concurrent outline planning application is undertaken of the development opportunities offered by the release of the leisure and community site

### **Project Plan**

4.33 Following the appointment of the Project Manager, and the Design team, further work was undertaken to test the assumptions in relation to the facility mix, size and scale of the building design and its location on the Chiltern Avenue/King George V site, delaying the completion of the Stage 2 design.

4.34 The revised high level project time line would aim for the new facility to be operational by April 2021 with key decision points now being;

- Client approval to proceed with planning application June 2018
- Client approval to proceed with contractor procurement June 2018
- Planning application submitted September 2018
- Planning approval January 2019
- Council decision to proceed with the development of the Centre following planning consent - February 2019
- BCC agreement to release of leases - February 2019
- Contractor appointment – March 2019
- Construction – August 2019 to March 2021
- Leisure Provider appointment April 2020
- Fit out and hand over – March / April 2021
- Opening – April 2021

4.35 These timelines are tight and based on the assumptions that;

- The project approval as far as the next key decision point, to proceed with a detailed planning application is granted at the June 2018 meeting of Cabinet;

- With limited contingency built in the programme that there is a quick decision making process built in to the project plan and delegated to the Project Board to progress within budget parameters;
- That the procurement of the contractor is undertaken early to enable detailed input in to the final design stages;
- That the design team is 'novated' to the construction contractor for the construction period;
- That the contractor can deliver to the assumed construction timescales; and
- That further design work is progressed in parallel with the planning application being considered.

4.36 It should be noted that an enabling package of works is likely ahead of the main construction works for the new centre, and the construction logistics is under review. Once the new centre is open and existing buildings have been vacated there will then need to be a demolition and making good package of works to create final parking areas and access routes. This is not currently included in the key milestones above.

### **Construction Procurement**

4.37 The Project Board and Leisure Members Working Group (LMWG) has received procurement advice in relation to the appointment of the construction contractors, which takes into account the following:

- Programme to open the facilities in April-June 2021;
- Any facility should be built to a high standard;
- That control over the design needs to be with the Council and its stakeholders;
- The costs must be within the current identified cost and business plan limits; and
- Transfer the risk of cost to the contractor where possible.

4.38 At a procurement workshop in April 2017 it was recommended that a hybrid procurement approach is taken by the Council to appoint the main contractor. This process would enable a Design and Build contract to be entered into with the Council undertaking a two stage OJEU tender and appointing two contractors to be involved in the design, costs and buildability decision making. Following which a final competition is held between the two contractors to appoint the most competitive organisation.

4.39 The Project Manager is currently evaluating the market and has advised that to enable two contractors to be party to the design and technical requirements, whilst allowing a final competitive stage a fee would be payable. This fee would be agreed by the project board in a later report on the procurement approach and a budget for this is held in the current cost plan.

- 4.40 It should be noted that the above procurement approach may not encourage some of the larger leisure contractors to bid for the work and therefore market testing is underway to review and potentially revise the procurement strategy. This is noted as a project risk below.
- 4.41 Cabinet, at its meeting 27<sup>th</sup> June 2017, delegated authority 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 to appoint the contractor by Cabinet. The revised procurement strategy will be considered by the project board and Leisure Members Working Group prior to any decision on the approach for procurement.

### Land Swap

- 4.42 Amersham Town Council has agreed to the disposal of land to the District Council in return for the transfer of the green at Woodside Close and edge of Chiltern Avenue previously agreed by Cabinet report 1st May. The Head of Legal is progressing the transfer documents. Amersham Town Council has requested that following transfer the District Council
- reimburses the Town Council the £3500 cost of annual maintenance of the green at Woodside Close,
  - further maintains the green fringes adjacent to Chiltern Avenue on behalf of the Town Council
  - undertakes and necessary tree work prior to the land swap and
  - relocates the MUGA, skate park, outdoor gym, and children's play area to support the phasing of the construction works.

### 5. Consultation

5.1 Consultation on the new centre proposals, including design, is to be undertaken during the summer as part of the detailed planning application process.

### 6. Options

1) *All options in the business case present an opportunity to deliver a new community and leisure facility with loan repayments made over a 40-45year period at nil additional cost to the council. The proposals enable opportunities to be released to redevelop the current community and leisure facilities making best use of the Councils assets.*

*To proceed to the next key decision point of the project and develop and submit a detailed planning application on the current proposals together with an outline planning application for the remainder of the King George V site.*

2) *To decide not to proceed with the current scale and scope of the project which would the Council to decide on the proposed facility mix it wishes to include in the revised scope. This would require fundamental change to the current designs, a change to the facility mix, and changes to the business case, which may result in a centre that is not*

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*cost neutral to the Council. The immediate impact would be increased design costs associated with the reworking, changes to the planned programme. The Council would be required to decide on the future operation of the Chiltern Pools with the option of closure of the centre or increasing the budget expenditure to meet future operational costs.*

## **7. Corporate Implications**

*7.1 Financial – The doing nothing option will result in revenue costs of over £600k per annum and capital costs to the maintenance of structures of £100k/annum. As the Chesham and Chalfont leisure centres return a net surplus of over £400k/annum the decision would have to be made as to the future of the Chiltern Pools. The development of a single community and leisure centre would enable development options to be realised supporting the business case.*

*The project proposals and business case identifies a net financial return of £1M to £1.3M/annum to facilitate the Council borrowing and provides a net surplus depending on the approach to commercialisation and the inclusion of a spa. The proposals also deliver a wider range of activities meeting the requirements of the Chiltern Indoor Sports and Leisure Facilities Strategy, delivering a purpose built centre with more efficient operational costs. At the current fixed rate cost of borrowing the income would sustain a loan amount of £34M over a 40-45year period thereby delivering a new facility.*

*The current approved budget allocation of £1.5M is sufficient to progress the detailed design of the leisure and community facility to the next key decision point which is the approval of planning.*

*It is recommended to draw down up to £500,000 of funding from the Affordable Housing Reserve to enable the costs of professional fees for the feasibility study and outline planning application for the remainder of the King George V and Chiltern Avenue site to be progressed*

*The Council has taken external advice on treatment of VAT for the development. The recommended approach is to 'opt to tax' the building which will allow the recovery of the £6M VAT cost on the build. Consequently the leisure payment from the operator will be subject to VAT.*

*7.2 Legal – The Council has a duty to consider the health and wellbeing of its community, enabling leisure opportunities to support a healthier and active community would assist the Council in supporting this objective. The Council is advised to carry out due diligence to ensure there are no legal constraints that impact this project. Delegated authority should be given to the Head of Environment and Head of Legal to carry out the due diligence exercise for this project.*

*7.3 - Risks the current risks associated with the project include;*

- i. The proposed land swap is to be concluded as soon as possible and consent is required from Amersham Town Council to the external facilities strategy being proposed for the scheme. Any delay to consent will delay submission of a planning application.*
- ii. Whilst the proposed site is strongly positioned to attract interest from the major wet leisure contractors, the procurement route needs to ensure a balance of cost and time. Due to market conditions, major wet leisure contractors may withdraw from a route that may not favour them which may result in a failed procurement process. The procurement strategy remains under review as market testing continues.*
- iii. Changes to the design or facility mix will have a significant adverse impact to the project programme, also potentially incurring additional redesign fees. Once public consultation has commenced it is very difficult to change proposals unless in response to consultation feedback.*
- iv. Stakeholders not agreeing the final heads of terms to relocate into a combined leisure and community facility leading to the need to identify an alternative site and potential delays to the project.*
- v. The final business case arising from the detailed design and construction process in Stage 4 does not deliver the anticipated return on investment.*
- vi. There is limited survey information regarding ground conditions (this is to be undertaken in Stage 3 and will inform the planning application). There is a risk of poor ground conditions which will increase the project costs and overall delivery programme.*
- vii. The cost of borrowing increases adversely impacting on the business case. This could be mitigated by agreeing long term fixed rate borrowings.*
- viii. Planning consent is refused for the leisure and community facility extending the timeline for completion. This risk may increase should the detailed planning application for the leisure centre and outline planning application for the potential residential are linked.*
- ix. Delays in appointing the contractors would extend the timeline for completion.*
- x. The contractor is unable to commit to the proposed timescale.*

- xi. Inflationary costs could increase the overall cost of development impacting on the business case, or further delay to the overall programme would potentially attract increased inflation costs.*

## **8 Links to Council Policy Objectives**

### ***Safe, Healthy and Active communities***

*Council has a duty to consider the health and wellbeing of its community, enabling leisure opportunities to support a healthier and active community would assist the Council in supporting this objective. Enabling the delivery of fit for purpose leisure facilities would support the Council's objectives to reduce crime and disorder, address carbon management in relation to the use of fossil fuels used in the operation of the leisure centres, strengthen partnership working with Public Health, CCG, community groups and sports clubs and improve opportunities for greater community cohesion.*

## **9 Next Steps**

- *Detailed site surveys*
- *Public consultation on the current proposals*
- *Heads of terms agreed with leaseholders*
- *Detailed and outline planning applications submitted*

<p><b>Background Papers:</b></p>	<p>It is a legal requirement that we make available any background papers relied on to prepare the report and should be listed at the end of the report (copies of Part 1 background papers for executive decisions must be provided to Democratic Services )</p>
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**Appendix 1**  
**Proposed Leisure Centre– Facility Mix**

<b>Previous Facility Mix</b>	<b>Current Proposed Facility Mix</b>	<b>Changes / Notes</b>
8 lane, 25m competition swimming pool with poolside seating	8 lane, 25m competition swimming pool with poolside seating	None
Diving / training pool 12m x 17m (with moveable floor)	Diving / training pool 12.5m x 17m (with moveable floor)	Small increase to pool size to accommodate diving requirements
Splash pad	Splash pad	None
Dry dive zone, double height space	Dry dive zone, double height space	None
2 squash courts	2 squash courts	None
Village change with 2 group changing rooms	Village change with 2 group changing rooms	None
4 court sports hall	4 court sports hall	None
150+ station gym allowing for further possible expansion	160/170+ station gym	Increase in gym area
Café / vending	Café vending	Orientated to serve public areas and soft play / clip n climb facility
3 multi-function / dance studios	2/3 multi-function / dance studios	Large studio has moveable wall to allow 3 studios to operate simultaneously
Standalone youth zone	None	Alternative arrangements being considered to develop the youth club, whilst allowing concessionary access to the centre for young people and a wider range of club and leisure activities.
	Hot yoga studio	Additional studio incorporated for additional flexibility and to support business case
Spin studio	Spin studio	None
Climbing wall area	Climbing & bouldering area	Bouldering area included to meet needs of users & support business case
Adventure play / clip n climb	Adventure play / clip n climb	None
Party rooms	2 party rooms	Included within adventure play / clip n climb area
Soft play and catering zone	Soft play and catering zone	None
Community hall, theatre with a 200 seat capacity, ancillary community rooms	Community hall, theatre with a 200 seat capacity, ancillary community rooms	None
Library	Library	None
IT suite & class rooms	2 workrooms included within library	Workrooms included within library area
CAB / Council / Partner offices		Removed from scope as not supported by business case and brief not defined

Spa with heat experience zone and treatment / relaxation rooms	Spa with heat experience zone and treatment / relaxation rooms	None
Pre-school nursery	Pre-school nursery	To meet Ofsted requirements for 50 children

**Appendix 2**

**Chiltern Leisure Centre – RIBA Stage 2 Proposals**

- 1. Summary of the Evolving Business Case**
- 2. Sensitivity Analysis**
- 3. Design proposals (drawings)**
- 4. Evolving Business Case including anticipated income and cost plan**

Appendix 2 Summary of the Evolving Business Case

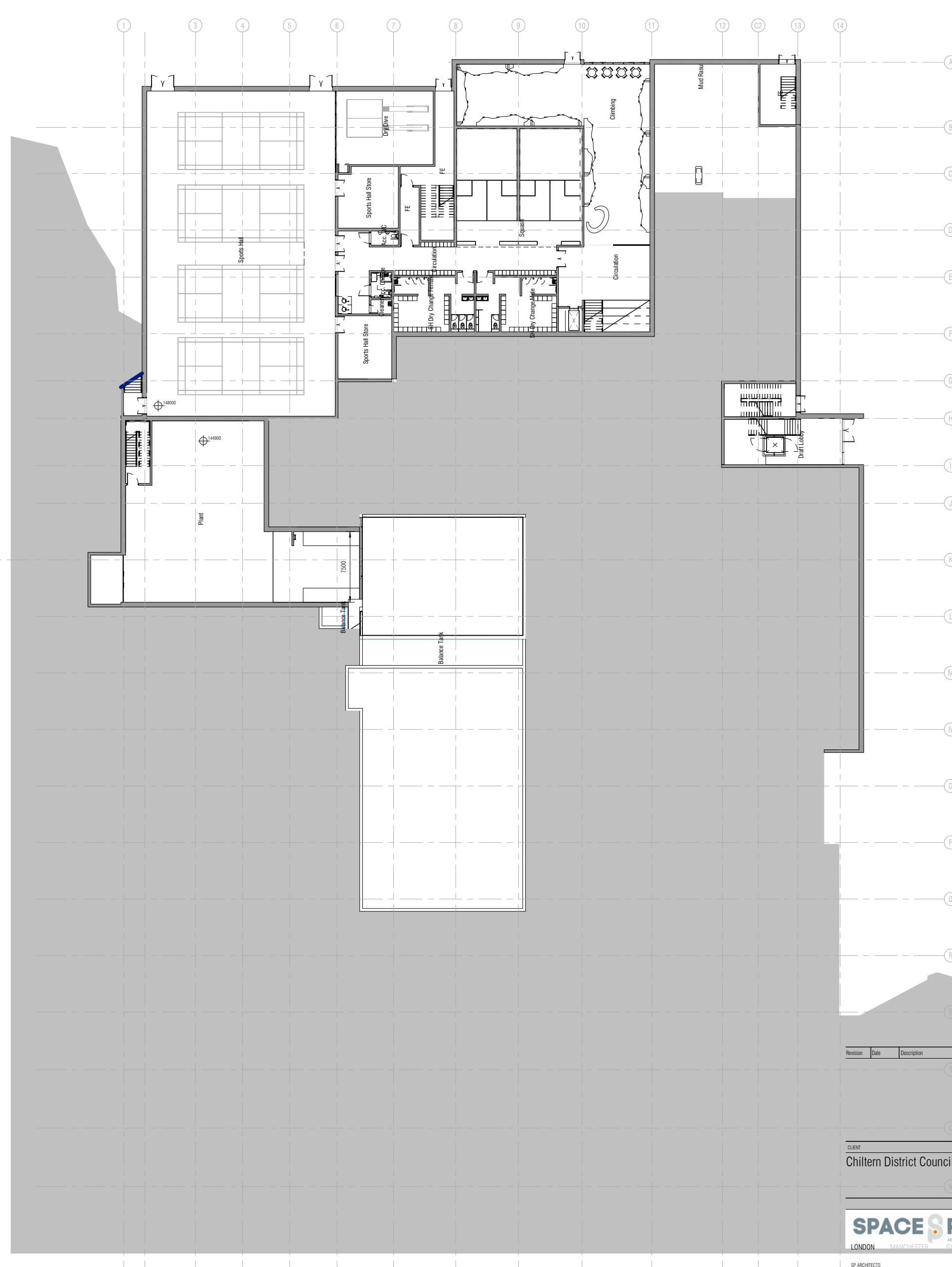
40 Year Loan Options											45 Year Loan Options					Classification: OFFICIAL-					
Summary Figures	16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24	24/25	25/26	Summary Figures	16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24	24/25	25/26
Option 1	Actual	Actual				Y1	Y2	Y3	Y4	Onwards	Option 1	Actual	Actual				Y1	Y2	Y3	Y4	Onwards
Includes Spa+	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	Includes Spa+	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
<b>Cost of Current Leisure Facility</b>											<b>Cost of Current Leisure Facility</b>										
- Payment to contractor (Note 1)	105	107	100	100	100	600	600	600	600	600	- Payment to contractor (Note 1)	105	107	100	100	100	600	600	600	600	600
- Annualised capital cost			100	100	100	100	100	100	100	100	- Annualised capital cost			100	100	100	100	100	100	100	100
			<b>200</b>	<b>200</b>	<b>200</b>	<b>700</b>	<b>700</b>	<b>700</b>	<b>700</b>	<b>700</b>				<b>200</b>	<b>200</b>	<b>200</b>	<b>700</b>	<b>700</b>	<b>700</b>	<b>700</b>	<b>700</b>
<b>Running Costs of New Leisure Facility</b>											<b>Running Costs of New Leisure Facility</b>										
- Income						-4,139	-4,847	-5,265	-5,371	-5,478	- Income						-4,139	-4,847	-5,265	-5,371	-5,478
- Expenditure (including operator profit)						3,514	3,703	3,852	3,949	4,043	- Expenditure (including operator profit)						3,514	3,703	3,852	3,949	4,043
- Annualised capital cost (to start from year 3)								155	160	165	- Annualised capital cost (to start from year 3)							155	160	165	
Surplus available for payment to CDC						-625	-1,144	-1,258	-1,262	-1,270	Surplus available for payment to CDC						-625	-1,144	-1,258	-1,262	-1,270
<b>Cost of New Leisure Facility</b>											<b>Cost of New Leisure Facility</b>										
- Payment from contractor (after deduction of VAT)						-521	-953	-1,048	-1,052	-1,058	- Payment from contractor (after deduction of VAT)						-521	-953	-1,048	-1,052	-1,058
- Servicing £30.6m 40 year annuity loan (Note 2)					418	1,267	1,267	1,267	1,267	1,267	- Servicing £30.6m 45 year annuity loan (Note 2)				419	1,191	1,191	1,191	1,191	1,191	1,191
					<b>418</b>	<b>746</b>	<b>314</b>	<b>218</b>	<b>215</b>	<b>208</b>				<b>419</b>	<b>670</b>	<b>238</b>	<b>143</b>	<b>140</b>	<b>133</b>	<b>133</b>	
<b>Cost of New Community Facility</b>											<b>Cost of New Community Facility</b>										
- Payments from Community Element						-52	-54	-55	-57	-59	- Payments from Community Element						-52	-54	-55	-57	-59
- Servicing £4m 40 year annuity loan (Note 2)					55	166	166	166	166	166	- Servicing £4m 45 year annuity loan (Note 2)				55	156	156	156	156	156	
					<b>55</b>	<b>114</b>	<b>112</b>	<b>110</b>	<b>109</b>	<b>107</b>				<b>55</b>	<b>104</b>	<b>102</b>	<b>101</b>	<b>99</b>	<b>97</b>		
£40K Community Centre £12k Nursery £0 BCC Library (incentive to give up current lease)					<b>472</b>	<b>859</b>	<b>426</b>	<b>329</b>	<b>324</b>	<b>315</b>				<b>474</b>	<b>774</b>	<b>341</b>	<b>244</b>	<b>239</b>	<b>230</b>		
<b>Options</b>																					
More commercial approach to pricing Reduction compared to base model					<b>472</b>	<b>742</b>	<b>221</b>	<b>100</b>	<b>91</b>	<b>78</b>											
					<b>0</b>	<b>117</b>	<b>205</b>	<b>228</b>	<b>233</b>	<b>238</b>											
45 year loan Reduction compared to base model					<b>474</b>	<b>774</b>	<b>341</b>	<b>244</b>	<b>239</b>	<b>230</b>											
					<b>-2</b>	<b>85</b>	<b>85</b>	<b>85</b>	<b>85</b>	<b>85</b>											
More commercial approach to pricing + 45 year loan Reduction compared to base model					<b>474</b>	<b>657</b>	<b>136</b>	<b>15</b>	<b>6</b>	<b>-7</b>											
					<b>-2</b>	<b>202</b>	<b>290</b>	<b>314</b>	<b>318</b>	<b>323</b>											
<b>Capital Cost of New Facility</b>																					
- Leisure element																					
- Community element																					
Chiltern Pools Car Park Income	-45	-49	Likely to increase in future due to extra usage of facility																		
Note 1: CL02 / C625 Leisure Management Contract. This covers all 3 centres. Chalfont & Chesham are making a profit, which is being masked by a loss on Chiltern Pools.																					
Note 2: Although the actual loan repayments will start from 6 months after the loan is taken out, due to local authority accounting rules, the effect on the revenue budget is partially delayed as setting aside money for loan repayments only starts once the asset is completed.																					

	40 Year Loan Options										45 Year Loan Options											
Summary Figures	16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24	24/25	25/26	Summary Figures	16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24	24/25	25/26	
Option 3	Actual	Actual				Y1	Y2	Y3	Y4	Onwards	Option 3	Actual	Actual				Y1	Y2	Y3	Y4	Onwards	
Commercial Pricing Plus Spa+	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	Commercial Pricing Plus Spa+	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	
<b>Cost of Current Leisure Facility</b>											<b>Cost of Current Leisure Facility</b>											
- Payment to contractor (Note 1)	105	107	100	100	100	600	600	600	600	600	- Payment to contractor (Note 1)	105	107	100	100	100	600	600	600	600	600	
- Annualised capital cost			100	100	100	100	100	100	100	100	- Annualised capital cost			100	100	100	100	100	100	100	100	
			<b>200</b>	<b>200</b>	<b>200</b>	<b>700</b>	<b>700</b>	<b>700</b>	<b>700</b>	<b>700</b>				<b>200</b>	<b>200</b>	<b>200</b>	<b>700</b>	<b>700</b>	<b>700</b>	<b>700</b>	<b>700</b>	
<b>Running Costs of New Leisure Facility</b>											<b>Running Costs of New Leisure Facility</b>											
- Income						-4,303	-5,124	-5,574	-5,685	-5,799	- Income						-4,303	-5,124	-5,574	-5,685	-5,799	
- Expenditure (including operator profit)						3,538	3,735	3,886	3,984	4,079	- Expenditure (including operator profit)						3,538	3,735	3,886	3,984	4,079	
- Annualised capital cost (to start from year 3)								155	160	165	- Annualised capital cost (to start from year 3)							155	160	165		
Surplus available for payment to CDC						-766	-1,389	-1,532	-1,542	-1,555	Surplus available for payment to CDC						-766	-1,389	-1,532	-1,542	-1,555	
<b>Cost of New Leisure Facility</b>											<b>Cost of New Leisure Facility</b>											
- Payment from contractor (after deduction of VAT)						-638	-1,158	-1,277	-1,285	-1,296	- Payment from contractor (after deduction of VAT)						-638	-1,158	-1,277	-1,285	-1,296	
- Servicing £30.6m 40 year annuity loan (Note 2)					418	1,267	1,267	1,267	1,267	1,267	- Servicing £30.6m 45 year annuity loan (Note 2)					419	1,191	1,191	1,191	1,191	1,191	
					<b>418</b>	<b>629</b>	<b>109</b>	<b>-10</b>	<b>-18</b>	<b>-29</b>					<b>419</b>	<b>553</b>	<b>34</b>	<b>-85</b>	<b>-93</b>	<b>-105</b>		
<b>Cost of New Community Facility</b>											<b>Cost of New Community Facility</b>											
- Payments from Community Element						-52	-54	-55	-57	-59	- Payments from Community Element						-52	-54	-55	-57	-59	
- Servicing £4m 40 year annuity loan (Note 2)					55	166	166	166	166	166	- Servicing £4m 45 year annuity loan (Note 2)					55	156	156	156	156	156	
					<b>55</b>	<b>114</b>	<b>112</b>	<b>110</b>	<b>109</b>	<b>107</b>					<b>55</b>	<b>104</b>	<b>102</b>	<b>101</b>	<b>99</b>	<b>97</b>		
					<b>472</b>	<b>742</b>	<b>221</b>	<b>100</b>	<b>91</b>	<b>78</b>					<b>474</b>	<b>657</b>	<b>136</b>	<b>15</b>	<b>6</b>	<b>-7</b>		

## 2 Sensitivity Analysis

Assumptions and Sensitivity Analysis				
<b>Assumptions</b>				
The base model has been based on various assumptions as follows:				
- The total build cost is £34.6m excluding VAT.				
- Inflation is 3% a year and this is also the discount rate used.				
- The financing cost is based on borrowing from the PWLB, on an annuity basis, over 40 years.				
- The payments from the leisure contractor and community elements are inflation linked.				
- Profitability estimates have been based on the KPP model for the first 5 years and then inflationary rises going forward				
<b>Sensitivity Analysis</b>				
However the financial model is only an estimate.				
Changing any of the assumptions will effect the return.				
For instance				
- If the build cost goes down, the profitability goes up.				
- If the loan rate goes down, the profitability goes up.				
- If we increase the charges, the profitability goes up.				
And of course vice versa.				
The following table therefore shows the effect on the Net Present Value and Profitability figures if we change some of these assumptions.				
	Base Model	Build cost 10% higher	Loan rate 1/2 % higher	Income estimate 5% lower
Build Cost	£34,600,000	£38,060,000	£34,600,000	£34,600,000
Loan Interest Rate	2.73%	2.73%	3.23%	2.73%
Year 3 Leisure payments to CDC	-£1,048,280	-£1,048,280	-£1,048,280	-£828,894
Year 3 community payments to CDC	-£55,167	-£55,167	-£55,167	-£55,167
Internal Rate of Return	3.50%	3.01%	3.50%	2.36%
Net Present Value over 40 years (Negative is good)	£11,545,787	£16,516,203	£14,671,155	£19,388,626
Total Surplus over 40 years (Negative is good)	-£17,112,387	-£11,383,378	-£12,281,025	-£1,857,959

NOTE



Revision	Date	Description	By/Ch

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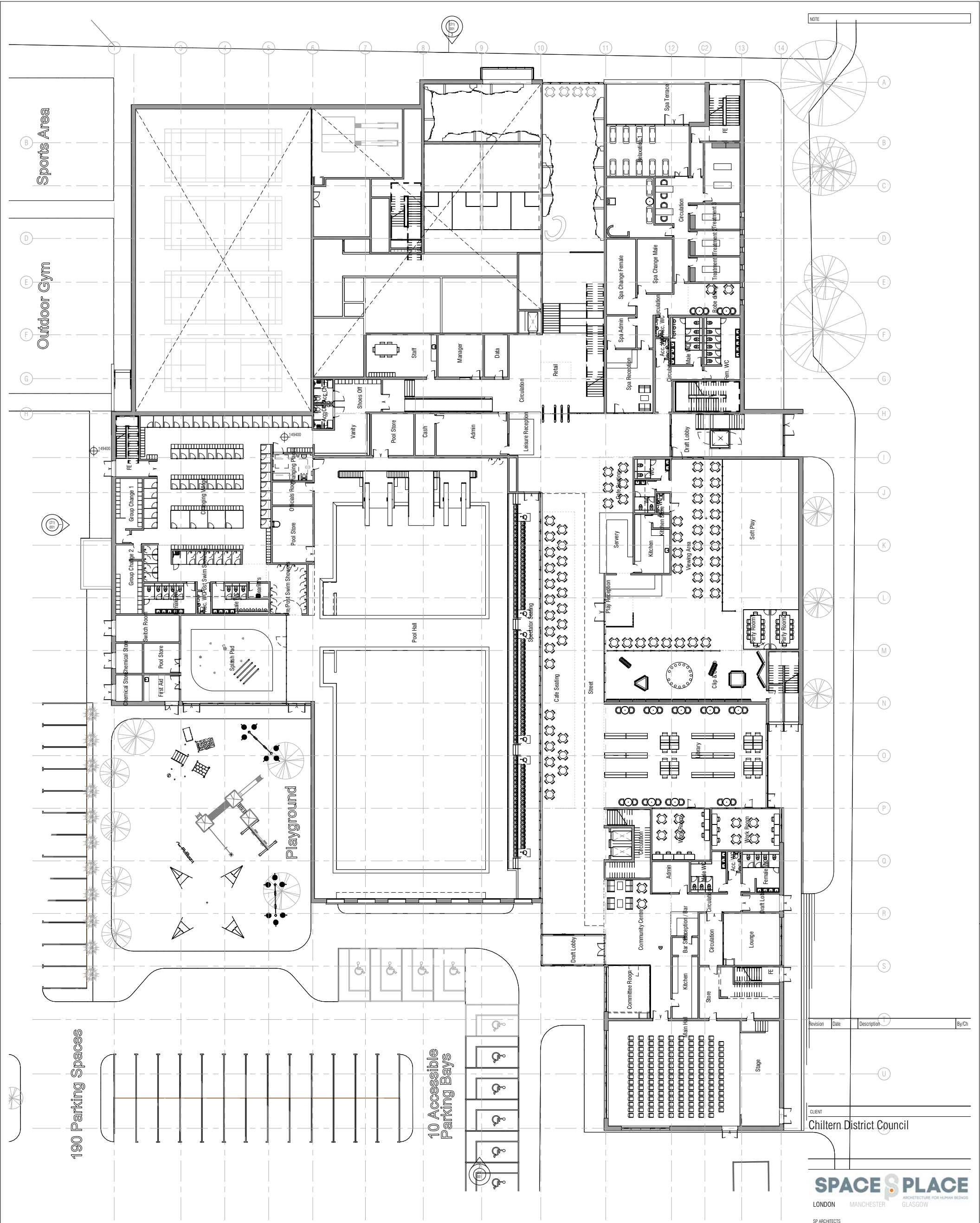
STATUS Stage 2  
PROJECT Chiltern Life Centre

DRAWING  
Lower Ground Floor GA Plan

SCALE 1:200 SHEET SIZE A4 DRAWN BY YR CHECKED BY JOB DATE 21/05/18  
PROJECT NO. DRAWING NO. 3615 - (20) 000 -







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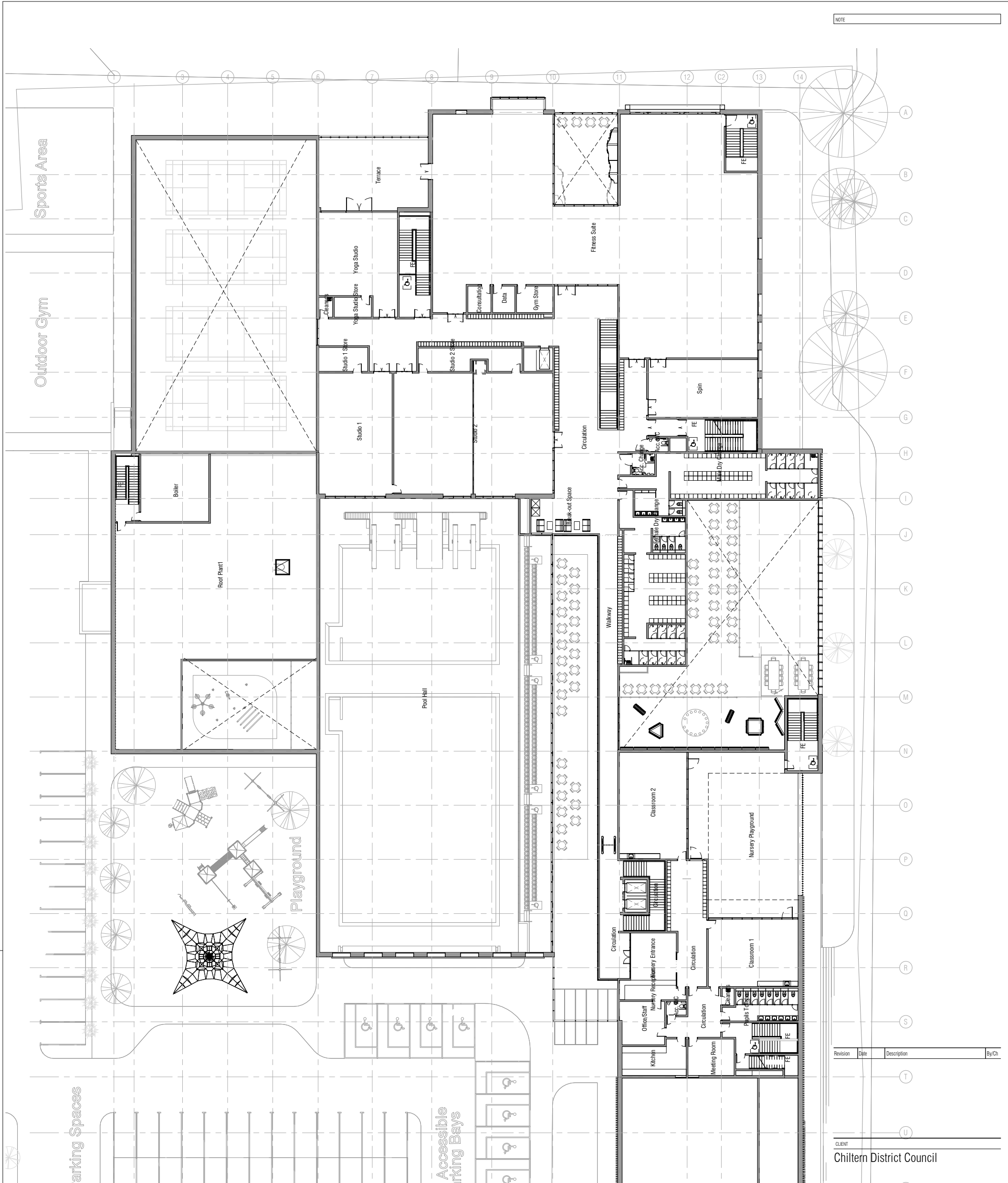
STATUS Stage 2  
PROJECT  
Chiltern Life Centre

DRAWING  
Ground Floor GA Plan

SCALE 1:200 SHEET SIZE A4 DRAWN BY TR CHECKED BY JOB DATE 21/05/18  
PROJECT NO. DRAWING NO. 3615 - (20) 001 - REVISION



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STATUS Stage 2  
 PROJECT  
 Chiltern Life Centre

DRAWING  
 First Floor GA Plan

SCALE 1:200 SHEET SIZE A4 DRAWN BY IR CHECKED BY JOB DATE 21/05/18  
 PROJECT NO. DRAWING NO.  
 3615 - (20) 002 -





**CHILTERN DISTRICT COUNCIL**

**CHILTERN LIFESTYLE CENTRE**

**STAGE 2 DESIGN - BUSINESS PLAN UPDATE**

**MAY 2018**

Quality, Integrity, Professionalism

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**CHILTERN DC – CHILTERN LIFESTYLE CENTRE  
STAGE 2 DESIGN - BUSINESS PLAN UPDATE**

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# CHILTERN DC – CHILTERN LIFESTYLE CENTRE STAGE 2 DESIGN - BUSINESS PLAN UPDATE

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# CHILTERN DC – CHILTERN LIFESTYLE CENTRE

## STAGE 2 DESIGN - BUSINESS PLAN UPDATE

### INTRODUCTION

This is the business plan update on the Stage 2 design for the Chiltern Lifestyle Centre. The business plan has been developed on the basis of the latest design drawings issued on 30<sup>th</sup> April 2018.

The purpose of this report is to enable the Project Board and the Leisure Needs Members Working Group to understand the potential financial performance of the new facility alongside the capital cost of the development.

The current design status has picked up on some prior concerns about the size and scale of key income generating areas. The key features and usage of the current design is as follows:

Activity area	Key features and business plan implications
Swimming pools	<p>Comprising 8 lane 25m pool with teaching/diving pool and a small splash pad area (for children's play). There is spectator provision for approximately 150 with the potential to view from the street. The diving pool incorporates a combination of 6 platforms and springboards.</p> <p>The key challenge in relation to the business plan is the degree to which diving and learn to swim can complement each other from a programming perspective and the aspiration from swimming and diving clubs to grow while accommodating increased public use.</p> <p>The business plan for the pools has been developed on the basis of a programme which attempts to meet the needs of all organisations and provides community access throughout as many hours as possible, especially during peak times. The pool programmes are identified within Appendix 1.</p>
Dry diving	<p>Dry diving is instrumental to the growth and development of diving at the facility and will be a key component in the growth of the club. However, the size has reduced to circa 84m<sup>2</sup> to accommodate just two springboards with crash mats and a small floor area (once the boards are stored upright). This equates to less than half of the ideal area identified by Swim England.</p> <p>However, the dry dive is linked to the sports hall enabling the diving club to programme specific trampoline and tumbling sessions which would otherwise have been accommodated within the larger dry dive facility.</p> <p>Therefore, given the size of the dry dive, there will be limited use of the facility by other users.</p>
4 court sports hall	<p>A 4 court sports hall which will accommodate a range of indoor sports such as badminton, basketball, netball, indoor football, trampolining, gymnastics etc.</p> <p>There is currently no community sports hall in Amersham which presents an opportunity to expand participation in this area; however, there is no clear identified user groups who will use the facility at this stage.</p>
Fitness suite and studio spaces	<p>The fitness suite will accommodate circa 170 stations although it should be appreciated that the current trend in health and fitness is to provide substantial 'functional training' zones (e.g. kettle bells, TRX ropes, free weights, sledges, tyres, etc..). The size and scale of the facility provides sufficient space for this to be accommodated.</p> <p>There has been an increase in studio space since the stage 2 feasibility with the inclusion of a bespoke hot yoga studio and additional smaller studio. The number of classes has increased to account for the provision of hot yoga, and additional daytime use for children's activities (e.g. mini gymnastics, etc.) has been allocated to the space. This takes account of the exclusion of</p>



## CHILTERN DC – CHILTERN LIFESTYLE CENTRE STAGE 2 DESIGN - BUSINESS PLAN UPDATE

Activity area	Key features and business plan implications
	<p>the moveable walls to the squash courts.</p> <p>The proposed health and fitness offer is sufficient to accommodate the anticipated 4,400 members as well as any additional members it may be successful in attracting (e.g. 5,000 plus).</p>
Adventure Play	<p>This is a combination of the soft play and clip 'n climb facility. This has increased in size since the last iteration of the plan to reflect the need to accommodate as much seating as possible, as this drives income generation. The current design accommodates circa 120 covers within the area. This will enable the facility to accommodate circa 25 admissions per hour into the soft play facility at peak time (assuming most admissions will stay for two hours and one admission will include one adult and one child as an average).</p> <p>This accommodates sufficient peak time usage and allows additional catering provision to service party bookings.</p>
Spa	<p>The spa facility is spread over two floors and accommodates 4 single treatment rooms and one double. It will also accommodate a robed dining area, large relaxation area as well as a range of hot and cold spa experiences. The spa experience zone will be accommodated on the lower ground floor and offer a range of hot, cold and mud experiences, which will be an attraction in themselves (excluding the treatment rooms).</p>
Squash	<p>The squash courts as designed will only provide access to squash (and potentially some table tennis). This is due to the removal of the moveable wall between the courts. However, previously programmed activity will be accommodated in the increased studio spaces.</p>
Climbing	<p>The climbing area has been a concern and advice has been sought from Venture Extreme. The area has increased in size following ongoing discussion.</p> <p>The challenge is still that the climbing facility may be viewed by current users as a reduction in amenity and may impact on level of use. However, the facility will have significantly greater visibility within the centre which should help to drive cross selling of activity and use of the space.</p>

The centre will also include co-located community services and facilities as follows:

Activity area	Key features and business plan implications
Library	<p>At present the library service is managed by the County Council and at this stage is envisaged to operate as a stand-alone business unit. However, there is the potential that the leisure operator could be asked to tender for the operation of the library.</p> <p>There may be economies of scale aligned to reception cover as well as increased use of the leisure facility through direct marketing to library customers. However, this is anticipated to have minimal impact on the business case.</p>
Pre-school nursery	<p>Provision for up to 50 children has been designed at this stage. Again this will operate as a stand-alone business and will not impact on the operation of the leisure facility.</p>
Community Centre	<p>The facility is being re-provided with enhancements to account for changes in legislation and design guidance. The facility will operate as a stand-alone business and can be locked off from the rest of the centre when it operates out of hours. However, it will be important to ensure that the facility is integral to the overall Lifestyle Centre and does not separate itself from the</p>

## CHILTERN DC – CHILTERN LIFESTYLE CENTRE STAGE 2 DESIGN - BUSINESS PLAN UPDATE

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Activity area	Key features and business plan implications
	wider operation.

The business plan has been developed on the basis that each of the above facilities will operate as a stand-alone business and will account for its cost of operation as appropriate. However, the business plan has accounted for £332k in utilities costs which we anticipate will be sufficient to cover the costs of the heating, lighting, cooling and water supply for the full building; therefore it is anticipated that this will be recharged to each of the organisations at an agreed rate. However, all other costs associated with operation of the above facilities (e.g. maintenance costs, cleaning, staffing, etc.) will be the responsibility of the respective organisations.

At this stage of the design process the decision has been made to find an alternative venue for the Chiltern Youth Club as the nature of their requirements restricts use of the space for other activities when it is not used as a youth club venue.

# CHILTERN DC – CHILTERN LIFESTYLE CENTRE STAGE 2 DESIGN - BUSINESS PLAN UPDATE

## FINANCIAL BUSINESS PLAN OPTIONS APPRAISAL

The Council has requested that business plan scenarios are developed in order that it can understand the potential implications of the financial performance of the facility. The options seek to enable the Council to make informed decisions about the size and scale of the capital development and its approach to pricing, at the point at which it has a new facility.

The following business plan options have been developed:

Business plan options	Rationale
Base business plan projected forward to 2022 pricing and costs.	To provide an appropriate picture of the income and expenditure potential at the point the facility will become operational. 2% increase applied to key prices and expenditure items.
Option 1 – Base business plan with a more commercial approach to pricing	To understand the potential financial benefit from a more commercial approach to pricing, taking into account the Council's investment in a high quality facility.

### ***Base Business plan***

The base financial business plan is a further development of the Stage 2 Feasibility Study, taking into account some of the key challenges presented within the latest design. The financial outturn summary is based on the following key assumptions about the performance of the facility:

- ◆ Prices and salaries inflated by 2% annually to 2022.
- ◆ Review of other costs to reflect the passing of time.
- ◆ Over 1,300 attendees on swimming lessons each week.
- ◆ 4,400 Health and Fitness members.
- ◆ Over 100 group fitness classes per week.
- ◆ In excess of 800,000 users of the facility per annum
- ◆ Over 100,000 visits to the adventure play facility.
- ◆ Increased time available for public swimming, enabling more people to access the pool at a wider range of times.
- ◆ Increased time available for swimming and diving clubs enabling both to accommodate more participants.
- ◆ Over 250 hours per week of instructed activity across all aspects of the facility.
- ◆ The £332k of utilities costs is anticipated to be sufficient to cover the costs of the heating, lighting, cooling and water supply for the full building; however, all other costs will be the responsibility of each tenant.

The basis for price increases is detailed overleaf. It uses the current price point for 2018 and applies 2% inflation annually to achieve the anticipated price list at the point where the facility opens. This does not apply any increase associated with the improved facilities.

The business plan provides a profile of the income and expenditure for the first full year of trading, based on prices from 2022.

## CHILTERN DC – CHILTERN LIFESTYLE CENTRE STAGE 2 DESIGN - BUSINESS PLAN UPDATE

*Pricing projections to 2022*

Activity	2018 average price	2019	2020	2021	2022
H&F - Adult	49.00	49.98	50.98	52.00	53.04
H&F - Junior	24.00	24.48	24.97	25.47	25.98
H&F - Senior	33.00	33.66	34.33	35.02	35.72
H&F UK wide	56.00	57.12	58.26	59.43	60.62
Pre-sales and cancellations	35.50	36.21	36.93	37.67	38.43
Fitness class	6.00	6.12	6.24	6.37	6.49
Hot yoga class	12.00	12.24	12.48	12.73	12.99
Studio hire	35.00	35.70	36.41	37.14	37.89
Adult swim	3.75	3.83	3.90	3.98	4.06
Junior swim	2.15	2.19	2.24	2.28	2.33
swimming lesson	8.25	8.42	8.58	8.75	8.93
Aquafit	5.70	5.81	5.93	6.05	6.17
Pool Party Hire	114.45	116.74	119.07	121.46	123.88
Swim club lane	14.25	14.54	14.83	15.12	15.42
Gala hire (main pool only)	114.00	116.28	118.61	120.98	123.40
Diving pool (new)					50.00
Sports hall junior club	33.65	34.32	35.01	35.71	36.42
Sports hall adult club	49.20	50.18	51.19	52.21	53.26
Sports hall block booking	49.20	50.18	51.19	52.21	53.26
Badminton court - peak	12.10	12.34	12.59	12.84	13.10
Badminton court - off-peak	9.80	10.00	10.20	10.40	10.61
60+	4.85	4.95	5.05	5.15	5.25
Sports hall party	70.25	71.66	73.09	74.55	76.04
Dryside instructed session	6.00	6.12	6.24	6.37	6.49
Climbing peak adult	7.10	7.24	7.39	7.53	7.69
Climbing peak junior	5.05	5.15	5.25	5.36	5.47
Climbing off peak adult	6.25	6.38	6.50	6.63	6.77
climbing off peak junior	3.95	4.03	4.11	4.19	4.28
Climbing course	10.00	10.20	10.40	10.61	10.82
Climbing party	119.65	122.04	124.48	126.97	129.51
Squash court - Adult	8.00	8.16	8.32	8.49	8.66
Squash court - Junior	5.00	5.10	5.20	5.31	5.41
Soft Play peak	6.50	6.63	6.76	6.90	7.04
Soft Play off-peak	4.00	4.08	4.16	4.24	4.33
Soft play party	120.00	122.40	124.85	127.34	129.89
Clip 'n climb	9.00	9.18	9.36	9.55	9.74
Clip 'n climb party	120.00	122.40	124.85	127.34	129.89
Spa experience	15.00	15.30	15.61	15.92	16.24
Average treatment charge	30.00	30.60	31.21	31.84	32.47

# CHILTERN DC – CHILTERN LIFESTYLE CENTRE STAGE 2 DESIGN - BUSINESS PLAN UPDATE

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## CHILTERN DC – CHILTERN LIFESTYLE CENTRE STAGE 2 DESIGN - BUSINESS PLAN UPDATE

Based on the above approach to pricing, the outturn base business plan for the operation of the new facility is detailed below:

### Base business plan 2022

	Chiltern pools	New Chiltern Lifestyle Centre				
	Current	2022	2023	2024	2025	2026
<b>Income</b>	0	0	0	0	0	0
Swimming pool	0	1,132,617	1,245,879	1,270,796	1,296,212	1,322,137
Diving	0	15,750	17,325	17,672	18,025	18,385
Sports Hall	0	150,728	165,801	169,117	172,499	175,949
Activity-Dance Studios	0	125,288	137,817	140,574	143,385	146,253
Soft Play	0	300,818	330,900	337,518	344,268	351,154
Clip & Climb	0	168,340	185,174	188,877	192,655	196,508
Climbing	0	167,411	184,152	187,835	191,592	195,424
Health & Fitness Membership	0	1,215,437	1,626,229	1,951,475	1,990,504	2,030,314
Squash courts	0	28,846	31,731	32,366	33,013	33,673
General Catering	0	354,349	389,784	397,580	405,531	413,642
Soft Play Catering		116,778	128,456	131,025	133,646	136,319
Spa		322,944	359,600	395,560	403,471	411,541
Sales of goods	0	40,000	44,000	44,880	45,778	46,693
	0					0
<b>Total Income</b>	<b>£1,676,571</b>	<b>£4,139,307</b>	<b>£4,846,848</b>	<b>£5,265,274</b>	<b>£5,370,579</b>	<b>£5,477,991</b>
<b>Expenditure</b>						
Cost of Sales	0	204,451	224,896	229,394	233,982	238,661
Staff Related	0	1,935,865	2,026,822	2,124,782	2,188,526	2,249,857
Building Related	0	631,000	643,620	656,492	669,622	683,015
Supplies and Services	0	360,750	380,965	386,784	392,720	398,774
Cash Collection	0	11,000	11,220	11,444	11,673	11,907
Support Services	0	122,500	124,950	127,449	129,998	132,598
Operator Profit	0	248,358	290,811	315,916	322,235	328,679
Assumed profit and costs	410,000					
<b>Total Costs</b>	<b>£1,876,065</b>	<b>£3,513,924</b>	<b>£3,703,284</b>	<b>£3,852,263</b>	<b>£3,948,756</b>	<b>£4,043,492</b>
<b>Surplus / Deficit</b>	<b>-199,494</b>	<b>£625,383</b>	<b>£1,143,564</b>	<b>£1,413,011</b>	<b>£1,421,824</b>	<b>£1,434,500</b>
<b>Annualised Capital Cost</b>		£155,075	£155,075	£155,075	£155,075	£155,075
<b>Net Surplus / Deficit</b>	<b>-£199,494</b>	<b>£470,308</b>	<b>£988,489</b>	<b>£1,257,936</b>	<b>£1,266,749</b>	<b>£1,279,425</b>
<b>VAT on Management Fee</b>		<b>-£78,385</b>	<b>-£164,748</b>	<b>-£209,656</b>	<b>-£211,125</b>	<b>-£213,237</b>
<b>Net benefit to the Council</b>		<b>£391,923</b>	<b>£823,741</b>	<b>£1,048,280</b>	<b>£1,055,624</b>	<b>£1,066,187</b>
<b>Variance from current</b>		<b>£591,417</b>	<b>£1,023,235</b>	<b>£1,247,774</b>	<b>£1,255,118</b>	<b>£1,265,681</b>

The above business plan only takes account of the leisure activity trading and does not account for any income associated with the community facilities (e.g. rent from the library, community association and pre-school nursery). The financial performance at year three is likely to result in the operator generating a surplus of almost **£1.26 million** from the operation

## CHILTERN DC – CHILTERN LIFESTYLE CENTRE STAGE 2 DESIGN - BUSINESS PLAN UPDATE

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of the new facility. This equates to the potential Management Fee that the Council could expect from the operator.

VAT

It is also worth noting that when the operator agrees the relevant management fee with the Council (e.g. based on the baseline business plan); the Council will not receive the full £1.26 million. This is income to the Council and will be subject to VAT @ 20%. This is on the basis that the Council will be looking to reclaim the VAT on the capital investment; therefore, it will need to pay VAT on any income it subsequently generates as a result of the investment. Based on the above business plan, the VAT will be in the region of **£210k** from Year 3, which gives a Net benefit to the Council of almost **£1.05 million**.

However, taking into account that the Council currently contributes just short of **£200k** per annum to the current leisure management contract this gives an overall benefit to the Council of almost **£1.25 million**.

### ***Option 1 - Base business plan with a more commercial approach to pricing***

This option takes into account the fact that the Council will be investing circa £34 million in total in the new lifestyle centre and that the potential exists to reflect this in its pricing policy. Therefore, rather than just applying inflation to the current price list, the Council has an opportunity to test what the market can withstand from a price perspective. This should be undertaken as part of the Council's leisure management procurement process as it will be important for operators to identify what they feel the market will withstand and their confidence in achieving the potential income targets.

KKP's 'more commercial approach to pricing' does not in any way move the Council to providing a 'David Lloyd type facility' which sets membership levels at £80 to £100 per month. However, it does focus on slightly higher prices on the key income generation activities of health and fitness and swimming. In general prices are between 4% and 15% higher than the current prices (inflated to 2022). The potential contentious price increases will relate to 11% increase on an adult swim, 15% increase on a fitness class and 7% increase on a junior swim. Other price increases (e.g. 15% increase on a badminton court hire) are not deemed as challenging as the facilities do not currently exist within the existing Chiltern Pools.

As identified above, the key challenge will be to understand potential operators' approach to pricing and what they feel the market will withstand, based on the Council investing £34 million in a new facility. The pricing proposals which form the basis of the revised approach are detailed overleaf:

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### *Approach to commercial pricing*

In order to identify where increased prices may be appropriate we have used the projected inflation based price increases to 2022 and identified further increases to specific activities where we feel there is scope to maximise income. In most instances this is the main income generating activities where we feel this is justified based on the drastically improved facilities.

Activity	2018 average price	2019	2020	2021	2022	Commercial pricing 2022
H&F - Adult	49.00	49.98	50.98	52.00	53.04	57.00
H&F - Junior	24.00	24.48	24.97	25.47	25.98	28.00
H&F - Senior	33.00	33.66	34.33	35.02	35.72	37.00
H&F UK wide	56.00	57.12	58.26	59.43	60.62	63.00
+ Hot Yoga supplement						15.00
Pre-sales and cancellations	35.50	36.21	36.93	37.67	38.43	41.00
Fitness class	6.00	6.12	6.24	6.37	6.49	7.50
Hot yoga class	12.00	12.24	12.48	12.73	12.99	15.00
Studio hire	35.00	35.70	36.41	37.14	37.89	40.00
Adult swim	3.75	3.83	3.90	3.98	4.06	4.50
Junior swim	2.15	2.19	2.24	2.28	2.33	2.50
swimming lesson	8.25	8.42	8.58	8.75	8.93	9.00
AquaFit	5.70	5.81	5.93	6.05	6.17	6.50
Pool Party Hire	114.45	116.74	119.07	121.46	123.88	130.00
Swim club lane	14.25	14.54	14.83	15.12	15.42	
Gala hire (main pool only)	114.00	116.28	118.61	120.98	123.40	
Diving pool (new)					50.00	
Sports hall junior club	33.65	34.32	35.01	35.71	36.42	
Sports hall adult club	49.20	50.18	51.19	52.21	53.26	60.00
Sports hall block booking	49.20	50.18	51.19	52.21	53.26	60.00
Badminton court - peak	12.10	12.34	12.59	12.84	13.10	15.00
Badminton court - off-peak	9.80	10.00	10.20	10.40	10.61	11.00
60+	4.85	4.95	5.05	5.15	5.25	
Sports hall party	70.25	71.66	73.09	74.55	76.04	80.00
Dryside instructed session	6.00	6.12	6.24	6.37	6.49	
Climbing peak adult	7.10	7.24	7.39	7.53	7.69	
Climbing peak junior	5.05	5.15	5.25	5.36	5.47	
Climbing off peak adult	6.25	6.38	6.50	6.63	6.77	
climbing off peak junior	3.95	4.03	4.11	4.19	4.28	
Climbing course	10.00	10.20	10.40	10.61	10.82	
Climbing party	119.65	122.04	124.48	126.97	129.51	
Squash court - Adult	8.00	8.16	8.32	8.49	8.66	10.00
Squash court - Junior	5.00	5.10	5.20	5.31	5.41	6.00
Soft Play peak	6.50	6.63	6.76	6.90	7.04	7.5



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Activity	2018 average price	2019	2020	2021	2022	Commercial pricing 2022
Soft Play off-peak	4.00	4.08	4.16	4.24	4.33	5
Soft play party	120.00	122.40	124.85	127.34	129.89	140
Clip 'n climb	9.00	9.18	9.36	9.55	9.74	
Clip 'n climb party	120.00	122.40	124.85	127.34	129.89	140
Spa experience	15.00	15.30	15.61	15.92	16.24	
Average treatment charge	30.00	30.60	31.21	31.84	32.47	

The commercial pricing identified reflects where we think the operator could pitch its pricing point for specific activities in order to reflect the improved quality of facility.

As an example, we have compared this against pricing for key fitness activities at Westminster Lodge LC in St Albans (limited information is available for price comparison). As can be seen, the proposed price for the main income generator (Adult Health and Fitness monthly direct debit membership) at the facility is only £2.50 above the 2018 price at Westminster Lodge. If the pricing at Westminster Lodge increases with inflation, it is anticipated that by 2022 it will be £2 above the proposed commercial price for the Chiltern Lifestyle Centre.

Activity	Westminster Lodge 2018 pricing	Assumes 2% per annum price increase				Proposed Chiltern Commercial pricing
		2019	2020	2021	2022	
H&F - Adult	54.50	55.59	56.70	57.84	58.99	57.00
H&F - Junior	34.50	35.19	35.89	36.61	37.34	28.00
H&F - Senior	34.50	35.19	35.89	36.61	37.34	37.00

Therefore, the proposed commercial pricing seeks to maximise income from key activities where possible, rather than proposing a high end commercial fitness operator pricing structure which would be in the region of £80 to £100 per month membership.

The impact of the above approach to pricing is summarised in the trading account detailed overleaf:

## CHILTERN DC – CHILTERN LIFESTYLE CENTRE STAGE 2 DESIGN - BUSINESS PLAN UPDATE

Option 1 - Base business plan with a more commercial approach to pricing

	Chiltern pools	New Chiltern Lifestyle Centre				
	Current	2022	2023	2024	2025	2026
<b>Income</b>	0	0	0	0	0	0
Swimming pool	0	1,171,457	1,288,603	1,314,375	1,340,662	1,367,476
Diving	0	15,750	17,325	17,672	18,025	18,385
Sports Hall	0	158,798	174,678	178,171	181,735	185,370
Activity-Dance Studios	0	137,288	151,017	154,037	157,118	160,260
Soft Play	0	325,205	357,725	364,880	372,177	379,621
Clip & Climb	0	171,542	188,696	192,470	196,320	200,246
Climbing	0	167,411	184,152	187,835	191,592	195,424
Health & Fitness Membership	0	1,254,408	1,766,168	2,119,401	2,161,789	2,205,025
Squash courts	0	32,514	35,766	36,481	37,210	37,955
General Catering	0	354,349	389,784	397,580	405,531	413,642
Soft Play Catering		116,778	128,456	131,025	133,646	136,319
Spa		322,944	359,600	395,560	403,471	411,541
Sales of goods	0	75,000	82,500	84,150	85,833	87,550
	0					0
<b>Total Income</b>	<b>£1,676,571</b>	<b>£4,303,444</b>	<b>£5,124,469</b>	<b>£5,573,637</b>	<b>£5,685,110</b>	<b>£5,798,812</b>
<b>Expenditure</b>						
Cost of Sales	0	218,451	240,296	245,102	250,004	255,004
Staff Related	0	1,935,865	2,026,822	2,124,782	2,188,526	2,249,857
Building Related	0	631,000	643,620	656,492	669,622	683,015
Supplies and Services	0	360,750	380,965	386,784	392,720	398,774
Cash Collection	0	11,000	11,220	11,444	11,673	11,907
Support Services	0	122,500	124,950	127,449	129,998	132,598
Operator Profit	0	258,207	307,468	334,418	341,107	347,929
Assumed profit and costs	410,000					
<b>Total Costs</b>	<b>£1,876,065</b>	<b>£3,537,773</b>	<b>£3,735,341</b>	<b>£3,886,472</b>	<b>£3,983,650</b>	<b>£4,079,083</b>
<b>Surplus / Deficit</b>	<b>-199,494</b>	<b>£765,671</b>	<b>£1,389,128</b>	<b>£1,687,165</b>	<b>£1,701,460</b>	<b>£1,719,728</b>
<b>Annualised Capital Cost</b>		£155,075	£155,075	£155,075	£155,075	£155,075
<b>Net Surplus / Deficit</b>	<b>-£199,494</b>	<b>£610,596</b>	<b>£1,234,053</b>	<b>£1,532,090</b>	<b>£1,546,385</b>	<b>£1,564,653</b>
<b>VAT on Management Fee</b>		<b>-£101,766</b>	<b>-£205,676</b>	<b>-£255,348</b>	<b>-£257,731</b>	<b>-£260,776</b>
<b>Net benefit to the Council</b>		<b>£508,830</b>	<b>£1,028,378</b>	<b>£1,276,741</b>	<b>£1,288,654</b>	<b>£1,303,878</b>
<b>Variance from current</b>		<b>£708,324</b>	<b>£1,227,872</b>	<b>£1,476,235</b>	<b>£1,488,148</b>	<b>£1,503,372</b>

The above business plan only takes account of the leisure activity trading and does not account for any income associated with the community facilities (e.g. rent from the library, community association and pre-school nursery). The financial performance at year three is likely to result in the operator generating a surplus of almost **£1.53 million** from the operation of the new facility. This equates to the potential Management Fee that the Council could expect from the operator.

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### VAT

It is also worth noting that when the operator agrees the relevant management fee with the Council (e.g. based on the above year 3 business plan); the Council will not receive the full £1.53 million. This is income to the Council and will be subject to VAT @ 20%. This is on the basis that the Council will be looking to reclaim the VAT on the capital investment; therefore, it will need to pay VAT on any income it subsequently generates as a result of the investment. Based on the above business plan, the VAT will be in the region of **£255k** from Year 3, which gives a Net benefit to the Council of almost **£1.276 million**.

However, taking into account that the Council currently contributes just short of **£200k** per annum to the current leisure management contract this gives an overall benefit to the Council of almost **£1.476 million**.

### Summary

Based on the two options identified, it is clear that both generate a healthy surplus income which will contribute significantly to the Council being able to repay some of the capital invested in the facility. However, it is clear that greater financial benefit is derived from increasing prices in line with the new investment (i.e. Option 1).

Surplus income (variance from current)	Current	2022	2023	2024	2025	2026
<b>Baseline</b>	<b>-199,494</b>	<b>£591,417</b>	<b>£1,023,235</b>	<b>£1,247,774</b>	<b>£1,255,118</b>	<b>£1,265,681</b>
<b>Option 1</b>	<b>-199,494</b>	<b>£708,324</b>	<b>£1,227,872</b>	<b>£1,476,235</b>	<b>£1,488,148</b>	<b>£1,503,372</b>

Although the above analysis identifies that there are potential additional gains to be generated from a more commercial approach to pricing (i.e. based on the investment in high quality facilities) the Council will need to test the appetite for this approach with potential operators. Some operators may feel that these targets are too ambitious and that to increase the pricing to this level could reduce the market penetration for some activities. The Council will need to request a variant financial plan from bidders (i.e. giving them a free hand at pricing activities) within its procurement process to assess the degree of risk that operators may be prepared to take within the contract.

The Council will also need to give due consideration to the potential public perception of increasing prices and the ramifications that this may have.

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### CAPITAL COST SUMMARY

Appleyard and Trew's latest capital cost summary is detailed below. This includes the cost associated with the community facilities created as part of the development.

Cost category			Stage 2 costs
Demolition/Site Clearance			
Demolition of existing buildings etc.			500,000
Building Costs	m <sup>2</sup>		25,224,396
Wetside accommodation	2,023		
Dryside accommodation	7,897		
Total	9,920 m <sup>2</sup>		
Abnormal Building Costs (included within the above)			
Timing equipment	85,000		
Dry dive	100,000		
Climbing wall /bouldering	200,000		
Floating floor	300,000		
Diving	305,000		
Health Suite fit-out	100,000		
Clip and Climb	200,000		
Library fit out	25,000		
Soft Play	75,000		
Splash Pool fittings	100,000		
Total	1,490,000		
External Works/Drainage, Incoming Services etc.			1,450,000
		<b>Sub total</b>	<b>27,174,396</b>
Inflation allowance (2Q 2018 - 2Q 2020) 5.0%			1,358,720
		<b>Sub total</b>	<b>28,533,115</b>
Professional Fees - lump sum			2,750,000
Client FF&E (loose furniture/equipment)			200,000
		<b>Sub total</b>	<b>31,483,115</b>
Client Contingency/Risk	7.5%		2,361,234
		<b>Sub total</b>	<b>33,844,349</b>
VAT - assume not paid			0
<b>TOTAL</b>			<b>£ 33,844,349</b>

Within the above costs, circa £4 million is attributed to the development of the community facilities. The detail behind this is as follows:

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Cost category			Stage 2 costs
Demolition/Site Clearance Demolition of existing buildings etc.			
Building Costs	m <sup>2</sup>		3,186,000
Ground floor	934		
First floor	548		
Associated plant room	111		
Total	1,593 m <sup>2</sup>		
Abnormal Building Costs (included within the above)			
Timing equipment	n/a		
Dry dive	n/a		
Climbing wall /bouldering	n/a		
Floating floor	n/a		
Diving	n/a		
Health Suite fit-out	n/a		
Clip and Climb	n/a		
Library fit out	25,000		
Soft Play	n/a		
Splash Pool fittings	n/a		
Total	25,000		
External Works/Drainage, Incoming Services etc.			100,000
		<b>Sub total</b>	<b>3,311,000</b>
Inflation allowance (2Q 2018 - 2Q 2020) 5.0%			165,550
		<b>Sub total</b>	<b>3,476,550</b>
Professional Fees - lump sum			250,000
Client FF&E (loose furniture/equipment)			50,000
		<b>Sub total</b>	<b>3,776,550</b>
Client Contingency/Risk	7.5%		283,241
		<b>Sub total</b>	<b>4,059,791</b>
VAT - assume not paid			0
<b>TOTAL</b>			<b>£ 4,059,791</b>

### Capital repayment

Based on the Council's requirement to borrow £34 million over a 45 year period, it is estimated that the annual cost of this would be £1,323,858 per annum. This equates to an annual repayment of £38,937 per annum for every £1 million borrowed.

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Based on the costs of the development identified above, this would be in the region of £1,168,110 per annum for the leisure facilities and £155,748 per annum for the community facilities.

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### COMMUNITY FACILITIES REVIEW

The Amersham Library, like the majority of libraries, does not generate any significant income from its activities, while other tenants (i.e. Amersham and District Community Association and Lindfield Pre-school Nursery) are registered charities and seek to break even rather than generating healthy surpluses.

The key challenge with respect to the above 'community facilities' will be the degree to which CDC can charge an appropriate rent for the space given the overall improvement in provision.

A summary of the known costs from the County Council with respect to the Library and Youth Centre are as follows:

Cost centre	Youth Centre	Library
Electricity	£4,687	£7,457
Soft Facilities management	£3,596	£1,393
Capital spend – asbestos remediation		£9,190
Capital spend – replace fire alarm	£3,703	
Average maintenance costs (last 5 years)	£4,021	£7,256
<b>Total</b>	<b>£16,007</b>	<b>£25,296</b>

A review of the accounts for the two charities identifies that both operate with minimal surplus income.

#### *Lindfield Nursery*

Lindfield Nursery generates over 50% of its funding from Government Grants for early years childcare. This then means it has minimal 'nursery occupancy time' to generate additional or increased income from parents. Given the nature and legislation involved in nursery provision the organisation's staff costs are running at 65% of income. In addition to this, the organisation needs to employ a Financial Administrator at an additional 6.5% of income.

The nursery currently pays in the region of £12.5k per annum to the Chiltern Youth Club for Rent and Repairs to the building. Assuming it is paying half of the above average maintenance costs for the building it is estimated that its annual rent on the premises is £10.5k per annum.

The nursery has a general fund of circa £50k which it uses to balance its accounts and for any eventualities. This equates to approximately 5 months of staff costs for the business.

#### *Amersham and District Community Association*

The Amersham and District Community Association generates just over £100k per annum from its activities with circa 90% of income generated from lettings. This income is not only generated from the replacement facilities within the development (i.e. Drake Hall) but also the other rooms the organisation has (e.g. Barn Hall and Annex). It is worth noting that bar takings at the facility are minimal and account for less than 5% of income. Staff costs for the facility are currently running at 39% of income.

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The Association has spent in the region of £9k per annum on repairs and maintenance, however in 2017 it spent over £38k as a result of roof and boiler repairs. It also spends circa £12k on rent, water and insurance and £17k on lighting and heating; which are all minimal.

The Association has built up healthy reserves over recent years and currently has an Emergency Reserve of £40k, Building Reserve of £46k and an Equipment Replacement Reserve of £20k. It is assumed that these reserves will enable the Association to manage a seamless transfer into the new facility and fit out the facility as it requires.

No information is currently available for the operation of the library other than the financial information provided by the County Council with respect to asset management.

### **Commercial rents**

From the cost of capital review it is clear that the Council will need to generate circa ££155,748 per annum from the use of these spaces in order for them to cover the development costs.

If the Council was to rent the size of area on a commercial basis it could, based on a review of other 'commercial' properties currently available in the Amersham area, seek to charge circa £200 to £250 per m<sup>2</sup> per annum.

On this basis the potential rental income from the above organisations could be as follows:

Organisation	Area m <sup>2</sup>	Minimum rent @ £200	Maximum rent @ £250
Library	298	£59,600	£74,500
Pre-school Nursery	421	£84,200	£105,250
Community Association	574	£114,800	£143,500

However, given the nature of the organisation it is unlikely that the above rental values could be achieved.

In summary, it is clear that the Council is unlikely to generate sufficient income from rent from the above organisation to cover the cost of capital and definitely not on the basis of charging a commercial rent on the property. Therefore, there will be a need for the Council to enter into negotiation with Bucks County Council (as the provider of pre-school education and library services) and the Community Association to consider how it will cost their access to the new development.

It is anticipated that the negotiation with the County will focus on a potential capital contribution, rental agreement or enabling development. However, the negotiation with the Community Association also needs to consider the range of tenants it accommodates (i.e. not in competition with the leisure operator) as well as its approach to charging commercial rates for commercial activities.



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## CAPITAL AND REVENUE GAP ANALYSIS

This section considers the gap between the capital cost of the development and the ability of the Council to repay part of the capital from the management fee it is likely to generate from the development of the new facility. This builds on the revenue business plan options as well as the assumption that £1 million of capital costs **£38,937** per annum in repayments over a **45 year** period (based on PWLB analysis on £34 million over 45 years)

### *Capital repayment from revenue generated*

Base Business Plan	2022	2023	2024	2025	2026
Rate per £1 million @ 45 years	38,937	38,937	38,937	38,937	38,937
Borrowing capacity £ million	£15.2	£26.3	£32.0	£32.2	£32.5

Option 1 - Base + more commercial pricing	2022	2023	2024	2025	2026
Rate per £1 million @ 45 years	38,937	38,937	38,937	38,937	38,937
Borrowing capacity £ million	£18.2	£31.5	£37.9	£38.2	£38.6

Based on the above analysis (based on Year 3 outturn) and taking into account the need to borrow £34 million, the following can be identified:

- ◀ The base business plan, taking into account inflation on current prices, enables the Council to borrow £32 million which leaves a funding gap of **-£2 million**. However, the base business plan covers the total cost of the leisure development, which is currently estimated to be in the region of £30 million.
- ◀ Option 1, which includes a more commercial approach to pricing, provides sufficient income to cover the cost of borrowing for the full development (i.e. £37.9 million).
- ◀ The above analysis does not include any rental income from the library, pre-school nursery or community association. Based on the above borrowing rates, for every £39k of rent that the Council can negotiate from these tenants, it reduces its funding gap by £1 million.

However, it should be recognised that this level of borrowing will only be achieved if potential bidders are confident that they can achieve the income levels identified within the business case. Furthermore, the above reinforces the need for the Council to consider how it enables its bidders to develop competitively priced tenders and where possible maximise income from specific activities in order to provide a higher return on investment for the Council. It is clear that a more commercial approach to pricing is the most important aspect in the Council maximising its revenue potential.

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### ACTIVITY AREA REVIEW

The Council has asked for a review of the capital cost and revenue projections by functional activity area. KKP has undertaken this analysis based on the clustering of key activity areas and the linkages between each. The areas identified and rationale for their grouping include the following:

Activity area	Capital cost	Rationale for grouping
Swimming pools	£9.5 million	Includes all swimming pool income and expenditure as well as that associated with the dry dive facility. This is on the basis that the only income from the dry dive will be associated with the swimming and diving clubs and is fundamentally linked to the development and expansion of the diving club.
Sports hall	£2.7 million	Includes all income and expenditure associated with the sports hall, but also includes holiday playscheme income
Health & fitness	£5.2 million	Includes all income from health and fitness membership, casual group fitness income as well as junior activities (e.g. mini gymnastics) taking place in the studios.
Adventure play	£2.1 million	Includes all income and expenditure associated with the soft play, clip 'n climb and catering for this area.
Climbing	£1.2 million	Includes all income and expenditure associated with the climbing facility.
Squash	£0.5 million	Includes all income and expenditure associated with the squash facility.
Spa	£2.3 million	Includes all income and expenditure associated with the spa.
General	£6.4 million	Includes income and expenditure from general catering as well as the apportionment of cost for general circulation (e.g. the street).

We have applied the income and expenditure for the operation of the facility at year 3 and included the annualised capital cost. The outcome of the analysis identified the following apportionment of income and expenditure from each of the identified activity area groupings for each of the business plan options.

# CHILTERN DC – CHILTERN LIFESTYLE CENTRE STAGE 2 DESIGN - BUSINESS PLAN UPDATE

## Baseline business plan apportionment

	Swimming pool	Sports hall	Health & fitness	Adventure play	Climbing	Squash	Spa	General	Total
Income									
Swimming pool	1,270,796	0	0	0	0	0	0	0	1,270,796
Diving	17,672	0	0	0	0	0	0	0	17,672
Sports Hall	0	169,117	0	0	0	0	0	0	169,117
Activity-Dance Studios	0	0	140,574	0	0	0	0	0	140,574
Soft Play	0	0	0	337,518	0	0	0	0	337,518
Clip & Climb	0	0	0	188,877	0	0	0	0	188,877
Climbing	0	0	0	0	187,835	0	0	0	187,835
Health & Fitness Membership	0	0	1,951,475	0	0	0	0	0	1,951,475
Squash courts	0	0	0	0	0	32,366	0	0	32,366
General Catering	0	0	0	0	0	0	0	397,580	397,580
Soft Play Catering	0	0	0	131,025	0	0	0	0	131,025
Spa	0	0	0	0	0	0	395,560	0	395,560
Sales of goods	0	0	0	0	0	0	0	44,880	44,880
<b>Total Income</b>	<b>£1,288,468</b>	<b>£169,117</b>	<b>£2,092,048</b>	<b>£657,420</b>	<b>£187,835</b>	<b>£32,366</b>	<b>£395,560</b>	<b>£442,460</b>	<b>£5,265,274</b>
Expenditure									
Cost of Sales	£8,976	£2,693	£4,488	£63,433	£898	£898	£0	£148,009	£229,394
Staff Related	£644,943	£84,443	£438,579	£321,166	£127,865	£14,173	£238,959	£254,654	£2,124,782
Building Related	£268,059	£49,690	£99,410	£68,708	£27,706	£8,719	£32,024	£102,178	£656,492
Supplies and Services	£77,081	£16,438	£182,403	£50,109	£10,955	£2,310	£34,921	£12,568	£386,784
Cash Collection	£2,632	£343	£4,578	£1,488	£458	£114	£801	£1,030	£11,444
Support Services	£29,313	£3,823	£50,980	£16,568	£5,098	£1,274	£8,921	£11,470	£127,449
Operator Profit	£72,661	£9,477	£126,367	£41,069	£12,637	£3,159	£22,114	£28,432	£315,916
<b>Total Costs</b>	<b>£1,103,665</b>	<b>£166,908</b>	<b>£906,804</b>	<b>£562,541</b>	<b>£185,616</b>	<b>£30,647</b>	<b>£337,741</b>	<b>£558,342</b>	<b>£3,852,263</b>
<b>Surplus / Deficit</b>	<b>£184,803</b>	<b>£2,209</b>	<b>£1,185,244</b>	<b>£94,880</b>	<b>£2,219</b>	<b>£1,719</b>	<b>£57,820</b>	<b>-£115,882</b>	<b>£1,413,011</b>
<b>Annualised Capital Cost</b>	<b>-£41,513</b>	<b>-£9,631</b>	<b>-£43,113</b>	<b>-£27,719</b>	<b>-£1,430</b>	<b>-£990</b>	<b>-£10,643</b>	<b>-£20,038</b>	<b>-£155,075</b>
<b>Net Surplus / Deficit</b>	<b>£143,291</b>	<b>-£7,422</b>	<b>£1,142,132</b>	<b>£67,161</b>	<b>£789</b>	<b>£729</b>	<b>£47,177</b>	<b>-£135,920</b>	<b>£1,257,936</b>
<b>VAT apportion based on income</b>	<b>24.5%</b>	<b>3.2%</b>	<b>39.7%</b>	<b>12.5%</b>	<b>3.6%</b>	<b>0.6%</b>	<b>7.5%</b>	<b>8.4%</b>	<b>100.0%</b>
<b>Base VAT cost @ -£209,656</b>	<b>-£51,305</b>	<b>-£6,734</b>	<b>-£83,302</b>	<b>-£26,178</b>	<b>-£7,479</b>	<b>-£1,289</b>	<b>-£15,751</b>	<b>-£17,618</b>	<b>-£209,656</b>
<b>Net Surplus / Derficit after VAT</b>	<b>£91,986</b>	<b>-£14,156</b>	<b>£1,058,829</b>	<b>£40,983</b>	<b>-£6,691</b>	<b>-£560</b>	<b>£31,427</b>	<b>-£153,538</b>	<b>£1,048,280</b>
<b>Costs split by floor area £m</b>	<b>9.5</b>	<b>2.7</b>	<b>5.2</b>	<b>2.1</b>	<b>1.2</b>	<b>0.5</b>	<b>2.3</b>	<b>6.4</b>	<b>29.9</b>
<b>Annual cost of 45 year loan</b>	<b>£369,902</b>	<b>£105,130</b>	<b>£202,472</b>	<b>£81,768</b>	<b>£46,724</b>	<b>£19,469</b>	<b>£89,555</b>	<b>£249,197</b>	<b>£1,164,216</b>
<b>Surplus / Deficit</b>	<b>-£277,916</b>	<b>-£119,286</b>	<b>£856,357</b>	<b>-£40,784</b>	<b>-£53,415</b>	<b>-£20,028</b>	<b>-£58,129</b>	<b>-£402,735</b>	<b>-£115,936</b>

From the above analysis it is clear that only health and fitness generates sufficient surplus income in order to pay off its capital cost and deliver a surplus. In truth, health and fitness cross subsidises all other activity spaces within the development.

The above apportionment is based on Year 3 outturn and identifies that the overall development has a deficit if -£115k. This in turn reinforces the need for the Council to use the £200k it currently invests in its leisure management contract to develop the facility.

# CHILTERN DC – CHILTERN LIFESTYLE CENTRE STAGE 2 DESIGN - BUSINESS PLAN UPDATE

## Option 1 business plan apportionment

	Swimming pool	Sports hall	Health & fitness	Adventure play	Climbing	Squash	Spa	General	Total
Income									
Swimming pool	1,314,375	0	0	0	0	0	0	0	1,314,375
Diving	17,672	0	0	0	0	0	0	0	17,672
Sports Hall	0	178,171	0	0	0	0	0	0	178,171
Activity-Dance Studios	0	0	154,037	0	0	0	0	0	154,037
Soft Play	0	0	0	364,880	0	0	0	0	364,880
Clip & Climb	0	0	0	192,470	0	0	0	0	192,470
Climbing	0	0	0	0	187,835	0	0	0	187,835
Health & Fitness Membership	0	0	2,119,401	0	0	0	0	0	2,119,401
Squash courts	0	0	0	0	0	36,481	0	0	36,481
General Catering	0	0	0	0	0	0	0	397,580	397,580
Soft Play Catering	0	0	0	131,025	0	0	0	0	131,025
Spa	0	0	0	0	0	0	395,560	0	395,560
Sales of goods	0	0	0	0	0	0	0	84,150	84,150
<b>Total Income</b>	<b>£1,332,046</b>	<b>£178,171</b>	<b>£2,273,438</b>	<b>£688,375</b>	<b>£187,835</b>	<b>£36,481</b>	<b>£395,560</b>	<b>£481,730</b>	<b>£5,573,637</b>
Expenditure									
Cost of Sales	£16,830	£5,049	£8,415	£63,433	£1,683	£1,683	£0	£148,009	£245,102
Staff Related	£644,943	£84,443	£438,579	£321,166	£127,865	£14,173	£238,959	£254,654	£2,124,782
Building Related	£268,059	£49,690	£99,410	£68,708	£27,706	£8,719	£32,024	£102,178	£656,492
Supplies and Services	£77,081	£16,438	£182,403	£50,109	£10,955	£2,310	£34,921	£12,568	£386,784
Cash Collection	£2,632	£343	£4,578	£1,488	£458	£114	£801	£1,030	£11,444
Support Services	£29,313	£3,823	£50,980	£16,568	£5,098	£1,274	£8,921	£11,470	£127,449
Operator Profit	£76,916	£10,033	£133,767	£43,474	£13,377	£3,344	£23,409	£30,098	£334,418
<b>Total Costs</b>	<b>£1,115,774</b>	<b>£169,819</b>	<b>£918,131</b>	<b>£564,946</b>	<b>£187,142</b>	<b>£31,617</b>	<b>£339,036</b>	<b>£560,007</b>	<b>£3,886,472</b>
<b>Surplus / Deficit</b>	<b>£216,272</b>	<b>£8,352</b>	<b>£1,355,307</b>	<b>£123,429</b>	<b>£693</b>	<b>£4,864</b>	<b>£56,525</b>	<b>-£78,277</b>	<b>£1,687,165</b>
<b>Annualised Capital Cost</b>	<b>-£41,513</b>	<b>-£9,631</b>	<b>-£43,113</b>	<b>-£27,719</b>	<b>-£1,430</b>	<b>-£990</b>	<b>-£10,643</b>	<b>-£20,038</b>	<b>-£155,075</b>
<b>Net Surplus / Deficit</b>	<b>£174,760</b>	<b>-£1,279</b>	<b>£1,312,194</b>	<b>£95,710</b>	<b>-£737</b>	<b>£3,874</b>	<b>£45,882</b>	<b>-£98,315</b>	<b>£1,532,090</b>
<b>VAT apportion based on income</b>	<b>23.9%</b>	<b>3.2%</b>	<b>40.8%</b>	<b>12.4%</b>	<b>3.4%</b>	<b>0.7%</b>	<b>7.1%</b>	<b>8.6%</b>	<b>100.0%</b>
<b>Base VAT cost @ -£255,348</b>	<b>-£61,026</b>	<b>-£8,163</b>	<b>-£104,154</b>	<b>-£31,537</b>	<b>-£8,605</b>	<b>-£1,671</b>	<b>-£18,122</b>	<b>-£22,070</b>	<b>-£255,348</b>
<b>Net Surplus / Derficit after VAT</b>	<b>£113,734</b>	<b>-£9,441</b>	<b>£1,208,040</b>	<b>£64,173</b>	<b>-£9,342</b>	<b>£2,202</b>	<b>£27,760</b>	<b>-£120,385</b>	<b>£1,276,742</b>
<b>Costs split by floor area £m</b>	<b>9.5</b>	<b>2.7</b>	<b>5.2</b>	<b>2.1</b>	<b>1.2</b>	<b>0.5</b>	<b>2.3</b>	<b>6.4</b>	<b>29.9</b>
<b>Annual cost of 45 year loan</b>	<b>£369,902</b>	<b>£105,130</b>	<b>£202,472</b>	<b>£81,768</b>	<b>£46,724</b>	<b>£19,469</b>	<b>£89,555</b>	<b>£249,197</b>	<b>£1,164,216</b>
<b>Surplus / Deficit</b>	<b>-£256,168</b>	<b>-£114,571</b>	<b>£1,005,568</b>	<b>-£17,594</b>	<b>-£56,066</b>	<b>-£17,266</b>	<b>-£61,795</b>	<b>-£369,581</b>	<b>£112,525</b>

From the above analysis it is clear again that only health and fitness generates sufficient surplus income in order to pay off its capital cost and deliver a surplus. As previous, health and fitness cross subsidises all other activity spaces within the development.

The above apportionment is based on Year 3 outturn and identifies that the overall development could generate a surplus of £112k which is almost enough to pay for the cost of the community side of the development (which is estimated to cost circa £156k per annum). In this scenario there will be a need for the Council to invest some of its £200k subsidy to contribute to the cost of the community development.

## CHILTERN DC – CHILTERN LIFESTYLE CENTRE STAGE 2 DESIGN - BUSINESS PLAN UPDATE

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### ***Importance of health and fitness***

The above analysis reinforces the need to get the health and fitness component of the facility right in order that it has sufficient scale and capacity to deliver the required income levels in order to cross subsidise the rest of the facility.

Previous reports to the Council have identified the local health and fitness market and analysis of the potential membership levels. This has identified the potential health and fitness membership reaching 3,700 by the end of Year 2, which will increase to around 4,400 by the end of Year 3.

However, KKP's analysis of the current membership levels, national penetration rates and local socio-economic data reinforces that:

- ◀ The current fitness suite has 1,950 members (3.66% penetration) and achieves 38 members per station
- ◀ 14.9% of the UK adult population is a member of a health and fitness club.
- ◀ Based on GLL's analysis of the centre achieving 2,996 members this would require the Council to reduce its specification for the facility to include a 100 station fitness suite.
- ◀ Although KKP's estimated membership level exceeds that of the Leisure Database Company and GLL, it takes into account the dominant socio-economic groups within the catchment and their greater propensity to participate in sport and physical activity.

In addition to the above, KKP undertook soft market testing with a range of leisure management contractors. The financial and membership projections were checked and challenged by Everyone Active and the company felt that the 4,400 members was achievable given the starting point of 2,000 and cited numerous examples of where they had taken over a contract or invested in facility improvements and exceeded the latent demand analysis. The key example cited was in St Albans at Westminster Lodge LC where the latent demand analysis indicated 3,200 members, but they are achieving 5,000 members.

The main challenge that Everyone Active cited was the fact that the quality of the facility needs to be right, but that the initial fly through of the design reinforced that this was the case in Chiltern.

KKP also benchmarked the business plan against other known health and fitness operations which operate their health and fitness facilities at similar membership and income levels projected for Chiltern:

- ◀ From the Council's visit to Crewe Lifestyle Centre it was reported that the operator doubled its health and fitness membership within the first few months of operation, but that it was starting from a low base. However, the operator is currently achieving over 3,000 members after the first full year of trading and is expecting to increase this further in the coming year. The added context for Crewe Lifestyle Centre is that it is 500 yards from Total Fitness, which has 200 station fitness suite, swimming pools and studios.
- ◀ Blackshots Recreation Centre in Grays is a 1970s built leisure centre with a fitness suite extension incorporating a 120 station fitness suite and attracts just over 3,000 direct debit members and almost 2,000 pay as you go members. The health and fitness facility generates £1,650,000 per annum which is in line with the projections for Chiltern.

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The demographic and socio-economic profile of both of these areas is significantly more challenging than Chiltern and both have a combination of mainstream and budget health and fitness operators within their catchments. Therefore, the key challenge for the Council's operator is if they can take the 2,000 current membership (generated from what is a poor quality fitness suite) and double this within a new, high quality facility.

### ***Do nothing***

It is worth noting that if the Council chooses not to progress with the development it will need to make a decision on the future of Chiltern Pools. If the Council chooses to continue with Chiltern Pools it will see the management fee it pays to the contractor increase from almost £200k per annum to £700k per annum. This is on the basis that the condition survey for the facility and discussions with GLL has identified the need to undertake significant works to keep the facility open and operational.

Alternatively, the Council could decide to close the facility, although the potential fallout from this type of decision could be significant.

# CHILTERN DC – CHILTERN LIFESTYLE CENTRE STAGE 2 DESIGN - BUSINESS PLAN UPDATE

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## CONCLUSIONS

The following key conclusions can be drawn from the business plan update, namely:

- ◀ The base business plan is anticipated to generate sufficient income that the Council could borrow circa £32 million, leaving a funding gap of circa £2 million. This also assumes that the Council will invest the current £200k subsidy for its leisure management contract in the new development.
- ◀ In this instance the Council would need to invest from its current capital resources or future capital receipts in order to deliver the facility.
- ◀ If the Council is prepared to allow the operator to maximise its approach to pricing in order to increase the financial return to the Council this could generate sufficient income that the Council could borrow circa £38 million over 45 years.
- ◀ In this instance the Council would need to accept any potential 'fallout' from residents who challenge the increased charges.
- ◀ In both options the Council's leisure management operator will need to be confident that it can achieve the relevant financial targets and that the local market will withstand a more commercial approach to pricing in order to deliver the financial return on investment to the Council.
- ◀ The activity area review and the apportionment of revenue and capital reinforces that health and fitness is the key anchor for the business plan.
- ◀ If the Council decides to halt the project and 'do nothing' it will result in it increasing its management fee for the operation of Chiltern Pools from almost £200k per annum to £700k per annum. Alternatively, the Council could decide to close the facility, although the potential fallout from this type of decision could be significant.

# CHILTERN DC – CHILTERN LIFESTYLE CENTRE STAGE 2 DESIGN - BUSINESS PLAN UPDATE

## APPENDIX 1 – SWIMMING POOL PROGRAMMES

8 lane 25m pool																			
Day	Lane	Time																	
		5-6	6-7	7-8	8-9	9-10	10-11	11-12	12-1	1-2	2-3	3-4	4-5	5-6	6-7	7-8	8-9	9-10	10-11
Monday	1																		
	2		Adult Lane Swim			Lane swim		Adult Lane Swim		School Swimming		Swim for All	Swimming Club				Adult Lane Swim		
	3																		
	4			School Swimming				School Swimming											
	5		Swimming Club			Swim For all			Swim for all										
	6												Swim School		Swim for all				
	7																		
	8																		
Tuesday	1																		
	2		Adult Lane Swim			Lane swim			Ladies Only Swim		School Swimming		Swim School	Swimming Club				Adult Lane Swim	
	3																		
	4			School Swimming															
	5		Swimming Club			Swim For all													
	6																		
	7																		
	8																		
Wednesday	1																		
	2		Adult Lane Swim			Lane Swim				School Swimming			Swim for all				Swim for all		
	3																		
	4			School Swimming															
	5		Swimming Club			Swim For All						Swim School	Swimming Club		Swimming Club				
	6																		
	7																		
	8																		
Thursday	1																		
	2		Adult Lane Swim			Adult Lane Swim				School Swimming		Swim School	Swimming Club				Ladies only swim		
	3																		
	4			School Swimming															
	5		Swimming Club			Swim for all	School Swimming	Swim for all											
	6								Water Workout										
	7																		
	8																		
Friday	1																		
	2		Adult Lane Swim			Lane swim			School Swimming		Lane Swim	Swimming Club							
	3																		
	4			School Swimming															
	5		Swimming Club			Swim for all													
	6																		
	7																		
	8																		
Saturday	1																		
	2					swim for all		Swim for all		Aqua Splash		Swim for all	General Hire						
	3																		
	4			Swimming Club															
	5																		
	6					Swim School													
	7																		
	8																		
Sunday	1																		
	2									Lane Swim	Swimming Club								
	3																		
	4			Adult Lane Swim		Family Swim													
	5																		
	6																		
	7									Swim For all									
	8																		



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Teaching & Diving pool																			
Day	Time																		
	5-6	6-7	7-8	8-9	9-10	10-11	11-12	12-1	1-2	2-3	3-4	4-5	5-6	6-7	7-8	8-9	9-10	10-11	11-12
Monday			School Swimming			Swim school	Swim for all			School Swimming		Swim School		Water Workout	Club diving	Public dive			
Tuesday			School Swimming		Swim for all			Swim school		School Swimming	Swim for all	Swim School		Club diving		Leisure swim			
Wednesday			School Swimming			Swim School		Swim for all		School Swimming	Swim for all	Swim School		Club diving		Sub Aqua			
Thursday			School Swimming		Swim for all		School Swimming		Swim School	School Swimming	Swim for all	Swim School		Water Workout	Club diving	Public dive			
Friday			School Swimming		Swim for all				School Swimming	Swim for all	Swim School		Club diving		Public dive				
Saturday			Swim School				Swim for all	Aqua Splash	Pool Party	Pool Party	Diving Club								
Sunday				Family Swim			Diving Club			Pool Party	Swim for all								

## CHILTERN DC – CHILTERN LIFESTYLE CENTRE STAGE 2 DESIGN - BUSINESS PLAN UPDATE

### APPENDIX 2 – BASIS FOR APPORTIONMENT

	Year 3	Swimming pool	Sports hall	Health & fitness	Adventure play	Climbing	Squash	Spa	General	Total
Income	0									
Swimming pool	1,073,974	100%								100%
Diving	17,672	100%								100%
Sports Hall	136,193		100%							100%
Activity-Dance Studios	113,825			100%						100%
Soft Play	311,814				100%					100%
Clip & Climb	174,493				100%					100%
Climbing	170,639					100%				100%
Health & Fitness Membership	1,783,411			100%						100%
Squash courts	27,143						100%			100%
General Catering	363,639								100%	100%
Soft Play Catering	131,025				100%					100%
Spa	329,016							100%		100%
Sales of goods	44,880								100%	100%
<b>Total Income</b>	<b>£4,677,724</b>									
Expenditure										
Cost of Sales										
Food & Beverage	197,866				30%				70%	100%
Other Saleable Items	17,952	50%	15%	25%		5%	5%			100%
<b>Total cost of Sales</b>	<b>£215,818</b>									
Staff Related										
Salaries & Wages	1,311,384	30%	3%	17%	15%	6%	1%	12%	15%	
NI and Pension	220,657	30%	3%	17%	15%	6%	1%	12%	15%	
Instructor wages	356,470	34%	6%	37%	17%	6%	0%	0%	0%	

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	Year 3	Swimming pool	Sports hall	Health & fitness	Adventure play	Climbing	Squash	Spa	General	Total
Instructor on costs	28,518	34%	6%	37%	17%	6%	0%	0%	0%	
Other staff costs	0									
<b>Total Staff Costs</b>	<b>£1,917,028</b>									
Building Related										
Repairs & Maintenance	182,070	35%	8%	15%	15%	7%	2%	8%	10%	100%
Gas	145,656	55%	5%		10%	5%	0%	10%	15%	100%
Electricity	109,242	20%	10%	25%	7%	3%	2%	8%	25%	100%
Water	67,626	75%	4%	8%	1%	1%	1%	5%	5%	100%
CHP Costs	26,010	20%	10%	25%	7%	3%	2%	8%	25%	100%
Industrial cleaning costs	26,010	20%		10%	20%				50%	100%
National non-domestic rates (80% relief)	41,616	30%	20%	20%	10%	4%	2%	4%	10%	100%
Cleaning supplies	14,566	35%	5%	10%	10%	5%	1%	5%	29%	100%
Refuse collection	7,283	5%	3%	5%	30%	2%	2%	3%	50%	100%
<b>Total Building Related costs</b>	<b>£620,078</b>									
Supplies and Services										0%
Marketing	62,424	5%	2%	50%	25%	3%		15%		100%
Fitness equipment leasing	90,000			100%						100%
Equipment - new	25,500	25%	25%	20%	30%					100%
Service contracts	67,626	35%	8%	15%	15%	7%	2%	8%	10%	100%
Pool/Spa chemicals	18,207	90%						10%		100%
First aid equipment	260	40%	25%		25%	10%				100%
Clothing and uniforms	6,242	25%		20%	25%			10%	20%	100%
Printing and stationery	10,404	5%	2%	50%	25%	3%		15%		100%
Bank charges	8,323	23%	3%	40%	13%	4%	1%	7%	9%	100%
Telephones	5,202	23%	3%	40%	13%	4%	1%	7%	9%	100%
Insurance	33,293	23%	3%	40%	13%	4%	1%	7%	9%	100%

## CHILTERN DC – CHILTERN LIFESTYLE CENTRE STAGE 2 DESIGN - BUSINESS PLAN UPDATE

	Year 3	Swimming pool	Sports hall	Health & fitness	Adventure play	Climbing	Squash	Spa	General	Total
Information technology	20,808	23%	3%	40%	13%	4%	1%	7%	9%	100%
Consumables	9,364	23%	3%	40%	13%	4%	1%	7%	9%	100%
Vending rentals	5,202	23%	3%	40%	13%	4%	1%	7%	9%	100%
Spa supplies	10,404							100%		100%
Other	3,121	23%	3%	40%	13%	4%	1%	7%	9%	100%
<b>Total Supplies and Services costs</b>	<b>£376,380</b>									0%
Cash Collection										0%
Cash Collection	10,404	23%	3%	40%	13%	4%	1%	7%	9%	100%
<b>Total Cash Collection Costs</b>	<b>£10,404</b>									0%
Support Services										0%
Finance	36,414	23%	3%	40%	13%	4%	1%	7%	9%	100%
Human resources	20,808	23%	3%	40%	13%	4%	1%	7%	9%	100%
Payroll	20,808	23%	3%	40%	13%	4%	1%	7%	9%	100%
Strategic Management	31,212	23%	3%	40%	13%	4%	1%	7%	9%	100%
Legal	10,404	23%	3%	40%	13%	4%	1%	7%	9%	100%
Audit	7,803	23%	3%	40%	13%	4%	1%	7%	9%	100%
<b>Total Support Services Costs</b>	<b>£127,449</b>									0%
Operator Profit										0%
Profit @ 6% of turnover	280,663	23%	3%	40%	13%	4%	1%	7%	9%	100%
<b>Total Operator Profit</b>	<b>£280,663</b>									0%
Assumed profit and costs										0%
<b>Total Costs</b>	<b>£3,547,821</b>									

## CHILTERN DC – CHILTERN LIFESTYLE CENTRE STAGE 2 DESIGN - BUSINESS PLAN UPDATE

### Apportionment of salary costs

Designation	Year 3	Swimming pool	Sports hall	Health & fitness	Adventure play	Climbing	Squash	Spa	General	Total
Contract Manager	16,638	20%	5%	20%	20%	5%	2%	18%	10%	100%
General Manager	47,190	20%	5%	20%	20%	5%	2%	18%	10%	100%
Assistant Manager - H & F	36,242			100%						100%
Assistant Manager - junior products	36,242	50%	5%		40%	5%				100%
Assistant Manager - Operations	36,242	50%	5%	10%	10%	5%		10%	10%	100%
Duty Manager	94,613	50%	5%	10%	10%	5%		10%	10%	100%
Senior Recreation Assistants	78,278	50%	5%	10%	10%	5%		10%	10%	100%
Lifeguards	251,487	80%	5%				2%		13%	100%
Climbing Supervisor	31,538					100%				100%
Climbing Assistant	37,723					100%				100%
Fitness Suite Instructors	100,595			100%						100%
Soft Play Leaders	25,149				100%					100%
Sales Advisors	50,297	15%		85%						100%
Cleaners	100,595	30%	5%	5%	10%	3%	3%	10%	34%	100%
Receptionist	100,595	50%	10%	25%		3%	3%	7%	2%	100%
Spa	88,020							100%		100%
Spa Supervisor	31,538							100%		100%
Catering Supervisor	31,538				25%				75%	100%
Catering - General	100,595								100%	100%
Catering - Soft Play	125,744				100%					100%
Maintenance	26,093	50%	20%	10%	10%			5%	5%	100%
<b>Total</b>	<b>£1,446,947.56</b>									

## CHILTERN DC – CHILTERN LIFESTYLE CENTRE STAGE 2 DESIGN - BUSINESS PLAN UPDATE

Designation	Year 3	Swimming pool	Sports hall	Health & fitness	Adventure play	Climbing	Squash	Spa	General	Total
<b>Instructors</b>										
Swimming instructors	£81,259.20	100%								100%
School swimming	7698.24	100%								100%
Aqua Classes - day	2332.8	100%								100%
60+ Activity Instructors	9331.2		100%							100%
Jnr comm sports Instructors	9331.2		100%							100%
Studio classes	97200			100%						100%
Gymnastics - Instructor	9408.96			100%						100%
Gymnastics - Assistant	6272.64			100%						100%
Clip and Climb Instructors	29937.6				100%					100%
Clip and Climb Assistant	19958.4				100%					100%
Climbing Instructors	17107.2					100%				100%
Casual pool staff	11664	100%								100%
	£301,501.44									

**CHILTERN DC – CHILTERN LIFESTYLE CENTRE  
STAGE 2 DESIGN - BUSINESS PLAN UPDATE**

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<b>SUBJECT:</b>	<i>Chiltern and South Bucks Playing Pitch Strategy</i>
<b>REPORT OF:</b>	<i>Director of Services – Steve Bambrick</i>
<b>RESPONSIBLE OFFICER</b>	<i>Head of Healthy Communities - Martin Holt</i>
<b>REPORT AUTHOR</b>	<i>Leisure &amp; Community Manager - Paul Nanji Tel: 01494 732110</i>
<b>WARD/S AFFECTED</b>	<i>All</i>

## 1. Purpose of Report

- 1.1 To inform Members of the completion of the draft Chiltern and South Bucks Council Playing Pitch Strategy highlighting its key findings and recommendations. Also, for Members to approve that the draft strategy be circulated for public consultation with Town and Parish Council, sports clubs and other agencies. The finalised strategy will inform the emerging Local Plan.

### RECOMMENDATIONS

1. **To agree to undertake public consultation on the draft South Bucks and Chiltern Playing Pitch Strategy (as attached as a supplement to the Cabinet agenda).**
2. **Following the public consultation programme that the Playing Pitch document be updated accordingly before seeking Cabinet approval to formally adopt the strategy on October 2018.**

## 2. Reasons for Recommendation

- 2.1 The Chiltern and South Bucks Playing Pitch Strategy is a key document in helping inform the new Local Plan.
- 2.2 Improving access and the quality of sports local playing pitch provision contributes directly to improving the health and wellbeing of residents. An up to date audit of Chiltern's existing sports playing pitches will enable Town and Parish Councils, sports clubs and local community groups to identify the priorities for improvement and enable organisations to plan and attract inward investment.

## 3. Content of report

- 3.1 In March 2016 Chiltern and South Bucks Councils jointly commissioned a specialist consultant, Strategic Leisure, to undertake the development of a new Playing Pitch Strategy. The Strategy's key aims were to
- Inform and support the newly emerging Chiltern and South Bucks Local Plan to provide a concise, robust and comprehensive evidence base that enables both

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Councils to develop planning policies which are supported by sufficient evidence to withstand scrutiny at an Examination in Public.

- Achieve a joined-up strategy with localised priorities to develop sustainable facilities that support increased participation.
- Support community groups and others to access external funding.

3.2 The types of playing pitches included in the open space assessment are detailed below with a visit to each individual facility involving both a qualitative and quantitative assessment:

- FOOTBALL 3G RUBBER CRUMB PITCHES
- FOOTBALL (GRASS PITCHES)
- CRICKET
- HOCKEY
- RUGBY UNION
- Golf

3.3 The methodology employed to reach the strategy's conclusions included a number of elements which are detailed below:

- Review of national, regional and local strategies and policy documents relevant to the exercise.
- Creation of a qualitative template to include key elements of design and maintenance.
- Utilised Sport England Sports Facility Calculator to ascertain the required number of sports specific playing pitches to meet current and future needs.
- Qualitative on-site assessment of playing pitches distributed throughout South Bucks and Chiltern in accordance with the NPPF and the principles contained in the PPG17 Companion Guide.
- Analysis of results to qualitatively assess the condition of playing pitches.
- Development of a strategic working group to scrutinise, evaluate, challenge and finally approve the strategy's key findings (Sport England, Football

Association, English Cricket Board, English Rugby Union, English Hockey Union and England Golf)

- Drafting key conclusions relating to the current state of Playing pitches in South Bucks and Chiltern.
- Drafting recommendations relating to the significance of open space South Bucks and Chiltern in relation to the Local Plan.

3.4 Following the site visit assessments and applying the Sport England playing pitch demand analysis a range of key findings were drawn up and are detailed in the tables 1 below.

### 3.5 Table 1 - Chiltern Key Findings

SPORT	CURRENT DEMAND SHORTFALL 2018	FUTURE DEMAND SHORTFALL 2036 USING ONS SUB NATIONAL POPULATION PROJECTIONS 2017 - 2036
<b>FOOTBALL 3G RUBBER CRUMB PITCHES</b>	After taking into account existing 3G rubber crumb provision there is a shortfall of 5 full size 3 G rubber crumb pitches based upon the FA training model.	After taking into account existing 3G rubber crumb provision there is a shortfall of 6 full size 3 G rubber crumb pitches.
<b>FOOTBALL (GRASS PITCHES)</b>	<p>Adult 11 v 11- Demand is being met for adult match equivalent sessions. 16 spare match equivalent sessions.</p> <p>Junior 11 v 11 – Shortfall 22 match equivalent sessions based on home and away play each week.</p> <p>Junior 9 v 9 – Currently Shortfall 8 match equivalent sessions.</p> <p>Mini Soccer 7 v 7 – Current Demand is being met for mini 7v7 matches</p> <p>Mini Soccer 5 v 5 – Current</p>	<p>Adult 11 v 11 – Demand can be met from existing supply.</p> <p>Junior 11 v 11 shortfall of 23 junior 11 v 11 match sessions based on home and away play each week.</p> <p>Junior 9 v 9 – Shortfall 14 match equivalent sessions.</p> <p>Mini Soccer 7 v 7 – Demand can be met from current supply.</p> <p>Mini soccer 5 v 5 – Demand can be met from current supply.</p>

SPORT	CURRENT DEMAND SHORTFALL 2018	FUTURE DEMAND SHORTFALL 2036 USING ONS SUB NATIONAL POPULATION PROJECTIONS 2017 - 2036
	Demand is being met for mini 5 v 5 match	
<b>CRICKET</b>	Current demand is being met but overplay at several clubs	Future demand can be met with current capacity. Additional non-turf pitches will assist with meeting demand from junior cricket teams.
<b>HOCKEY</b>	Current demand is being met	Future demand can be met from existing facilities.
<b>RUGBY UNION</b>	Current short fall of 11.5 match and training equivalent sessions weekly.	Future shortfall of 19 match and training equivalent sessions weekly.

#### 4. Consultation

- 4.1 As detailed in the methodology (Section 3.3) the plan was informed by consultation with the relevant sport's national governing bodies (football, hockey, cricket, rugby and golf), and Sport England.
- 4.2 Internally, the Council's Planning and Economic Development department has supported the strategy throughout its developments advising on key issues such as population growth, planning issues and settlement sizes.
- 4.3 It is now proposed to undertake public consultation on the draft strategy to enable Towns and Parishes, sports clubs and other community organisations the opportunity to comment on the findings, confirm the report's accuracy and highlight any potential issues.

#### 5. Corporate Implications

- 5.1 Financial – There are no direct financial implications to the Council arising from the report. There may be indirect costs arising from the use of Section 106 agreements or the implications of the Community Infrastructure Levy (CIL) to generate funding to cover costs of open space facility development

- 5.2 Legal – Recommendations arising from the strategy come from a supply and demand assessment of playing pitch facilities in accordance with Sport England’s PPS Guidance: (An Approach to Developing and Delivering a PPS 2013)
- 5.3 Planning policies in the emerging Local plan should be based on robust and up-to-date assessments of the needs for sports and open spaces. Studies should identify specific needs shortfalls in supply and or quality of supply. The evidence should be used to inform the local plan – National Planning Policy Framework para 73

## **6. Links to Council Policy Objectives**

- 6.1 Sustainable Environment – The strategy will help protect the district’s playing pitches and facilitate improved provision for residents to access both now and in the future.
- 6.2 Safe, Healthy and Active communities-Council has a duty to consider the health and wellbeing of its community, enabling improved access and provision of playing pitches would directly support this as well as strengthen partnership working with Town and Parish Councils and the voluntary sector.

## **7. Next Steps**

- 7.1 Once adopted following consultation the strategy will be presented to key stakeholders including Town and Parish Councils, sports clubs and local environmental community groups so that they are aware of its key findings and recommendations.
- 7.2 Following this the strategy will be promoted on social media and made available on the Council’s website to support stakeholders in funding bids to improve provision in their local communities.
- 7.3 The document will form an important part of the emerging Local Plan evidence base and will be used to support the councils emerging Local Plan policies

<b>Background Papers:</b>	Agenda Supplement – Chiltern and South Playing Pitch Strategy
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<b>SUBJECT:</b>	Food and Health and Safety Business Plans
<b>REPORT OF:</b>	<i>Healthy Communities – Councillor Mrs Liz Walsh</i>
<b>RESPONSIBLE OFFICER</b>	<i>Steve Bambrick, Services Director of Services Martin Holt, Head of Healthy Communities</i>
<b>REPORT AUTHOR</b>	<i>Ian Snudden, 01494 732057, isnudden@chiltern.gov.uk</i>
<b>WARD/S AFFECTED</b>	<i>All</i>

### 1. Purpose of Report

To obtain Members' approval for the adoption of the joint Food and Health and Safety Service Plan and Food and Health and Safety Enforcement Policies for the year 2018/2019.

### RECOMMENDATIONS

1. To approve the joint Food and Health and Safety Service Plan
2. To approve the Food and Health and Safety Enforcement Policies

### 2. Reasons for Recommendations

The Food Standards Agency's (FSA) Code of Practice and the Health and Safety Executive (HSE) require local authorities to produce and publish an annual service plan that demonstrates how the authorities are working to deliver its food safety and health and safety services. The Office for Product Safety and Standards also requires local authorities to produce and publish their enforcement policies and to ensure that they comply with The Regulator's Code.

### 3. Report

The Food and Health and Safety Service Business Plan details how the food and health and safety enforcement services are to be delivered within both Chiltern District Council and South Bucks District Council areas for the year 2018/19.

The Service Plan is divided into the issues covered by the Food Standards Agency (FSA) Framework Agreement and the key priorities identified by the Health and Safety Executive's (HSE) Strategy Document. The Service Plan and Enforcement Policies are appended.

**Food Safety Service 2018/19**

In 2012, Chiltern and South Bucks District Councils launched the Food Standards Agency's national Food Hygiene Rating Scheme. Since then the percentage of all eligible rated food premises (rating of 3 or better) continues to increase and is currently 95.9% for Chiltern and 96.4% for South Bucks District Councils, higher than the national average of 94.7%. Since their last inspection 87.9% of food businesses in Chiltern DC and 85.7% of those in South Bucks DC improved their rating or stayed the same. Whilst the main approach to inspections is supportive, where businesses persistently fail to engage or improve standards, then more formal enforcement action will continue to be taken. Officers will continue to focus on the highest risk businesses and those that have a rating of 0-2.

Specific areas of work have been identified in relation to continual service improvement and flexible mobile working and increased commercialisation of the service. The Food Standards Agency is currently examining how regulatory interventions are delivered and is continuing to consult on its model 'Regulating Our Future'. Officers will also be monitoring the impact that the UK's exit from the EU will impact on food safety delivery and how services will be delivered in the future pending the decision on unitary authority status. These are reflected in the service plan action plan.

**Health and Safety Service 2018/19**

Whilst health and safety remains a key priority for the Government, it aims to reduce the inspection burden on businesses. The consequence of this is that officers will only inspect businesses where there is a specific need, either due to local or national intelligence and the national strategic priorities. These priorities cover a range of sector specific interventions and cross-cutting themes.

**Food Policy and Health and Safety Enforcement Policy**

Both policies reflect the principles set out in the Regulators' Code issued by the Better Regulation Delivery Office (now the Office of Product Safety and Standards). The key principles are to supporting growth, engaging with businesses, having a transparent and risk based approach to activities, sharing information between regulators and providing clear information and advice to businesses. The Regulators' Code applies to local authority regulatory services such as: environmental health, licensing, housing standards, planning enforcement, building control and revenues and benefits. A corporate enforcement policy has been developed and the policies have been drafted in accordance with this overarching policy.

**4. Consultation**

Not Applicable



**5. Options**

Not Applicable

**6. Corporate Implications**

6.1 Financial – the service plan will delivered within existing budgets

6.2 Legal – The Food Standards Agency requires local authorities to produce and publish a food service plan, as does the Health and Safety Executive for health and safety and local authorities are audited by these Government bodies for compliance against the statutory guidance. The FSA audit reports are public documents and published on the FSA website.

**7. Links to Council Policy Objectives**

The plan stems from the Healthy Communities Service Plan and makes a positive contribution towards the Chiltern District and South Bucks Councils' *Joint Business Plan 2015 – 2020* and *Sustainable Community Strategy 2009 – 2026*. The plan links into the Councils' Performance Management Framework.

**8. Next Step**

The approved action plan for the service plan will be implemented across both local authorities.

<p><b>Background Papers:</b></p>	<p>It is a legal requirement that we make available any background papers relied on to prepare the report and should be listed at the end of the report (copies of Part 1 background papers for executive decisions must be provided to Democratic Services )</p>
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**CHILTERN DISTRICT COUNCIL  
and  
SOUTH BUCKS DISTRICT COUNCIL**

**Environmental Health Section**

**Joint Food and Health and Safety Service  
Business Plan**

**2018-2019**



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## 1.0 INTRODUCTION

The joint Food and Health and Safety Service Business Plan outlines the nature, objectives and influences on the services and the statutory and policy framework within which the services are delivered. It sets out the key service priorities and objectives for 2018/19 and identifies the main issues planned to be addressed during the period. It also fulfils the requirements set down by the Food Standards Agency (FSA) in its 'Framework Agreement on Local Authority Food Law Enforcement' and the Health and Safety Executive (HSE) in its 'Section 18 Guidance to Local Authorities'.

## 2.0 SERVICE AIMS AND OBJECTIVES

### 2.1 Links to Corporate Objectives and Plans

The service contributes towards the Chiltern District and South Bucks Councils' *Joint Business Plan 2017 – 2020 and Sustainable Community Strategy, 2016-2026*, performance measures and key objectives:

- Delivering cost-effective, customer-focused services;
- Working towards safe and healthier local communities ; and
- Striving to conserve the environment and promote sustainability.

### 2.2 Healthy Communities Service Plan

The key objectives within the Healthy Communities Service Plan that specifically relate to the food and health and safety service for 2018/19 are:

- Improve service quality to enable communities, residents and businesses to resolve their service requests at the first point of contact or close to the first time of asking
- Provide effective and efficient regulatory services that meets customer needs
- Provide effective partnership working to protect and improve public health and environmental quality
- Continue to develop shared policies and procedures to deliver more efficient services

The Division has to find substantial cost savings over the coming years, achieved by:

- reducing costs through innovative use of technology;
- reducing back office handling costs;

- transferring avoidable costs of delivery along the supply chain;
- raising income through charging for discretionary services;
- developing the new shared service and employing lean thinking principles to review processes;
- developing systems that will improve the ability of business to manage regulatory compliance whilst reducing the frequency of inspection.

### 2.3 Service Aims and Objectives

The Environmental Health Section has a significant role to play in improving quality of life, predominantly through providing a proactive, accessible and efficient service that protects and promotes the health of those who work, live and visit the area. This role directly supports the Councils' Key Objective 2 (*Working towards safe and healthier local communities*).

Our aim is to:

- support and assist businesses to become food safety compliant
- provide consistent accurate up-to-date information aimed at providing protection to customers
- support and assist businesses to comply with legal obligations to ensure that food is safe

We will achieve this by:

- targeted current relevant information to businesses
- ensuring officers are equipped with tools to effectively support businesses
- ensuring that poor performing businesses are proportionately targeted with enforcement action
- adopting a "light touch" approach to compliant businesses, organisations and customers
- campaigns to promote food hygiene ratings
- innovative opportunities and approaches to working with other regulatory stakeholders to improve businesses contact with local authorities.

### 2.4 Key Service Standards and Performance

As part of the authorities' key objectives, service standards and performance measures have been set.

Services are prioritised and resources targeted at issues of greatest concern in terms of food and health and safety. The service covers inspections of businesses, complaint and accident investigation and developing schemes to assist and motivate businesses to achieve compliance and good practice. The key corporate performance measure used is: *'Percentage of food hygiene inspections of food businesses category A – D achieved against inspections due*. In addition the overall percentage of businesses broadly compliant and the success of officer's interventions in moving those businesses which are not broadly compliant to becoming broadly compliant will also be measured.

Performance monitoring has been established with reports to relevant Committees, in addition to departmental monitoring meetings and to Management Team.

Food safety carries a high priority for the authorities and the targets set for 2018/19 (93% broadly compliant businesses within the Chiltern District and 91% broadly compliant businesses within the South Bucks District) reflect that priority and ensures that the authorities comply with current government guidance in measuring outcomes rather than inputs.

The Food Standards Agency will continue to collect data on broadly compliant businesses and as part of our continual service improvement; the intention is to collect data in respect of customer satisfaction following inspections.

As a consequence of Government's aims for health and safety reform including reducing the inspection burden on business and focussing on better health and safety outcomes, proactive inspections will be targeted at high risk premises where the national priorities identifies them as being an at risk group or local intelligence identifies businesses with poor compliance records.

### **3.0 BACKGROUND**

#### **3.1 Profile**

The Chiltern District is located in the centre of the Chiltern Hills, approximately 25 miles North West of London. The District covers an area of 19,635 hectares and has a population of approximately 93,980. It is predominantly a rural area with towns and villages set in countryside which is part of the greenbelt around London. A large part of the District forms part of the Chilterns Area of Outstanding Natural Beauty.

The South Bucks District covers an area of 14,150 hectares immediately to the west of Greater London with a population of approx. 68,560. The district is mainly rural in nature and large areas are within the Greater London Green Belt. The main towns in the district are Beaconsfield, Gerrards Cross Denham, Iver and Burnham.

Both Districts have good transport links with adjoining areas. Both areas are served by good national and motorway networks. Direct rail-links to central London or

Northwest to Aylesbury or High Wycombe and the Midlands are provided by Chiltern Railways, Great Western Railways and London Underground Ltd.

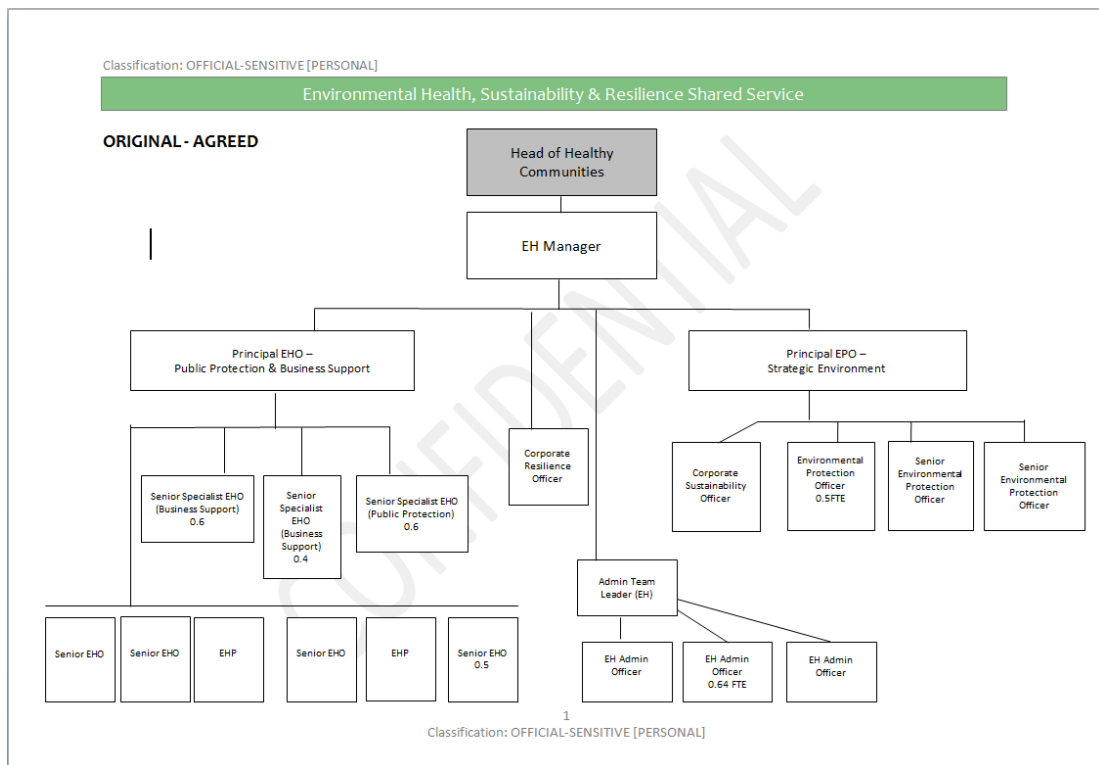
Over the next couple of years, Buckinghamshire local authorities may undergo both political and structural changes following a Government decision on the creation of one or two unitary authorities. This will have significant implications on the way in which all services will be delivered and the incorporation of District and County functions into a single service.

### **3.2 Organisational Structure**

Since April 2014, a shared senior management structure has been in place between Chiltern District Council and South Bucks District Council, comprising a Chief Executive, directors and heads of service. The Head of Healthy Communities is the head of service for environmental health across both authorities and reports to the Director of Services. The shared environmental health service came into effect on 1<sup>st</sup> December 2015 with the service being delivered from both Council offices. The food and health and safety service is delivered by specialist Environmental Health Officers within a single Business Support Team. Health promotion is delivered by the Community Team who provide links to community development, adult learning and Learning and Skills although the Business Support Team will have an increasing role in delivering promotional activities.

As of the March 2018, the Healthy Communities Division (inclusive of housing and licensing) comprised of 35.1 full time equivalents. The Division also employs specialist officers for Housing, Environmental Protection, Licensing, Emergency Planning and Business Continuity and Corporate Health and Safety, supported by a central administration team. In addition, the pest control service is provided on a contracted basis.

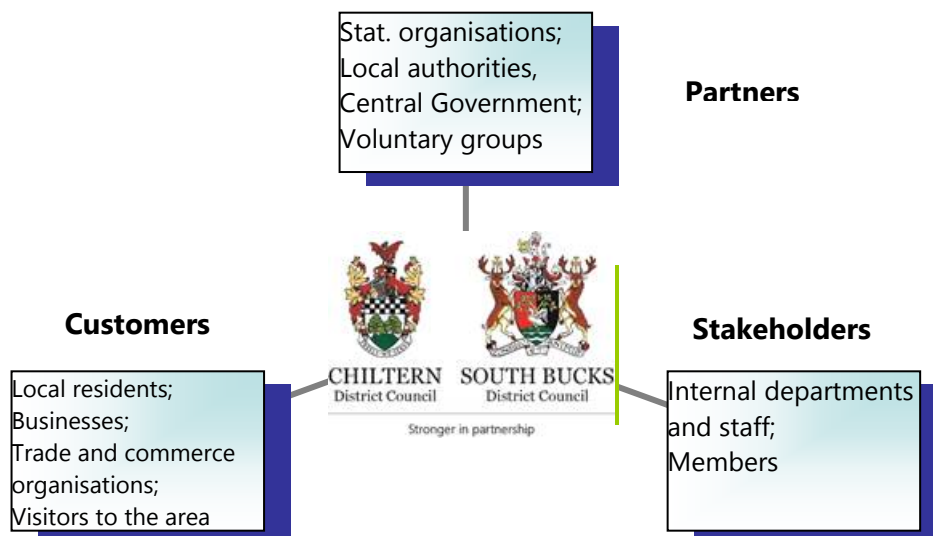




Dr Jill Morris is the appointed Consultant in Communicable Disease Control at Thames Valley Public Health England and is the 'Proper Officer' for the Authority.

The specialist officer for food safety as required by the Code of Practice is shared between the Principal Environmental Health Officer and a job shared Senior Specialist EHO post, and the Public Analyst is Anne Scarett at Hampshire Scientific Services.

### 3.3 Customers, Stakeholders and Partners



### 3.4 Scope of the Service

3.4.1 The scope of the service is:

- i) the enforcement of legislation relating to safety, welfare and hygiene;
- ii) routine auditing of businesses in accordance with current Government requirements;
- iii) providing support, training and advice for food handlers and businesses, either free of charge or as part of a paid-for advice service;
- iv) investigation of consumer complaints relating to food safety and hygiene;
- v) investigation of employee and public complaints and requests for information relating to working environments and standards;
- vi) investigation of reportable accidents;
- vii) health education and promotional activities to educate the consumer.

3.4.2 The scope of infectious disease control aspects of the service are:

- i) investigation of sporadic cases and outbreaks of infectious disease within the District, in consultation with the Consultant in Communicable Disease Control;
- ii) health education/promotion activities;
- iii) drawing up and implementing appropriate contingency outbreak control plans;

In addition, officers also enforce the smoke-free provisions and contribute to the Safety Advisory Group.

### 3.5 Demands on the Food Service

As at 1st April 2018 there are 856 food premises requiring inspection in the Chiltern District and 630 in the South Bucks District. The premises profile is given in Table 1,

whilst the number of premises falling into each risk category is given in Table 2. Classification of premises is in compliance with Food Standards Agency Code of Practice. Category A businesses, either because of the nature of their operation or poor standards of hygiene, pose a greater risk than category E. Those premises within category E are subject to an alternative enforcement strategy which takes the form of a self-assessment questionnaire. Similarly, a category D premise will alternate every 24 months between an inspection and self-assessment questionnaire. Category C premises that are broadly compliant will have a monitoring visit every other visit. Non-rated businesses are those whose risk rating has not yet been assessed.

Table 1 Number of establishments by premise type

Premises Type	Primary producers	Manufacturers and packers	Importer Exporter	Distributor	Retailer	Caterers
Number (Chiltern DC)	3	20	2	22	149	660
Number (South Bucks DC)	1	11	2	7	127	482

Table 2 Number of premises falling into risk categories

	A	B	C	D	E	Non - rated	Outside programme	Total
Number of premises (Chiltern DC)	3	30	159	196	419	33	16	856
Number of premises (South Bucks DC)	1	19	119	233	217	31	10	630
Interval between inspections (months)	6	12	18	24	AES			

- AES – Alternative Enforcement Strategy

Within the premises profile, there are five food businesses that are approved.

One of the strengths of the service is that of promoting and educating food businesses. This tends to be targeted at new businesses and those businesses that have got a history of poor hygiene standards and has proved effective in raising and maintaining standards. Those with a food hygiene rating of 0-2 are particularly targeted.

### 3.6 Demands on the Health and Safety Service

As at 1st April 2017 there were 2755 premises within the Chiltern District and South Bucks District areas which are eligible for health and safety enforcement. Classification of premises is in compliance with Health and Safety Executive/Local Authorities Enforcement Liaison Committee (HELA) Local Authority circular (LAC) 67/2 (rev7).

The assessment of the risk rating is dependent upon the identified health and safety hazards and their associated risks and the ability and confidence in the management to control them.

The service is delivered from both the Council offices in Amersham and Denham during normal office hours of 9.00 – 17.30. It is recognised that businesses operate outside normal office hours of work and so the inspection programme will take this into account. Officers are therefore expected to work outside these hours when circumstances require, for example, for food poisoning investigations and accident investigations, where the nature of the business dictates evening or early morning visits and upon request by businesses.

### **3.7 Enforcement Policy**

The Healthy Communities Division has a generic enforcement policy that covers the majority of the work performed by the Division. However a more specific enforcement policy has been adopted and is detailed within the Food and Health and Safety Enforcement Policies, together with enforcement procedures that set out the actions to be taken when formal action is required.

Regard is given to the Regulator's Code published by the Department for Business Enterprise and Regulatory Reform (now the Office for Product Safety and Standards), the Primary Authority Scheme and the Councils' overarching enforcement policy.

## **4.0 SERVICE DELIVERY and REVIEW**

### **4.1 Delivery and Priorities – 2018/19**

The service will be delivered through:

- i) routine programmed inspection of food businesses, with a frequency determined by a risk assessment, with appropriate follow-up action;
- ii) proactive targeted inspections of businesses and service sectors where there is likely to be a greater risk of injury from those activities identified by national accident statistics and local intelligence with appropriate follow-up action.
- iii) assessment of relevant food hygiene premises to determine their food hygiene score in terms of the national Food Hygiene Rating Scheme and which will be published on the Food Standards Agency website;
- iv) routine self-assessment questionnaires to low risk premises;
- v) investigation of complaints with appropriate follow-up action;
- vi) investigation of accidents with appropriate follow-up action
- vii) participation in national and local sampling programmes;

- viii) appropriate training, development and monitoring of officers;
- ix) provision of information, coaching and advice to businesses about legal requirements and good practices;
- x) provision of relevant food safety courses for food handlers and a chargeable advice service to businesses;
- xi) promotional activities to inform and encourage high standards in businesses;
- xii) promotional activities to educate the consumer in food hygiene and safety.

Priority will be given to targeting those activities that pose the greatest risk to members of the public and employees by:

- i) the correct and uniform identification of high-risk areas during programmed inspections and as a result of complaint and accident investigation and to concentrate efforts to reduce these risks;
- ii) focussing enforcement efforts on those businesses who pose the greatest risks e.g. those that are not broadly compliant;
- iii) ensuring efforts are focussed on persistent offenders;
- iv) ensuring compliance with the law and;
- v) engaging in those promotional activities for businesses and consumers, which are most likely to foster improved safety.

Revisits to businesses will be undertaken in accordance with the relevant policy.

## 4.2 Food Safety Interventions

The policy relating to the inspection of food premises is detailed in the Food Policy.

The number of premises programmed for inspection in 2018/19 has the following profile:

Risk category	A	B	C	D	E (AES)	Unrated	TOTAL
Number (Chiltern DC)	1	28	105	94	95	36	323
Number (South Bucks DC)	0	17	84	120	68	35	289

Currently 84.65% (Chiltern DC) and 88.49% (South Bucks DC) are broadly compliant with legislation. Those that are not broadly compliant will be subject to full inspections and included within the food sampling programme. For all risk categories (A-E), 92% (CDC) and 91% (SBDC) of food businesses are broadly compliant.

A self-assessment scheme is undertaken for the lower risk premises whereby a questionnaire is sent to the business and on return an assessment is made as to its continued business use and risk. Dependent upon the outcome, the business will either be inspected or re-assessed when due another inspection. In creating more

efficient, customer focused services, these questionnaires are sent out by email and an online form has been produced which enables easy completion and submission.





The revised Code of Practice introduced the opportunity to carry out alternative interventions where it is found that standards of food safety are generally good and do not warrant a full or partial inspection. Category A, B and C businesses which are rated as being not broadly compliant will be subject to a full or partial inspection or audit whilst category C and D food businesses that are broadly compliant could be subject to alternative interventions alternating with full or partial inspections every 18 months and 2 years respectively.

During 2017/18, the focus has been on the continued implementation of the shared service. To this end, policies and procedures of both authorities continue to be reviewed and developed, taking the best practice from each.



In an acknowledgement of the work that the team had achieved, the shared Environmental Health service of Chiltern and South Bucks District Councils were shortlisted for **Outstanding Environmental Health Team 2017** at the CIEH Excellence Awards for the work they had achieved in bringing two services together whilst still improving work processes and outcomes for residents and businesses. As well as the usual shared service issues to contend with such as integrating two databases and document imaging systems together, offices changes, amalgamating policies and procedures etc. the team also resolved some longstanding nuisance complaints, undertook robust enforcement action leading to Notices and prosecution, investigated 3 accident fatalities whilst still responding to service demand and examined and simplified its food inspection processes using lean thinking principles resulting in a 19% time saving.

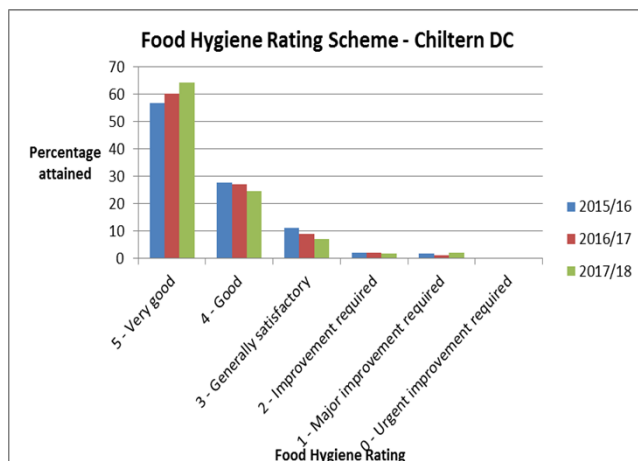
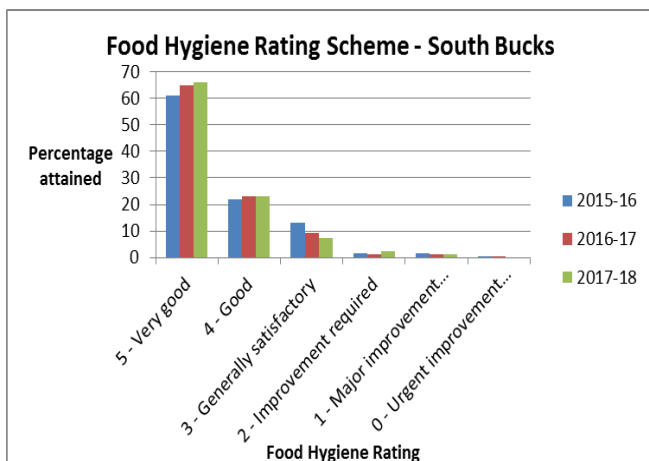
As part of an ongoing programme of service transformation, improved and more efficient and effective ways of working and delivering the service have been explored. Officers now use iPads during inspections and produce much improved electronic reports for food businesses. These reports are designed to show a traffic light system of compliance and incorporate photographs thus making it clear to businesses what the issues are that need addressing.

Adequate separation between raw and ready-to-eat food being stored?	Yes	
Food protected from contamination in storage?	N/A	
Adequate stock rotation of food being stored?	No	<p>A number of items found past their useby date on display for sale:</p> <p>2 packets of pepperoni useby 30.04.18.          6 chicken in roast gravy pies useby 02 May 2018.          1 chicken samosa useby 30 April 2018.          1 beef salami best before 21.04.18.          These were taken off sale by staff.</p>
<div style="display: flex; justify-content: space-around; align-items: flex-start;"> <div style="text-align: center;">  <p>Photograph 1</p> </div> <div style="text-align: center;">  <p>Photograph 2</p> </div> <div style="text-align: center;">  <p>Photograph 3</p> </div> <div style="text-align: center;">  <p>Photograph 4</p> </div> </div>		

Officers are also using an app that connects with our back-office IT systems so that they are able to view records and documents remotely. We will in the future be able to update the back-office system remotely thus providing greater efficiencies in terms of time savings and increasing capacity to more effectively deal with non-compliant food businesses.

The national Food Hygiene Rating Scheme (FHRS) continues to be well received by both the public and businesses. Businesses wishing to improve their rating following an inspection can apply for a re-inspection. From the 1<sup>st</sup> April 2017, local authorities have been able to charge for re-inspection requests to cover their costs; this is currently set at £150.

The graphs below show the percentage breakdown of food hygiene rating distribution across all rated food businesses within each authority. The aim is to increase those businesses that achieve a 5 rating to above the national average, currently at 68.3%. Both authorities have a greater overall percentage of broadly compliant food businesses than the national average of 94.7%. 87.85% of food businesses in Chiltern DC (85.2%, 2016/17) and 85.71% of those in South Bucks DC (85.5%, 2016/17) improved their rating or stayed the same since their last inspection.



Whilst improvements in hygiene standards continue to be made, officers are seeing the impact of financial pressures on businesses and this is reflected in some businesses continuing to exhibit poor standards and a lack of investment in terms of staff training, maintenance and cleaning. Where there is found to be persistent problems over time, it is in the public interest to ensure hygiene standards are maintained and so officers will take a strong enforcement line in the form of the service of Hygiene Improvement Notices and prosecutions.

Officers inspected 100% of food businesses category A-D that were due an inspection during 2017/18. In addition a food business was prosecuted for an infestation of Pharaoh's Ants. Hygiene Improvement Notices were served and three of these notices were not complied with. Many visits were required before compliance was implemented and confidence in management was low. Previous inspections to the premises had highlighted the same failures and also other serious failures; a rat infestation in 2011 resulted in the closure of the premises. The owner disregarded the notice and continued to trade. The outcome of the prosecution was a fine of £4,000 and an award for costs of £5,000. The business operator was also prohibited from running a food business in future.

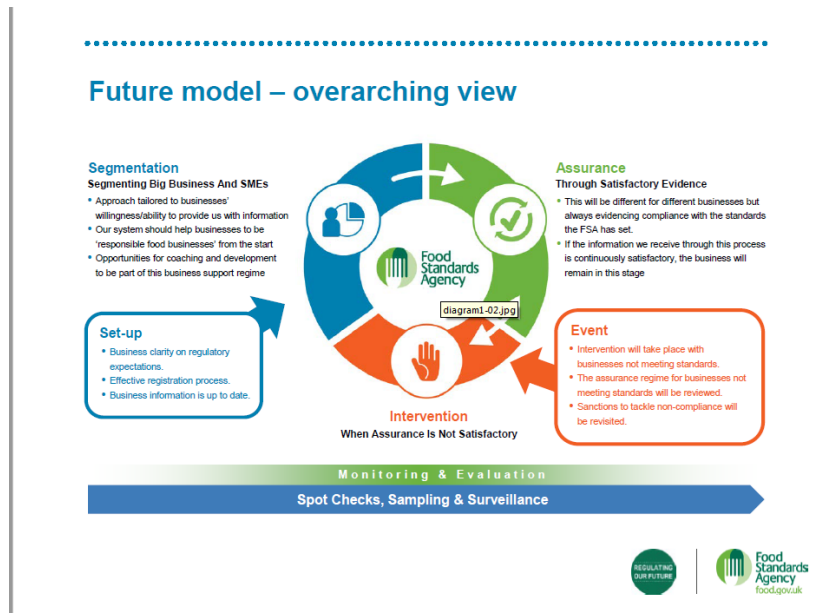
The Food Standards Agency has embarked on a four year programme 'Regulating Our Future' to introduce a more effective system for food regulation. The two overriding priorities will be preparing for the UK leaving the European Union and regulatory reform. With increasing pressure on resources and complexity of food supply, the FSA are currently consulting on how food businesses are regulated in the future so that consumers continue to have confidence in the food that is produced. This includes the mandatory display of the food Hygiene Rating Scheme scores in England, 'Permit to Trade' arrangements for new food business registrations, examining the role of



third party audits and assurance schemes to inform the regulatory process and a greater use of the primary authority scheme.

The FSA has proposed a new regulatory model which will move away from a 'one-size-fits all' inspection approach to regulation and the development of a regulatory framework that can be adapted according to different types of food businesses. Officers, through the Bucks Food Liaison Group, will continue to engage with the FSA in the new developments.

4.3



### Health and Safety Interventions

The HSE Strategy 'Helping Great Britain Work Well' sets out 6 key themes:

**A new strategy for health and safety**  
**The six key areas**

**Acting together**  
Promoting broader ownership of health and safety in Great Britain

**Supporting small employers**  
Giving SMEs simple advice so they know what they have to do

**Managing risk well**  
Simplifying risk management and helping business to grow

**Sharing our success**  
Promoting the benefits of Great Britain's world-class health and safety system

**Tackling ill health**  
Highlighting and tackling the costs of work-related ill health

**Keeping pace with change**  
Anticipating and tackling new health and safety challenges

To support the strategy, guidance has been published for local authorities (LAC 67/2 (rev 7)) to aid the prioritisation of health and safety interventions. This identifies the national priorities based upon accident statistics and the associated high risk activities

and business sectors. These will form the focus of our work during 2018/19. The guidance is clear however, that there should not be an inspection without a reason and that other alternative interventions may be more suitable, for example advisory visits, publicity campaigns and seminars.

List of activities/sectors for proactive inspection by LAs <sup>1</sup> – only these activities falling within these sectors or types of organisation should be subject to proactive inspection			
No	Hazards	High Risk Sectors	High Risk Activities
1	Legionella infection	Premises with cooling towers/evaporative condensers	Lack of suitable legionella control measures, including premises that have: <ul style="list-style-type: none"> <li>• Not yet demonstrated the ability to manage their legionella risk in a sustained manner, includes new cooling towers/evaporative condensers, or</li> <li>• Relevant enforcement action in the last 5 years and have not yet demonstrated sustained control of legionella risk.</li> </ul>
2	Explosion caused by leaking LPG	Communal/amenity buildings on caravan/camping parks with buried metal LPG pipework	Caravan/camping parks with poor infrastructure risk control/management of maintenance
3	E.coli/ Cryptosporidium infection esp. in children	Open Farms/Animal Visitor Attractions <sup>2</sup>	Lack of suitable micro-organism control measures
4	Fatalities/injuries resulting from being struck by vehicles	High volume Warehousing/Distribution <sup>3</sup>	Poorly managed workplace transport
5	Fatalities/injuries resulting from falls from height/ amputation and crushing injuries	Industrial retail/wholesale premises <sup>4</sup>	Poorly managed workplace transport/ work at height/cutting machinery /lifting equipment
6	Industrial diseases (occupational deafness/ occupational lung disease - silicosis)	Industrial retail/wholesale premises <sup>4</sup>	Exposure to excessive noise (steel stockholders).  Exposure to respirable crystalline silica (Retail outlets cutting/shaping their own stone or high silica content 'manufactured stone' e.g. gravestones or kitchen resin/stone worktops)
7	Occupational lung disease (asthma)	In-store bakeries <sup>5</sup> and retail craft bakeries where loose flour is used and inhalation exposure to flour dust is likely to frequently occur i.e. not baking pre-made products.	Tasks where inhalation exposure to flour dust and/or associated enzymes may occur e.g. tipping ingredients into mixers, bag disposal, weighing and dispensing, mixing, dusting with flour by hand or using a sieve, using flour on dough brakes and roll machines, maintenance activities or workplace cleaning.
8	Musculoskeletal Disorders (MSDs)	Residential care	Lack of effective management of MSD risks arising from moving and handling of persons
9	Falls from height	High volume Warehousing/Distribution <sup>3</sup>	Work at height

10	Manual Handling	High volume Warehousing/Distribution <sup>3</sup>	Lack of effective management of manual handling risks
11	Unstable loads	High volume Warehousing/Distribution <sup>3</sup> Industrial retail/wholesale premises <sup>4</sup>	Vehicle loading and unloading
12	Crowd management & injuries/fatalities to the public	Large scale public gatherings e.g. cultural events, sports, festivals & live music	Lack of suitable planning, management and monitoring of the risks arising from crowd movement and behaviour as they arrive, leave and move around a venue
13	Carbon monoxide poisoning	Commercial catering premises using solid fuel cooking equipment	Lack of suitable ventilation and/or unsafe appliances
14	Violence at work	Premises with vulnerable working conditions (lone/night working/cash handling e.g. betting shops/off-licences/hospitality <sup>6</sup> ) and where intelligence indicates that risks are not being effectively managed	Lack of suitable security measures/procedures. Operating where police/licensing authorities advise there are local factors increasing the risk of violence at work e.g. located in a high crime area, or similar local establishments have been recently targeted as part of a criminal campaign
15	Fires and explosions caused by the initiation of explosives, including fireworks	Professional Firework Display Operators <sup>7</sup>	Poorly managed fusing of fireworks

Category B and C premises will not form part of the inspection programme and so will not be subject to any proactive interventions unless they come within one of the priority subject areas or local intelligence suggests the need for targeted interventions.

#### 4.4 Service Requests

The Food and Health and Safety Enforcement Policies detail the policy relating to the investigation of complaints, whether they are about hygiene standards at premises, complaints about food purchased within the Districts, safety standards at premises or welfare issues. In 2017/18 across both authorities, 56 food related service requests were received, 38 concerning the hygiene of premises and 18 in relation to food itself. Of the 31 health and safety related service requests, 9 were requesting advice whilst 22 concerned standards at premises. Both Chiltern and South Bucks Councils have established Safety Advisory Groups, the purpose of which is to collate information about an event to enable the emergency services to gauge its potential impact upon the local community, to identify beforehand any issues or concerns which may potentially arise and to give advice to event organisers. In 2017/18 101 consultations were held for a variety of events.

#### 4.5 Accident Notifications

Under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013, employers and self-employed are required to notify the enforcing authority of

any notifiable injury etc. The table below indicates the level of accident notifications for 2017/18. The policy for the investigation of accidents is detailed in the Health and Safety Enforcement Policy and accidents are investigated according to the criteria within it.

Number of accidents 2017/18

Type of Accident	2017/18 Chiltern DC	2017/18 South Bucks DC
Fatal Injuries	0	0
Non-fatal major injuries	0	0
Over 7 day injuries	20	16
Public injuries	24	19
Dangerous Occurrence	1	0
Total	45	35

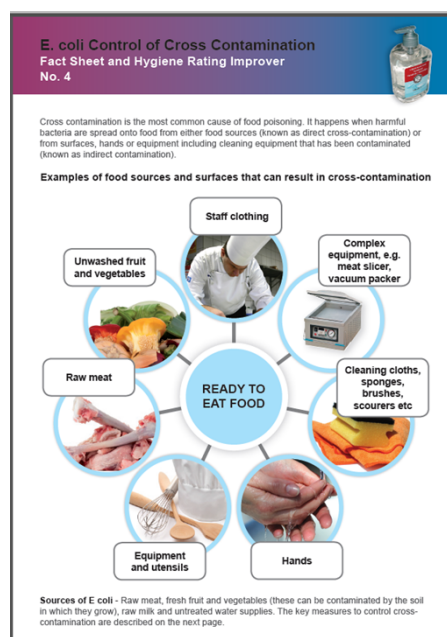
#### 4.6 Primary Authority Scheme

In July 2009, the Regulatory Enforcement and Sanctions Act introduced the concept of a 'Primary Authority' for the majority of regulatory functions. At the request of a business, a local authority is compelled to act as that company's Primary Authority. The role of the Primary Authority is to act as a point of contact for other local authorities on policy issues, inspection programmes and when considering taking any enforcement action. The Primary Authority is able to prohibit that local authority from taking their enforcement action subject to an appeal process to the Office for Product Safety and Standards against the decision of the Primary Authority. The Business Support Team will actively pursue primary authority partnerships with local businesses and trade associations.

#### 4.7 Advice to Businesses

The authorities are committed to ensuring that businesses are aware of the requirements of the law and good practice, and will wherever resources permit, provide advice to assist businesses. Information fact sheets have been developed for businesses which have received positive attention from other authorities.

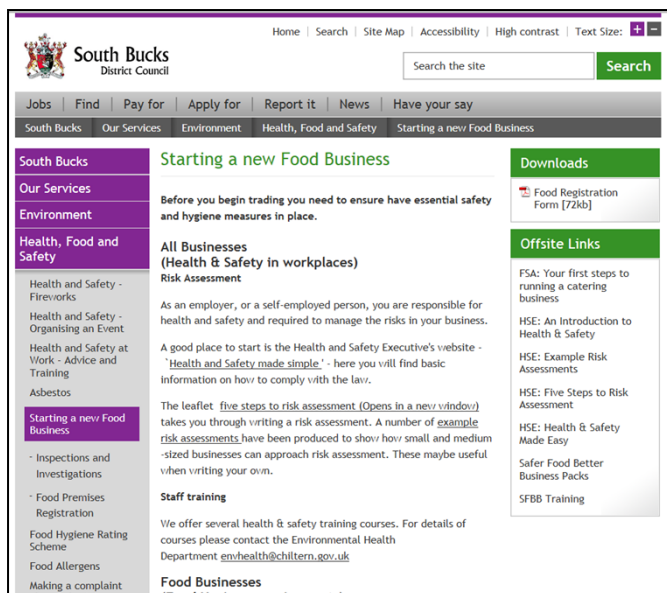
Greater links with local Chambers of Commerce and the Buckinghamshire Thames Valley Local Enterprise Partnership will be forged to support existing and new businesses and to improve awareness of the services Environmental Health can provide. For businesses, and in particular new start-ups, a 'one-stop' approach to regulatory services and compliance will be



established in a bid to minimise the number of hand-ons a business may experience.

A chargeable advice service has been established aimed at new and existing businesses to support them in achieving higher standards of safety and compliance. A charge will be made for those businesses who wish to have a re-inspection under the Food Hygiene Rating Scheme.

Eight Level 2 'Award in Food Safety in Catering' courses are planned each year delivered by an external tutor alternating between the Chiltern DC and South Bucks DC offices. Administration staff administer the course provision and manage the bookings and payment. The authorities retain the net income. Unfortunately, during 2017/18, there has been little uptake of these types of courses, with businesses preferring to use online training. Not only is this



cheaper but it also frees up staff time. As a consequence, we will investigate increasing the range of online courses. In 2016, the accrediting body, the Chartered Institute of Environmental Health, voluntarily gave up its accredited status and so we had to find another provider. Now all courses are accredited by QCA and the Highfield Awarding Body for Compliance Ltd. These courses can also to be run for organisations at their premises upon request. The Section is also able to provide a range of Institute of Occupational Health and Safety (IOSH) courses and in particular, Leading Safely, Managing Safely and Working Safely.

In addition to advice being given to businesses, information is also provided for the public in the form of information on the website and participation in National campaigns.

#### 4.8 Food Sampling

The policy in relation to sampling is detailed in the Food Policy and covers sampling of food, water and faecal and food samples as part of food poisoning investigations.

An annual sampling programme has been drawn up to cover:

- i) Water – private supplies;
- ii) Food products manufactured locally;
- iii) National and regional co-ordinated sampling;
- iv) Imported foods;
- v) Locally co-ordinated sampling.

The sampling programme is based on the following objectives and an assessment of the potential risks associated with the particular activity:

- i) To obtain recognised and usable microbiological standards for foods, via a nationally co-ordinated sampling programme;
- ii) To fulfil legal and government driven obligations;
- iii) To monitor those businesses whose standards of hygiene are less than satisfactory;
- iv) To check that foods comply with statutory microbiological standards, where available;
- v) To check that locally manufactured and handled foods are microbiologically safe;
- vi) To identify specific foodstuffs which are more likely to be microbiologically unsound.
- vii) To form part of the non-inspection official control programme for broadly compliant food businesses.

It is recognised that good co-operation and co-ordination at a national and local level is necessary to achieve such objectives and the authorities are committed to:

- i) participating in and co-operating with the Public Health England and Food Standards Agency's national sampling schemes;
- ii) co-ordinating with adjoining local authorities and local PHE to agree locally co-ordinated sampling;
- iii) ensuring 10% of samples come from third country imported foodstuffs, in line with the Food Standards Agency requirements.

Sampling forms an important part of the inspection programme with lower risk, broadly compliant businesses being sampled rather than having a full inspection. This approach provides an efficient and effective use of officer's time, enabling greater focus on those businesses which continue to be non-compliant. Sampling is also performed on an adhoc basis as necessary, generally in response to a complaint from a member of the public, as part of a food poisoning outbreak or during a routine inspection.

As part of the revised inspection processes the use of ATP analysis of hand and food contact surfaces provides rapid assessments of cleanliness and cross contamination. As well as demonstrating potential failures in hygiene arrangements, the visual nature of these tests also aids the educational aspect of the inspection.

Samples for microbiological analysis continue to be taken to the PHE laboratory at Colindale, London. The UK Food Surveillance System (UKFSS) used to facilitate the electronic submission of samples data and receipt of results to a national database hosted by the FSA. However this has been de-supported and so we are now looking at ways in which to provide the same information in a more efficient paperless format. Routine private water supply samples for chemical analysis are sent to

Chiltern Water and Environmental Ltd. and samples for examination will go to the Public Analyst.

#### 4.9 Control and Investigation of Outbreaks and Food Related Infectious Disease

The policy for dealing with food related diseases is to:

*“Prevent the spread of notifiable infectious disease in the community and particularly reduce outbreaks of food poisoning.”*

a) To investigate all outbreaks of notifiable disease within the Districts in co-operation with Public Health England.

- i) to identify the cause of infection;
- ii) to prevent the spread of infection;
- iii) to educate and prevent re-occurrence.

b) Promote the training of food handlers.

Procedures have been developed in consultation with the Consultant in Communicable Disease Control and Thames Valley PHE Centre. These, together with the appropriate outbreak control plans are reviewed on a regular basis.

For 2017/18 133 sporadic cases of food related infectious disease were investigated across both authorities, a reduction on the previous year. All notified cases are followed up to identify the source and cause, and to establish whether the case is within a high-risk group. The number of food poisoning outbreaks investigated during the past year remains low. Such outbreaks involve a considerable amount of time and effort to investigate and control and as a consequence, other proactive work tends to be held in abeyance until the outbreak is concluded.

#### 4.10 Food Safety Incidents

Food Alerts are the Food Standards Agency's way of informing local authorities and consumers about problems associated with food and, in some cases, provide details of specific action to be taken. They are often issued in conjunction with a product withdrawal or recall by a manufacturer, retailer or distributor. Officers will carry out action specified in the Food Alert as instructed and in the most appropriate, expeditious and cost effective manner possible to safeguard public health. Action will be taken in accordance with guidance issued by central government. Action taken in relation to food alerts associated with chemical contamination will be in consultation with Buckinghamshire and Surrey Trading Standards.

Rapid Alert System for Food and Feed (RASFF) is primarily a tool to exchange information between competent authorities on consignments of imported food and feed in cases where a risk to human health has been identified and measures have been taken. As with the food alert officers will carry out any action specified in the RASFF.

If a Food Alert or RASFF needs to be issued following complaints or issues arise as part of the routine inspection programme, the guidance in the Code of Practice will be followed.


When necessary, the Consultant in Communicable Disease Control and Public Analyst will be consulted and advice sought as to the public health significance of particular issues. Specialist experts will also be called upon as necessary. Appropriate resources will be allocated to resolving any food safety incident and alternative measures taken to deal with other work.

#### 4.11 Liaison with other Organisations

The Authorities have a number of formalised liaison arrangements with various public bodies and neighbouring local authorities. These include:

- i) Buckinghamshire Food and Health and Safety Liaison Groups – bi-monthly meetings to discuss current enforcement issues and to develop action plans to progress food and health and safety promotion and enforcement. Also in attendance are representatives from Trading Standards to discuss joint initiatives and the Quality Manager from the PHE, Colindale to discuss sampling results and programmes and the Health and Safety Executive.
- ii) Thames Valley PHE Centre – meetings to discuss current infectious disease issues and to progress initiatives in outbreak control.
- iii) Chiltern District Council and South Bucks District Council Safety Advisory Group – meetings with event organisers to discuss event safety management and to highlight issues of particular concern.
- iv) Thames Water Utilities and Affinity Water – 6 monthly meetings to discuss current developments in water quality and monitoring and to develop closer links between organisations.

Fabricake Sugarcraft Ltd recalls Rolkem's Special Rose Gold and Super Gold



**Communications**  
Food Alert  
11.05.2018

**PRODUCT RECALL - FSA-PRIN-27-2018 - Fabricake Sugarcraft Ltd recalls Rolkem's Special Rose Gold and Super Gold**  
Fabricake Sugarcraft Limited is recalling Rolkem Special Rose Gold and Rolkem Super Gold which are food colours used to decorate food items (such as cakes) due to high concentration. Distribution to Wales, Scotland and Northern Ireland

**FSA Alert:**  
Issued by the Incidents Team,  
Incidents & Resilience Unit, Food Standards Agency  
Floors 6 & 7, Clive House, 70 Petty France, London, SW1H 9EX  
[foodincidents@food.gov.uk](mailto:foodincidents@food.gov.uk)

020 7276 8448    FoodStandardsAgency    @foodgov    www.food.gov.uk

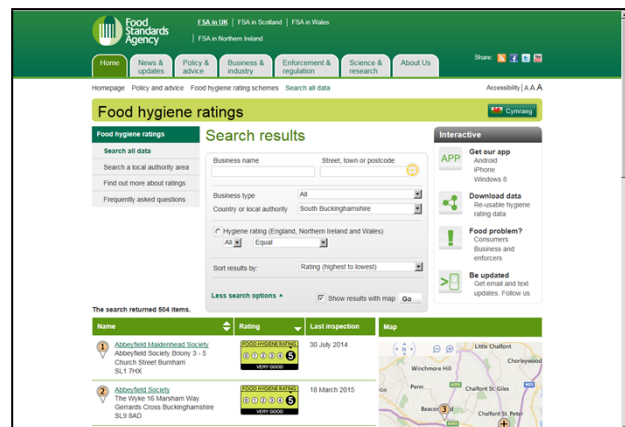


- v) The Division also has links with other Council services e.g. Planning, Building Control and Waste Management.

#### 4.12 Promotion

The value of safety promotions is recognised as an effective way of conveying safety information to both public and businesses and as a means of raising standards. Therefore when resources permit, officers actively participate in a number of promotions. These include Food Safety Week, Health and Safety Week and other local promotions organised on an adhoc basis through the Buckinghamshire Liaison Groups.

The national Food Hygiene Rating Scheme shows how well food businesses are complying with food hygiene law. The scheme applies to all caterers and retailers handling and preparing open food to the public. The food business is given a sticker to display that shows their food hygiene rating out of 5. The ratings are made publicly available on a national website so that customers can make informed choices about the places where they eat out and purchase food, and through this, to encourage businesses to improve hygiene standards. Businesses are encouraged to display their rating.



## 5.0 RESOURCES

### 5.1 Staffing allocation

The food and health and safety service is delivered by a specialised Business Support Team who are responsible for undertaking food safety and health and safety interventions, investigations of accidents and hygiene complaints, food poisoning outbreaks and sporadic infectious disease cases and provide support and advice to businesses and the primary authority partnership scheme. The Team is comprised of Principal Environmental Health Officer, a job shared Senior Specialist Environmental Health Officer post, who, with the Principal EHO jointly act as the Lead officers for food and health and safety and 2.8 Environmental Health Officers, supported by 0.1 FTE Administrative Officers. Additional Environmental Health Officer resources will be deployed from the Public Protection team as required.

All officers are authorised in accordance with an assessment of their individual competencies and qualifications and in accordance with the FSA Code of Practice and Section 18. A record of authorisation for each individual is kept and any training and competency issues are dealt with throughout the year.



Contractors engaged in food or safety interventions will be appointed and authorised in accordance with the authorisation procedures and must demonstrate their competence to the satisfaction of the relevant codes of practice. During 2017/18 a consultant was employed to undertake food hygiene inspections across both authorities to cover maternity leave.

## **5.2 Staff Development**

The Authorities are members of the Investors in People (IIP) Scheme and are regularly appraised through audit of its membership.

The Food Standards Agency, as part of their revision of the Code of Practice, has introduced a Competency Framework for officers who are responsible for undertaking official controls. All officers authorised to carry out official control interventions will be required to complete the Competency Framework and any gaps will form part of their personal development plan.

All staff have an annual appraisal at which time any training and development needs are identified and incorporated into a training plan. Additionally, throughout the year, core courses are identified and staff allocated to attend as necessary. Not only does this plan reflect the business needs of the Division, it also provides for the personal development of individual officers. The Food Standards Agency's Competency Framework has been used to identify individual competencies and training and knowledge gaps.

All training undertaken is reviewed as to its usefulness and practical applications and feedback to other officers is done as necessary.

Following the annual appraisals, each officer receives individual aims and objectives. These comprise of general performance objectives relating to standards of work and targets to be achieved and more specific 'projects' pertinent to their work and the overall aims of the service. These are reviewed on an on-going basis and as part of the annual appraisal.

## **5.3 Financial Allocation**

The budget for the food service is comprised of a number of elements, the greatest of which is staffing costs. This is followed by support services comprised of costs for administration, corporate services (mainly financial income administration), office running costs and internal health and safety. Legal charges are based on the actual work that is performed and a contingency is available for expert advice.

Microbiological analysis is undertaken by the PHE who has agreed an allocation of sampling units based on one food sampling unit per 1000 head residential population. Due to the extensive sampling programme, the Division tends to use its allocation of food sampling units.

## 5.4 Physical Assets

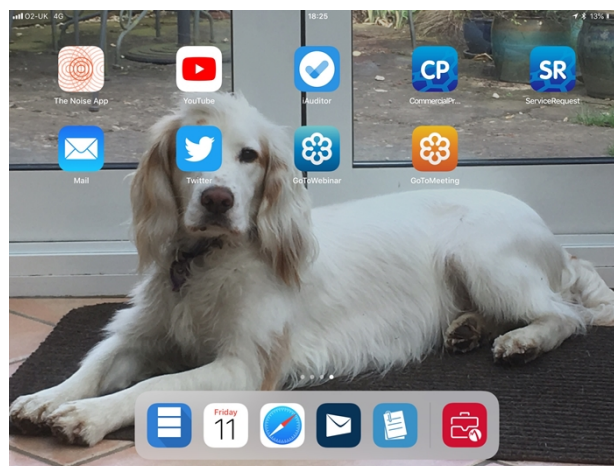
The officers involved in the food service are provided with any equipment that is deemed necessary for them to carry out their duties effectively and efficiently. A record of equipment allocated to staff is listed in an equipment inventory, which also includes a record of the necessary calibration and service checks. The value of these assets costed on a replacement value is estimated to be in the order of £2000.

## 5.5 Information Technology

The Division operates the Uniform database and management system supplied by IDOX and is used to log complaints, investigations and inspections. The system interfaces with the corporate Geographical Information System (GIS) and is based on the Local Land and Property Gazetteer. We also use Laserforms to provide consistency in enforcement notices.

All documents are scanned and linked to the Uniform record using the IDOX Electronic Document Management System which provides a more efficient management of information and data and improved access to information and business history. Additionally, the use of online application forms and payments improves both access to services by residents and businesses and efficiency.

During 2017/18, using iauditor software, officers developed templates for paperless inspection checklists and inspection reports for businesses which provide a clearer way of highlighting the key issues that need to be actioned using a traffic light system and incorporation of photographs. A corporate flexible mobile working project has been rolled out to facilitate more efficient working across both authorities. Officers have the use of laptops and iPads to facilitate mobile



working and the use of the iauditor software and Bluetooth keyboards has improved the efficiency of food hygiene inspections. IDOX have also developed a Commercial Premises app which will link directly with the back office system, enabling officers to view information on their current inspection programme and historical documents relating to previous inspections and to upload inspection data to the back office system whilst working away from the office.

The ICT platform is Windows 7 using Microsoft Office 2010 software packages. These systems are supported by a dedicated ICT Department.

## 6.0 QUALITY ASSESSMENT

It is recognised that as well as ensuring that premises due for inspection are actually inspected, the quality of the inspection is of equal importance. By ensuring and maintaining the quality of an inspection, it becomes a more focussed, effective tool in securing food safety.

To this end, the quality of the service is monitored in accordance with the 'Inspection Monitoring Management System' in compliance with FSA Code of Practice. This sets out the measures that will be taken to ensure quality and consistency of approach to inspections, information provided and correspondence.

In order to attain and maintain a quality inspectorate, minimum qualifications and experience are set for enforcement officers. This is monitored regularly. Staff also undergo shadow inspections and peer review inspections/case studies. Regular file audits and action training sessions are also carried out to maintain quality, competency and consistency within the Section.

Additionally, Notices to be served and other enforcement work are verified by the Senior Specialist EHO (Business Support) or Principal Environmental Health Officer to ensure consistency with the Enforcement Policy and compliance with the Code of Practice and correspondence and files are monitored on a routine basis.

**ACTION PLAN 2018/19**

Task	Responsibility	Action	Success Criteria	Monitoring	Target
Continue to participate in the implementation of the corporate flexible mobile working project and to develop new innovative ways of working	EHM, PEHO, SSEHO (FS), SEHO	<ul style="list-style-type: none"> <li>• Identify processes related to commercial premises inspections, accident investigations and service requests</li> <li>• Identify service needs for mobile working and incorporate into existing and future IT solutions</li> <li>• Implement new processes and procedures in terms of flexible working</li> </ul>	<p>Flexible mobile working introduced across the Business Support Team</p> <p>More efficient, effective and streamlined service delivery.</p>	Monthly review against project plan.	Ongoing
To participate in any developments in terms of the creation of a Unitary Authority in relation to the food and health and safety service	PEHO SSEHO (FS)	<ul style="list-style-type: none"> <li>• Identify how the service may be affected as part of a Unitary Authority.</li> <li>• Design and implement a project to incorporate Trading Standards functions within a new Environmental Health service</li> <li>• Review policies and procedures in light of a combined food hygiene and standards service</li> <li>• Continue dialogue with other District and County colleagues</li> </ul>	<p>Project developed to bring together food hygiene and food standards functions</p> <p>Existing services maintained to a high standard</p> <p>Procedures and policies reviewed in light of change</p>	Quarterly review against project plan.	March 2020

		<ul style="list-style-type: none"> <li>• Ensure that existing services are maintained</li> </ul>			
Review the inspection process to improve hygiene standards in food businesses	PEHO SSEHO (FS)	<ul style="list-style-type: none"> <li>• Implement a project designed to improve hygiene standards within targeted food businesses using a variety of tools, including                             <ul style="list-style-type: none"> <li>○ Business Mentoring</li> <li>○ Toolkit for businesses</li> <li>○ Coaching and training</li> <li>○ Web information</li> <li>○ Score improver training</li> </ul> </li> <li>• Increased face to face contact time with businesses</li> </ul>	Increased number of food businesses that are Broadly Compliant	Quarterly review against project plan. Report on the percentage of businesses that are 'broadly compliant'	March 2019
Develop links with businesses through local trade associations, Chambers of Commerce and Bucks Local Enterprise Partnership (LEP) to improve support for businesses and provide an advisory service	PEHO SSEHO (FS) EHM	<ul style="list-style-type: none"> <li>• Identify relevant Chambers of Commerce, Trade Associations and contacts within the LEP.</li> <li>• Identify ways in which the service can work better with these organisations to better support local businesses.</li> <li>• Develop service delivery in light of discussions with these organisations</li> </ul>	Better communication between local business representatives and the authorities.  Changes in service delivery to better reflect business needs	Quarterly review against project plan.	March 2019
Develop Primary Authority arrangements with local businesses for both food and health and safety	PEHO SSEHO (FS) SEHO	<ul style="list-style-type: none"> <li>• Actively pursue Primary Authority Partnerships</li> <li>• In discussion with the particular business, develop</li> </ul>	Successful development and smooth implementation of the	Monitoring of food and health and safety complaints/enquiries and liaison with other	March 2019

		the Primary Authority Principle in line with government guidance.	Primary Authority Principle.	local authorities	
To develop and enhance the authorities' websites in relation to food and health and safety	SEHO/IT	<ul style="list-style-type: none"> <li>Identify ways in which the websites can be better used to provide information and guidance for businesses and to improve service delivery.</li> <li>Identify ways in which the websites can supplement the mobile/remote working project to provide more efficient and effective work practices.</li> <li>To review the content of the Councils' websites in relation to food and health and safety and amend, remove or add new information as necessary in light of changes in legislation, government guidance and Council changes.</li> </ul>	<p>Websites enhanced – improved and readily accessible guidance and information available for businesses.</p> <p>Officers able to use website to improve their interaction with businesses and to enhance remote working.</p> <p>The relevant sections of the websites are up to date, relevant and readily accessible.</p>	<p>Quarterly review against project plan.</p> <p>Quarterly review of website information to ensure that information is still current</p>	March 2019
Identify additional income streams for the department. Develop and deliver a chargeable advice service	PEHO SSEHO (FS) SEHO EHM	<ul style="list-style-type: none"> <li>Identify sources of additional income that can be exploited.</li> <li>Develop projects that can be marketed to businesses and other local authorities as an additional service.</li> </ul>	<p>Increase in income.</p> <p>Projects identified and new services developed. Uptake of new services by businesses and local</p>	<p>Quarterly review against project plan.</p>	March 2019

		<ul style="list-style-type: none"> <li>Produce a marketing plan and identify ways in which new services can be publicised and promoted.</li> </ul>	<p>authorities.</p> <p>Business support valued by businesses, active participation on training courses. Increased uptake of food and health and safety courses.</p>		
Ensure a programme of priority campaigns are carried out	All	<ul style="list-style-type: none"> <li>In line with the HSE Strategy and guidance, identify and deliver appropriate intervention projects</li> <li>Work to include development of website information, business seminars and targeted visits in collaboration with the HSE representative</li> </ul>	<p>Identified projects delivered according to the project plan. Businesses increasingly aware of the priority topic areas and implementing recommendations.</p>	<p>Review meeting at end of project period. Briefing note provided on successes and lessons learned for future projects.</p>	Ongoing
Report to the Food Standards Agency via the statutory return the percentage of businesses that are broadly compliant	PEHO SSEHO (FS)	<ul style="list-style-type: none"> <li>Using the FSA's LAEMS report, identify the percentage of businesses that are/are not broadly compliant.</li> <li>Target appropriate food safety interventions to increase the percentage of businesses that are 'broadly compliant'.</li> </ul>	<p>Increasing percentage of businesses that are 'broadly compliant'.</p>	<p>Report on the percentage of businesses that are 'broadly compliant'.</p>	Ongoing





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**CHILTERN DISTRICT COUNCIL  
and  
SOUTH BUCKS DISTRICT COUNCIL**

**Environmental Health Section**

**FOOD POLICY**

**2018-2019**



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1.0	Aims and Objectives
2.0	Standards for food related work
3.0	Food Hygiene Interventions
4.0	Enforcement Policy
5.0	Policy with respect to Complaints
6.0	Policy with respect to Sampling
Appendix 1	Risk Rating Categories and Interventions
Appendix 2	Service Standards

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## BACKGROUND

The Healthy Communities Division has a key role in working with businesses and consumers to ensure that food and drink intended for sale for human consumption, which is produced, stored, distributed, handled or consumed within the districts, is without risk to the health or safety of the consumer.

Whilst many incidents of food borne illness arise from visits abroad and poor hygiene awareness in the home, the need for high standards of hygiene within food businesses remains paramount particularly to engender public confidence and meet consumer expectations.

The Councils' approach to the enforcement of food safety reflects the responsibilities placed upon them by the Food Safety Act 1990, Food Safety and Hygiene (England) Regulations 2013, General Food Regulations 2004 (as amended), the Official Feed and Food Control (England) Regulations 2009 (as amended) and other regulations.

We aim to protect the public by delivering a complementary programme of education and enforcement which endeavours to ensure that food businesses within the districts are operated and maintained at a standard that complies with relevant legislation. We also ensure that our service fulfils the statutory duty imposed on the Councils as "food authorities" and to ensure the effective implementation of Government strategy on food safety issues.

Our enforcement policy reflects the Principles of Good Regulation set out in the Legislative and Regulatory Reform Act 2006, namely that regulatory activities should be carried out in a way which is transparent, accountable, proportionate and consistent; and that regulatory activities should be targeted only at cases in which action is needed. In drafting this policy, we have taken account of the Regulator's Code and the Councils' overarching enforcement policy.

## 1.0 AIMS AND OBJECTIVES

### 1.1 Aims

It is the Councils' aims for food safety to:

- protect public health and ensure that food intended for human consumption is safe
- support and assist businesses to **comply with legal obligations**
- provide consistent, accurate and up-to-date information aimed at providing protection to consumers
- provide effective and efficient regulatory services that meets customer needs

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## 1.2 Objectives

The Councils will achieve these aims in the following ways:

- Targeted, current and relevant information to businesses and consumers
- Ensure officers are equipped with tools to effectively support businesses to help them achieve good levels of compliance
- Target our enforcement activity on those areas which give rise to the most serious risks and concerns Ensure that poor performing businesses are proportionately targeted with support or enforcement action where appropriate
- Adopt a "light touch" approach to compliant businesses and organisations
- Proactive campaigns to promote food hygiene ratings

## 1.3 Service Delivery

The service will be delivered through:

- i) routine programmed inspections of food businesses, with a frequency determined by a risk assessment, with appropriate follow-up action;
- ii) assessment of relevant food hygiene practices to determine a food hygiene rating, in line with the national Food Hygiene Rating Scheme (FHRS). Premises are given a rating of between 0-5 and results are posted onto the Food Standards Agency website to provide clear, accountable evidence of visits;
- iii) routine self-assessment questionnaires to low risk premises;
- iv) investigation of complaints and incidents with appropriate follow-up action;
- v) participation in national and local sampling programmes;
- vi) appropriate training, development and monitoring of Council officers in accordance with Chapter 4 of the FSA Food Law Code of Practice;
- vii) provision of information and advice to businesses about legal requirements, good practices and what to expect of the inspecting officer/authority;
- viii) provision of relevant food safety courses for food handlers;
- ix) promotional activities to inform and encourage high standards;
- x) promotional activities to educate the consumer in food hygiene and safety.

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#### 1.4 Priorities

Priority will be given to targeting those activities that pose the greatest risk to the consumer arising from the consumption of food. This will be by:

- the correct and uniform identification of high-risk processes during programmed inspections and other interventions, including complaint investigation and to concentrate efforts to reduce significant risks;
- focussing enforcement efforts on those businesses that pose the greatest risks e.g. those that are not broadly compliant;
- ensuring efforts are focussed on persistent offenders;
- ensuring compliance with the law and;
- engaging in those promotional activities for businesses and consumers which are most likely to foster improved safety.

## 2.0 STANDARDS FOR FOOD RELATED WORK

### 2.1 Authorisations

The Councils will set standards for the qualifications, experience and competence of its officers.

In the context of the Food Safety Act 1990 and Regulations under the European Communities Act 1972, an authorised officer's powers include the inspection of food premises, the inspection, detention and seizure of food, the service of notices and taking emergency action. Authorised officers will be authorised in accordance with the Food Safety Law Code of Practice.

Under the Chiltern District Council Constitution reviewed on 12 February 2008, the Head of Healthy Communities has the following delegated authority:

- i) to appoint Inspectors for all purposes in connection with the Food Safety Act 1990 and any statutory instruments made under the European Communities Act 1972 relating to food safety and/or food hygiene and all subordinate and/or related enactments thereto including (without prejudice to the generality of the foregoing);
- ii) to exercise or to authorise appointed Inspectors to exercise any of the powers specified within the enactments referred to above, including powers of:
  - Entry and inspection of premises, equipment and articles;
  - Approval or refusal of licences;
  - Registration of premises;

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- Service of improvement and emergency prohibition notices;
- Seizure and detention and remedial action notices;
- Taking of samples
- Certifying that food has not been produced and distributed in accordance with Food Hygiene Regulations., and
- To institute prosecution proceedings or issue simple cautions in connection with any offences created by the enactments above.

Under the South Bucks District Council Constitution adopted on 25<sup>th</sup> February 2015, the Director of Services has the following delegated authority:

- i) to appoint authorised officers and inspectors for functions Director of Services and issue new authorisations and powers of entry under all Acts of Parliament and Regulations within the terms of reference of the Executive, subject to any exercise of the powers being reported to the next meeting.
- ii) The seizure of food which fails to comply with food safety requirements or appears likely to cause food poisoning or any disease communicable to human beings.
- iii) The service of Improvement Notices.
- iv) The service of Emergency Prohibition Notices (in consultation with Head of Legal Services)
- v) The issue of approvals under 'Product Specific" Regulations.
- vi) Authority to make a departure from the approved Food Safety Enforcement Policy; (in consultation with the Health & Housing Portfolio Holder.
- vii) Authority to revise the policy to take account of staff and legal changes, as necessary from time to time; and
- viii) Authority to issue a formal caution as an alternative to pursuing a prosecution, in appropriate circumstances, offences in relation to Food Safety (Environmental Health Officer in consultation with the Head of Legal Services and the Head of Health and Housing/Director of Services in accordance with considerations set out in the Policy.

The Director of Services and Head of Healthy Communities, in exercising their authority to appoint authorised officers, will apply the standards contained in this policy.

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### 2.1.1 Inspections

The inspection of food premises will only be undertaken by officers who are suitably qualified, experienced and competent in accordance with the requirements of the Food Law Code of Practice pertinent to their duties. This will equally apply to those employed on a contract basis. Inspectors will be authorised in accordance with the *'Authorisation and Training Procedure'*.

Newly appointed officers or currently employed officers who are extending their duties will not be authorised unless they are qualified as above, that they possess the appropriate competencies, skills, qualifications and experience to undertake their duties and that they have undergone a period of structured training in accordance with the Code of Practice. The assessment of competency etc. will be undertaken by the Senior Specialist Environmental Health Officer (Business Support) in consultation with the Principal Environmental Health Officer.

### 2.1.2 Enforcement Notices

Service of Hygiene Improvement Notices will only be undertaken by qualified officers with experience in food law enforcement, in accordance with the Food Law Code of Practice and after consultation with the Senior Specialist Environmental Health Officer (Business Support) or Principal Environmental Health Officer.

The service of notices by hand will be by any person who is capable of explaining the meaning and legal status of the notice. Notices served by other methods will be in accordance with current legal guidance.

The Environmental Health Officers will be authorised to serve Hygiene Emergency Prohibition Notices in accordance with the standards within the policy. Where practicable, he/she will be accompanied by another EHO to corroborate the proceedings and will consult with the Senior Specialist Environmental Health Officer (Business Support) or Principal Environmental Health Officer.

### 2.1.3 Seizure and Detention of Food

Environmental Health Officers will be authorised to inspect, detain and seize foodstuffs subject to experience and competence.

All officers will be assessed for the necessary practical skills, experience and competency by the Senior Specialist Environmental Health Officer (Business Support).

### 2.1.4 Competency

The Principal Environmental Health Officer has been given specific responsibility for food hygiene and food safety matters and managing the food safety service. This will be in accordance with the documented *'Food Safety Monitoring Procedure'*.

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Environmental Health Officers and Environmental Health Technical Officers will carry out inspections and exercise their powers in accordance with the relevant legislation, Food Law Code of Practice and within the restrictions of their authorisation.

The Senior Specialist Environmental Health Officer (Business Support) (or in his/her absence, the Principal Environmental Health Officer) will be responsible for the supervision and training of officers and for the maintenance of auditable records. The FSA Competency Framework will be used to establish current qualifications and competencies and to identify future training needs in order that officers can effectively carry out their duties.

Recommendations will be made by the Principal Environmental Health Officer or Senior Specialist Environmental Health Officer (Business Support), to the Head of Healthy Communities in respect of the powers to be given to officers and the category of premises to be inspected.

A list of the officers, their powers and the category of premises which the officer may inspect, will be maintained and regularly updated in an *'Authorisations Manual'*. Records of training will also be kept.

Other officers may be appointed to assist in carrying out inspections.

## 2.2 Guidance

The authorities will have regard to the Food Law Code of Practice and Guidance issued by the Food Standards Agency, other advice issued by the Government, advice issued by the Office of Product Safety and Standards, information and guidance issued by a Primary Authority and any approved Industry Guides.

## 2.3 Approvals

Some specific food premises are required to be formally approved by the local authority. They are then given an approval number that specifically relates to their premises and products and can then use the "health mark" required by EC Directives.

The Head of Healthy Communities, in consultation with the Principal Environmental Health Officer, has the authority to issue or revoke such approvals.

Other suitably qualified and experienced officers will be designated as being able to approve premises which will be assessed and recorded as in 2.1, above. The ability to revoke approvals will remain solely within the authority of any of the two officers named above.

## 2.4 Licences and Registrations

Under the Chiltern District Council Constitution, the Head of Healthy Communities has delegated power to issue licences and registrations pursuant to Section 19 of the



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Food Safety Act 1990 and to refuse or revoke licences in accordance with Regulations and any guidance issued. This function is delegated to the Director of Services in South Bucks District Council. This will be in consultation with the Principal Environmental Health Officer.

## 2.5 Uniformity

The Authorities acknowledge the need to act in a consistent and uniform manner and advocate a common-sense approach to the selection of enforcement action and activities.

The following areas are all considered important in achieving uniformity. These are detailed in the *'Inspection Monitoring Management System'*:

- i) the awareness, adherence to and review of the food policy document and further development of office procedures;
- ii) training, qualifications, supervision of staff. Regular practical training and update sessions will be essential to ensure uniformity;
- iii) cross monitoring visits of staff;
- iv) use of the Primary Authority Partnership Scheme, specified by the Office of Product Safety and Standards;
- v) liaison with local food groups/adjoining authorities. Use of joint training initiatives. Co-operation and joint working on uniformity issues;
- vi) compliance with the Code of Practice and guidance.

## 2.6 Advice to Businesses

The Authorities are committed to ensuring that food businesses are aware of their legal obligations and to supporting businesses in achieving best practice by providing coaching, training and appropriate advice.

In responding to requests, the advice given should support compliance and be reliable. On a quarterly basis, the information on the Councils' website will be reviewed in light of changes in legislation and government guidance. Requests for advice should not necessarily trigger enforcement action but should be a means to forge positive relationships with businesses.

Where opportunities arise to provide advice and guidance to businesses over and above that required to ensure legal compliance, e.g. to increase a business' food hygiene rating or to establish 'best practise' for supplier auditing purposes, then a charge may be made.

Where a charged advisory service is provided to a business and significant risks are identified which pose a serious and imminent risk to health, these will be brought to the attention of the business for immediate action to rectify. Officers will be expected to ensure that action is taken by the business and if not, appropriate enforcement action will be taken.

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Where advice is provided by another agency, e.g. Trading Standards at the County Council, then the business will be appropriately signposted. In relation to allergens in food, officers will provide advice in respect of non-pre packed food. All other requests for guidance and information will be referred to Buckinghamshire County Council Trading Standards. Officers will not make direct referrals.

In particular:

- i) businesses will be encouraged to acquire food hygiene training. To assist in this, Level 2 Food Hygiene courses will be run by or in partnership with, the authorities for as long as demanded, on a cost recovery basis in order to encourage attendance. In addition, a range of online courses are also available. A charitable organisation will be able to benefit from 2 discounted group courses per year, after which they will be charged at the going rate for group bookings. At all times it will be made clear that there is no legal requirement to attend the course run by the Councils;
- ii) the Councils' websites will be the primary source of information to assist businesses with interpretation of legislation or good practice. The Councils also provide services for ethnic minority groups through 'Language Line' translation services and courses in languages other than English. Where the Councils do not provide the service themselves, information will be given to businesses about other providers.
- iii) a chargeable advice service will be available to new and existing food businesses to support them in achieving high standards of safety and compliance.
- iv) businesses will be supported and encouraged to participate in the Primary Authority partnership scheme where applicable.
- v) coaching and mentoring visits will be made to businesses in order to raise standards of hygiene by focussing on issues identified during primary inspections. Appropriate toolkits will be used to assist effective delivery of information.
- vi) where there is sufficient demand occasional talks will be given to businesses. Charges to cover costs may be made for out of hour's sessions.

## 2.7 Advice to Consumers

The authorities are committed to assisting consumers to understand basic hygiene in the home and to providing consumer confidence in local food businesses. The Councils' website will provide access to advice and information on food safety issues and will be reviewed on a quarterly basis. The authorities will participate in national food safety activities and local events and promote the national Food Hygiene Rating

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Scheme. Talks to voluntary organisations and groups will be given free of charge where resources permit.

## 2.8 Conduct

Inspecting officers will at all times act and dress in a professional manner. Protective clothing will be worn that is appropriate to the premises being inspected and equipment will be maintained and calibrated where appropriate.

Officers will ensure the highest standards of personal hygiene and will not act in such a way as to pose a risk of cross contamination or to health.

## 2.9 Information Sharing

Where the legislation permits, the authorities will share information via agreed secure mechanisms with other regulatory agencies and local authorities about businesses to help target resources and activities and to minimise duplication.

The authorities will share information about businesses with the primary authority as appropriate and with other authorities when acting as a Primary Authority.

The authorities will, where feasible, follow the principle of 'collect once, use many times' when requesting information from businesses.

## 3.0 FOOD HYGIENE INTERVENTIONS

### 3.1 Premises

An up to date record will be kept and maintained on a computer database of all known food premises, together with the food register required by law. All known food businesses will be assessed for the need to be included on the planned programme of inspection based on information obtained from the food business operator or following inspection.

Newly registered high risk food businesses will be inspected within 28 days following receipt of the application for registration. Any longer period should take account of the nature of the business and prior knowledge of the level of managerial competence.

### 3.2 Frequency and type of inspections

Over the last few years there have been a series of regulatory reforms, which aim to reduce red tape and regulatory burdens upon business. In light of the regulatory reviews it has been recognised that "a key element of their activity will be to allow, or even encourage, economic progress and only to intervene when there is a clear case for protection." The reviews also stated that "The few businesses that persistently

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break regulations should be identified quickly and face proportionate and meaningful sanctions."

Article 2 of EC Regulation 882/2004, states that, it is possible to undertake Official Controls by means other than the traditional food hygiene inspection. It goes on to recognise five other activities (classed as interventions) which are deemed to meet the requirements of an official control at a food business. They are; Inspections, Audit, Sampling, Monitoring, Surveillance and Verification. The Food Standards Agency also identifies other ways of assessing and encouraging low risk businesses to be compliant such as by coaching, advice and training.

Article 2 of Regulation 882/2004 provides the following definitions of official controls:

**'Inspection'** means the examination of any aspect of feed, food, animal health and welfare in order to verify that such aspect(s) comply with the legal requirements of feed and food law and animal health and welfare rules.

**'Monitoring'** means conducting a planned sequence of observations or measurements with a view to obtaining an overview of the state of compliance with feed or food law, animal health and animal welfare rules.

**'Surveillance'** means a careful observation of one or more food businesses, or food business operators or their activities.

**'Verification'** means the checking, by examination and the consideration of objective evidence, whether specified requirements have been fulfilled.

**'Audit'** means a systematic and independent examination to determine whether activities and related results comply with planned arrangements and whether these arrangements are implemented effectively and are suitable to achieve objectives.

**'Sampling for analysis'** means taking feed or food or any other substance (including from the environment) relevant to the production, processing and distribution of feed or food or to the health of animals, in order to verify through analysis compliance with feed or food law or animal health rules.

In light of this, the Food Safety Code of Practice, to which officers must have regard when inspecting food businesses, allows authorised officers and food authorities to use a range of interventions, using strategy and officers' professional judgement to determine the most suitable level of intervention, proportionate to the activities of the food business. The range and scope of interventions is detailed in *Appendix 1*. In determining the inspection approach, officers will take into account the compliance record of the business and any other earned recognition and third party verification in place. Officers have been given training and regular reviews are in place to ensure consistency in this approach. Interventions are defined as activities that are designed to monitor, support and increase food law compliance within a food establishment. More intensive regulation will be directed at those food businesses that pose the

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greatest risk.

Systems will be maintained to monitor inspection frequency against the planned programme. All visits will be recorded on the computer-based system and documents scanned to the corporate Electronic Document Management System.

### 3.3 Inspection Procedure

#### 3.3.1 Approach

The authorities will work to the standards in the Food Law Code of Practice and Guidance and the internal inspections procedure documents.

The main purpose of inspection is to identify potential risks to food safety or which are likely to give rise to food poisoning and to ensure that the business understands the risks and has put the necessary measures in place to minimise them. When undertaking an intervention, officers will pay particular emphasis to HACCP based management systems. However it is recognised that the seven HACCP principles are a model towards compliance and that the legislative requirement can be achieved by other simplified, effective equivalent means.

A systematic approach to risk assessment will be adopted based on The Food Safety and Hygiene (England) Regulations 2013. Where businesses have identified their own critical points for food safety and have introduced controls, the intervention will focus on the accuracy of the critical points assessment and on the effectiveness of the controls. Written assessments will normally be expected in high risk or complex businesses. Low risk or simple businesses will not be expected to have written or elaborate assessments although the use of Safer Food, Better Business will be promoted where appropriate.

Where no assessment by the business can be demonstrated the inspection will focus on the officer's own critical points assessment and examination of controls. In accordance with government advice on enforcement, formal action will be considered where an informal approach has been unsuccessful in achieving compliance with the food safety management requirements.

The whole of a premise may not necessarily be inspected at each inspection; those areas of greatest risk will be given priority. Where the inspection varies from government guidance or departmental procedures, this will be recorded.

Computer records will be updated following every visit.

A Memorandum of Understanding exists between the County and District Councils where they jointly have powers to enforce a particular piece of legislation e.g. with Trading Standards, then officers will liaise with the County Council to discuss the most appropriate course of action. In relation to enforcement of allergen information (Food Information Regulations 2013), officers will check for compliance when

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undertaking programmed official food controls and issue advice and guidance where there is non-compliance. Officers may seek formal compliance by taking enforcement where regulatory action for other food safety matters is being carried out.

### 3.3.2 Communication

Every intervention (including those where no defects are identified) will result in a written report to the proprietor. Copies of the report will be sent to the Manager or other relevant persons. The report will comply with the requirements of the Code of Practice and advice will be in line with guidance and relevant Industry Guides to Good Hygiene Practice issued by central government.

A standard format will be used. The report will cover the important issues noted during the inspection and will clearly distinguish between legal requirements and recommendations. It will give details of the person carrying out the inspection, date, time, the areas inspected, the FHS rating where possible and the procedure if the proprietor disagrees with the issues raised in the report.

Good communication between inspector and proprietor/manager is essential wherever possible, including ensuring that the purpose and scope of an inspection is understood and the "works" needed following the inspection with an agreed time limit. The impact of the advice should be considered so that it does not impose unnecessary burdens upon businesses.

### 3.3.3 Timing of Inspections

Programmed inspections will be carried out at all reasonable hours. It is recognised that food businesses operate outside normal office hours of work and so the inspection programme will take this into account. Food businesses operating outside of 'normal' office hours will, on occasions, be inspected at times when different activities occur to that in the day time.

Programmed inspections will normally be unannounced with the following exceptions:

- i) where officers are unlikely to gain access without notifying the proprietor e.g. sports clubs, small home caterers, church halls etc.;
- ii) where security measures are in existence;
- iii) if full information is not able to be gained at the unannounced visit, an appointment may then be made to discuss the issues further, e.g. specific HACCP documentation, advice from a technical manager at a large manufacturer.

Notice will not be given where complaints are being investigated.

Revisit dates may be notified in advance as an aid to ensuring that works are

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completed and to facilitate further discussions with the proprietor.

Where alternative dates for visits are requested by a business the inspector may agree, if suitable justification is given, and the inspector is satisfied that the purpose behind the request is not to conceal a major risk. Where the officer suspects that the intention is to hide a serious offence he/she should agree to have a quick inspection and then agree a full visit at a later date.

#### 3.3.4 Revisits

Revisit inspections will be arranged to check on matters raised during an inspection (and any obvious extra defects) where there are *significant* contraventions and/or serious risks to public health and to check on compliance with statutory notices. They will not turn into a further full inspection except where a major risk is identified. Where significant breaches of hygiene regulations have been identified, the revisit should whenever practicable be undertaken by the same officer who undertook the initial visit. After initial inspections, employers must be made aware that a revisit will be made and appropriate dates discussed.

Revisits will not always result in a written report (unless further work is required) to the proprietor/manager although the proprietor/manager will always be advised of the outcome verbally, and in writing if requested. However, detailed records of revisits will be made and kept on the computer property database. Records will be maintained of formal and informal notices which have been complied with.

For premises with a FHRS score of 0, 1, or 2, a 2 phase revisit process will be implemented. This will apply to those businesses who have contraventions that are likely to affect the safety of the food being served, producing an 'unsafe contravention'. Where necessary, enforcement action will be taken in accordance with the Enforcement Policy. After the inspection, the business will receive a 1st revisit that will involve a coaching session in the areas that they have scored poorly on. A range of tools have been developed to aid officers when coaching these businesses. The business will then, if necessary, be given time to implement the changes before another revisit is made. Dependant upon the nature of the outstanding requirements, and the past history of the Food Business Operator, for the 2<sup>nd</sup> revisit, this may be able to be achieved over the phone. This process will only be implemented for non-compliant businesses that have not received any coaching or mentoring in the past. Should businesses fail to maintain their compliance during subsequent inspections, then enforcement action will be taken in accordance with the Enforcement Policy.

Where a re-inspection under the FHRS is requested, this will be in writing and supplemented with supporting evidence in order to establish whether adequate measures have been put in place to warrant a re-inspection. Re-inspections will generally be un-announced and will take place within 3 months of the request for re-inspection and the business re-rated according to the hygiene standards found at the time. Distinction will be made between those *re-visits* necessary to ensure compliance and to address food safety issues and those *re-inspections* at the request

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of the Food Business Operator to re-rate the business under the FHRS.

#### 4.0 ENFORCEMENT POLICY

This section sets out the policy relating to the general principles of enforcement in relation to food safety and is drafted in accordance with the overarching Corporate Enforcement Policy. It embraces the principles set out in the 'Regulators' Code' issued by the Better Regulation Delivery Office (now the Office for Product Safety and Standards).

More specific procedures concerned with statutory notices, emergency action, formal cautions and prosecutions are detailed in enforcement procedures. These procedures take account of all Codes of Practice and 'The Code for Crown Prosecutors'

Enforcement officers by necessity as professional officers have considerable discretion in decision making and initiating enforcement action. Such action can range from informal advice, information and support through to formal enforcement mechanisms, including the use of statutory notices and prosecution.

This part applies to all dealings, formal and informal, between officers and businesses, all of which contribute to securing compliance with the law. It will provide policy standards, aid professional judgements and decision making and ensure both consistent and effective enforcement.

##### 4.1 Principles of Enforcement

The core expectation for those we deal with, quite reasonably, is for us to be professional, fair, co-operative and consistent in our approaches. Businesses and the public also expect local authority actions to result in the remedying of potentially risky situations and for those guilty of serious offences to be adequately punished.

We will adopt a positive and proactive approach towards ensuring compliance by:

- i) helping and encouraging businesses to understand and meet regulatory requirements more easily without imposing unnecessary additional cost;
- ii) assess whether other social, environmental and economic outcomes can be achieved by less burdensome measures, and
- iii) responding proportionately to regulatory breaches.

Enforcement should be informed by the principles of **proportionality** in applying the law and securing compliance; **consistency** of approach; **targeting** of enforcement action, **openness** about how we operate and what businesses may expect and **helpfulness** in providing advice and assisting with compliance.

*Appendix 2* sets out the standards of service businesses should expect to receive.



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It will be expected that enforcement officers, when making decisions and communicating with businesses will follow these principles, together with relevant codes of practice and guidance. The Primary Authority partnership scheme will be used where appropriate.

Any departure from this must only occur when the following criteria are complied with:

- i) in exceptional circumstances;
- ii) where actions are capable of justification;
- iii) where there has been full consultation with the Principal Environmental Health Officer or Environmental Health Manager.

Any sanctions or penalties being considered should:

- aim to change the behaviour of the offender;
- aim to eliminate any financial gain or benefit from non-compliance;
- be responsive and appropriate for the particular offender and regulatory issue
- be proportionate to the nature of the offence and the harm caused;
- aim to restore the harm caused by regulatory non-compliance, where appropriate; and
- aim to deter future non-compliance

This policy will be reviewed periodically in response to new legislation and guidance issued by central government departments.

#### 4.1.1 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 should be given to the cost of measures required to reduce the risk weighed against the benefit to be gained by reducing the risk. Consideration should be given as to the impact upon small businesses.

In addition, there should be a staged approach to enforcement action with increasing degrees of enforcement as management of businesses fail to respond to previous requests. Officers should provide an opportunity for dialogue in relation to the advice, requirements and decisions.

The only exceptions to the above approach would be where a serious and/or imminent risk to public safety or health exists.

The staged approach to enforcement is further detailed in the enforcement procedures.

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#### 4.1.2 Consistency

Consistency of approach does not mean uniformity. It means taking a similar approach in similar circumstances to achieve similar ends.

Businesses expect consistency from enforcing authorities in advice given, the use of statutory notices, decisions on prosecution and responses to complaints. It is recognised however, that in practice it is not simply due to the wide range of variables faced. Therefore it is expected that officers will use their professional judgement and exercise discretion, in conjunction with this policy, when coming to a decision on appropriate action.

Enforcement officers will however have the following arrangements in place in order to promote consistency of approach: -

- i) Officers will perform validation exercises relating to joint inspections on an annual basis;
- ii) The Senior Specialist Environmental Health Officer (Business Support) will accompany all officers on a minimum of one initial inspection per year to assess the consistency of approach between officers;
- iii) Officers openly discuss cases at team meetings and/or with the Senior Specialist Environmental Health Officer (Business Support) to provide a consensus of opinion;
- iv) Formal action will be 'signed off' by the Principal Environmental Health Officer
- v) Where there is a need for clarification, approaches will be made to the Bucks Food Liaison Group;
- vi) Officers will participate in inter-authority consistency exercises and change working practices, if necessary, to achieve consistency;
- vii) Chiltern and South Bucks District Councils will take an active role in the Bucks Food Liaison Group;
- viii) Reference will be made to appropriate central government guidance;
- ix) Reference will be made to appropriate guidance issued by a Primary Authority;
- x) Where inconsistencies arise, appropriate training will be given by the Senior Specialist Environmental Health Officer (Business Support).

#### 4.1.3 Targeting

Inspections and enforcement action will be targeted primarily on those activities giving rise to the most serious risks or where hazards are least controlled and that action is focussed on those responsible for the risk and who are best placed to control it.

The prioritisation of inspections will be based on guidance issued by the Food Standards Agency, primarily the Code of Practice and the Regulators' Code.

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#### 4.1.4 Openness

Enforcement officers will help businesses to understand what is expected of them (and what would not be expected) and what they should expect from the enforcing authorities.

Confirmation of all work (initial inspections, revisits and complaints) will be given in writing to business managers and as appropriate to head offices. Information will clearly explain what the non-compliant item or activity is, the advice being given, actions required or decisions taken and the reasons for these.

There will be a clear distinction between legal requirements and good practice recommendations (either verbally or written).

The Food Standards Agency's leaflet 'Food Law Inspections and Your Business' will be brought to the attention of Food Business Operators (or their Representatives) via the Councils' website after initial inspections and after other visits if formal action is proposed.

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

If formal requests for information are received from a third party, advice will be sought from the Data Protection Monitoring Officer or the Legal Department prior to replying.

Businesses will be made aware of the Corporate Complaints Procedure when appropriate and the appeals procedure to the Principal Environmental Health Officer in the first instance. This is to be included in correspondence to businesses following inspections.

#### 4.1.5 Helpfulness

The principle is to actively work with businesses to advise on and assist with compliance wherever possible. To this end, officers will identify themselves by name and provide a contact point and telephone number for further dealings. Businesses will be encouraged to seek advice/information; information will be freely available on the Councils' website with links to those produced by central government. When appropriate, training courses/seminars will be provided for businesses on specific issues.

#### 4.2 Procedures Based on HACCP Principles

Article 5 of EC Regulation 852/2004 is flexible and requires food businesses to establish procedures that control food safety hazards and integrate these with documentation and record keeping appropriate to the size and nature of the business. Whilst larger, more complex businesses and those with a high level of

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understanding of food safety management may choose to demonstrate compliance by having a traditional HACCP system, others may do so with simpler approaches that take account of this flexibility as long as the same outcome is achieved; safe food being produced.

#### 4.2.1 Appropriateness of the Food Safety Management System (FSMS)

Although the Food Standards Agency has produced the SFBB packs to help a variety of businesses within the food industry e.g. catering, retail and childminders, it is recognised that it does have limitations and may not be the most appropriate FSMS to use. Therefore if inspectors identify that the scope of the food operation exceeds that of the SFBB toolkit, then the food business will be required to produce a fully documented food management system in accordance with HACCP principles.

In certain circumstances, in particular in food businesses where there is no preparation, manufacturing or processing of food, it may be the case that the relevant hazards can be controlled through the implementation of prerequisite requirements. For example, where a business is especially low risk, e.g. sweet shop, greengrocer, market stalls etc. presenting only basic hygiene hazards; it may be sufficient that the business has a guide to good hygiene practice and understands and applies it. In these circumstances, documentation and record keeping may not be necessary.

#### 4.2.2 Enforcement

The Food Standards Agency has produced guidance and toolkits; Safer Food, Better Business (SFBB) for a variety of businesses and funded local authorities to deliver coaching during the initial introduction of SFBB. Therefore unless a new business, all established food businesses have been given a great deal of advice and guidance to meet their legal obligations.

This policy will secure compliance with Article 5 of EC Regulation 852/2004 through a staged approach where appropriate but otherwise, where non-compliance is established, appropriate enforcement action will be taken. This will normally take the form of Hygiene Improvement Notices but where significant risks exist, more immediate action will be taken.

Where there is a partly developed system, and controls are in place and there are no significant risks to health, a more informal approach may be more appropriate.

Some of the HACCP principles are on-going, for example monitoring, so notices can not be served. It is therefore likely that notices may only be served for the implementation or review of a documented FSMS.

#### 4.2.3 New Premises

From time to time new businesses will be established and existing premises will

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change ownership. The following options should be considered:

- i. New owners should be made aware of their responsibilities in respect of Article 5 (if possible before the premises are open for business);
- ii. Establish at the initial inspection that the business does not present a significant risk to public health. This inspection should be performed at the earliest opportunity following the local authority being notified;
- iii. Provided that no significant risk to public health exists, agree with the proprietor a programme of compliance with Article 5;
- iv. Where a significant risk to public health exists, action is to be taken in line with the general enforcement policy.

## 5.0 POLICY WITH RESPECT TO COMPLAINTS

### 5.1 Background

Complaints in respect of food either relate to:-

- i) hygiene issues and hence involve local businesses;
- ii) complaints relating to the actual food itself, either appearance, taste, contamination, (whether physical, chemical or allergenic where an imminent risk to health), or microbiological quality or;
- iii) Food Alerts issued by the Food Standards Agency in relation to national or international food safety issues.

The purpose of investigating such complaints is:

- i) to identify possible causes for and to resolve any problems which pose a risk to public health;
- ii) to substantiate complaints and to provide a service to the public;
- iii) to provide information to the food industry in order to raise and maintain standards;
- iv) to perform a duty of enforcement and;
- v) to prevent further complaints.

### 5.2 Food Hygiene

These types of complaint generally involve a local business, either relating to the standard of hygiene seen/experienced or a complaint following illness.

Complaints that relate to issues that may pose a risk to health are considered of utmost importance and therefore require an immediate response upon notification in order to investigate as thoroughly as possible and to ensure that food continues to be prepared safely. In cases involving issues that do not pose a risk to health, these will be investigated within the departmental response time of 3 days.

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Officers will conduct their investigations and visits in accordance with previously detailed policies and guidance. Where appropriate, samples will be taken in accordance with the Sampling Policy.

### 5.3 Food Complaints

These types of complaint relate to food that has been purchased or eaten within the District and does not meet certain health standards as defined by EC Regulation 178/2002. This could include issues such as mould growth, physical contamination or chemical contamination posing an imminent risk to health. Where the complaint is concerned with composition, adulteration, chemical contamination where no imminent risk to health or misleading claims (labelling), the complaint will be transferred to the Trading Standards Service at the County Council. Likewise, where the complaint originated outside Chiltern and South Bucks areas, the complaint shall be referred to the relevant local authority.

In relation to complaints associated with allergens, officers, will investigate complaints where there has been an alleged reaction by a member of the public. All other complaints relating to labelling and provision of information to consumers will be referred to Trading Standards if the business is not due an official food control intervention.

All investigations shall be performed in accordance with the FSA Code of Practice and Practice Guidance and the 'Primary Authority Scheme' shall prevail throughout the investigation.

Enforcement action will be in accordance with the Enforcement Policy.

### 5.4 Food Alerts

The Food Standards Agency operates a system to alert the public and local authorities of serious problems concerning food that does not meet food safety requirements, food that is inadequately labelled or food that may be allergenic. Where a problem has occurred, food is normally withdrawn on a voluntary basis. However in some cases the withdrawal of food involves the food companies working with central and local Government.

When a Food Alert is issued, local authorities are informed of the action that they should take at a local level e.g. local publicity, contact with local food businesses or just to be aware of potential problems during visits to businesses.

Officers will carry out action specified in the Food Alert as instructed and in the most appropriate, expeditious and cost effective manner possible to safeguard public health. Action will be taken in accordance with guidance issued by central government.

If, following complaints, a Food Alert needs to be issued, the guidance in the Code of

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Practice will be followed.

When necessary, the Consultant in Communicable Disease Control and/or Public Analyst will be consulted and advice sought as to the public health significance of particular issues.

## 6.0 POLICY WITH RESPECT TO SAMPLING

It is recognised that food sampling provides a valuable contribution to the protection of the public and the food law enforcement functions of the authority and that the food and water sampling programme is a valuable tool to assist in determining food safety standards.

### 6.1 Objectives

The following are the key objectives for sampling recognised by the authorities:

- To protect the consumer through the enforcement of food legislation.
- To obtain recognised and usable microbiological standards for foods, via a nationally co-ordinated sampling programme.
- To assist in the assessment of food safety and to help in the evaluation of hazard analysis (or HACCP) management systems.
- To check that foods comply with statutory microbiological standards, where available.
- To assess the microbiological quality of food manufactured, distributed or retailed in the authority's area.
- To identify specific foodstuffs that could pose a hazard to the consumer because they may contain significant levels of pathogenic.
- To facilitate the issue of an export certificate.

When sampling, officers will have regard to the Code of Practice and comply with additional guidance issued by the Food Standards Agency. Officers will also undertake appropriate training in sampling techniques.

### 6.2 Co-ordination

It is recognised that good co-operation and co-ordination at a national and local level is necessary to achieve some objectives and therefore the authority is committed to:

- i) participating in and co-operating with the Food Standards Agency's national sampling schemes and EU co-ordinated control programmes.
- ii) participating in and co-operating with Public Health England national

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- schemes.
- iii) co-ordinating with adjoining local authorities and local PHE to agree locally co-ordinated sampling.
  - iv) undertaking final product and critical control point monitoring as part of the authorities' own primary authority responsibilities and to avoid duplication with other Port Health or Primary Authorities.

### 6.3 Sampling Programme

An annual sampling programme will be drawn up based on the objectives above to cover:

- private water supplies, locally bottled water
- PHE and FSA co-ordinated sampling
- locally co-ordinated sampling including locally manufactured products and approved premises
- identified high risk businesses
- poor performing businesses
- lower risk businesses as part of an alternative intervention strategy

The sampling programme will take account of the number, type and risk ratings of food businesses within the Chiltern and South Bucks areas, the authorities' own Primary Authority responsibilities and the need to ensure that the provisions of food law are adequately enforced.

Adequate resources will be available to fulfil the annual sampling programme. However, in the event of food poisoning outbreaks and other emergency incidences, additional resources will be made available as necessary. A reciprocal agreement has been made between the Buckinghamshire authorities to share resources in the event of an emergency.

When deciding to sample, the following should be considered:

- i) Whether further processing of the food will reduce or eliminate micro-organisms prior to consumption;
- ii) The role played by hazard analysis or HACCP in the production of safe food;
- iii) The statistical confidence in the sampling technique.

All businesses will be notified at the time of sampling of the purpose of taking the sample and will be sent the results. In circumstances where results are unsatisfactory, businesses will be given advice and guidance to remedy the problem. Officers will follow up unsatisfactory results with visits and further sampling.

As part of informal monitoring, the company concerned generally will volunteer the sample to the sampling officer. However, if the company requests payment or the quantity or frequency of sampling is likely to give rise to significant financial



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consequences for the owner of the food, then the food will be purchased.

If enforcement action is anticipated under Section 14 of the Act following microbiological examination, the sampling officer should purchase the sample. Otherwise, in other circumstances, powers under the Food Safety Act 1990 will be used. Enforcement action will be in accordance with the Enforcement Policy. In relation to nationally co-ordinated sampling programmes, the protocol concerning obtaining the sample will be followed.

## 6.4 Water

All private water supplies will be monitored and risk assessed in accordance with the Private Water Supplies Regulations.

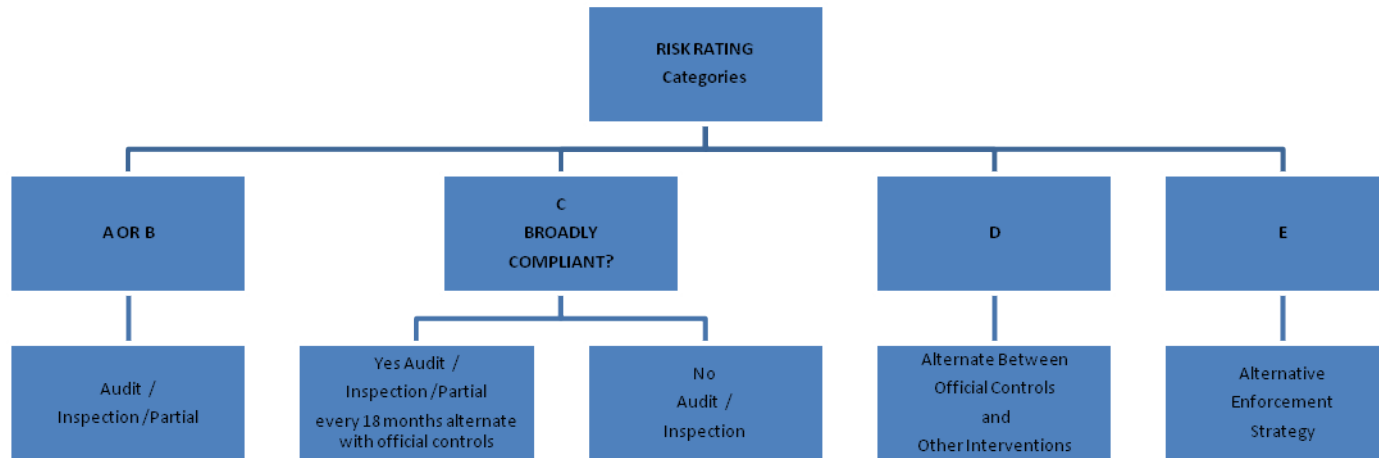
Swimming pool waters will not be routinely sampled, on the grounds that such samples are of limited snapshot value, do not necessarily fall to the authorities for enforcement purposes and should be maintained and monitored by the operator on a daily basis. However, this would not preclude the need for one-off sampling exercises particularly targeted at high risk pools such as jacuzzis' and spa pools or where incidents have been associated with a facility.

## 6.5 Suspect Food Poisoning

Where a food poisoning outbreak is suspected, faecal specimens will be taken together with any remaining foodstuffs, as a matter of priority.

Individual cases of suspect food poisoning will be referred initially to their General Practitioner unless officers feel other action is merited. Foodstuffs will be sampled where evidence supports this action.

**APPENDIX 1 - RISK RATING CATEGORIES AND INTERVENTIONS**



NB. A broadly compliant premise is one which has a risk rating score of not more than 10 points under each of the following three parts of Annex A i.e. level of compliance relating to hygiene, structure and confidence in management. The types of intervention allowed will therefore vary depending upon the category. The following explains the types of interventions allowed for each category.

**1a. Types of intervention for Category A, B & C which are not Broadly Compliant**

For Categories A and B, and those category C premises that are not broadly compliant, these are considered to be the high risk premises, and therefore most of our focus will be targeted to these premises. The appropriate planned intervention should be;

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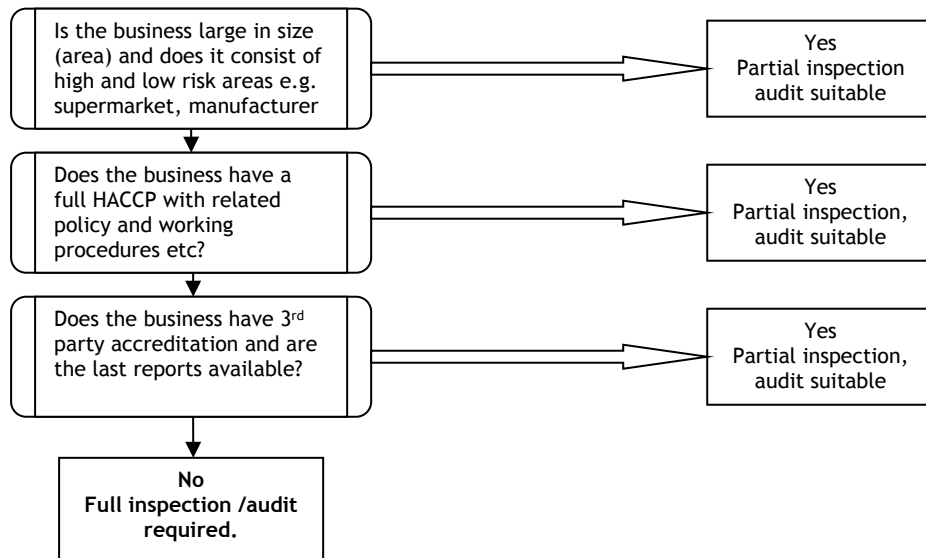
- an inspection
- a partial inspection; or
- an audit

Other interventions such as sampling, or education and training can also take place alongside the above interventions. Sampling of high risk premises is encouraged where poor practices at a high risk food business are identified, or where they do not have confidence in the method of production of a particular foodstuff.

To decide whether to conduct an Inspection, Partial Inspection or Audit the following flow chart will be considered.

**For Category A & B and Broadly Compliant C, Choosing Full or Partial inspections**

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### **1b. Types of intervention for Category A & B which are not Broadly Compliant and have persistent non compliance**

At the start of each financial year the Principal Environmental Health Officer or Senior Specialist Environmental Health Officer (Business Support) will assess those premises within those categories that have **persistent** non compliance i.e. those food businesses that have been rated at Category A or B and that have not been broadly compliant on more than two occasions. Each persistent non-compliant business will be allocated to an officer and will be inspected on the due date. Case reviews of these premises will be carried out between the inspecting officer and either the Principal Environmental Health Officer or the Senior Specialist Environmental Health Officer (Business Support).

### **1c Food Hygiene Inspections Full and Partial**

During partial or other inspections the following information as a minimum will still be ascertained;

- Confirmation of the operations carried out
- Confirmation of the Products Produced
- An assessment of the effectiveness of the critical control points
- The examination of the CCP records

Partial areas officers can choose to cover; Drainage, Personal Hygiene, Sickness Policies, Ventilation, Pest Control Records, Detailed water plans, Waste Contracts, Detailed Cleaning Schedules etc

## **2. Types of Intervention for Premises that are Category C and Broadly Compliant**

For Category C Premises that are broadly compliant; on an 18 month alternative basis, official control interventions, other than inspections, can be used for example;

- Sampling visit
- Surveillance / alternative enforcement visit
- Monitoring and Verifications visits – risk based visit, focus on most critical points;

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- Cleaning
- Temperature Control (chilling, cooking, hot holding, cold displays)
- Cross contamination etc

### **3. Types of Interventions for Category D Premises**

These are premises that are considered to be lower risk and therefore interventions can alternate on a 2 year alternating basis between official control interventions and non-official control interventions such as;

- Sampling visit (sampling visits will not currently be used with this type of premises unless high risk contraventions are found.)
- Surveillance / Alternative Enforcement Visit
- Monitoring and Verifications visits – risk based visit, focus on most critical points;
- Cleaning
- Temperature Control (chilling, cooking, hot holding, cold displays)
- Cross contamination etc
- Coaching Visit
- Advice, Education, Information,

However, where a business has scored 30 or 40 for 'type of food and method of handling' the official control must be an inspection, partial inspection or audit.

### **4. Types of interventions for Category E Premises– Alternative Enforcement Visits**

Alternative food hygiene inspections are carried out in 'low risk' establishments. These are establishments which score less than 31 points overall as dictated by the Food Law Code of Practice – Food Hygiene Inspection Rating Scheme. Category E food businesses form part of the inspection programme and are monitored accordingly. The approach will be through the use of self-assessment questionnaires which are completed and returned by the food business operator and assessed by authorised officers who would also determine any necessary follow up action.

The use of an alternative enforcement strategy does not preclude the use of an official control intervention when considered necessary or appropriate

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and would not be used for those businesses that are approved under Regulation 853/2004.

**Summary of Interventions relating to risk category**

<b>Premises Category</b>	<b>Interventions that can be undertaken</b>
A	Inspection, Audit (Full or Partial)
B	Inspection, Audit (Full or Partial)
C (not broadly compliant)	Inspection, Audit (Full or Partial)
C (broadly compliant)	Inspection, Audit (Full or Partial) alternating (18 monthly) with Monitoring, Surveillance or Verification, Sampling
D	Inspection, Audit (Full or Partial), Monitoring, Surveillance or Verification, Sampling alternating (every 2 years) with Advice, Coaching, Information, Intelligence Gathering
E	Alternative Enforcement

The risk assessment will be reviewed at every general inspection, but not at revisits. Businesses will be encouraged to be aware of this risk assessment scheme and be encouraged to reduce their score thereby reducing the frequency of inspection. When requested, each officer will advise the food business operator/manager of their rating and be prepared to discuss how it was arrived at and how the business can reduce it.

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## **Appendix 2 Service Standards**

### **Our Commitment**

- We will give you verbal feedback at the end of each inspection and aim to give you written confirmation either at the time of the inspection or within 5 working days.
- We will update the FSA Food Hygiene Rating Scheme website fortnightly
- We will respond to FHRS safeguarding requests within 10 working days
- If we receive a request for service we will investigate and respond within 10 working days.
- We will answer letters within 10 working days of receiving them and if we cannot give a full reply within that time, we will let you know when you can expect one and why there is a delay.
- We will answer emails within 10 working days of receiving them.
- We will answer the telephone within 20 seconds (6 rings).
- If we cannot give you a satisfactory reply when you telephone, we will call back at an agreed time.
- We will provide you with a contact name and number.

### **What to do if you are unhappy with the service?**

The Council has a Corporate Complaints Procedure which can be found at:

<http://www.chiltern.gov.uk/complaints>

<http://www.southbucks.gov.uk/complaints>

These pages explain how to make a complaint against any Council Service.

If you disagree with the nature of your food hygiene inspection, the FHRS outcome or wish to add a comment to your website entry, then you can use the safeguarding measures published at:

<http://www.southbucks.gov.uk/fhrssafeguards>

<http://www.chiltern.gov.uk/fhrssafeguards>





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**CHILTERN DISTRICT COUNCIL  
and  
SOUTH BUCKS DISTRICT COUNCIL**

**Environmental Health Section**

**HEALTH AND SAFETY ENFORCEMENT POLICY**

**April 2018 - 19**

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- 1.0 Aims and Objectives
- 2.0 Standards for health and safety related work
- 3.0 Health and Safety Interventions
- 4.0 Enforcement Policy
- 5.0 Policy with respect to Complaints
- 6.0 Policy with respect to Accident Investigation
- 7.0 Policy with Disclosure of Information

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## BACKGROUND

The Healthy Communities Division has a key role in ensuring that everyone who works, resides or visits Chiltern and South Bucks Districts, are protected from unsafe work practices.

The Health and Safety Executive (HSE) specifies the following elements as essential for a local authority to adequately discharge its duty as an enforcing authority:

- i. A clear published statement of enforcement policy and practice;
- ii. A system for prioritised planned inspection activity according to hazard and risk, and consistent with any advice given by the Health and Safety Executive (HSE) and Local Authority Unit (LAU);
- iii. A service plan detailing the local authority's priorities and its aims and objectives for the enforcement of health and safety;
- iv. The capacity to investigate workplace accidents and to respond to complaints by employees and others against allegations of health and safety failures;
- v. Arrangements for benchmarking performance with peer local authorities
- vi. Provision of trained and competent inspectorate;
- vii. Arrangements for liaison and co-operation in respect of the Primary Authority scheme.

This policy sets out the ways in which the Healthy Communities Division will achieve Central Government aims and objectives, and policies in relation to ensuring that standards required by the Health and Safety at Work etc Act are met, advise businesses and employees on safety issues and ensuring that preventative health measures are adopted by businesses.

Our enforcement policy reflects the Principles of Good Regulation set out in the Legislative and Regulatory Reform Act 2006, namely that regulatory activities should be carried out in a way which is transparent, accountable, proportionate and consistent; and that regulatory activities should be targeted only at cases in which action is needed.

In drafting this policy, we have taken account of the Regulator's Code and the Councils' overarching enforcement policy.

## 1.0 AIMS AND OBJECTIVES

### 1.1 Aim

It is the Councils' aim to:

- support and assist businesses to comply with legislation
- provide consistent, accurate and up-to-date information aimed at providing protection to employees and customers
- provide effective and efficient regulatory services that meets customer needs

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## 1.2 Objectives

The Councils will aim to achieve these aims in the following ways:

- To protect people by providing information, training and advice, promoting a goal-setting system of regulation and undertaking enforcement in accordance with this policy and Government guidance
- Develop partnerships and approaches to service delivery to enhance services, increase impact and reduce costs through innovation;
- To support businesses to adopt best practice and to recognise their contribution towards economic growth and social benefits;
- Develop new ways to establish and maintain an effective health and safety culture in a changing economy, so that all employers take their responsibilities seriously, the workforce is fully involved and risks are properly managed;

## 1.3 Service Delivery

The service will be delivered through:

- i) risk-based targeting of inspections of high risk businesses based on national and local intelligence, with appropriate follow-up action;
- ii) project based intervention programmes based on the HSE's key priority areas;
- iii) investigation of complaints with appropriate follow-up action;
- iv) investigation of accidents with appropriate follow-up action;
- v) suitably trained and experienced officers who are effectively monitored;
- vi) provision of information to businesses about legal requirements, good practices and what to expect of the inspecting officer/authority;
- vii) promotional activities to inform and encourage high standards in businesses.

## 1.4 Priorities

It is recognised that resources are finite. Therefore it is particularly important that resources for health and safety are targeted at activities that pose the greatest risk and that will allow for the most effective and efficient use of resources in delivering

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outcomes.

Priority will be given to targeting those activities that pose the greatest risk to employees and members of the public. In particular, priority will be given to those issues within the HSE Strategy identified as the greatest causes of accidents within the local authority enforced sector. In setting priorities and the local authorities' work plan, due regard will be given to the National Local Authority Enforcement Code published by the HSE. This will consist of having regard to national priorities and sector specific strategies set by the HSE; local priorities informed by local intelligence, workplace accidents and complaints, Matters of Evident Concern and Matters of Potential Major Concern; and Primary Authority inspection plans.

These key priorities will determine the approach taken towards individual inspections and the overall intervention programme itself. Officers will focus on these key priorities during interventions in the following way:

- the correct and uniform identification of high-risk areas with particular attention being given to the key priorities during inspections and as a result of complaint and accident investigation and to concentrate efforts to reduce these risks;
- ensuring compliance with the law and;
- engaging in those promotional activities for businesses and employees, which are most likely to foster improved health and safety;
- working with other agencies to improve health and safety standards

## 2.0 STANDARDS FOR HEALTH AND SAFETY RELATED WORK

### 2.1 Authorisations

The Councils will set standards for the qualifications, experience and competence of its officers.

In the context of the Health and Safety at Work Act 1974, an authorised officer's powers include the inspection of premises, the examination, sampling and seizure of substances, articles and equipment, the service of notices and taking emergency action. Authorised officers will be authorised in accordance with Section 18 guidance issued by the HSE.

Under the Chiltern District Council Constitution reviewed on 12 February 2008, the Head of Healthy Communities has the following delegated authority:

- i) to appoint Inspectors for all purposes in connection with the Health and Safety at Work etc Act 1974 and subordinate and related enactments;
- ii) to exercise or to authorise appointed Inspectors to exercise any of the powers specified within the enactments referred to above, including powers of:

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- a) Entry and inspection of premises, equipment and articles;
  - b) Service of improvement and prohibition notices;
  - c) Seizure and detention;
  - d) Taking of samples and;
  - e) Waiver of notification periods for control of asbestos at work.
- iii) to authorise appointed Inspectors to institute prosecution proceedings or issue formal cautions in connection with any offences created by the enactments above;
  - iv) To agree the transfer or assignment of enforcement responsibilities under the Health and Safety Enforcing Authority Regulations.

Under the South Bucks District Council Constitution adopted on 25<sup>th</sup> February 2015, the Director of Services has the following delegated authority:

- i) to appoint authorised officers and inspectors for functions Director of Services and issue new authorisations and powers of entry under all Acts of Parliament and Regulations within the terms of reference of the Executive, subject to any exercise of the powers being reported to the next meeting.
- ii) The authority for enforcement of the Health and Safety at Work etc. Act 1974 in premises and activities listed in Schedule 1 of the Regulations.
- iii) Authority to sign transfer documents (Regulations 5 and 6). (and Head of Healthy Communities
- iv) Health & Safety Enforcement — Shared Functions - authority to undertake enforcement work in the South Bucks District, with specific reference to the Local Government Act 1972 and the Health and Safety (Enforcing Authority) Regulations 1998 (Authorised Officers /Appointed Inspectors of: Aylesbury Vale DC, Wycombe DC, Milton Keynes C and Health & Safety Executive.
- v) Prosecutions: Food Safety Act 1990; Health and Safety at Work Act 1974; Control of Pollution Act 1974; Environmental Protection Act 1990; Building Act 1984 and similar Public Health Legislation - Authority to prosecute or take proceedings where a notice has been served and not complied with or where there is an immediate risk to public health and safety (Services Director of Services in consultation with the Head of Legal)

The Director of Services and Head of Healthy Communities in exercising his/her authority to appoint authorised officers will apply the standards contained in this Policy.

### 2.1.1 Inspections

Inspection of premises will only be undertaken by officers who are suitably qualified, experienced and competent in accordance with the requirements of Section 18 Guidance. This will equally apply to those employed on a contract basis.

Newly appointed officers or currently employed officers who are extending their duties will not be authorised unless they possess the appropriate competencies, skills,

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qualifications and experience to undertake their duties and that they have undergone a period of structured training in accordance with Section 18 Guidance. The assessment of competency etc. will be undertaken by the Senior Specialist Environmental Health Officer (Business Support) or the Principal Environmental Health Officer.

#### 2.1.2 Enforcement Notices

Service of Improvement Notices will only be undertaken by qualified officers with experience in health and safety law enforcement, and after consultation with the Senior Specialist Environmental Health Officer (Business Support) or Principal Environmental Health Officer.

The service of notices by hand will be by any person who is capable of explaining the meaning and legal status of the notice. Notices served by other methods will be in accordance with current legal guidance.

Officers will be authorised to serve Prohibition Notices in accordance with the standards within the Policy. Where practicable, he/she will be accompanied by another authorised EHO to corroborate the proceedings and consult with the Senior Specialist Environmental Health Officer (Business Support) or Principal Environmental Health Officer. If this is not possible, then the Environmental Health Manager is to be notified as soon as possible after service.

#### 2.1.3 Seizure and Detention

Officers will be authorised to inspect, detain and seize articles and equipment subject to experience and competence.

All officers will be assessed for the necessary practical skills, experience and competency by the Senior Specialist Environmental Health Officer (Business Support) or Principal Environmental Health Officer.

#### 2.1.4 Competency

The Principal Environmental Health Officer has been given specific responsibility for health and safety matters and managing the health and safety service. This will be in accordance with the documented 'Inspection Monitoring Management System'.

Environmental Health Officers and Technical Officers will carry out inspections and exercise their powers in accordance with the Health and Safety at Work etc. Act, associated Regulations and Codes of Practice and within the restrictions of their authorisation.

The Senior Specialist Environmental Health Officer (Business Support), (or in his/her absence, the Principal Environmental Health Officer) will be responsible for the supervision and training of officers and for the maintenance of auditable records. A training and development plan will be used to establish current qualifications and

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competencies and to identify future training needs in order that officers can effectively carry out their duties.

Recommendations will be made by the Principal Environmental Health Officer to the Head of Healthy Communities in respect of the powers to be given to officers and the nature of premises to be inspected.

A list of the officers, their powers and the nature of premises which the officer may inspect, will be maintained and regularly updated together with records of training.

#### 2.1.5 Authorisation of Persons with Expert Knowledge.

Under Section 20(2)(c)(i) of the Health and Safety at Work etc. Act 1974 an authorised officer may take another person with them on the inspection e.g. a person with an expert knowledge of the type of activity being inspected. Authorisation of such persons is necessary to ensure the right of entry to the premises concerned. Where it is necessary to be accompanied by another person, an officer will ensure they are duly authorised in writing and empowered under Section 19 to perform such activities as are necessary under Section 20 of the Act. Such authorisation is given under the authority of the Head of Healthy Communities.

#### 2.2 Guidance

The authorities will have regard to Codes of Practice and guidance issued by the Health and Safety Executive, other advice issued by the Government and advice issued by Health and Safety Executive/Local Authority Enforcement Liaison Committee (HELA).

#### 2.3 Uniformity

The Authorities acknowledge the need to act in a consistent and uniform manner and advocates a common-sense approach to the selection of enforcement action and activities.

The following areas are all considered important in achieving uniformity. These are detailed in the 'Inspection Monitoring Management System':

- i) the awareness, adherence to and review of the health and safety policy document and further development of office procedures;
- ii) training, qualifications, supervision of staff. Regular practical training and update sessions will be essential to ensure uniformity;
- iii) cross monitoring visits of staff and monitoring of letters, inspection records and notices by senior officers;
- iv) use of the Primary Authority Partnership Scheme, specified in HELA Guidance and by the Better Regulation Delivery Office;
- v) liaison with local health and safety groups/adjoining authorities. Use of joint training initiatives. Co-operation and joint working on



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- uniformity issues;
- vi) compliance with relevant Codes of Practice and guidance from LAU;
- vii) Consistent application of the Enforcement Management Model (EMM) when making enforcement decisions.

## 2.4 Advice to Businesses

The authorities are committed to ensuring that businesses are aware of their legal obligations and to supporting businesses in achieving best practice by providing information and guidance to assist businesses. In particular, it is recognised that small businesses do not have access to specialist health and safety knowledge or information and so initiatives will be developed to target information for these businesses within the districts. The authorities will be committed to helping small businesses.

Where opportunities arise to provide advice and guidance to businesses over and above that required to ensure legal compliance, then a charge may be made.

In particular:

- i) the Councils' websites will be the primary source of information to assist businesses with interpretation of legislation or good practice. The Councils also provide services for ethnic minority groups through 'Language Line', translation services and courses in languages other than English. Where the Councils do not provide the service itself, information will be given to businesses about other providers.
- ii) a chargeable advice service will be available to new and existing businesses to support them in achieving high standards of safety and compliance.
- iii) businesses will be supported and encouraged to participate in the Primary Authority partnership scheme where applicable.
- iv) where there is sufficient demand occasional talks will be given to businesses. Charges to cover costs will be made for out of hour's sessions.

## 2.5 Advice to Members of the Public

The Councils' websites will be the primary source of advice and information on safety issues and will be reviewed on a quarterly basis. The authorities will participate in national health and safety activities and local events. Talks to voluntary organisations and groups will be given free of charge where resources permit.

## 2.6 Conduct

Inspecting officers will at all times act and dress in a professional manner. Protective clothing will be worn that is appropriate to the premises being inspected and equipment will be maintained and calibrated where appropriate.

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Officers will not act in such a way as to pose a risk to safety or health either to themselves, employers and employees and members of the public.

## 2.7 Information Sharing

Where the legislation permits, the authority will share information via agreed secure mechanisms with other regulatory agencies and local authorities about businesses to help target resources and activities and to minimise duplication.

The authorities will share information about businesses with the Primary Authority as appropriate and with other authorities when acting as a Primary Authority.

The authorities will, where feasible, follow the principle of 'collect once, use many times' when requesting information from businesses.

## 3.0 HEALTH AND SAFETY INTERVENTIONS

### 3.1 Premises

Efforts will be made to keep an up to date record maintained on a computer database of all known premises. As necessary, businesses will be assessed for the need to be included within an intervention programme based on information obtained from the proprietor or following inspection.

### 3.2 Frequency of inspections

The National Local Authority Enforcement Code and HELA guidance note LAC 67/2 'Advice to Local Authorities on Inspection Programmes and a Rating System' provide advice as to the prioritisation of inspections. Proactive inspection will be used only for the activities identified within the HSE's published list of higher risk activities or where there is local intelligence that risks are not being effectively managed. It is recognised that 'inspection' may not necessarily be the most effective means of dealing with a particular situation and that other types of interventions may be more suitable. The current guidance is that *'there should be no inspection without a reason'*.

Risk ratings alone will not be used to determine the use of a particular intervention or to decide an intervention frequency. However, whilst it is likely that premises rated Category A have been rated such because they have been judged as not managing their risks effectively, sufficient evidence will be required to justify the risk rating; confidence in management considered in isolation is not sufficient to justify an A rating.

In recognition of the HSC/HELA Strategy priorities, inspections will be programmed on a project based basis. Each project will be identified in relation to the impact it will have in addressing the key priorities and will either be a cross-cutting project targeting a single priority e.g. slips and trips across a wide range of businesses or will be sector specific targeted at those activities that have been identified as being high risk e.g. warehousing, or those sectors where inspections will address a number of the

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key priorities at the same time e.g. residential care homes.

This project based approach will provide for a more efficient use of resources and be more effective in targeting the priorities that have been identified as giving rise to the highest number of accidents. Statistical data, both nationally and locally, will be used to identify those activities which require the most attention.

Category B1, B2 and C premises will not form part of the inspection programme and so will not be subject to any proactive interventions unless they come within one of the priority subject areas.

Revisits to check on outstanding issues will be made where necessary. Where health and safety interventions coincide with food hygiene inspections, a joint inspection will be undertaken. All visits will be recorded on the computer-based system and documents scanned to the corporate Electronic Document Management System.

### 3.3 Inspection Procedure

#### 3.3.1 Approach

The authorities will work to standards set within HELA Guidance and internal inspections procedure documents.

The main purpose of inspections is to identify potential risks to employee's and the public's safety or health and to ensure that the business understands the risks and has put the necessary measures in place to minimise them. When undertaking an inspection, officers will pay particular emphasis to risk assessment based management systems and the HSE key priorities.

A systematic approach to risk assessment will be adopted. Where businesses have identified their significant risks and have introduced controls, the inspection will focus on the accuracy of the assessment and on the effectiveness of the controls. Written assessments will normally be expected in high risk or complex businesses and where they employ 5 or more employees. Businesses with less than 5 employees will not be expected to have written assessments.

Where no assessment by the business can be demonstrated the inspection will focus on the officer's own assessment and examination of controls.

The whole of a premise may not necessarily be inspected at each inspection; those areas of greatest risk will be given priority. Officers will have regard to the key priorities and the focus will be on those which are significantly pertinent to the activities of the business being inspected.

Computer records will be updated following every visit.

#### 3.3.2 Communication

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Every inspection (including those where no defects are identified) will result in a written report to the employer. Copies of the report will be sent to the Manager or other relevant persons, including employee and safety representatives.

A standard format will be used. The report will cover the important issues noted during the inspection in priority order and will clearly distinguish between legal requirements and recommendations. It will give details of the person carrying out the inspection, date, time, the areas inspected and the procedure if the proprietor disagrees with the issues raised in the report.

Good communication between inspector and employer is essential wherever possible, including ensuring that the purpose and scope of an inspection is understood and the "works" needed following the inspection with an agreed time limit. The impact of the advice should be considered so that it does not impose unnecessary burdens upon businesses.

The role of Safety Representatives in preventing injuries and ill health at work and promoting good standards of health and safety in the workplace is recognised. Therefore their role will be promoted and officers will effectively consult and communicate with them where appropriate.

Section 28(8) of the Health and Safety at Work etc. Act places a duty on inspectors to provide factual information where it is necessary to do so for the purposes of assisting in keeping employees or their representatives informed about matters that affect their health and safety. This factual information will also be provided to employers. This will include correspondence, enforcement notices, results of sampling and monitoring and intentions to prosecute.

### 3.3.3 Timing of Inspections

Programmed inspections will be carried out at all reasonable hours. It is recognised that some businesses operate outside normal office hours of work and so the timing of interventions will take this into account. Interventions will normally be by appointment to facilitate better communication with the most appropriate person at the business. However, when circumstances dictate the use of contract staff, appointments may not be possible. Notice will not be given where poor standards are likely to be found, the nature of the project work dictates an alternative approach or where complaints or accidents are being investigated.

Revisit dates may be notified in advance as an aid to ensuring that works are completed and to facilitate further discussions with the employer. Appointments may also be made when there is a need to discuss specific issues.

Where alternative dates for visits are requested by a business the inspector may agree, if suitable justification is given, and the inspector is satisfied that the purpose behind the request is not to conceal a major risk. Where the officer suspects that the intention is to hide a serious offence, he/she should agree to have a quick look

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around and then agree a full visit at a later date.

#### 3.3.4 Revisits

Revisit inspections will be arranged to check on matters raised in an inspection (and any obvious extra defects) where there are **significant** contraventions and/or serious risks to public health and to check on compliance with statutory notices. They will not turn into a further full inspection except where a major risk is identified. Where significant breaches of regulations have been identified, the revisit should whenever practicable be undertaken by the same officer who undertook the initial visit particularly where formal notices have been served. After initial inspections, employers must be made aware that a revisit will be made and appropriate dates discussed.

Revisits will not always result in a written report (unless further work is required) to the employer although the employer will always be advised of the outcome verbally, and in writing if requested. However, detailed records of revisits will be made and kept on the property database. Clear records will be maintained of formal and informal notices which have been complied with.

### 4.0 ENFORCEMENT POLICY

This section sets out the policy relating to the general principles of enforcement in relation to health and safety and is drafted in accordance with the overarching Corporate Enforcement Policy. It details the general principles of enforcement and embraces those set out in the 'Regulators' Code' issued by the Better Regulation Delivery Office (now the Office for Product Safety and Standards) and Section 18 Guidance issued by the HSC.

More specific procedures concerned with statutory notices, emergency action, formal cautions and prosecutions are detailed in enforcement procedures. These procedures take account of all Codes of Practice and guidance issued by HSE and 'The Code for Crown Prosecutors'.

Enforcement officers by necessity as professional officers have considerable discretion in decision making and initiating enforcement action. Such action can range from informal advice, information and support through to formal enforcement mechanisms, including the use of statutory notices and prosecution.

This part applies to all dealings, formal and informal, between officers and businesses – all of which contribute to securing compliance with the law. It will provide policy standards, aid professional judgements and decision making and ensure both consistent and effective enforcement.

#### 4.1 Principles of Enforcement

The core expectation for those we deal with, quite reasonably, is for us to be professional, fair, co-operative and consistent in our approaches. Businesses and the

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public also expect local authority actions to result in the remedying of potentially risky situations and for those guilty of serious offences to be adequately punished.

We will adopt a positive and proactive approach towards ensuring compliance by:

- helping and encouraging businesses to understand and meet regulatory requirements more easily; without imposing unnecessary additional cost;
- assess whether other social, environmental and economic outcomes can be achieved by less burdensome measures, and
- responding proportionately to regulatory breaches.

Enforcement should be informed by the principles of **proportionality** in applying the law and securing compliance; **consistency** of approach; **targeting** of enforcement action, **openness** about how we operate and what businesses may expect and **helpfulness** in providing advice and assisting with compliance.

*Appendix 1* sets out the standards of service you should expect to receive.

It will be expected that enforcement officers, when making decisions and communicating with businesses will follow these principles, together with relevant codes of practice and guidance. The Primary Authority partnership scheme will be used where applicable.

When considering formal action, officers will perform an assessment in accordance with the Health and Safety Executive's Enforcement Management Model (EMM). Where the proposed enforcement action deviates from the EMM, a management review will be undertaken by the Principal Environmental Health Officer.

Any departure from this must only occur when the following criteria are complied with:

- i) in exceptional circumstances;
- ii) where actions are capable of justification;
- iii) where there has been full consultation with the Principal Environmental Health Officer or Environmental Health Manager

In circumstances when officers become aware that they are considering measures which may be inconsistent with those adopted by other local authorities, formal action may be delayed to allow the matter to be discussed at the local liaison group. Reference will also be made to the Primary Authority where appropriate. However this would not be applicable in cases where there is a serious risk to public health.

Any sanctions or penalties considered should:

- aim to change the behaviour of the offender;
- aim to eliminate any financial gain or benefit from non-compliance;
- be responsive and appropriate for the particular offender and regulatory issue
- be proportionate to the nature of the offence and the harm caused;
- aim to restore the harm caused by regulatory non-compliance, where

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- appropriate; and
- aim to deter future non-compliance

This policy will be reviewed periodically in response to new legislation and guidance issued by central government and HELA.

#### 4.1.1 Proportionality

All enforcement actions and advice must be proportional to the risks posed to the public/employees and the seriousness of any breach of legislation. When considering enforcement action, consideration should 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 should be a staged approach to enforcement action with increasing degrees of enforcement as management of businesses fail to respond to previous requests. Officers should provide an opportunity for dialogue in relation to the advice, requirements and decisions.

The only exceptions to the above approach would be where a serious and/or imminent risk to safety or health exists.

The staged approach to enforcement is further detailed in the enforcement procedures.

#### 4.1.2 Consistency

Consistency of approach does not mean uniformity. It means taking a similar approach in similar circumstances to achieve similar ends.

Businesses expect consistency from enforcing authorities in advice given, the use of statutory notices, decisions on prosecution and responses to complaints.

It is recognised however, that in practice it is not simple, due to the wide range of variables faced. Therefore it is expected that officers will use their professional judgement and exercise discretion, in conjunction with this policy, when coming to a decision on appropriate action.

The following arrangements will be in place in order to promote consistency of approach:

- i) Officers will perform validation exercises relating to joint inspections;
- ii) The Senior Specialist Environmental Health Officer (Business Support) will accompany officers to assess the consistency of approach between officers;
- iii) Officers openly discuss cases at team meetings and/or with the Principal Environmental Health Officer or Senior Specialist Environmental Health Officer (Business Support) to provide a

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- consensus of opinion;
- iv) All formal action will be 'signed off' by the Principal Environmental Health Officer
- v) Correspondence, file records and enforcement notices will be checked and monitored on a regular basis;
- vi) Where inconsistencies arise, appropriate training/coaching will be given by the Senior Specialist Environmental Health Officer (Business Support);
- vii) Where there is a need for clarification, approaches will be made to the Bucks Health and Safety Liaison Group;
- viii) Officers will participate in inter-authority consistency exercises and change working practices, if necessary, to achieve consistency;
- ix) Chiltern and South Bucks District Councils will take an active role in the Bucks Health and Safety Liaison Group;
- x) Reference will be made to appropriate central government guidance;
- xi) Reference will be made to appropriate guidance issued by a Primary Authority.

#### 4.1.3 Targeting

Inspections and enforcement action will be targeted primarily at those activities giving rise to the most serious risks or where hazards are least controlled and that action is focussed on those responsible for the risk and who are best placed to control it.

The prioritisation of inspections will be based on guidance issued by the HSE and informed by the HSE Strategy.

#### 4.1.4 Openness

Enforcement officers will help businesses to understand what is expected of them (and what would not be expected) and what they should expect from the enforcing authorities.

Confirmation of all work (initial inspections, revisits and complaints) will be given in writing to business managers and as appropriate to head offices. Information will clearly explain what the non-compliant item or activity is, the advice being given, actions required or decisions taken and the reasons for these.

There will be a clear distinction between legal requirements and good practice recommendations (either verbally or written).

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

If formal requests for information are received from a third party, advice will be sought from the Data Protection Monitoring Officer or the Legal Department prior to replying.



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Businesses will be made aware of how to access copies of procedures, the Corporate Complaints Procedure when appropriate, the informal appeals procedure to the Principal Environmental Health Officer in the first instance and any statutory appeals procedure against enforcement. This is to be included in correspondence to businesses following inspections.

#### 4.1.5 Helpfulness

The principle is to actively work with businesses to advise on and assist with compliance wherever possible. To this end, officers will identify themselves by name and provide a contact point and telephone number for further dealings. Businesses will be encouraged to seek advice/information; information will be freely available on the Councils' website with links to those produced by central government. When appropriate, training courses/seminars will be provided for businesses on specific issues.

#### 4.2 Prosecution of Individuals

Subject to the general provisions of this Enforcement Policy, recommendations for prosecutions of individuals will be made if warranted. The role played by individual directors, managers and other employees will be taken into account when an investigation reveals that the offence was committed with their consent or connivance or was attributable to neglect on their part.

#### 4.3 Death at Work

Any authorised officer called upon to investigate a fatality should ensure that early contact with the bereaved family is made and/or arrangements made to meet the bereaved as soon as they wish in order to explain the local authorities' roles and responsibilities and to provide them with relevant information. The Principal Environmental Health Officer will normally take responsibility for conducting the meeting with the bereaved family and act as the Family Liaison Officer, supported if necessary, by another officer but not necessarily the investigating officer. This should take place as soon as possible, bearing in mind the convenience and wishes of the family. Officers should also keep relatives informed of the progress and outcome of the investigation. The policy on the disclosure of information to bereaved relatives will be in accordance with HELA LAC 45/19 'Contact With, and Disclosure of Information to, the Relatives of People Killed Through Work Activities'.

Where there has been a breach of the law leading to a work related death, consideration will be given whether the circumstances of the case might justify a charge of manslaughter. To this end, the investigating officer will liaise with the Police, Coroner and the Crown Prosecution Service (CPS) in accordance with 'Work-Related Deaths – A Protocol for Liaison'. If they find evidence suggesting manslaughter, this will be passed to the Police or where appropriate, the CPS. If the Police or CPS decides not to pursue a manslaughter case, the local authority should consider prosecution under health and safety legislation.

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## **5.0 POLICY WITH RESPECT TO COMPLAINTS**

### **5.1 Background**

Requests for service in respect of health and safety relate to:

- i) complaints received from employees or safety representatives concerning workplace issues;
- ii) complaints received from members of the public or visitors to businesses concerning the impact of a business' activity on others;
- iii) requests for advice and information.

The purpose of investigating complaints is:

- i) to identify possible causes for and to resolve any problems which pose a risk to health and safety;
- ii) to substantiate complaints and to provide a service to the public;
- iii) to provide information to the industry in order to raise and maintain standards;
- iv) to perform a duty of enforcement and;
- v) to prevent further complaints.

Complaints that relate to issues that may pose a serious and/or imminent risk to health and/or safety are considered of utmost importance and therefore require an immediate response upon notification in order to investigate as thoroughly as possible. In cases involving issues that do not pose a serious and/or imminent risk to health and/or safety, these will be investigated within the departmental response time of 3 working days. Officers will conduct their investigations and visits in accordance with previously detailed policies and guidance.

All investigations shall be performed in accordance with HELA guidance and Codes of Practice and the Primary Authority principles shall prevail throughout the investigation.

Where it is determined that the HSE is the responsible enforcing authority, then appropriate liaison and transfer of the complaint will take place.

Enforcement action will be in accordance with the Enforcement Policy.

## **6.0 POLICY WITH RESPECT TO ACCIDENT INVESTIGATION**

Local authorities are under a duty to investigate accidents that are notified to them under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013.

The purposes of investigating an accident are:

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- i) to identify the cause of the accident, to make the situation safe and to prevent further accidents occurring;
- ii) to identify whether there have been any breaches of legislation;
- iii) to provide information to the industry in order to raise and maintain standards;
- iv) to inform local and national statistics and hence the planned inspection priorities.

## 6.1 Decision to Investigate

All accidents which occur at premises enforced by the local authority and involve one or more of the following shall be investigated by an authorised officer:

- i) The accident results in a fatality, except when the circumstances indicate that an investigation is inappropriate i.e. death from natural causes unrelated to a work activity;
- ii) The accident results in a serious injury or a case of ill health or a dangerous occurrence;
- iii) The accident results in a serious injury or a case of ill health to a member of the public except accidents when it is clearly unrelated to a work activity;
- iv) There is a degree of public concern. This will often be linked to an actual or perceived risk of injury or ill health;
- v) The accident is related to local special surveys or campaigns or to the HSE key priority areas;
- vi) A complaint has been made regarding an accident that has occurred;
- vii) A serious breach of the law is involved;
- viii) An accident is a recurrence or is likely to recur;
- ix) A young person or child is involved (under the age of 18);
- x) The accident indicates a more general management failure.

The initial decision whether to investigate an accident or not and how far to carry that investigation will depend upon a number of factors. The following will be taken into consideration when deciding to investigate:

- i) severity and nature of the accident;
- ii) seriousness of the breach;
- iii) track record of the duty holder;
- iv) the relevance of event to a wider range of premises;
- v) practicality of achieving a satisfactory outcome;
- vi) legal considerations;
- vii) resource constraints.

In addition to informing the decision for the initial investigation, these factors will also determine the approach to be adopted and the extent of the investigation itself. This approach will ensure that resources are effectively targeted at the most serious accidents and which will result in the greatest effect on improving standards of health and safety.

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## 7.0 POLICY WITH DISCLOSURE OF HEALTH AND SAFETY INFORMATION

### 7.1 Introduction

The purpose of this policy is to describe practices in dealing with the disclosure of information under legislation and good practice note 'Open Government: a Good Practice Note on Access to Local Authority Information'. The policy is intended to ensure consistency with the policy and practices of the Health and Safety Executive (HSE).

The good practice note requires local authorities to draw up and follow their own policy statements. This policy document seeks to fulfil that aim. It does not seek to replace any statutory requirements on disclosure where the law requires the local authority either to withhold or to disclose. Local authorities and the HSE must follow the same legislation on disclosure of health and safety information namely:

- i) Section 28 of the Health and Safety at Work etc Act 1974;
- ii) Environmental Information Regulations 2004;
- iii) Environment and Safety Information Act 1988;
- iv) Freedom of Information Act 2000.

This policy is fully retrospective, i.e. it applies to information acquired by both Chiltern District Council and South Bucks District Council before it came into effect.

### 7.2 Freedom of Information Act 2000

On 1<sup>st</sup> January 2005 the Freedom of Information Act 2000 (FOI Act) created two important rights of access for any person making a request for information to a public authority:

- To be informed by the public authority whether it holds the **information** of the description specified in the request; and
- If that is the case, to have the **information** communicated to them.

The Councils have published a Freedom of Information Act Publication Scheme that will be followed should requests for information be made. These will be registered and responses monitored by the Councils' Data Protection Officer.

### 7.3 Section 28 of the Health and Safety at Work etc Act 1974

Section 28 of the Health and Safety at Work Act has been amended to bring restrictions on giving information into line with FOI Act.

HSWA section 28 deals with how we manage information that we have obtained using statutory powers. Until 1 January 2005, there were only limited circumstances in which this information could be disclosed.

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The section 28 restrictions have now been removed and requests for this type of information can now be considered under the FOI Act.

Subject to the exemptions in the FOI Act (or EIR exemptions), the local authority can release information:

- proactively - because it is in the public interest for us to put that information into the public domain, or
- in response to a request under the FOI Act or the Environmental Information Regulations 2004

The local authority is not required to disclose information when the public interest for making the information available is outweighed by a greater public interest in protecting it. However, applying the public interest requires us to exercise our skill and judgement and document our reasoning and decision making.

#### 7.4 Environmental Information Regulations 2004

Chiltern District Council and South Bucks District Council recognise that these Regulations impose responsibilities in respect of the environment, environmental information held and the release of such information, subject to exempted classes of information.

Chiltern District Council and South Bucks District Council further recognise that the Regulations disapply all other statutory provisions on disclosure where those other provisions conflict with the Regulations. Section 28 in accordance with this will not normally apply to requests made for environmental information as defined in the Regulations.

For the purposes of the policy, environmental information is regarded as information relating to:

- i) the state of any water, air, flora, fauna, soil, natural site or other land;
- ii) any activities or measures (including activities that give rise to noise or other nuisance) which adversely affect or are likely to adversely affect anything in i);
- iii) any activities or other measure (including environmental management programmes) which are designed to protect anything in i).

This policy will not require the release of information about human health and safety except where human health and safety have been, or could be, affected through environmental media (e.g. air, water or soil). For example, information that workers were directly harmed in the manufacture of a substance is not releasable under the Regulations as environmental media are not involved. However, if fish were harmed, or could have been harmed, because a substance got into the food chain, such information would have to be released on request as environmental media are involved.

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Local Authorities are within scope of the Regulations as they have environmental responsibilities and hold environmental information. The local authority may obtain environmental information in carrying out any of its functions or in any area of their responsibilities and such information is subject to the requirements of the Regulations. For example, information could be obtained on noise, Legionnaires' disease, ionising or non-ionising radiations and may be disclosable to the extent that it relates to the environment.

#### 7.5 Environment and Safety Information Act 1988

In order to comply with the provisions of the Act Chiltern District Council and South Bucks District Council will maintain public registers of information on improvement or prohibition notices having public safety or environmental implications.

The register entries will include brief details of the breach of legislation and action required and will consist of the first page of the notices.

No charge will be raised for the inspection of the register.

#### 7.6 Enforcement Notices, Inspection Reports and Convictions

##### 7.6.1 Enforcement Notices

Information on only some notices is on the public registers kept under the Environment and Safety Information Act 1988. Under this policy Chiltern and South Bucks District Councils will also provide enquirers with information on any other health and safety notice it has served. The information provided will include the name and address of the premises, the date of the notice, the statutory breach and the date by which the breach must be remedied.

##### 7.6.2 Inspection Reports

Requests for inspection reports will be considered in accordance with the Councils' FOI Publication Scheme and the Environmental Information Regulations 2004.

##### 7.6.3 Convictions

Chiltern District Council and South Bucks District Council may hold on public registers the names and addresses of firms/individuals convicted of breaches of health and safety legislation.

Classification: OFFICIAL

## **Appendix 1. Service Standards**

### **Our Commitment**

- We will give you verbal feedback at the end of each inspection and aim to give you written confirmation either at the time of the inspection or within 5 working days.
- If we receive a request for service we will investigate and respond within 10 working days.
- We will answer letters within 10 working days of receiving them and if we cannot give a full reply within that time, we will let you know when you can expect one and why there is a delay.
- We will answer emails within 10 working days of receiving them.
- We will answer the telephone within 20 seconds (6 rings).
- If we cannot give you a satisfactory reply when you telephone, we will call back at an agreed time.
- We will provide you with a contact name and number.

### **What to do if you are unhappy with the service?**

The Council has a Corporate Complaints Procedure which can be found at:

<http://www.chiltern.gov.uk/complaints>

<http://www.southbucks.gov.uk/complaints>

These pages explain how to make a complaint against any Council Service.





<b>SUBJECT:</b>	Pest and Dog Control Framework
<b>REPORT OF:</b>	<i>Healthy Communities – Councillor Mrs Liz Walsh</i>
<b>RESPONSIBLE OFFICER</b>	<i>Steve Bambrick, Services Director of Services Martin Holt, Head of Healthy Communities</i>
<b>REPORT AUTHOR</b>	<i>Ian Snudden, 01494 732057, isnudden@chiltern.gov.uk</i>
<b>WARD/S AFFECTED</b>	<i>All</i>

## 1. Purpose of Report

To obtain Members' approval to continue with the joint arrangements with the other Buckinghamshire authorities for dog control, stray dog collection and kennelling and pest control and to tender for a new Framework Agreement to commence in June 2019. If approval is given, tender documents will be published which will provide flexibility in the submissions that provide the most cost effective option for the Authority.

### RECOMMENDATIONS to Cabinet

1. To call off a new Service Level Agreement under the existing terms and conditions for services comprising dog control, stray dog collection and kennelling and rehoming and pest control from the existing Framework Agreement between Chiltern DC, Aylesbury Vale DC, Wycombe DC and South Bucks DC.
2. To approve the development of a new joint Buckinghamshire Framework Agreement between Chiltern DC, Aylesbury Vale DC, Wycombe DC and South Bucks DC for services comprising dog control, stray dog collection, kennelling and rehoming and pest control to commence from 1<sup>st</sup> June 2019.
3. To agree to enter into an Inter District Authority Agreement (IAA) reflecting the Heads of Terms at Appendix 1. To note the principles of the apportionment of procurement costs within existing budgets and agree that if additional funds are required in excess of £10,000, then further approval is sought from Members.
4. That delegated authority be given to the Head of Healthy Communities in consultation with the Head of Legal and Democratic Services and the relevant Portfolio Holder to approve the detailed terms of the IAA.
5. To tender for a four year Framework Agreement to commence from 1<sup>st</sup> June 2019 with the ability to call off Service Level Agreements for dog control, stray dog collection, kennelling and rehoming and pest control services.

6. That the Head of Healthy Communities be authorised to draw up tender documents for the agreed services to commence from 1<sup>st</sup> June 2019.
7. That the Head of Healthy Communities, in consultation with the Portfolio Holder for Healthy Communities, be authorised to accept the tender that represents best value and to call off specific Service Level Agreements for dog control, stray dog collection, kennelling and rehoming and pest control services.
8. That the Head of Healthy Communities, in consultation with the Portfolio Holder for Healthy Communities be authorised to call off additional Service Level Agreements for dog control, stray dog collection, kennelling and rehoming and pest control services within the period of the Framework Agreement on receipt of good performance.

## 2. Reasons for Recommendations

Chiltern District Council currently has a Service Level Agreement (SLA) under a joint Buckinghamshire Framework Agreement for the provision of services comprising dog control, stray dog collection, kennelling and rehoming and pest control. The present Framework Agreement ends on the 30<sup>th</sup> October 2018. Permission is being sought to call off a new Service Level Agreement for these services from the existing Framework Agreement between Chiltern DC, Aylesbury Vale DC, Wycombe DC and South Bucks DC until 30<sup>th</sup> April 2019 to allow for the tender process to take place and to pursue a new joint Framework Agreement between the Buckinghamshire authorities to commence in June 2019. If approval is given, tender documents will be published which will provide flexibility in the submissions that provide the most cost effective option for the Authority. Tenders will be evaluated on the basis of price, technical ability to deliver the service specifications and quality of delivery and a Buckinghamshire Framework Agreement put in place from 1<sup>st</sup> June 2019 with individual Service Level Agreements called off for specific dog and pest services.

It is important that all districts intending to participate in the procurement of a joint contract sign an IAA at the earliest opportunity. The IAA will provide details of the joint funding arrangements, key milestone dates, legal and contractual terms, and points at which individual authorities may withdraw. Costs are normally shared proportionally between the contracting authorities, for example, on the basis of the number of households/population in each district. The suggested Heads of Terms are attached at **Appendix 1**. In practice, based on the previous procurement exercise, Wycombe DC contributed officer time for procurement support and Chiltern DC/South Bucks DC did likewise for legal support. Therefore the costs to the authority were contained within approved budgets and no additional costs were incurred as a consequence. The same arrangements will be in place for this particular procurement and therefore it is not

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envisaged that there will be any additional costs to the authority outside that of officer time. In addition, a proportion of Chiltern DC/South Bucks DC and Wycombe DC time spent on legal and procurement support will be recharged to Aylesbury Vale DC as a beneficiary of the procurement process arrangements. In the unlikely event that there is a need to procure external support or advice then this could be capped e.g. £10,000, above which PAG approval could be sought. This would then provide some element of control of the procurement costs if necessary.

### 3. Report

In October 2008, a joint Buckinghamshire Framework Agreement was let for the provision of dog and pest control services. This principle was continued in 2012 at which time a joint tender process was undertaken and the contract let to SDK Environmental Ltd based on price, technical ability and quality of service. Chiltern DC called off a Service Level Agreement from the Framework Agreement for the provision of a pest control service, the collection, kennelling and rehoming of stray dogs, the investigation of dog related complaints and the patrolling of parks.

The present joint Framework Agreement ends on the 30th October 2018 and a new Framework Agreement will be required to take effect from the 1<sup>st</sup> November 2018. Given the complexity of tendering such a Framework, it is recommended that Service Level Agreements for both the pest control and dog control services are called off for a six month period to allow for the tender process to take place, with the new Framework Agreement taking effect from 1<sup>st</sup> June 2019 for a period of four years. By continuing with the existing Agreement on the same terms and conditions, savings achieved from the original tender process will continue to be realised.

In drawing up the specification and tender documentation, every opportunity to extract savings from the contract will be investigated, whether this is through the specification, increasing the scope of the Framework Agreement or from finding better ways of delivering the services.

#### **Dog Control**

The current service is comprised of the collection and kennelling of stray dogs by a contractor during both normal and outside office hours, the patrolling of parks for problems of fouling and the investigation of nuisance caused by dogs, e.g. fouling of pavements, barking or dogs acting in a dangerous manner. The contractor also provides a ['Lost Dog' website](#), rehoming of unclaimed dogs, issue of microchip requirement letters to dog owners where necessary and the collection of fees on seven days a week. For this service Chiltern DC is charged a contract price of £46,200.

Dog owners are currently charged when they collect their dog from the kennels on a cost recovery basis. This is collected by the contractor. If their dog did not go to kennels, CDC staff invoice them for the statutory fine and an administrative cost. In

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response to concerns about the scale of charges raised by those on income related benefits, a system of staged payments has been established whereby the owner pays 50% of the charge due, followed by three further payments over a three month period. However, recovery of the outstanding charges has been problematic and recovery proceedings costly.

Whilst there is no legal requirement to provide a dog control service other than to collect stray dogs, there is a requirement to investigate noise and litter complaints, which includes dog fouling and dangerous dogs. With the introduction of Designation Orders to control dog fouling on open spaces under The Dogs (Fouling of Land) Act 1996, residents' awareness and expectations are high. There is a consistently high demand for the service and if not provided as part of the dog control contract, then this would increase pressure on local authority staff resources.

### **Pest control**

The pest control service is provided by the same contractor that operates the dog control service and is currently free of charge to the Council as a result of combining these two services. The service covers the treatment of a wide variety of pests in domestic properties and is administered in its entirety by the contractor. A free service subsidised by the authority is provided to those who are on an income related benefit and in 2017/18, the cost of this service was £955 to the local authority.

As part of the previous tendering process the overarching aim was to not increase the revenue costs to the Council and that costs to customers for the provision of services be minimised. Therefore the tender process introduced an overall 'cost to the community'. This enabled the contractor to set the treatment fees at a level which minimised the cost to the customer whilst still providing a free treatment for pests of public health significance to those on income related benefits, paid for by the local authority at a reduced rate. For 2018/19, the budget for this service is £2400.

Although there is no legal duty to provide a pest control service, there are a number of reasons why a pest control service is beneficial. These include a reduction in time spent on enforcement and the protection of public health. Therefore it is recommended that all pests of public health significance be treated. In addition wasps cause considerable nuisance. The inclusion of wasps is also useful in so much as, if a charge is levied, this helps reduce the contract price.

#### **4. Consultation**

Not Applicable

#### **5. Options**

Although there is no statutory duty to provide a pest control service, failure to do so or residents failing to undertake rodent treatments themselves could result in increased

enforcement costs to the Council and give rise to increased issues of public health significance. Similarly, to not provide a dog control service for responding to fouling and nuisance complaints or to deal effectively with stray dogs will put additional pressures on the existing environmental health service and give rise to increased public concerns.

Therefore the preferred option is to continue with the existing pest control and dog control services and to call off a new Service Level Agreement for both services with the current contractor until 1st June 2019 after which a Buckinghamshire Framework Agreement with the other Buckinghamshire local authorities is to be in place with Service Level Agreements for specific pest control and dog control services.

## **6. Corporate Implications**

- 6.1 Financial – The original tender process enabled the market to be tested on the basis of the most economically advantageous tender with the expectation that existing contract prices would not be exceeded. The pricing schedule for the pest control contract was designed so that the approved contractor set the treatment prices with a view to there being minimal cost to the Council. The cost of the dog control service is £46,200 for the collection and kennelling of stray dogs, investigation of nuisance and patrolling of parks. The Authority is not charged for the pest control service except for treatments for those on income-related benefits as this cost is offset by combining it with the dog control service.

Currently the income received from owners of stray dogs has not been sufficient to cover the cost of the stray dog service. The receipt of income is affected by a number of factors which may be outside the control of the local authority although every effort is made to recover costs that are due to the Council. Recovery rates are low.

There will be economies of scale to be gained through commissioning the contracts in partnership with other district councils and undertaking a joint procurement exercise for pest control and dog control services.

- 6.2 Legal – Although there is no statutory duty to provide a pest control service, failure to do so or residents failing to undertake rodent treatments themselves could result in increased enforcement costs to the Council and give rise to increased issues of public health significance. The provision for the collection of stray dogs is a statutory function.

## **7. Links to Council Policy Objectives**

The service makes a positive contribution towards the Chiltern District and South Bucks Councils' *Joint Business Plan 2015 – 2020* and *Sustainable Community Strategy 2009 – 2026*.

**8. Next Step**

If approved a new Service Level Agreement will be drawn up to take effect from 1<sup>st</sup> November 2018 for a period of six months, ending 31<sup>st</sup> May 2019. Tender documents will be drawn up between the Buckinghamshire authorities and a tender process undertaken. Tenders will be evaluated on the basis of price, technical ability to deliver the service specifications and quality of delivery and a Buckinghamshire Framework Agreement put in place from 1<sup>st</sup> June 2019 with individual Service Level Agreements called off for specific services.

<b>Background Papers:</b>	None other than those referred to in this report.
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## **Inter Authority Agreement – Heads of Terms**

### **Scope**

The Councils agree to enter into an Inter Authority Agreement (“Agreement”) to confirm the scope and operation, and their respective contributions towards the delivery of the Project and their intention to progress the Project in accordance with the Agreement.

### **Joint Working Principles**

- 1 Each Council will co-operate with and give reasonable assistance to each other to provide information and inputs efficiently and economically into the scheme as is required to successfully develop and operate the scheme.
- 2 Each Council will ensure that its Council Representative complies with the principles of the Project in order to achieve the Project Objectives.
- 3 Each Council will provide information and documentation relevant to its operation of the scheme for the purposes of monitoring the progress and operation of the Project against agreed objectives.
- 4 The Councils are committed to making the strategic planning and development of the Services as transparent as possible to each other and to the public as a whole.
- 5 The Councils recognise the importance of consultation and liaison on issues concerning the Services and commit themselves to the principle of consultation in the widest sense, both with themselves and the community, on any significant issue which will impact upon those receiving waste related services within the Councils’ administrative areas.
- 6 In the event of any retendering, each Council agrees to disclose such information relating to the Services as may be reasonably required for the purpose of conducting a due diligence exercise to any proposed new contractor its advisers and lenders.
- 7 The Councils agree that communications and media output will be in line with the Joint Communications Strategy as reviewed from time to time.

### **Apportionment of Costs**

The Councils shall contribute to the costs of the procurement during the Procurement Phase in the agreed proportions including the costs of:

- (i) the preparation of tender and contract documents,
- (ii) assessment of bids,
- (iii) appointment of advisors and their fees; and
- (iv) the costs of the Lead Authority's internal procurement resources based on an agreed hourly rate.

During the Operational Phase, the Councils shall meet the costs attributable to their own administrative area, as set out in the pricing schedules annexed to the Approved Contract



<b>SUBJECT</b>	Crowd Funding
<b>REPORT OF</b>	Cllr Liz Walsh – Portfolio Holder for Healthy Communities
<b>RESPONSIBLE OFFICER</b>	Martin Holt – Head of Healthy Communities
<b>REPORT AUTHOR</b>	Claire Speirs 01895 837306 claire.speirs@southbucks.gov.uk
<b>WARD/S AFFECTED</b>	All

### 1. Purpose of Report

To introduce crowd funding as an additional mechanism to increase funding to local community groups

#### RECOMMENDATION TO CABINET:

- To establish a project to deliver a crowd funding initiative in Chiltern in partnership with Heart of Bucks and Chiltern District Council to enable improved opportunities for the community, to be funded from resources within the existing community project budget.**

### 2. Reasons for Recommendations

2.1 Local voluntary groups play an ever increasing role in providing valuable services across Chiltern communities, often to vulnerable and isolated residents. Widening the availability of funding streams to support groups by;

- providing the CDC and Heart of Bucks grant giving processes,
- promoting the Chiltern and South Bucks Lottery,
- directing groups to Trust funding and
- exploring the potential to roll out crowd funding

will in an era of reduced public funding, provide additional opportunities for the local voluntary sector to remain viable.

### 3. Content of Report

3.1 Crowdfunding is the practice of funding a project by raising small amounts of money from a large number of people, typically via the internet. In recent years many local Councils have adopted this approach to help attract funding to support community projects. The approach involves community and voluntary groups identifying an idea and then promoting the funding opportunity to supporters. Projects to deliver children's activities, learning, environmental improvements, return to employment and homeless prevention are just a few of the examples.

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- 3.2 Officers from CDC and Heart of Bucks recently met with Crowdfunder the UK's largest rewards based funding platform to discuss future funding opportunities. Nationally Crowdfunder has helped over 88,000 projects with funding of over £50M.
- 3.3 Crowdfunder works with a range of local councils to promote opportunities for the local voluntary sector. One method of delivery is to develop an on line platform that voluntary organisations use to promote their ideas and business plans and market to the community.
- 3.4 If widely supported the Council may decide to contribute resources to the initiative, if all the funding required is raised, the project goes live. If there is a resource gap, the project is withdrawn from the platform and no funds are spent. The community fully participates in the success or otherwise of the initiative. Supporters can pledge resources in time, space or financial contributions. Monies pledged by the crowd are held in a secure Escrow wallet; a secure third party financial organisation who 'holds and regulates payment of the funds required for two parties involved in a given transaction', monies are only release from the wallet once the target is met, if the target is not met the monies are returned to the pledgers.
- 3.5 The initiative is very attractive to those who are linked in to local social media accounts and whilst small amounts of resource may be pledged by supporters, the reach is such that a project may be widely accepted and supported enabling the resource target to be achieved.
- 3.6 The average time for the idea to be launched on the platform to resources promised is 28 days, considerably faster than the traditional grant making periods
- 3.7 Plymouth provided an initial £60,000 to a crowd funding pot to be used to provide support to community supported projects. That pot has seen a 650% return with over £450,000, allocated to 100 projects and has attract 4,550 project supporters. <https://www.crowdfunder.co.uk/crowdfund-plymouth>
- 3.8 Crowdfunder charge a 5% fee from the project owner on a successful fundraising project, which can be factored into the project target. For example if project will cost £100 to deliver the target can be increased to £105 to cover this additional cost.

### **Proposal**

- 3.9 To establish a crowd funding platform in 2019/20 across Chiltern and South Bucks in partnership with the Heart of Bucks initially utilising the joint lottery community fund as the seed corn funding which is predicted to be £10,000, to be matched by Heart of Bucks enabling a £20,000 pot. Additional funds could be contributed from areas that may benefit from crowdfunding initiatives such as the prevention of homelessness or economic development, enabling back to employment initiatives.

- 3.10 There is also costs of approximately £10,000 associated with setting up the operating platform plus additional costs to effectively promote the scheme. These set up fees would be shared with South Bucks utilising the shared service formula. The CDC share of the £10,000 set up cost will be funded from the existing projects budget.
- 3.11 As well as providing the operating platform for local community groups Crowdfunder also provides a range of additional support including a project dashboard on the website for each project, access to marketing advice and sharing of best practice.
- 3.12 Officers have met with Heart of Bucks to discuss how both parties can continue to work together if Crowdfunder is introduced, and there is strong in principle support to take this approach forward given the positive impact of leveraging in additional funding for local community organisations.
- 3.13 It is anticipated to launch this programme in April 2019 should approval be granted, Crowdfunder would meet with a project group including the Portfolio Holder to discuss programme in more detail.

### **3. Consultation**

The Council has discussed the proposed approach with officers from its key funding partner, Heart of Bucks who were very supportive.

### **4. Options (if any)**

- 1) to work with Heart of Bucks to deliver a joint crowd funding offer to the community

### **7. Corporate Implications**

- 7.1 Financial – the proposal would use funding currently within the budget programme to establish the crowd funding scheme.
- 7.2 Legal – the Local Government Act 2000 enables local authorities to support initiative in improving the Wellbeing of their area. Investment in the local Voluntary and Community organisations assists in the delivery of projects that improve community wellbeing.

### **8. Links to Council Policy Objectives**

Safe, Healthy and Active communities-Council has a duty to consider the health and wellbeing of its community, enabling improved access and provision of playing pitches would directly support this as well as strengthen partnership working with Town and Parish Councils and the voluntary sector.

**9. Next Steps**

Establishment of a joint project with Heart of Bucks and South Bucks to progress the project

<b>Background Papers:</b>	None
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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted



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