



Cabinet

Tuesday 16 October 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 Procedure
- 2 Apologies for Absence
- 3 Minutes (*Pages 5 - 20*)

To approve the minutes of the Cabinet held on 26 June 2018
- 4 Declarations of Interest
- 5 28-Day Notice (*Pages 21 - 22*)

Appendix: Cabinet 28 Day Notice (Pages 23 - 28)
- 6 Current Issues
- 7 Performance Report Quarter 1 2018-19 (*Pages 29 - 32*)

Appendix A: Priority PIs Q1 2018-19 (Pages 33 - 34)

Appendix B: Corporate PIs Q1 2018-19 (Pages 35 - 38)

Appendix C: Data Only PIs Q1 2018-19 (Pages 39 - 40)
- 8 Treasury Management Quarter 1 2018/19 (*Pages 41 - 44*)

- 9 Delegation arrangements in Planning Enforcement (*Pages 45 - 48*)
- Appendix: Revised delegations - planning enforcement (Pages 49 - 52)*
- 10 The Environmental Assessment of Plans and Programmes Regulations 2004 – delegated powers (*Pages 53 - 58*)
- 11 Community Infrastructure Levy (*Pages 59 - 66*)
- 12 CDC Parking (*Pages 67 - 72*)
- Appendix A (Pages 73 - 76)*
- Appendix B (Pages 77 - 78)*
- 13 Joint Housing Strategy (*Pages 79 - 82*)
- Appendix: Joint Housing Strategy (Affordable Housing and Homelessness) 2018-2021 (Pages 83 - 142)*
- 14 Bucks Home Choice Allocation Policy (*Pages 143 - 146*)
- Appendix 1: Summary of proposed revisions (Pages 147 - 150)*
- Appendix 2: Draft revised policy (Pages 151 - 196)*
- 15 Gambling Act 2005 Statement of Principles - 2018 Revision (*Pages 197 - 198*)
- Appendix 1: Draft Statement of Principles (Pages 199 - 234)*
- Appendix 2: Minutes of the Licensing Committee Meeting 10 July 2018 (Pages 235 - 238)*
- 16 Chiltern and South Bucks Open Space Strategy (*Pages 239 - 244*)
- Appendix: Chiltern and South Bucks Open Spaces Strategy (Supplementary agenda)*
- 17 Chiltern and South Bucks Playing Pitch Strategy (*Pages 245 - 250*)
- Appendix: Chiltern and South Bucks Playing Pitch Strategy (Supplementary agenda)*

- 18 Community Grant Awards 2018 (*Pages 251 - 260*)
- 19 Service Level Agreement with Chiltern Citizens Advice Bureau (*Pages 261 - 264*)

Appendix 1: Chiltern CAB Annual Review 2017/18 Report (Pages 265 - 280)

- 20 Review of CCTV Provision in the Chiltern District (*Pages 281 - 284*)

Appendix 1 (Pages 285 - 316)

Appendix 2 (Pages 317 - 318)

Appendix 3 (Pages 319 - 320)

- 21 Update on the Chiltern Pools replacement project (*Pages 321 - 326*)

Appendix 1 (Pages 327 - 328)

- 22 Leisure Operator Contract (*Pages 329 - 332*)

- 23 Revisions to the Constitution of the Chilterns Crematorium Joint Committee (*Pages 333 - 334*)

Appendix 1: Proposed revisions (Pages 335 - 346)

- 24 Minutes of Joint Executive Committees

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

Appendix 1: Chiltern & South Bucks Joint Committee 28 June 2018 (Pages 347 - 352)

Appendix 2: Chiltern, South Bucks & Wycombe Joint Waste Collection Committee 23 April 2018 (Pages 353 - 358)

- 25 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).

- 26 Cabinet Reports from Policy Advisory Groups:
- .1 Healthy Communities Notes 18 June 2018 (*Pages 359 - 362*)
 - .2 Customer Services Notes 11 June 2018 (*Pages 363 - 366*)
 - .3 Planning and Economic Development Notes 21 June 2018 (*Pages 367 - 370*)
- 27 Serco Contract - Exercise of Chief Executive's Powers of Urgency (*Pages 371 - 374*)

Reasons for restriction: Paragraph(s) 3

- 28 HS2 Update Report (*Pages 375 - 382*)

Reasons for restriction: Paragraph(s) 3

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, 11 December 2018

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<p>Publication Date 5 July 2018</p>
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CHILTERN DISTRICT COUNCIL

MINUTES of the CABINET (CDC) held on 26 JUNE 2018

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

APOLOGIES FOR ABSENCE were received from Councillor P Martin

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

98 MINUTES

The Minutes of the Cabinet meeting held 1 May 2018 were approved and signed by the Cabinet Leader as a correct record.

99 DECLARATIONS OF INTEREST

There were no declarations of interest.

100 28-DAY NOTICE

The Cabinet received a report attaching the draft 28-Day Notice which provided a forward look at the Agenda for the next meeting of the Cabinet. The Notice would be published on 14 September 2018. It was noted that in addition to being discussed by the Services Overview Committee, the Chiltern Pools redevelopment procurement would also be discussed at the Resources Overview Committee.

RESOLVED:

That the Draft 28-Day Notice, to be published on 14 September 2018, be noted.

101 CURRENT ISSUES

The following updates on current issues were raised:

Councillor M Stannard -

Councillor Stannard reported that approval had been given to purchase a new microphone (AV) system. This had been ordered and would be delivered in due course.

Councillor P Martin -

Councillor Darby, on behalf of Councillor Martin thanked the Joint Planning team who had successfully combined the authorities planning system and data into a single system. This is a very important milestone for the continued improvement of the joint planning service. . The scale of the project and officer effort was recognised by the Cabinet.

Councillor L Walsh -

Councillor Walsh reminded those in attendance of the virtual community forum which was taking place following the Cabinet meeting (26 June) online from 7 to 9 p.m. Council and Police representatives would be available to take queries.

102 CABINET APPOINTMENTS

The Cabinet received a list of appointments made by Council and made by the Cabinet.

RESOLVED

that the appointments made by Council be noted and the appointments made by the Cabinet be agreed.

103 REFRESHED JOINT BUSINESS PLAN 2018-19

The Cabinet received a report which sought member approval for the refreshed Joint Business Plan 2018 – 2019. The Cabinet noted the improved

layout of the business plan from previous years. The Joint Business Plan would be presented to Full Council for final approval.

RECOMMENDED:

That the Joint Business Plan 2018 – 2019 be approved by the Council.

104 2017/18 END OF YEAR PERFORMANCE REPORT

The Cabinet received a report which outlined the annual performance of Council services against pre-agreed performance indicators and service objectives for quarter 4 and end of year for 2017 – 18. The Cabinet noted the improved format of the Annual Report.

RESOLVED

that the performance reports and Annual Report be noted.

105 CAPITAL AND REPAIRS & RENEWALS OUTTURN REPORT 2017/18

The Cabinet received a report on the 2017/18 capital and repairs & renewals outturn position and requested the carry forward of unspent capital and repairs & renewals budgets. The Cabinet was advised that the majority of carry forward related to schemes which spanned over more than a one year period.

The additional budgeted capital expenditure in 2018/19 would be £1,175k, and the additional budgeted repairs and renewals expenditure in 2018/19 would be £417k.

RESOLVED:

- 1. That the 2017/18 capital and repairs & renewals outturn position be noted.**
- 2. That the proposed capital and repairs & renewals budgets be carried forward to 2018/19.**

106 TREASURY MANAGEMENT ANNUAL REPORT 2017/18

The Cabinet received a report on the Treasury Management performance of the Council for 2017/18 as required by the Code of Practice on Treasury Management. The weighted average interest rate earned on fixed rate investments in the year was 0.76% and tables could be seen within the report which showed the breakdown of investments at the end of the financial year.

RESOLVED

that the Treasury Management performance for 2017/18 as required by the Code of Practice on Treasury Management be noted.

107 WASTE CONTRACT - JOINT WORKING

The Cabinet received a report which sought approval 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.

A formal decision was required by 3 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. The Chiltern, South Bucks & Wycombe Joint Waste Collection Committee supported the recommendation to procure a three-way joint contract which sought to manage risks and optimise opportunities for greater joint working whilst ensuring continuity of service provision.

At the invitation of the Leader, Councillor P Jones addressed the meeting and suggested that the Council may wish to consider setting up a Members task and finish group alongside South Bucks and Wycombe Councils during the procurement stage to assist with ensuring the best outcome for the three Councils.

RESOLVED

- 1. To note the report.**
- 2. To agree the longer term strategy to procure a three way single joint contract for Chiltern District Council, South Bucks District Council and Wycombe District Council.**

3. To enter into an Inter District Authority Agreement (IDAA) reflecting the Heads of Terms at Appendix 1.
4. To delegate 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.

108 CHANGE TO THE MEMBERSHIP SIZE OF THE LEISURE NEEDS MEMBER WORKING GROUP

The Cabinet received a report which sought approval to increase the size of the membership of the Leisure Needs Member Working Group. The Group had provided useful input to the Chiltern Pools redevelopment project. It was believed that additional members could bring further specialist skills and provide valuable input to meetings.

RESOLVED

that the Membership of the Leisure Needs Member Working Group be increased from 6 to 8 Members.

109 REDEVELOPMENT OF THE CHILTERN POOLS AND ADJACENT COMMUNITY FACILITIES

The Cabinet received a report on the evolving design, cost plan and business case to re-provide a combined community and leisure facility in Amersham serving the whole of the Chiltern District, and to seek agreement to develop and submit a planning application for the King George V Road / Chiltern Avenue site. This would enable the project team to progress 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. The detailed report and appendices, which included the evolving business case could be seen on pages 111 - 172 of the reports pack.

The progress made to date was summarised by the Head of Healthy Communities, this covered the time from the initial findings of the 2015 structural survey to current concept design stage.

Amersham Town Council had provided strong support to the project by agreeing with the Council and Fields in Trust to swap land on the King George V playing field and increase the protection for a number of open spaces within

Amersham. Public consultations had found strong local support for a redevelopment of Chiltern Pools, and for the bringing together of leisure and community facilities.

The facility mix would enable all identified needs to be addressed with the Health and Fitness Centre sufficiently sized to accommodate over 4,400 members.

Two business plan options had been developed (i) Base business plan with current membership rates projected forward to 2022 and (ii) Base business plan with an increase in pricing reflecting the investment in to the centre. Both options allowed for the required loan funding to be repaid over a 45 year period.

The base business plan was anticipated to generate £1.2m benefit to the Council providing a £32m borrowing capacity, leaving a funding gap of circa £2 million; assuming the Council would invest the current £200k subsidy for its leisure management contract in the new development.

Applying a pricing structure that recognises the investment in the facilities, (option 1 in the Business Plan Update *appendix 2*) would increase the financial return to the Council, and was anticipated to generate £1.475m/annum, giving the Council a borrowing capacity of circa £38 million over 45 years.

It was expected that a 'do nothing' scenario would see the management fee paid by the Council to the operator increasing from 200k to an average of 700k per annum from 2021-2031. The increase required to address future operational and maintenance costs resulting from an aging centre. These costs would not address the improvements in quality required at the centre to continue to attract customers.

The current centre was responsible for the majority of the Council's Co2 emissions and as such this was recognised as an inefficient use of energy. The new centre would be built using higher sustainability principles and have reduced operational costs.

The report had been presented to the Council's Services Overview and Resources Overview Committees where Members concerns were noted. The Resources Overview Committee identified a number of risks. The minutes of that meeting can be viewed here

<https://isa.chiltern.gov.uk/democracy/ieListDocuments.aspx?CId=403&MId=3722&Ver=4> (pages 2-6).

At the invitation of the Leader, Councillors D Phillips, J Gladwin and P Jones addressed the meeting. Councillor Phillips and Councillor Gladwin reiterated the concerns raised by the Resources Overview Committee and spoke of the caution required when looking to enter in to a 45 year agreement. The Members highlighted that many of the high cost elements of the redevelopment produced marginal returns, such as the sports hall and squash court. With health and fitness being the main profit generator, Councillor Phillips spoke of the risk in the membership number being forecast at 4400. There was also concern that BCC would not provide any funding toward the library facilities.

Councillor P Jones added concerns that squash courts were not in high demand and that projected membership was well in excess of the current level. Councillor P Jones added that the provision of affordable housing was also needed to be seen in more detail and was a key part of the scheme.

The Cabinet was advised that the squash facility would provide a flexible space which can be used for other activities. Should the squash facility not be in demand then the space could be used for additional health and fitness facilities. The sports hall, whilst not providing significant income would provide opportunities for much wider participation as identified in the needs survey.

The Head of Healthy Communities also advised that similar developments in other Districts had seen their provisionally set membership figures surpassed very quickly and initial demand had often been underestimated. It was further clarified that County Council officers had also been engaged with the project and were keen to support the library facility.

The Cabinet recognised the time and work put into the scheme to date and spoke of having confidence that the facility was viable and would deliver the Council an income stream. The need to improve the district's physical and mental wellbeing was also highlighted. The Portfolio Holder for Support Services spoke of transferring the membership and financial risks to the future Operator. Opportunities would be explored for the other two centres in the District to take any steps necessary to withstand the competition from the Chiltern Pools redevelopment.

RESOLVED

- 1. That the current version of the design proposals and business plan to re-provide a combined community and leisure facility in Amersham be noted.**
- 2. That the facility mix incorporated in the current design proposals and detailed in Appendix 1 be agreed.**
- 3. That the decision be delegated to the Director of Services to submit a detailed planning application for the proposed leisure and community centre.**
- 4. That authority be delegated 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. That authority be delegated 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. That the Head of Healthy Communities be authorised, 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 of the existing leisure and community sites (the existing site) to be determined.**
- 7. That the Director of Services be authorised to agree the maintenance arrangements for the land to be transferred to Amersham Town Council.**
- 8. That the Director of Services be authorised 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.**
- 9. That the Chiltern Life Centre is to be built to high sustainability standards.**

10. That the contractual arrangements to operate the leisure centres and contractor responsible for developing the Chiltern Life Centre be appointed simultaneously.

110 CHILTERN & SOUTH BUCKS PLAYING PITCH STRATEGY

The Cabinet received a report which informed Members of the completion of the draft Chiltern and South Bucks Council Playing Pitch Strategy highlighting its key findings and recommendations. The Cabinet was asked to approve the draft strategy for public consultation with Town and Parish Councils, sports clubs and other agencies. The finalised strategy will inform the emerging Local Plan.

The Sport England sports facility calculator was used to ascertain the required number of sports specific playing pitches and this took into account predicted changes to the population and other wider demographics. The current demand shortfall and future demand shortfall could be seen on pages 175 – 176 of the reports pack.

It was explained that following consultation the strategy would be presented to key stakeholders including Town and Parish Councils, sports clubs and local community groups so that they were aware of its key findings and recommendations. The strategy would then return to Cabinet for approval alongside the Open Spaces Strategy in October 2018.

A number of schools in the District were keen to develop 3G pitches and these additional pitches would reduce the need for turf pitches as identified in the report.

RESOLVED:

- 1. To undertake public consultation on the draft South Bucks and Chiltern Playing Pitch Strategy.**
- 2. That following the public consultation programme that the Playing Pitch Strategy document be updated accordingly before seeking Cabinet approval to formally adopt the strategy in October 2018.**

111 JOINT FOOD AND HEALTH AND SAFETY BUSINESS PLANS

The Cabinet received a report which sought 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 2018/19.

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.

It was clarified that online suppliers (distant sellers) were required to be registered and inspected the same way which other food businesses were.

RESOLVED

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

112 PEST AND DOG CONTROL FRAMEWORK

The Cabinet received a report which sought 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.

The present Framework Agreement is due to end on 31 October 2018. Based on the previous procurement exercise; Wycombe District Council managed the procurement of the framework whilst Chiltern and South Bucks District Councils provided the legal support. This meant that the procurement was cost neutral and within approved budgets. The same arrangements will be in place for this procurement too. Services could be drawn from the Framework as required by each Council.

RESOLVED

- 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 for the period until 31 May 2019.**
- 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 1st June 2019.**
- 3. 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 1st 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 1st 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.**

113 CROWD FUNDING

The Cabinet received a report which explored the option of introducing crowd funding as an additional mechanism to increase funding to local community groups.

There would be set up costs, predicted to be £10,000 which would be shared between Chiltern District Council, South Bucks District Council and Heart of Bucks. Crowdfunder charged a 5% fee from the project owner on a successful fundraising project.

The Cabinet was advised that in other areas of the country where similar schemes were active positive community cohesion had been seen and in Plymouth the project had made a 650% return on investment. Crowd funding provided opportunities for both large and small schemes with the largest scheme raising over £100,000. The target was to fund small to medium sized projects which had clear support from the community and Cabinet commended the scheme.

RESOLVED

To establish a project to deliver a crowd funding initiative in Chiltern in partnership with Heart of Bucks and South Bucks District Council to enable improved opportunities for the community, to be funded from resources within the existing community project budget.

114 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.

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

115 CABINET REPORTS FROM POLICY ADVISORY GROUPS:

RESOLVED:

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

- **Planning and Economic Development PAG 16 April 2018**
- **Environment PAG 17 April 2018**
- **Healthy Communities PAG 19 April 2018**

116 WASTE CONTRACT OPTIONS APPRAISAL

The Cabinet received a report which informed Members of the options for the delivery of waste collection, recycling and street cleansing services at the expiry of the current contracts with Serco and Biffa and set out the risks and legal constraints applying to the various options available.

Wycombe District Council's Cabinet had supported the recommendations at their meeting on 4 June 2018 and the Cabinet at South Bucks District Council would consider the recommendations on 27 June 2018.

The Cabinet was advised that the requirements for commissioning external resources to support the procurement had been reviewed. As such, the decision of the Chiltern, South Bucks & Wycombe Joint Waste Collection Committee at its April meeting, that an initial budget of up to £200,000 be approved to fund the resources would require amending to 'up to £300,000' split in proportion to the number of households in each district as per recommendation 2(ii).

RESOLVED

1.
 - (i) To agree a contract extension with Serco until the end of October 2021 to align the termination date with the South Bucks/Biffa contract, provided that such extension is compliant with the Public Contract Regulations 2015, and to commence the procurement of a single joint three-way contract to commence in November 2021. However, if the said negotiations are unsuccessful, to commence the procurement of a single joint three-way contract with a staggered commencement of March 2020 in Chiltern and Wycombe and November 2021 in South Bucks.
 - (ii) To delegate authority to the Head of Environment, in consultation with the Head of Legal and Democratic Services, Head of Finance and the relevant Portfolio Holder, to take the steps necessary to progress the option selected under Recommendation (i) above.
 - (iii) To delegate authority to the Head of Environment in consultation with the Portfolio Holder to finalise the specification of the services to be delivered.
 - (iv) To delegate authority to the Head of Environment in consultation with the Head of Legal and Democratic Services and the relevant Portfolio Holder to determine the procurement method under the Public Contract Regulations 2015.
 - (v) To approve the release of earmarked funds set aside in the Waste Reserve to fund the activity set out in 2 (i) below. The amount not to exceed the total reserve of £281,000 and to be delegated to the Head of Environment and Head of Finance in consultation with the relevant Portfolio Holder.
 - (vi) That the initial budget approved by the Chiltern, South Bucks & Wycombe Joint Waste Collection Committee be increased to up to £300,000 to fund the resources referred to in 2(i) in the proportions set out in 2(ii) below.
2. To note the decisions of the Chiltern, South Bucks & Wycombe Joint Waste Collection Committee:

- (i) That authority be delegated to the Head of Environment to procure sufficient professional and technical resources to enter into initial discussions and to prepare for and support the procurement project/s;**
- (ii) That an initial budget of up to £200,000 be approved to fund the resources referred to in (i) above, to be funded by the Authorities in proportion to the number of households in each district (CDC - 28.12%; SBDC - 20.46%; WDC - 51.42%), with sums to be released in accordance with each Council's internal approval process.**

117 PROPERTY ACQUISITION IN AMERSHAM

The Cabinet received a report on acquiring property in Amersham to provide affordable emergency housing units. The site was a strategic site that would enable future development options. The Cabinet recognised the importance of acquiring this property at a time when the Council faces emergency housing pressures.

RESOLVED

- 1. To acquire the site referred to in the report up to the maximum value referred to (plus seller's legal fees and stamp duty), subject to contract, to be funded from the Affordable Housing Reserve.**
- 2. To authorise the Head of Healthy Communities to agree the terms of the acquisition of the site subject to consultation with the Head of Environment, Head of Legal and Democratic Services and the Portfolio Holders for Healthy Communities and Support Services.**

The meeting ended at 6.23 pm

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

1. Report

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

RECOMMENDATION:

Cabinet is asked to note the 28 Day Notice of executive decisions to be taken.

Background Papers:	None
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CHILTERN

District Council

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

Key Decision (Y/N) ¹	Report Title & Summary ²	Date Decision to be taken	Decision to be taken by	Consultation ³	Private Report ⁴	Lead Officer ⁵
Leader (Councillor Isobel Darby)						
Y	Performance Report Quarter 1 2018-19 Performance Report Quarter 1 2018-19		For information	Resources Overview Committee 11 Sep 2018 Cabinet 16 Oct 2018 Services Overview Committee 9 Oct 2018	Open	Ani Sultan asultan@chiltern.gov.uk
Support Services (Councillor Mike Stannard)						
N	Treasury Management Quarter 1 2018/19 To report on Treasury Management Activity in Quarter 1 2018/19	16 October 2018	Cabinet		Open	Helen O'Keeffe HOKeeffe@chiltern.gov.uk
Customer Services (Councillor Fred Wilson)						
No items for decision						

Planning and Economic Development (Councillor Peter Martin)						
Y	Delegation arrangements in Planning Enforcement To review the delegation arrangements in Planning Enforcement	16 October 2018 13 November 2018	Cabinet Council	Planning & Economic Development Policy Advisory Group 25 Sep 2018 Planning Committee 4 Oct 2018	Open	Mark Jaggard mjaggard@chiltern.gov.uk
N	Community Infrastructure Levy To seek agreement to consult on the Preliminary Draft Charging Schedule for Consultation for Community Infrastructure Levy	16 October 2018	Cabinet	Planning & Economic Development Policy Advisory Group 25 Sep 2018	Open	Mark Jaggard mjaggard@chiltern.gov.uk
Y	The Environmental Assessment of Plans and Programmes Regulations 2004 – delegated powers To seek delegated powers for officers to determine the need for environmental assessment of Neighbourhood Plans or Local Plans	16 October 2018 13 November 2018	Cabinet Council	Planning & Economic Development Policy Advisory Group 25 Sep 2018	Open	Graham Winwright gwinwright@chiltern.gov.uk
Y	HS2 Update Report To provide update to Members on the work being undertaken by the Council as the HS2 project progresses	16 October 2018	Cabinet	Planning & Economic Development Policy Advisory Group 25 Sep 2018	Fully exempt	Ifath Nawaz inawaz@chiltern.gov.uk
Environment (Councillor Mike Smith)						
Y	Revisions to the Constitution to consider proposed amendments to the Constitution of the Chilterns Crematorium Joint Committee relating to the operation of Bierton Crematorium	16 October 2018	Cabinet	Chilterns Crematorium Joint Committee 26 Sep 2018	Open	Sue Markham sue.markham@chiltern.gov.uk

Appendix

Y	CDC Parking To make an amendment to the Off Street Parking Places Order in relation to Amersham Multi Storey and Albany Place	16 October 2018	Cabinet	Environment Policy Advisory Group 24 Sep 2018	Open	Chris Marchant cmarchant@chiltern.gov.uk
Y	Serco Contract - Exercise of Chief Executive's Powers of Urgency to consider the waste contract	16 October 2018	Cabinet	Joint Waste Collection Committee 3 Oct 2018	Fully exempt	Sue Markham sue.markham@chiltern.gov.uk
Y	Review of remaining recycling centres To consider approaches for the removal of the remaining recycling centres (bring sites)	3 October 2018	Chiltern, South Bucks & Wycombe Joint Waste Collection Committee	Services Overview Committee 27 Nov 2018	Open	Chris Marchant cmarchant@chiltern.gov.uk
N	Recycling destinations To provide information on what happens to the material the Council collects for recycling		For information	Services Overview Committee 9 Oct 2018	Open	Chris Marchant cmarchant@chiltern.gov.uk
Healthy Communities (Councillor Liz Walsh)						
N	Healthy Communities Update Report To update members of the work of the Healthy Communities service			Healthy Communities Policy Advisory Group 8 Oct 2018	Open	Martin Holt mholt@chiltern.gov.uk
Y	Community Grant Awards 2018 To approve community grant awards 2018/19	16 October 2018	Cabinet	Healthy Communities Policy Advisory Group 8 Oct 2018	Open	Martin Holt mholt@chiltern.gov.uk
Y	Joint Housing Strategy To approve the Joint Affordable Housing and Homelessness Strategy	13 November 2018 13 November 2018	Cabinet Council	Services Overview Committee 9 Oct 2018	Open	Michael Veryard mveryard@chiltern.gov.uk

Appendix

N	<p>Bucks Home Choice Allocation Policy To agree the revised Bucks Home Choice allocation policy for consultation</p>	16 October 2018	Cabinet	<p>Healthy Communities Policy Advisory Group 8 Oct 2018</p> <p>Services Overview Committee 9 Oct 2018</p>	Open	<p>Martin Holt</p> <p>mholt@chiltern.gov.uk</p>
Y	<p>Chiltern and South Bucks Playing Pitch Strategy To approve the Chiltern and South Bucks Playing Pitch Strategy</p>	16 October 2018	Cabinet	<p>Healthy Communities Policy Advisory Group 8 Oct 2018</p>	Open	<p>Martin Holt</p> <p>mholt@chiltern.gov.uk</p>
Y	<p>Chiltern and South Bucks Open Space Strategy To approve the strategy following consultation</p>	16 October 2018	Cabinet	<p>Healthy Communities Policy Advisory Group 8 Oct 2018</p>	Open	<p>Martin Holt</p> <p>mholt@chiltern.gov.uk</p>
Y	<p>Gambling Act 2005 Statement of Principles - 2018 Revision Review of the Gambling Act 2005 Statement of Principles following consultation and approval by Licensing Committee</p>	16 October 2018 13 November 2018	Cabinet Council		Open	<p>Charlie Robinson</p> <p>crobinson@chiltern.gov.uk</p>
Y	<p>SLA funding for Chiltern Citizens Advice to agree grant funding for the Chiltern Citizens Advice</p>	16 October 2018	Cabinet	<p>Healthy Communities Policy Advisory Group 8 Oct 2018</p> <p>Services Overview Committee 9 Oct 2018</p>	Open	<p>Martin Holt</p> <p>mholt@chiltern.gov.uk</p>

Appendix

Y	<p>Review of CCTV Provision in the Chiltern District Decision on proposals to monitor the CCTV images through TVP control centre and to modernise the CCTV infrastructure</p>	16 October 2018	Cabinet	<p>Healthy Communities Policy Advisory Group 8 Oct 2018</p> <p>Services Overview Committee 9 Oct 2018</p>	Open	<p>Martin Holt mholt@chiltern.gov.uk</p> <p>Chris Marchant cmarchant@chiltern.gov.uk</p>
Y	<p>Update on the Chiltern Lifestyle Centre To update members on the current progress</p>	16 October 2018	Cabinet	<p>Services Overview Committee 9 Oct 2018</p> <p>Resources Overview Committee 11 Sep 2018</p>	Open	<p>Martin Holt mholt@chiltern.gov.uk</p>
Y	<p>Leisure Operator Contract To agree the governance process for the procurement of the leisure operator</p>	16 October 2018	Cabinet	<p>Services Overview Committee 9 Oct 2018</p> <p>Resources Overview Committee 11 Sep 2018</p>	Open	<p>Martin Holt mholt@chiltern.gov.uk</p>
Y	<p>Community Lottery Review Review the progress and report key outcomes of the Chiltern and South Bucks Lottery scheme</p>	11 Dec 2018	Cabinet	<p>Healthy Communities Policy Advisory Group 26 Nov 2018</p>	Open	<p>Martin Holt mholt@chiltern.gov.uk</p>
Y	<p>Bucks Home Choice Allocation Policy To adopt the Bucks Home Choice Allocation Policy following consultation</p>	19 March 2019	Cabinet	<p>Healthy Communities Policy Advisory Group 27 Feb 2019</p>	Open	<p>Martin Holt mholt@chiltern.gov.uk</p>

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.

Appendix

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: (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or 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

- 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

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

REPORT SUBJECT:	<i>Chiltern District Council Performance Report Q1 2018-19</i>
REPORT OF:	<i>Leader of the Council – Councillor Isobel Darby</i>
RESPONSIBLE OFFICER	<i>Chief Executive – Bob Smith</i>
REPORT AUTHOR	<i>Ani Sultan (01494 586 800)</i>
WARD(S) AFFECTED	<i>Report applies to whole district</i>

1. Purpose of Report

This report outlines the annual performance of Council services against pre-agreed performance indicators and service objectives for Quarter 1 of 2018-19.

RECOMMENDATION

Cabinet is asked to note the performance reports.

2. Executive Summary

Overview of **Quarter 1 2018-19** performance indicators (PIs) against targets across the Council:

Portfolio	No of PIs	PI on target □	PI slightly below target □	PI off target □	Not reported this quarter/ not used	Awaiting data
Leader	3	3	0	0	0	0
Healthy Communities	12	4	0	3	5	0
Planning & Economic development	15	13	0	1	1	0
Environment	5	1	0	2	1	1
Support services	6	3	1	0	2	0
Customer services	6	3	1	0	2	0
Total PIs	47	27	2	6	11	1

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 Three detailed performance tables accompany this report:

- **Appendix A – Priority PIs Quarter 1 2018-19**
- **Appendix B – Corporate PIs Quarter 1 2018-19**
- **Appendix C – Data Only PIs Quarter 1 2018-19**

4. Key points to note:

4.1 The Environment PI marked as awaiting data is reliant on third parties.

4.2 Of the off target PIs, only one was a priority PI – CdPED9, Major planning applications decision performance – within 8 weeks or other agreed period.

4.2.1 **Leaders:** All Priority and Corporate PIs within the Leader's portfolio are on target.

4.2.2 **Healthy Communities:** the corporate PI CdHS3 – average length of stay in B & B temporary accommodation for all households – was above target of 12, at 14. This comprised a total of 5 households who left B&B accommodation during the quarter. The average was inflated by one case that stayed in B&B for a longer period pending non-priority decision and subsequent review.

CdEH1 - Percentage of food hygiene inspections of category A – D food businesses achieved against the inspections due by quarter – was under target of 91%, at 81.7%. During quarter 1, officers have had to undertake significant enforcement for poor standards of hygiene at a number of premises, leading to less officer time being available for food inspections. One case was successfully heard by the Magistrates' Court, with fine and costs awarded in excess of £2,000. Further cases are pending.

4.2.3 **Planning and Economic Development:** The priority PIs are on target for this portfolio, with performance above the target set, excepting CdPED9, which was off target due to lack of staff – an issue which has now been resolved.

4.2.4 **Environment:** Percentage of household waste sent for reuse, recycling and composting is above target of 53%, at 57%. CdWR1 – household refuse collections, number of containers missed – is over target of 1650 at 1762: the increase in temperature has led to the crews working more slowly, meaning that rounds have been taking longer. Additionally, an increase in garden waste tonnage compared to Q1 of 17-18 has also slowed the crew down. Crew holidays, and the use of agency staff has further contributed to this. A new PI, CdWR4 – number of missed assisted containers – is over target of 35 at 370. Although this figure seems high, this only accounts for 0.9% of assisted collections for the month – there also does not appear to be a pattern as to which addresses have been missed. This figure has improved on the 532 misses of June 2017. The target appears to be out of reach, and will be reviewed.

4.2.5 **Customer Services:** CdRB1 – Speed of processing new HB/CTB claims – is slightly over target of 18, at 19.4 due to the team being short staffed.

4.2.6 **Support Services:** all PIs in this portfolio are above target, excepting the Corporate PI JtBS2, percentage of calls to ICT helpdesk resolves within agreed timescales (by period), which is slightly under the target of 95% at 93.5% (improved from previous quarters), due to resources being pulled from the team to cope with vworkspace rollout.

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:

Item 7

Cabinet 16 October 2018

Via Resources Overview 11 September and Services Overview 9 October 2018

Objective 1 - Efficient and effective customer focused services

Objective 2 - Safe, healthy and cohesive communities

Objective 3 - Conserve the environment and promote sustainability

9. Next Step





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

Background Papers:	N/A
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Appendix A - Priority PIs 2018-19 - CDC

Code	Title	Target 2017/18 (YTD)	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Traffic Light	Target 2018/19	Comments	
Leader's																		
JtHR1	Working days lost due to sickness absence	10	5.76	6.3	6.28										☑	10	152.50 working days lost for June + 310.50 days lost (April - May) = 463 days lost. 463 / 295.50 (average FTE figure) = 1.57 / 3 x 12 = 6.28 average working days lost to sickness absence (cumulative). These figures relate to absence days from 30 employees.	
JtHR12	Working days lost due to short term sickness absence (upto 20 working days)	5	2.76	2.7	2.36										☑	5	40.50 working days lost for June + 132.50 days lost (April - May) = 173 days lost. 173 / 295.50 (average FTE figure) = 0.59 / 3 x 12 = 2.36 average working days lost to short term sickness absence (cumulative). The figures related to absence from 24 employees	
JtHR13	Working days lost due to long term sickness absence (more than 20 working days)	5	3	3.6	3.92										☑	5	112 working days lost for June + 178 days lost (April - May) = 290 days lost. 290 / 295.50 (average FTE figure) = 0.98 / 3 x 12 = 3.92 average working days lost to long term sickness absence (cumulative). This absence relates to 6 employees	
Health / Communities																		
CdHS3	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	0	0	0										☑	0	On target.	
CdHS7	Number of households living in temporary accommodation (snapshot at the end of the month)	38	23	20	20										☑	38	On target.	
Planning and Economic Development																		
CdPED9	Major planning applications decision performance - within 13 weeks or other agreed period (cumulative monthly)	90%	100%	80%	66.67%										☒	90%	4 of 6 determined within target - cumulative figure 0 of 1 determined within target - this month's figure Figure is under target due to being understaffed and lacking 2 principal officers during quarter one. Staff levels have now been replenished and performance should improve going forward.	
CdPED10	Minor planning applications decision performance - within 8 weeks or other agreed period (cumulative monthly)	75%	96.15%	98.15%	95.89%										☑	75%	70 of 73 minor planning applications determined within target cumulatively. 17 of 19 minor planning applications determined within target for this month.	
CdPED11	Other planning applications decision performance - within 8 weeks or other agreed period (cumulative monthly)	85%	100%	98.57%	96.59%										☑	85%	283 of 293 other planning applications determined within target cumulatively. 76 of 83 other planning applications determined within target for this month.	
Environment																		
CdWR2	Percentage of household waste sent for reuse, recycling and composting (cumulative)	53%			57%										☑	53%	Figure is provisional.	
Customer Services																		

Appendix A

Code	Title	Target 2017/18 (YTD)	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Traffic Light	Target 2018/19	Comments
CdRB1	Speed of processing - new HB/CTB claims (cumulative)	18	20.97	17.3	19.4											18	Team is short staffed until new recruit can be found. Holiday season has begun.
CdRB2	Speed of processing - changes of circumstances for HB/CTB claims (cumulative)	5	4.9	3.27	4.01											5	On target.
CdRB3	% of Council Tax collected (cumulative)	99%	5.54%	15.38%	25%											99.1%	Quarter 1 target is 25%.
CdRB4	Percentage of Non-domestic Rates Collected (cumulative)	98%	11.66%	21.39%	29.7%											98.5%	Quarter 1 target is 25%.

Appendix B - Corporate PIs 2018-19 - CDC

Code	Title	Target 2017/18	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Traffic Light	Target 2018/19	Comments
Leader's portfolio																	
Healthy Communities																	
CdCL1a (C)	Customer satisfaction rating at Chalfont Leisure Centre	NEW PI													NA	75%	Yearly PI.
CdCL1b (C)	Customer satisfaction rating at Chesham Leisure Centre	NEW PI													NA	68%	Yearly PI.
CdCL1c (C)	Customer satisfaction rating at the Chiltern Pools Leisure Centre	NEW PI													NA	50%	Yearly PI.
CdCL2 (C)	Total participation in physical activities delivered through the GLL community engagement plan (by period)	15,000			1,387										☒	15,000	Funding for Sportivate activities has now come to an end and has impacted the number of activities currently being delivered. Previous figures included activities that were self sustaining and had no intervention from the GLL team. New figures capture activities that GLL have an active involvement in.
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			25										☑	33 (8.25/qtr)	Total comprises (i) 7 x rented homes at Springett Place Amersham (Paradigm) and 6 x rented/12 x shared ownership properties at Appelfields, Little Chalfont (ii) 0 and (iii) 0
CdHS3 (C)	Average Length of stay in B & B temporary accommodation for all households (snapshot at end of quarter)	12			14										☒	12	Average stay for total of 5 households who left B&B accommodation during quarter. Average inflated by one case that stayed in B&B for longer period pending non-priority decision and subsequent review.
CdHS4 (C)	Number of private sector dwellings vacant for more than 6 months and returned to occupation following local authority intervention	28													NA	28	Yearly PI.
CdEH1 (C)	Percentage of food hygiene inspections of category A – D food businesses achieved against the inspections due by quarter	93%			81.7%										☒	91%	During Q1, officers have had to undertake significant enforcement for poor standards of hygiene at a number of premises. One case was successfully heard by the Magistrates' Court during Q1 with fine and costs awarded in excess of £2,000. Further cases are pending. The time spent by officers on these cases meant that less resources were available for inspections.
JtLI1 (C)	Percentage of customers satisfied with the licensing service received (annual)	89%													NA	80%	Yearly PI.
JtLI2 (C)	Percentages of licences received and issued/renewed within statutory or policy deadlines (cumulative)	97%			98.6%										☑	97.0%	On target.
Planning and Economic Development																	
JtBC1 (C)	Applications checked within 10 working days (cumulative)	92%	100%	98.4%	98.2%										☑	92%	On target.
JtBC2 (C)	Customer satisfaction with the building control service. (cumulative)	92%	100%	100%	100%										☑	92%	On target.
CdPED1 (C)	Percentage of planning applicants who are satisfied or very satisfied with the planning service (cumulative, quarterly)	80%													NA	82%	Survey has not been carried out - section to decide how they wish to move forward with this in the future.
CdPED2 (C)	Planning appeals allowed (cumulative)	35%			33.3%										☑	35%	z allowed or part allowed of 6 appeals decided (cumulative total) Note: How this indicator is calculated has been revised. This includes, all appeal types. Appeals against -Refusal of planning permission, -Imposition of conditions -Non-determination -Enforcement notices All applications that have development types that are reported to the Government on the PS2 return and PS1, questions 6 and 7 and all appeals against enforcement

Code	Title	Target 2017/18	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Traffic Light	Target 2018/19	Comments
CdPED41	2019 Majors speed of planning decisions – special measures 2 year assessment period ending September 18 (cumulative, monthly)	60%	94.4%	92.3%	90.0%										☑	60%	36 of 40 major cases determined within target Note: The Government annually assesses Council's, for special measures designation This assessment relates to the SPEED of decision making on major applications The period assessed is a 2 year period leading up to the end of Sep. This indicator is assessed on a monthly basis moving towards this end date Oct 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.
CdPED42	2019 Non-Majors speed of planning decisions – special measures 2 year assessment ending September 2018 (cumulative, monthly)	70%	94.8%	94.9%	94.8%										☑	70%	22481 of 2618 Non major cases determined within target Note: The Government annually assesses Council's, for special measures designation This assessment relates to the SPEED of decision making on non major applications The period assessed is a 2 year period leading up to the end of Sep. This indicator is assessed on a monthly basis moving towards this end date Oct 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.
CdPED43	2019 Majors quality of planning decisions - special measures 2 year & 9 month assessment period ending Dec 2018 (cumulative monthly)	9.99%	2.4%	2.4%	2.4%										☑	9.99%	1 of 42 major cases determined, allowed or part allowed on appeal Note: The Government annually assesses Council's, for special measures designation This assessment relates to the QUALITY of decision making on major applications The period assessed is the 2 years and 9 month period leading up to the end of December This allows a 9 month period for appeals to be decided on cases decided 2 years before this This indicator is assessed on a monthly basis moving towards this end date Apr 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
CdPED44	2019 Non-Majors quality of planning decisions - special measures 2 year & 9 month assessment period ending Dec 2018 (cumulative monthly)	9.99%	1.3%	1.4%	1.4%										☑	9.99%	44 of 3132 Non Major cases determined, allowed or part allowed on appeal Note: The Government annually assesses Council's, for special measures designation This assessment relates to the QUALITY of decision making on Non Major applications The period assessed is the 2 years and 9 month period leading up to the end of December This allows a 9 month period for appeals to be decided on cases decided 2 years before this This indicator is assessed on a monthly basis moving towards this end date Apr 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

Code	Title	Target 2017/18	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Traffic Light	Target 2018/19	Comments
CdPED45	2020 Majors speed of planning decisions – special measures 2 year assessment period ending Sep 19 (cumulative, monthly)	60%	100%	93.8%	88.2%											60%	15 of 17 major cases determined within target Note: The Government annually assesses Council's, for special measures designation This assessment relates to the SPEED of decision making on major applications The period assessed is a 2 year period leading up to the end of Sep. This indicator is assessed on a monthly basis moving towards this end date Oct 2017 to Sep 2019 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.
CdPED46	2020 Non-Majors speed of planning decisions – special measures 2 year assessment ending September 2019 (cumulative, monthly)	70%	96.2%	96.4%	95.9%											70%	1005 of 1048 Non major cases determined within target Note: The Government annually assesses Council's, for special measures designation This assessment relates to the SPEED of decision making on non major applications The period assessed is a 2 year period leading up to the end of Sep. This indicator is assessed on a monthly basis moving towards this end date Oct 2017 to Sep 2019 is the current assessment period The current threshold is 70% or more to be determined within the statutory 13 week period or alternative time period agreed with the applicant.
CdPED47	2020 Majors quality of planning decisions – special measures 2 year and 9 month assessment period ending December 2019 (cumulative, monthly)	9.99%	3.7%	3.3%	3.2%											9.99%	1 of 31 major cases determined, allowed or part allowed on appeal Note: The Government annually assesses Council's, for special measures designation This assessment relates to the QUALITY of decision making on major applications The period assessed is the 2 years and 9 month period leading up to the end of December This allows a 9 month period for appeals to be decided on cases decided 2 years before this This indicator is assessed on a monthly basis moving towards this end date Apr 2017 to Dec 2019 is the assessment period is for appeals determined Apr 2017 to Mar 2019 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

Code	Title	Target 2017/18	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Traffic Light	Target 2018/19	Comments
CdPED48	2020 Non-Majors quality of planning decisions – special measures 2 year and 9 month assessment period ending December 2019 (cumulative, monthly)	9.99%	0.8%	0.8%	0.8%										<input checked="" type="checkbox"/>	9.99%	15 of 1872 Non Major cases determined, allowed or part allowed on appeal Note: The Government annually assesses Council's, for special measures designation This assessment relates to the QUALITY of decision making on Non Major applications The period assessed is the 2 years and 9 month period leading up to the end of December This allows a 9 month period for appeals to be decided on cases decided 2 years before this This indicator is assessed on a monthly basis moving towards this end date Apr 2017 to Dec 2019 is the assessment period is for appeals determined Apr 2017 to Mar 2019 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
Environment																	
CdSE1 (C)	Cumulative CO2 reduction from local authority operations from base year of 2008/09 (annual)	12%													NA	12%	Yearly PI.
CdWR1 (C)	Household refuse collections, number of containers missed per month (calculated on wkly basis)	1733	1751	1492	1762										<input checked="" type="checkbox"/>	1650	Increase in temperature has led to the crews working more slowly, meaning that rounds have been taking longer. Additionally, an increase in garden waste tonnage compared to Q1 of 17-18 has also slowed the crew down. Crew holidays, and the use of agency staff has further contributed to this.
CdWR3 (C)	Waste customer satisfaction survey	86%													NA	86%	Survey was conducted in May - awaiting results from SERCO.
CdWR4 (C)	No of missed assisted containers (monthly)	NEW PI	324	251	370										<input checked="" type="checkbox"/>	35	Although this figure seems high, this only accounts for 0.9% of assisted collections for the month. This has also improved on the 532 misses of June 2017. The target appears to be out of reach, and will be reviewed.
Support services																	
JtBS1 (C)	Availability of ICT systems to staff from 8am to 6pm (by period)	99.5%			99.8%										<input checked="" type="checkbox"/>	99.5%	Crematorium down for 8 hours this Quarter.
JtBS2 (C)	Percentage of calls to ICT helpdesk resolved within agreed timescales (by period)	95%			93.5%										<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.
CdBS3 (C)	Percentage of responses to FOI requests sent within 20 working days (by month)	90%	100%	98.8%	100%										<input checked="" type="checkbox"/>	90%	On target.
JtLD1 (C)	Client satisfaction with the shared service. Percentage satisfied or very satisfied.	98%													NA	98%	Reported 6-monthly.
CdLD1 (C)	The percentage response to the annual canvass	94%													NA	94%	Yearly PI.
CdLD2 (C)	Percentage of standard searches carried out within three working days (by period quarterly)	100%	100%	100%	100%										<input checked="" type="checkbox"/>	100%	On target.
Customer services																	
CdCS1 (C)	New measure for compliments - t.b.a.	TBA	NA	NA	NA										NA	TBA	Placeholder for PI for when Customer Experience Strategy is implemented
CdCS2 (C)	New measure for compliments - t.b.a.	TBA	NA	NA	NA										NA	TBA	Placeholder for PI for when Customer Experience Strategy is implemented

Appendix C - Data Only PIs - CDC

Code	Title	Target 2017/18 (YTD)	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Trend	Comments
Leader's portfolio																
CdCP1 (C)	Number of unique visitors to the main website (by period)	Data Only	101390	102580	101376										↗	
JtHR2 (C)	Voluntary leavers as a % of workforce (extrapolated for the year)	16%			6%											
Healthy Communities																
CdCL3a (C)	Total attendance at Chalfont Leisure Centre	NEW PI			32090											
CdCL3b (C)	Total attendance at Chesham Leisure Centre	NEW PI			23329											
CdCL3c (C)	Total attendance at Chiltern Pools Leisure Centre	NEW PI			31454											
CdCmSf1 (C)	Percentage reduction in burglaries from dwellings year on year for Chiltern (quarterly)	Data Only			-46.8%											Burglary dwellings has increased by 46.8% in Chiltern when compared to the previous year (47 to 69 offences)
CdCmSf2 (C)	Percentage reduction in violent offences against a person, rolling year on year	data only			-62.1%											Chiltern saw an increase in recorded violence against a person offences. This increased to 347 from 214 the previous year. It is expected that the number of offences recorded will continue to increase with the improvement in recording standards.
Planning and Economic Development																
JtENF1 (C)	Number of new enforcement cases received (monthly)	NEW PI	23	30	25										↗	
JtENF2 (C)	Number of closed cases (monthly)	NEW PI	5	215	45										↗	
JtENF3 (C)	Number of PCNs (or S330s) issued (monthly)	NEW PI	0	0	0										—	
JtENF4 (C)	Number of notices served (monthly)	NEW PI	0	0	0										—	

SUBJECT:	<i>Treasury Management – Quarterly Report Quarter 1 2018/19</i>
REPORT OF:	<i>Jim Burness, Director of Resources</i>
RESPONSIBLE OFFICER	<i>Helen O'Keeffe, Principal Accountant</i>
REPORT AUTHOR	<i>Helen O'Keeffe, hokeeffe@chiltern.gov.uk 01494 732781</i>
WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

- 1.1 To report on the Treasury Management operation of the Council for April – June 2018.

RECOMMENDATION

Cabinet is requested to note the Treasury Management performance for Quarter 1 2018/19.

2. Background

- 2.1 The Council is required to comply with the CIPFA Code of Practice on Treasury Management. The Code was revised in December 2017. The primary requirements of the revised code are:
- (i) Creation and maintenance of a Treasury Management Policy Statement, which sets out the policies, objectives and approach to risk management of the Council's treasury management activities.
 - (ii) Creation and maintenance of Treasury Management Practices, setting out the manner in which the Council will seek to achieve those policies and objectives, and prescribing how it will manage and control those activities.
 - (iii) Receipt by the Cabinet and Council of an annual strategy report for the year ahead, a mid-year review and an annual review report of the previous year.
 - (iv) The delegation by the Council of responsibilities for implementing and monitoring treasury management policies and practices and for the execution and administration of treasury management decisions.

3. Quarterly Report on Treasury Management Quarter to June 2018

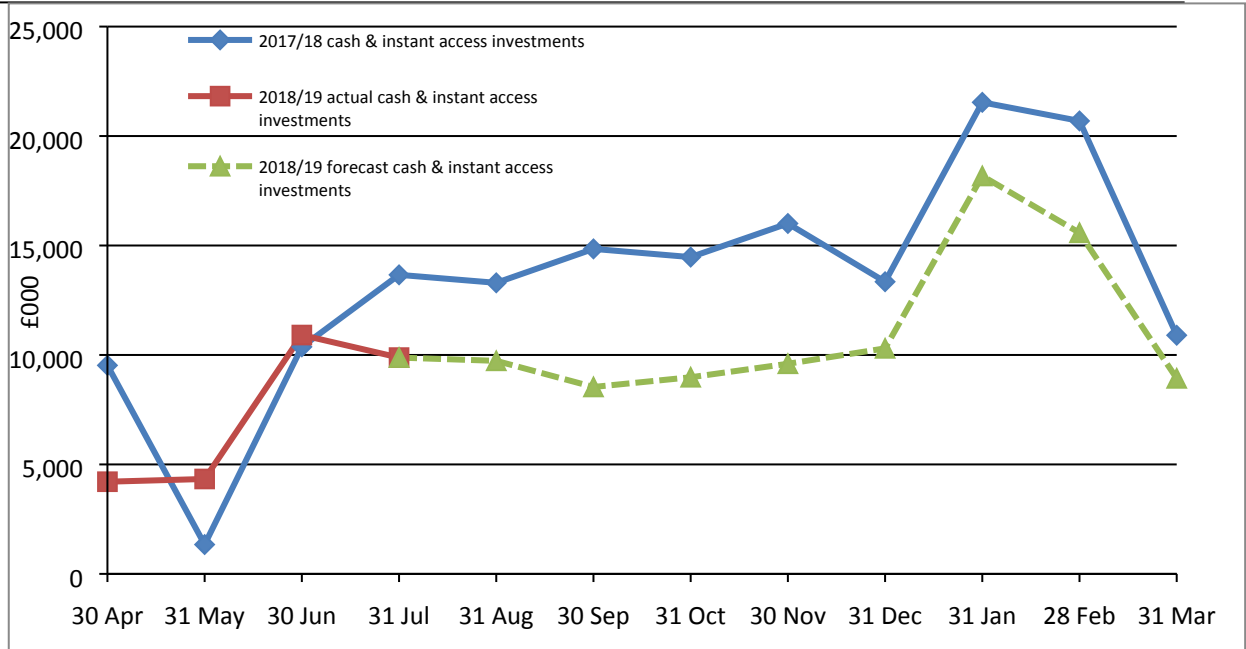
- 3.1 In July 2017 the Council took out a loan from the PWLB to finance the construction of the new Amersham Multi Storey car park following the approval of the business

case and planning. The value of the loan was £10.8m, borrowed at an interest rate of 2.7% repayable over 40 years. There has been no further borrowing in this quarter.

- 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% in November 2017 with a further increase to 0.75% in August 2018.
- 3.3 The total of loans outstanding at the end of the quarter was £15,000,000 detailed in the table below.

UK Institutions	Fitch Credit Rating	Principal £	Interest Rate	Invested	Matures	Length in days
Standard Life MMF		2,000,000	0.55% variable	immediate	access	
Lloyds Banking Group	A+					
Fixed Deposit		1,000,000	0.90%	06/11/17	06/11/18	365
Fixed Deposit		1,000,000	0.70%	29/01/18	06/11/18	273
Fixed Deposit		1,000,000	0.65%	26/07/17	26/07/18	365
Fixed Deposit		2,000,000	0.70%	26/01/18	26/10/18	273
Santander	A					
Fixed Deposit		2,000,000	0.85%	09/03/18	08/03/19	364
Fixed Deposit		1,000,000	0.90%	15/05/18	15/05/19	365
Fixed Deposit		1,000,000	0.60%	26/07/17	26/07/18	365
Fixed Deposit		1,000,000	0.73%	26/01/18	26/10/18	273
Close Brothers	A					
Fixed Deposit		1,000,000	0.90%	13/10/17	15/10/18	367
Fixed Deposit		1,000,000	0.90%	28/02/18	28/02/19	365
Fixed Deposit		1,000,000	1.10%	20/11/17	20/11/18	365
Total Deposits		15,000,000				

- 3.4 The weighted average interest rate earned on fixed rate investments in the quarter was 0.80%. By way of comparison the weighted average interest rate earned in the quarter for South Bucks District Council was 0.74%. As at the end of June, £8.91m was held in instant access funds for everyday cashflow purposes compared to £0.90m at the end of March. This level of cash was held in instant access funds in order to pay precept payments totalling £6.8m in the first few days of July.
- 3.5 The following graph shows how the level of cash and instant access investments fluctuated in 2017/18, and the forecast levels of cash and instant access investments in 2018/19. The purpose of the graph is to illustrate that we always have a sufficient level of cash reserves to meet our immediate short term cash requirements.



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

4. The Prudential Capital Code – Prudential Indicators

4.1 In accordance with the Prudential Capital Code the Council reviews its Prudential Indicators on a quarterly basis. Prudential Indicators are reviewed annually as part of the Treasury Management Strategy review. Movements in the Prudential Indicators for the year 2018/19 to date are as follows:

4.2 Interest rate exposures

The interest rate exposure on investments has moved as follows:

Date	Investments as a % of total	
	Fixed	Variable
31/03/18	57%	43%
30/06/18	87%	13%

This Prudential Indicator sets an upper limit on fixed interest rate exposures of 100% and variable interest rate exposures of 80% of net outstanding principal sums.

4.3 Principal sums invested for periods longer than 364 days.

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

Date	Total investments	Sums invested for greater than 364 days	% of total investments
31/03/18	£23m	£9m	39%
30/06/18	£15m	£7m	47%

The £7m invested for greater than 364 days comprises 7 loans with durations of 365 or 367 days. The time periods over which sums have been invested reflect the current level of rates that do not incentivise long term cash investments.

- 4.4 Fixed term and money market fund investments have decreased from £23m to £15m between March and June. The decrease is entirely owing to a reduction in instant access funds held in money market funds. Funds have been spent in the first quarter on parish and other precepts and £2.2m on capital projects (including £1.6m on the Amersham Multi Storey car park).

5 Corporate Implications

- 5.1 The budgeted income from investments for 2018/19 has been set at £90,000. The impact of the recent bank base rate increase is still an unknown at this time, however it is likely that there may be a modest interest rate increase in the medium term. The budget assumed an interest rate of 0.9% on medium term loans and 0.35% on short term loans.

Background Papers:	None
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Planning & Economic Development PAG
 Planning Committee
 Cabinet
 Full Council

25 September 2018
 4 October 2018
 16 October 2018
 13 November 2018

SUBJECT	Delegation Arrangements on Planning Enforcement
REPORT OF	Cllr Peter Martin
RESPONSIBLE OFFICER	Steve Bambrick
REPORT AUTHOR	Joanna Swift
WARD/S AFFECTED	All wards

1. Purpose of Report

To recommend changes to the delegation arrangements on Planning Enforcement matters to take account of the recent approval of the Local Enforcement Plan.

RECOMMENDATION

That the revised delegations as set out in the Appendix to the report be agreed and recommended to Full Council for approval.

2. Reasons for Recommendations

The recommended revised arrangements will provide the mechanism for the effective delivery of the Local Enforcement Plan.

3. Content of Report

- 3.1. The Local Enforcement Plan was approved at Cabinet on 1st May 2018.
- 3.2. The Plan brings about significant changes to the processes that will be followed in receiving and assessing information about alleged breaches of planning control.
- 3.3. The current delegated arrangements give officers authority to serve requisitions for information about ownership of land and Planning Contravention Notices. In cases of urgency the Head of Legal and Democratic Services has power in consultation with the Head of Planning and Economic Development and Chairman of the Planning Committee to serve a range of enforcement notices and apply for injunctions. The Head of Planning and Economic Development also has power to take direct action to remove offending development with the action taken being reported to the next meeting of the Planning Committee. Apart from these delegations the current arrangements require all enforcement action to be authorised by Planning Committee

Planning & Economic Development PAG
 Planning Committee
 Cabinet
 Full Council

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 16 October 2018
 13 November 2018

- 3.4. In order to ensure the efficient operation of the recently approved Local Enforcement Plan it is considered the current arrangements require review. In particular, the requirement for the planning committee to authorise the service of enforcement notices adds time and operational costs to the wider process. Current work on assessing the backlog of enforcement activity indicates that there will be a significant increase in the service of notices in the coming months. Plainly, this pipeline of work will stretch the current arrangements even further.
- 3.5. The new arrangements proposed would give delegated authority to the Head of Planning and Economic Development on all enforcement matters with a requirement for consultation with the Head of Legal and Democratic Services on the service of notices and instigation of legal proceedings. The decision to serve a Stop Notice, Temporary Stop Notice or to apply for an injunction would be made in consultation with the Chairman of Planning Committee (or in his absence the Vice – Chairman). Any direct action taken would continue to be reported to the next Planning Committee as required under the current delegations. A service level agreement would be prepared between the Planning service and the Legal service. This agreement would identify the timescales for undertaking consultation and providing legal advice. This is intended to ensure legal issues are properly considered when issuing notices and instituting proceedings but allow more streamlined decision - making particularly on the serving of enforcement notices. This revised process would also address many of the current issues and complaints about the enforcement service which focus on the time taken for notices to be served where necessary.
- 3.6 Whilst the proposed revised delegations are directly to officers, it is acknowledged that members of the Planning Committee and local members will continue to expect a degree of engagement in the wider process. It is on this basis that senior officers will ensure that they raise issues with ward members as would be appropriate to the proposed notice or action concerned.
- 3.7 A similar report is being submitted to the Cabinet and Planning Committee at South Bucks seeking views on the proposed new arrangements.

4. Consultation

The contents of this report have been discussed with the Portfolio Holder and Chairman of the Planning Committee.

5. Options (if any)

There are a variety of options for delegating decision-making for enforcement matters based on a combination of factors including the ability of officers to serve an extensive or a more restrictive range of notices. The proposed delegations are based on national best practice and seek to ensure the Council can deliver the recently introduced Local Enforcement Plan in an effective and timely manner.

Planning & Economic Development PAG
 Planning Committee
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6. Corporate Implications

- 6.1 Financial – There are no direct financial implications from this report.
- 6.2 Legal – Enforcing breaches of planning and advertisement control is a statutory power which requires investigation of factual and legal issues to determine whether a breach has taken place, as well as a decision as to whether it is expedient to take action having regard to relevant planning policy considerations.
- 6.3 Whilst the report does not have any direct implications on any other corporate matters, it has the potential to send out very strong signals about the Council’s willingness to take positive and proportionate enforcement action where necessary.

7. Links to Council Policy Objectives

The proposal supports the objectives of conserving the environment and promoting sustainability as well as delivering cost-effective, customer-focused services

8. Next Steps

Following consideration by Planning Committee and Cabinet the proposed revisions to the Scheme of Delegations will be reported to Full Council for approval and the Constitution updated accordingly

Background Papers:	None other than referred to in this report
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CDC Constitution PART 7 Section B Scheme of Delegations to Officers

Officer	Delegation	Limits on Delegation	Council Delegation Number	Executive Delegation Number
Head of Planning and Economic Development	<p>Authority to decide whether it is expedient to take enforcement action and to prepare, issue, serve, amend or withdraw, or, in case of injunctions, apply for:</p> <ul style="list-style-type: none"> (i) Enforcement Notices, including Listed Building Enforcement Notices; (ii) Stop Notices including Temporary Stop Notices; (iii) Injunctions restraining breaches of Planning Control; (iv) Notices under Section 215 of the Town and Country Planning Act 1990 Act relating to untidy land; (v) Breach of Condition Notices under Section 187A of the Town and Country Planning Act 1990; and (vi) Planning Contravention Notices under Section 171 C of the Town and Country Planning Act 1990. 	<p>In consultation with the Head of Legal & Democratic Services and in respect of Stop Notices, Temporary Stop Notices and Injunctions after consultation with the Chairman of Planning Committee (or in his/her absence the Vice- Chairman).</p>	<p>C206</p>	
	<p>Take any necessary follow up action including the administration of a simple caution and instituting prosecution proceedings for non-compliance with any enforcement action.</p>	<p>Any prosecution proceedings to be instituted in consultation with the Head of Legal & Democratic Services</p>	<p>C207</p>	
	<p>Serving notice requiring contravening work to be pulled down, removed or altered or taking other direct action in respect of a breach of planning control.</p>	<p>Any action taken shall be reported to the next meeting of the Planning Committee</p>	<p>C208</p>	
	<p>Serve requisitions for information as to interests in land under Section 330 of the Town and Country Planning Act 1990, or Section 16 of the Local</p>		<p>C209</p>	

CDC Constitution PART 7 Section B Scheme of Delegations to Officers

Officer	Delegation	Limits on Delegation	Council Delegation Number	Executive Delegation Number
	Government (Miscellaneous Provisions) Act 1976.			
	Making minor amendments to conditions, reasons for refusal and enforcement notices where this does not affect the substance of the Committee's decision.		C206	
	Exercising powers to control the display of advertisements in breach of the Town and Country Planning (Control of Advertisements) Regulations 1992 and fly-posting under Sections 224 and 225 of the Town & Country Planning Act 1990, including the institution of prosecution proceedings as necessary.	Prosecution proceedings to be instituted in consultation with the Head of Legal & Democratic Services.	C210	
	Deferring enforcement action pending an appeal against a refusal of planning permission		C211	
Head of Legal & Democratic Services				
	Prepare, issue and serve, or, in case of injunctions, apply for: (i) Enforcement Notices, including Listed Building Enforcement Notices; (ii) Stop Notices including Temporary Stop Notices; (iii) Injunctions restraining breaches of Planning Control; (iv) Notices under Section 215 of the Town and Country Planning Act 1990 Act relating to untidy land; (v) Breach of Condition Notices under Section 187A of the	Following Planning Committee approval to take action and in consultation with the Head of Planning & Economic Development except in cases of emergency when action may be taken in consultation with the Head of Planning & Economic Development and the Chairman of Planning Committee (or in his/her absence the Vice-Chairman). Urgent action shall be reported to the next meeting of	C454	

CDC Constitution PART 7 Section B Scheme of Delegations to Officers

Officer	Delegation	Limits on Delegation	Council Delegation Number	Executive Delegation Number
	Town and Country Planning Act 1990; and (vi) Planning Contravention Notices under Section 171 C of the Town and Country Planning Act 1990.	the Planning Committee		
	Serve requisitions for information as to interests in land under Section 330 of the Town and Country Planning Act 1990, or Section 16 of the Local Government (Miscellaneous Provisions) Act 1976.		C455	
	In circumstances where further Enforcement Notices were being issued to withdraw any Enforcement or Stop Notice (but without prejudice to the power to serve another as circumstances warrant).	In consultation with the Head of Planning & Economic Development	C456	
	Deferring enforcement action pending an appeal against a refusal of planning permission.	In consultation with the Head of Planning & Economic Development.	C457	
	Institute legal action in respect of failure to respond to a requisition for information as to interests in land, or to a Planning Contravention Notice under Section 171 C and D of the Town and County Planning Act 1990.	In consultation with the Head of Planning & Economic Development	C458	
	Institute prosecution proceedings for breach of Town and Country Planning (Control of Advertisements) Regulations 1992 or for fly-posting contrary to Section 224 of the Town and Country Planning Act 1990	In consultation with the Head of Planning & Economic Development	C459	

SUBJECT	The Environmental Assessment of Plans and Programmes Regulations 2004 – delegated powers
REPORT OF	Councillor Peter Martin - Planning and Economic Development Portfolio Holder
RESPONSIBLE OFFICER	Steve Bambrick Director/ Mark Jaggard Head of Service
REPORT AUTHOR	David Waker, 01494 732267; dwaker@chiltern.gov.uk
WARD/S AFFECTED	All

1. Purpose of Report

To seek delegated authority to determine the need for environmental assessment of plans, specifically neighbourhood plans.

RECOMMENDATIONS:

- That the statutory requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 in relation to neighbourhood planning are delegated to the Head of Planning and Economic Development.**

2. Executive Summary

The Council has a duty to undertake environmental assessments for neighbourhood plans within their area. The technical nature of the determination and short timeframes required mean decisions are unlikely to neatly fit with Cabinet meetings timetables. The environmental assessment process is related to neighbourhood planning but doesn't form part of the neighbourhood planning legislation and is thus not covered by the existing delegated powers for the neighbourhood planning process. Neighbourhood planning remains a Council specific function with neighbourhood plans needing to be processed and approved (made) by each respective sovereign council.

3. Reasons for Recommendations

The Council is required to undertake environmental assessment of neighbourhood plans. The timing of neighbourhood plan production is in the hands of the neighbourhood plan groups and as such whilst the district councils have a duty to assist and to make decisions within timeframes as set within the regulations it is difficult to programme the need for an environmental determination decision into a Cabinet meeting timetables. Most other aspects of neighbourhood planning as defined in the Localism Act have been delegated already. Therefore it is logical and practicable to include environmental assessment of plans in the scheme of delegation.

4. Content of Report

4.1. The Environmental Assessment of Plans and Programmes Regulations are the UK government's interpretation of European law. The legislation is similar to the

requirement to undertake an Environmental Impact Assessment of a planning application. Whilst the regulations have been in force since 2004 and apply equally to local plan documents decisions related to the progression of the local plan are delegated to the Joint Committee and the environmental assessment of the local plan is usually tied in with the overall evidence base of the local plan including the Sustainability Appraisal (SA) of the plan and the Habitats Regulations Assessment (HRA) of the implications of the proposed local plan on the designated European sites e.g. Special Areas of Conservation (SAC) such as Burnham Beeches. Therefore this report concentrates on the role of environmental assessment in the neighbourhood plan process, and a similar report is being made to SBDC Cabinet on 17 October 2018 for consistency in delivering a shared service.

- 4.2. Across Chiltern and South Bucks there has so far been one neighbourhood plan made (note under the legislation neighbourhood plans are 'Made' rather than adopted by the local planning authority and if they pass a referendum and are made become a part of the development plan.) Officers are currently progressing the Chalfont St Giles Neighbourhood Plan through the formal process and there are a further 8 designated neighbourhood areas (one in Chiltern District and seven in South Bucks District) where we can expect a neighbourhood plan to be developed in the future.
- 4.3. Delegated powers - Neighbourhood planning remains a Council specific function with each sovereign council needing to determine and 'make' neighbourhood plans submitted in their own respective area. As members will be aware most of the procedural stages of the neighbourhood plan process and other neighbourhood related planning functions are delegated to officers with or without the need to consult with local ward members and or the relevant portfolio holder. However these delegations relate solely to the neighbourhood planning related parts of the Localism Act 2011 and the associated regulations. (See minute 31 SBDC Cabinet 13th October 2015 and Minute 27 CDC Cabinet September 2014). Although the Environmental Assessment of Plans and Programmes Regulations 2004 (the 2004 regulations) were in effect at the time the neighbourhood plan schemes of delegation were considered the specific requirement for neighbourhood plan groups to include an environmental assessment was only added by an amendment to the Neighbourhood Plan Regulations made in January 2015. This makes it a requirement for the neighbourhood plan group submitting a neighbourhood plan to include an environmental statement made under the 2004 regulations. Those 2004 regulations in turn make it a requirement for the responsible authority, the district council in this case, to undertake the environmental determination and to carry out the formal procedures associated with the determination process.
- 4.4. As part of the progression of the Chalfont St Giles Neighbourhood Plan, the first neighbourhood plan to be progressed since the change in the regulations, it was identified that there was no formal delegation for the requirements of the 2004 regulations. Under the 2004 regulations once a neighbourhood plan is proposed

the district council should consider whether the plan is likely to have a significant environmental effect. Before making the determination that the plan will or will not have an environmental effect the council has to consult the statutory consultation bodies. These are Historic England, Natural England and the Environment Agency. Once the council has made a determination that the plan would not have an environmental impact it has to produce a statement setting out its reasons for the determination. It then has to send a copy of the statement to the consultation bodies and make it publically available. If however, it is considered the plan would have an environmental impact the council has to prepare an environmental report which sets out the likely significant effects of the plan and consult the consultation bodies and people likely to be affected by the adoption of the plan. The consultation to be for a reasonable period to allow people to respond.

- 4.5. Under the Neighbourhood Plan Regulations, as amended, the neighbourhood plan group are required to submit with their neighbourhood plan at examination stage either a copy of the district council's statement that the plan would not have a significant environmental impact or a copy of the environmental report which sets out how the plan would have a significant impact on the environment. This report or statement will form part of the examination of the plan to ensure the neighbourhood plan complies with the European regulations. In turn before the council 'make' (adopt) the neighbourhood plan they have a duty to ensure the correct documents were submitted with the neighbourhood plan and that European laws have not been broken.
- 4.6. Reason for seeking delegated powers – Firstly the assessment of a plan is largely a technical exercise, it is a Council duty for the assessment to be made, but there is no political steer required. The Council view on the impact of the plan on the environment has to be shared with the expert consultation bodies that will use their particular expertise and either agree with the opinion or disagree and state why in their response. As such there appears to be little risk to the council of making an incorrect decision. Secondly although neighbourhood plan groups are often working with officers of the two district councils, on their emerging neighbourhood plans, officers cannot determine when the neighbourhood plans will come forward or when they would have enough information on the content of the proposed plan to be able to make a determination under the 2004 regulations. In addition, there is a need to consult with the consultation bodies and give them the opportunity to respond, this would make the timing of any determination, consultation and actual cabinet decision timing difficult to plan for and most likely any determination would be unlikely to neatly fit within the Cabinet calendar of meetings. As such if not delegated any determination under the 2004 regulations may require a special meeting of the Cabinet to be called to make the formal council decision.
- 4.7. Given the above reasoning the recommendation to Cabinet is that the process of undertaking an environmental assessment of the impact of a neighbourhood plan on the environment, under the 2004 regulations, should be delegated to the Head

of Planning and Economic Development. Ultimately following the environmental determination, involving the statutory bodies, the neighbourhood plan is examined by an independent examiner, has to pass a referendum and finally has to be 'made' by the local planning authority as such it is considered sufficient safeguards remain to allow delegation of one stage in the bigger neighbourhood plan process.

5. Consultation

Not Applicable

6. Options (if any)

No delegation – if powers are not delegated all environmental assessment determinations of neighbourhood plans would need to be determined by the Cabinet. This requirement will relate to all neighbourhood plans being proposed, any revisions to existing neighbourhood plans and could also be required should a neighbourhood plan examiner recommend modifications a neighbourhood plan prior to referendum which would alter its environmental impact. Due to the need to meet certain timeframes in the neighbourhood planning process this could mean the need for special Cabinets to be called to deal with the issue within the timeframe. Given the technical nature of the determination and the timeframes involved this is not seen as a practicable option.

Delegation to Portfolio holders – delegation could be made to the relevant portfolio holder who would more likely be able to make a quick decision within a tight timeframe. However the determination is a technical decision based on the content of the proposed neighbourhood plan and as such it is not thought necessary to seek portfolio holder agreement.

Delegation to Officers – as set out in the report this it's a technical determination required in a set timeframe – the councils have to consult expert statutory bodies on the outcome of their determination meaning there remains a statutory overview of the councils decision. Delegation to officers would allow the Council to meet their statutory duties to assist the neighbourhood planning process and the need to seek agreement of the consultation bodies would avoid any risk to the council of potentially allowing a plan to proceed that could have an environmental impact.

7. Corporate Implications

Reports must include specific comments addressing the following implications:

- 7.1 Financial – there should be no financial impacts other than officer time to make the necessary determinations and or produce an environmental impact assessment report.
- 7.2 Legal – it is a legal requirement for the responsible authority to determine if a plan or programme would have a significant environmental effect.
- 7.3 Environmental Issues – the SEA process is designed to protect the environment by limiting plans that could harm the environment; Partnership; neighbourhood planning and in particular the need to undertake an environmental assessment of

the neighbourhood plan working with the parish council is an example of partnership working at a local level; Sustainability - having an up-to-date Development Plan in place, of which neighbourhood plans form part at a local community level, can help to improve sustainability.

8. Links to Council Policy Objectives

We will work towards safer and healthier local communities 3. Promote cohesive communities - Engage with Parish and Town Councils and local neighbourhoods We will strive to conserve the environment and promote sustainability. The environmental assessment of a neighbourhood plan is part of the process for making a neighbourhood plan. The neighbourhood plan will help establish a safer and healthy community, bring the community together conserve the environment and the plan will promote sustainability.

9. Next Steps

Assuming delegated powers are granted to officers, in the future when draft neighbourhood plans are submitted, to either council, officers will work with the neighbourhood plan group to assess the environmental implications of the proposed plan and will undertake the necessary formal procedures to enable the neighbourhood plan to proceed.

Background Papers:	The Environmental Assessment of Plans and Programmes regulations 2004 - http://www.legislation.gov.uk/uksi/2004/1633/contents/made The Neighbourhood Planning(General) (Amendment) Regulations 2015 - http://www.legislation.gov.uk/uksi/2015/20/contents/made
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SUBJECT:	Community Infrastructure Levy (CIL)
REPORT OF:	<i>Cllr John Read / Cllr Peter Martin</i>
RESPONSIBLE OFFICER	<i>Mark Jaggard Head of Planning and Economic Development</i>
REPORT AUTHOR	<i>Mark Jaggard</i>
WARD/S AFFECTED	<i>All or specify individual wards affected by the item of report</i>

1. Purpose of Report

The purpose of this report is to seek the endorsement of the PAGs to continue to develop the Preliminary Draft Charging Schedule with an aim to consult on it later this year.

RECOMMENDATION to Cabinet

- To agree to consult on Preliminary Draft Charging Schedule for Community Infrastructure Levy.**

2. Reasons for Recommendations

- In 2010 the Government introduced the Community Infrastructure Levy (CIL) as the preferred mechanism for securing developer contributions towards infrastructure to support growth in an area. The regulations which introduced CIL also require planning obligations to be scaled back to cover only site-specific obligations. The Community Infrastructure Levy (CIL) is a tool for local authorities to help deliver infrastructure to support new development. CIL is a mandatory charge levied on new developments that involve an increase of 100m² or more of additional floor space, or that involves the creation of a new residential unit.
- The District Councils are in the process of producing a new combined Local Plan 2036. It is therefore prudent to introduce CIL at the current time so that it can be demonstrated how the CIL and associated Regulation 123 list will support delivery of the Local Plan 2036.

3. Content of Report

- The Community Infrastructure Levy is a tariff in the form of a standard charge on new development, which is set by the District Councils to help the funding of infrastructure. It is intended to supplement, or top up, other sources of funding to widen infrastructure delivery.
- Most development has some impact on infrastructure and should contribute to the cost of providing or improving infrastructure. The principle behind CIL is for those who benefit financially from a planning permission to pay towards the cost of funding the infrastructure needed to support development.
- CIL will improve the Councils' ability to mitigate the cumulative impacts on infrastructure from most developments; unlike the former system of planning obligations which tended to affect mainly larger developments. Being charged on a per square metre basis, CIL charges will be proportional to the scale of the development. In investing in the infrastructure of the

area, CIL is expected to have a positive economic effect on development in the medium to long term.

- 3.4 The Councils can set CIL rates in a Charging Schedule and can implement these, having undertaken two stages of consultation and an Examination in Public followed by adoption. The 2014 amendments to CIL Regulations Part 3, Regulation 14 mean that when setting CIL rates, the Councils must strike an appropriate balance between the desirability to fund infrastructure through CIL and the potential effect (taken as a whole) of the levy on the economic viability of development in the area where CIL charges apply. When considering infrastructure costs, the Council needs to estimate the cost of infrastructure to support development and take into account other sources of funding.
- 3.5 Regulation 13 of the CIL Regulations 2010 (as amended) makes provision for the setting of differential rates for different geographical areas, different development types/uses, and development size or a combination of them. Any differential rate should be justified by economic viability evidence.
- 3.6 The term 'taken as a whole' indicates that economic viability evidence is used to show that CIL rates can be borne by most development across the Districts. It does not mean that CIL rates can be borne by each and every development. The Councils are using emerging evidence in the Economic Viability Study to inform appropriate CIL rates.

Why introduce Community Infrastructure Levy?

- 3.7 The Councils are in the process of producing the new joint Local Plan 2036. The Charging Schedule and associated Regulation 123 list will demonstrate how the Local Plan can be delivered and so it is helpful to ensure the Charging Schedule is examined by the Planning Inspectorate (PINS) at the same time as the Local Plan 2036.

Background evidence to support the Preliminary Draft Charging Schedule (PDCS)

- 3.8 The following documents are being produced and will be available for the consultation stage of the PDCS:
- A draft Infrastructure Delivery Plan which sets out infrastructure requirements to support the delivery of the Local Plan 2036. The draft will be informed by the Buckinghamshire Infrastructure Strategy.
 - An Economic Viability Study is being undertaken by consultants and is an important piece of evidence to assist in determining the most appropriate level for the CIL tariff. It considers burdens placed upon new development through the new Local Plan's policies, such as affordable housing requirements and renewable energy.
 - An Infrastructure Funding Gap which will compare the likely CIL income from anticipated new developments with the cost of infrastructure that has been initially identified in the draft Infrastructure Delivery Plan. It is anticipated that CIL will not generate sufficient funds to pay for all the infrastructure identified. The Councils' intention is set the CIL rates to ensure that CIL can make a meaningful and needed contribution to the infrastructure needs across the two Districts.

- 3.9 Initial indications from the Economic Viability Study show that a charge of £150/m² (retail uses, housing, Houses in Multiple Occupation) and £35/m² (employment, hotels, institutions, assembly and leisure and other uses) is, generally, viable for development. This will undergo further sensitivity testing.

The CIL rates proposed in the Preliminary Draft Charging Schedule

- 3.10 The CIL regulations and the National Planning Practice Guidance (NPPG) specify that in setting their levies charging authorities should strike a balance between the need to fund infrastructure and the potential effects of the imposition of CIL on the economic viability of development across their areas. The overarching aim of CIL is to enable the delivery of growth, therefore, CIL should not be set too high.
- 3.11 In determining the appropriate CIL rates, consideration must be had for the financial burden this places on developers in combination with other requirements notably affordable housing provision. Affordable housing is a key priority for both Councils and therefore, through the development of Local Plan 2036 policy approach, affordable housing provision will be maintained and CIL rates will be set at a level that ensures the full affordable housing requirement can generally be achieved.
- 3.12 The infrastructure needs for strategic developments are often more complex and at a grander scale than for smaller sites. For these developments it is also important that funding is in place to deliver their key infrastructure as it will enable development of sites critical to Districts' housing and employment growth. The Councils are proposing a nil CIL rate for strategic sites larger than a particular threshold of number of C3 dwellings or certain site area (hectares) – both to be confirmed.
- 3.13 The proposed CIL rates are shown in the table below which also lists strategic sites subject to nil CIL charges. These strategic sites are expected to contribute towards infrastructure through S106 agreements.
- 3.14 The Economic Viability Study assesses the viability of development in Chiltern and South Bucks. The Study shows that the ability of development to support a CIL charge varies by type of development. CIL will be charged in pounds sterling (£) at differential rates according to the type of development set out in the schedule below:

The CIL rates	
Development type	CIL Rate/m²
A1 Shops	£150
A2 Finance and professional services	£150
A3 Restaurants and cafes	£150
A4 Drinking establishments	£150
A5 Hot food takeaways	£150
B1 Business	£35
B2 General industrial	£35
B8 Storage or distribution	£35
C1 Hotels	£35

C2 and C2A Residential institutions and Secure Residential Institution	£35
C3 Dwellinghouses*	£150
C4 Houses in multiple occupation	£150
D1 Non-residential institutions	£35
D2 Assembly and leisure	
Strategic sites - larger than a particular threshold of C3 dwellings or site area (tbc)	£0
*C3 includes all self-contained accommodation, including elderly and sheltered accommodation	
See Annex 1 for reference to the Use Classes guide	

CIL rates will undergo further sensitivity testing through the Economic Viability Study.

CIL and Section 106 and the Regulation 123 List

- 3.15 CIL is the Government's preferred method for collecting pooled contributions to fund infrastructure. There remains a need for S106 obligations, but they must be restricted to the regulation of development and in particular site specific mitigation as their use relates to acceptability of a proposal in planning terms. S106 obligations continue to be the primary mechanism for securing affordable housing through the planning system.
- 3.16 The Regulation 123 list of the Community Infrastructure Levy (CIL) Regulations is a list of infrastructure that will be, or may be, wholly or partly funded by CIL. The effect of the list is to restrict the use of S106 Planning Obligations for infrastructure that will be funded in whole or in part by the CIL. This is to ensure no duplication or double charging towards the same infrastructure project.
- 3.17 The content of the Regulation 123 list will vary between authorities according to their circumstances and their requirements. For some authorities, where there are specific large scale pieces of infrastructure necessary to unlock development across the area, the Regulation 123 list could be very limited and focussed. In other areas where infrastructure requirements result from incremental increases in demand across the board, their list is likely to be more general in nature, enabling them to respond flexibly.
- 3.18 The Regulations require Authorities to publish a draft of their Regulation 123 list in advance of a CIL examination. Through the consultation on the PDCS, the Councils will be asking for opinions on the scope of the Regulation 123 list.

CIL and Section 106 on strategic sites

- 3.19 The PDCS proposes that on strategic sites S106 will be used rather than CIL. Such sites are likely to have major and expensive infrastructure demands which need to be delivered early to enable development to proceed. Where this is the case (and the statutory tests can be met) it is more likely that S106 obligations will be the appropriate delivery mechanism.

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- 3.20 S106 could be used to fund specific transport works or other infrastructure such as educational and leisure needs arising as a result of the particular development. These contributions could be pooled with a maximum of four other S106 contributions to the same infrastructure project so careful application of S106 would be required. Contributions could not be combined with CIL spend or on other District wide infrastructure projects.
- 3.21 The case for excluding strategic sites from the CIL regime and using Section 106 procedures in its place will form part of the wider consultation on the PDCS. This reflects the nature of these large scale developments, the piecemeal way that large sites are developed over a number of years, and the need for the delivery of up front infrastructure.
- 3.22 The Regulation 123 list would therefore be reduced in scope to exclude specific strategic infrastructure associated with strategic sites and wider housing and economic growth. The emerging Local Plan will have a policy setting out that sites above a threshold (to be determined) would make contributions through S106 not CIL.

The Neighbourhood Portion of the CIL receipts

- 3.23 CIL receipts are split into 3 portions. 80% of the CIL receipts must be used for *"funding the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of the area"*. 5% of the CIL receipts are spent on administration of the process.
- 3.24 The remaining 15% is known as the Neighbourhood Portion. Where the CIL receipt derives from a development within the area covered by a 'made' Neighbourhood Plan that proportion is up to 25%. There is a cap of £100 (indexed) per dwelling within the area per financial year.
- 3.25 All Councils must pass over the Neighbourhood Proportion of levy receipts from development where there is an accountable body. In Chiltern and South Bucks the areas are fully covered by Parish or Town Councils. In this circumstance the money (subject to the cap) would be passed to the relevant Parish or Town Council. The Planning Practice Guidance recommends that the District Council and the receiving Parish or Town Council should engage and work closely to agree with them how best to spend these funds.
- 3.26 The CIL regulations allow for the Neighbourhood Portion of levy receipts to be used for a slightly wider range of things than the rest of the levy, namely:
- the provision, improvement, replacement, operation or maintenance of infrastructure; or
 - anything else that is concerned with addressing the demands that development places on an area.
- 3.27 There are provisions for the recovery of CIL monies by the District Council if a Parish or Town Council do not spend the Neighbourhood Portion of CIL receipts within 5 years of receiving it.

4. Consultation

- 4.1 Consultation on the Preliminary Draft Charging Schedule will take place for 6 weeks and is likely to be from Friday 2nd November to Friday 14th December 2018.

4.2 The Councils will consult groups including developers, planning agents, stakeholders, Parish Councils, Residents Groups, the County Council, adjoining Councils, infrastructure providers and other likely interested parties. The consultation will be undertaken in line with the Statement of Community Involvement (SCI).

4.3 Likely stages of the process:

Preliminary Draft Charging Schedule (PDCS) Consultation (Reg 15)	Nov/Dec 2018
Draft Charging Schedule (DCS) Consultation (Reg 16)	Feb/Mar 2019
Submit Charging Schedule (CS) to Secretary of State alongside the new Local Plan 2036 (Reg 19)	July 2018
Examination by an independent Inspector (PINS) alongside the Local Plan 2036	Jan 2019
Receipt of Inspector's Report	May 2020
Adopt CIL Charging Schedule	July 2020
Update / publish new Supplementary Planning Document	July 2020

5. Options (if any)

5.1 Do not Introduce Community Infrastructure Levy. This is not recommended as it is important that infrastructure to support the sustainable growth of the Districts is provided in a timely way. CIL is the only mechanism which allows funding for infrastructure to be collected from sites of up to 10 homes. It is also a clear and consistent mechanism for collecting developer contributions which provide certainty to the development industry.

6. Corporate Implications

6.1 If the CIL Charging Schedule is adopted this will create a revenue stream to allow the Councils to invest in the infrastructure necessary to support the growth of the Districts.

7. Links to Council Policy Objectives

7.1 The implementation of the Community Infrastructure Levy (CIL) will assist in the delivery of:

- Key Theme 1: Thriving Economy
- Key Theme 2: Sustainable Environment
- Key Theme 5: Cohesive and Strong Communities

Key Objectives available here:

<http://www.chiltern.gov.uk/Aims-and-Objectives>

<http://www.southbucks.gov.uk/prioritiesandperformance>

8. Next Step

8.1 This will move through to be signed off by both Cabinets and Joint Members Working Group and the key stage will be consultation in November 2018 as referred to in 4.3 above.

Background Papers:	None other than referred to in the report.
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MEETING	Cabinet
SUBJECT	CDC Parking
REPORT OF:	<i>Councillor Michael Smith</i>
RESPONSIBLE OFFICER	Chris Marchant Head of Environment
REPORT AUTHOR	<i>Julie Rushton, ext. 6877 jrushton@chiltern.gov.uk</i>
WARD/S AFFECTED	<i>All Wards</i>

1. Purpose of Report

- 1.1 To provide Members with options for consideration to maximise the use of parking facilities across Chiltern and continue to meet the needs of the local towns and villages.

2. Recommendations:

2.1 That Members consider the following and advise officers accordingly:

- a) Increase the 'over 4 hour' tariff on Albany Place car park in Chesham from £3.60 to £4.00.
- b) Amend the Off Street Parking Places Order to allow coach parking in car parks where there is the capacity and need to do so and that the Head of Environment be authorised in consultation with the Portfolio Holder to make the changes where appropriate.
- c) Amend the Off Street Parking Places Order to enable electric vehicle charging points to be installed where evidence supports the requirement and that the Head of Environment be authorised in consultation with the Portfolio Holder to make the changes where appropriate.
- d) Remove the list of designated disabled bays in the Order to allow flexibility to amend the number of bays in the car parks.
- e) Reduce the cost of the 'Over 9hour' tariff on Buryfield and Link Road car parks in Great Missenden from £7.00 to £6.00, if the car park usage does not increase once the Roald Dahl Museum re-opens.
- f) Reduce the cost of a season ticket on Buryfield, and Link Road car parks to maintain the current discount to daily charge ratio.

2.2 That subject to Cabinet agreeing the recommendations at 2.1 a), b), c), and d), the Head of Environment be authorised to publish the statutory Notice of proposed Amendment to the Off Street Parking Places Order.

2.3 That, if no valid objections are received in response to publication of the Notice at 2.2 the Director of Services be authorised to make and publicise the Amendment Order.

2.4 That if valid objections are received in response to publication of the Notice at 2.2, the Director of Services be authorised to deal with any such objections after consultation with the Portfolio Holder and to make and publicise the necessary Amendment Order with or without modifications as considered appropriate.

2.5 That subject to Cabinet agreeing the recommendations at 2.1 e) and f) the Head of Environment in consultation with the Portfolio Holder be authorised to introduce the new charges (if and when required) and publish the variation notice to implement.

Reason for Recommendations

To support sustainable transport, maximise the use of available parking space, and maintain safety on the car parks.

3. Content of the Report

Albany Place

- 3.1 A review has taken place of Albany Place car park following concerns by season ticket holders in April 2018 over the availability of parking in this car park.
- 3.2 Since the concerns were raised the car park has been closely monitored to assess usage. The results show that on average the car park operates at 84% capacity. This is an increase of 15% compared to the same period in 2017. We believe the uplift is due to the Station increasing their car parking charges.
- 3.3 The busiest parking times at Albany Place are Wednesday (am) and all day Thursday. Capacity can peak during these periods to 93%. Ticket sales show that 65% of the car park is taken up with long stay customers.
- 3.4 A further review has taken place of the car park usage overall in Chesham. This shows a 4% drop compared to the same period last year. There are no obvious reasons for the reduction and we are monitoring the car parks to assess the parking trend going forward.
- 3.5 To free up space in Albany Place car park, the proposal is to increase the 'over 4 hour' tariff from £3.60 to £4.00. This will make the long stay tariff the same price as the nearby station car park. For customers requiring a lower charge, the nearby Watermeadow car park is able to accommodate them. This car park has a daily charge of £3.60 with current usage levels at an average 63% occupancy.
- 3.6 A list of current charges across Chiltern including train station charges is provided at Appendix A.

Coach Parking

- 3.7 Currently, there are six car parks in the Council's Off Street Parking Places Order 'the Order' that allows passenger vehicles with a capacity of over 12 seats to park i.e. coaches. Four of these are restricted to parking between the hours of 18:00 and 07:30. The two car park that allow coach parking at any time are Chiltern Pools car park, Amersham, and Buryfield car park, Great Missenden.
- 3.8 An incident on Buryfield car park earlier this year resulted in the coach parking facility being re-viewed. The outcome is that the car park does not have sufficient space to enable a coach to turn safely. Consequently, alternative locations are being considered.
- 3.9 The limitations around coach parking in the Order restricts the flexibility for coach parking at other locations. Amending the Order to allow flexibility to designate coach parking bays where there is the capacity and need to do so will help to continue to support the community. It will also provide greater flexibility to take immediate action where appropriate.

Electric Vehicle Charging

- 3.10 The Order includes a provision for electric charging points on five car parks across the Chiltern District. These are:
 - Amersham Multi-storey car park
 - Albany Place, Chesham
 - Watermeadow, Chesham
 - Link Road, Great Missenden
 - Church Lane, Chalfont St Peter

- 3.11 To promote sustainable transport and have the flexibility to install additional points where the evidence shows there is the requirement to do so. The proposal is to include Class 7 vehicles in the Order for all CDC car parks. Class 7 vehicles are defined in the Schedule of the Order as:

'Electric Vehicles are DVLA Registered, powered by an electric motor(s), gaining power from rechargeable batteries, fuel cells or other source of electric provider with a power connection socket dedicated to the availability of a charging point for their primary source and has zero tail pipe emissions.

- 3.12 To ensure that only vehicles that are charging can occupy an electric vehicle bay, the recommendation is to make this a requirement in the Order. Relevant signage to this effect would be displayed on site.

Designated Disabled Bays

- 3.13 The Order currently lists the number of disabled bays in each car park. Removing the list from the Order provides flexibility to increase the number of disabled bays where capacity allows without the need to amend the Order. As an alternative, a page can be created on the Council's website listing this information. This is more accessible and easier to find for customers.

Buryfield and Link Road Car Parks

- 3.14 In October 2016, the tariff structure in Buryfield and Link Road car parks were changed to include an additional tariff to deter commuters. This meant that instead of the tariffs jumping from 4 hours to 24 hours customers could purchase a 9 hour tariff at a similar rate to the previous all day charge. A higher rate was then set for the 24 hour period. The 24 hour tariff was set at £6.00; the 9hr tariff at £3.50. This had the desired effect and reduced the average usage from 95% occupancy to 82%; 85% being the optimum level to enable fluctuation at seasonal peaks.
- 3.15 In line with charges increasing across the Chiltern District in September 2017, the 24 hour charge on Buryfield and Link Road car parks was increased from £6.00 to £7.00. The 9 hour tariff was increased by 10p to £3.60. The nearby Station car park is £7.50.
- 3.16 Since the increase, there has been a steady decline in the number of customers using the car parks in Great Missenden. A comparison across April to July 2018 to the same period in 2017 shows that the average usage has reduced from 82% to 60%. The main factor is the reduction in the all day ticket sales. These have reduced by 38%
- 3.17 Short stay ticket sales have slightly reduced (8%). This can be attributed to the Roald Dahl museum temporarily closing due to flooding. The museum is expected to re-open late October 2018.
- 3.18 The reduction in ticket sales has resulted in a deficit of £8,973 for the first quarter of 2018/19. If the pattern continues the annual loss of income will be in the region of £36k.
- 3.19 When the Roald Dahl Museum re-opens it is expected the usage figures will slightly increase. If they do not increase to the extent that maximises the car park capacity, the proposal is to reduce the 24 hour tariff from £7.00 to £6.00. This will encourage more motorists to use the off street parking facilities.
- 3.20 To enable the current discount to daily charge ratio to be applicable against the proposed daily charge (if recommendation 2.1e is introduced) Table 2 sets out proposed prices for the standard season ticket. It is anticipated that a new pricing structure will encourage a higher take up of permits. Permits for the nearby Station car park are charged at £105.80 for one month / £1,104 for 12 months.

Table 2

	1mth		3mth		6mth		12mth	
	Current Cost	Proposed Cost	Current Cost	Proposed Cost	Current Cost	Proposed Cost	Current Cost	Proposed Cost
Car Park								
Buryfield	110.00	94.00	327.00	280.00	582.00	498.00	1092.00	938.00
Link Road	110.00	94.00	327.00	280.00	582.00	498.00	1092.00	938.00

3.21 A list of all current season ticket prices across Chiltern is provided at Appendix B.

Information - Amersham Multi-Storey Car Park Extension

3.22 The extension to the multi-storey car park is due to complete mid November 2018. This will create 366 additional spaces, giving the multi-storey car park the capacity to accommodate 1046 vehicles. Because of the increase in capacity, the car park will be able to accommodate all car park user groups. The town will also have adequate car park provision to support key transport links.

3.23 The current daily charge is £6.00. It is recommended the charge be reviewed after six months to assess usage and income against the proposals outlined in the business case.

3.24 A communication plan to promote the additional parking spaces is in place. This includes, although is not limited to, advertising through the following communication channels:

- Social media - Facebook and Twitter. Targeting the geographical locations of Amersham and surrounding areas.
- Leaflets handed out to commuters during at peak times.
- Update display board at Amersham station - CDC currently has a notice in place outlining stages of the construction works.
- Metro and the Evening Standard (free London newspapers given out at stations).
- Radio advertising on Mix 96 and Heart FM

4. Consultation

4.1 The proposals were consulted on by the Environment Policy Advisory Group on 24/9/18.

4.2 The recommendations if agreed by Cabinet will be published in the local press/car parks and a Notice will be sent to Bucks County Council, as the highway authority, and Thames Valley Police, who will have the opportunity to make comments and/or objections.

5. Options

5.1 Members are asked to review the recommendations and options for discussion above and advise the Portfolio Holder how they wish to proceed.

6. Corporate Implications

Financial

6.1 Costs associated with the recommendations are set out in Table 3.

Table 3

Expenditure (one off payments only)	Cost
Publicise notices & statutory consultation	£9,000
Configure pay and display machines	£ 224
Update tariff boards	£ 643
Exp. Total	£9,867

6.2 Recommendations for Buryfield and Link Road car parks will help to address the deficit in Great Missenden following recent amendments to the Order.

6.3 A small increase of £300 is anticipated for Albany Place car park.

Legal

6.4 Implementing the recommendations will require an amendment to the Off Street Parking Places Order and is subject to a statutory consultation process

7. Links to Council Policy Objectives

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

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

8. Next Steps

8.1 If Cabinet agrees the recommendations, officers will commence statutory consultation on the proposals.

Appendix A

Tariffs

Amersham

	Tariffs	Comments	Train Station
Amersham MS			
Upto 1 hour	0.70		
Upto 2 hours	1.40		
Upto 3 hours	2.00		
Upto 4 hours	2.50		
24 hours	6.00		
Chiltern Avenue			
Upto 1 hour	0.70		
Upto 2 hours	1.40		
Upto 3 hours	2.00		
Upto 4 hours	2.50		
Upto 5 hours	3.60		
Chiltern Pools			
Upto 1 hour	0.70		
Upto 2 hours	1.40		
Upto 3 hours	2.00		
Civic Centre			
Upto 30 mins	0.00		
Upto 1 hour	0.70		
Upto 2 hours	1.40		
Upto 3 hours	2.00		
Sycamore Road			
Upto 1 hour	0.70		
Upto 2 hours	1.40		
Upto 3 hours	2.00		
Upto 4 hours	2.50		
Upto 9 hours	3.60		
Over 9 hours	6.00		
Amersham Old Town			
Upto 1 hour	0.70		
Upto 2 hours	1.40		
Upto 3 hours	2.00		
Upto 4 hours	2.50		
Over 4 hours	3.60		

Chalfonts

	Tariffs	Comments	Train Station	
Blizzards Yard				
Upto 1 hour	0.70	FOC to cust. Re-imbursed by PC	£4.70	
Upto 2 hours	1.40			
Upto 3 hours	2.00			
Upto 4 hours	2.50			
Over 4 hours	3.60			
Church Lane				
Upto 1 hour	0.70	FOC to cust. Re-imbursed by PC		
Upto 2 hours	1.40			
Upto 3 hours	2.00			
Upto 4 hours	2.50			
Over 4 hours	3.60			
Snells Wood				
Upto 1 hour	0.70	FOC to cust. Re-imbursed by PC		
Upto 2 hours	1.40			
Upto 3 hours	2.00			
Upto 4 hours	2.50			
Upto 5 hours	3.60			

Great Missenden & Prestwood

	Tariffs	Comments	Train Station	
Buryfield				
Upto 1 hour	0.70	FOC to cust. Re-imbursed by PC	£7.50	
Upto 2 hours	1.40			
Upto 3 hours	2.00			
Upto 4 hours	2.50			
Upto 9 hours	3.60			
Over 9 hours	7.00			
Link Road				
Upto 1 hour	0.70			
Upto 2 hours	1.40			
Upto 3 hours	2.00			
Upto 4 hours	2.50			
Upto 9 hours	3.60			
Over 9 hours	7.00			
High Street				
Upto 1 hour	0.70	FOC to cust. Re-imbursed by PC		
Upto 2 hours	1.40			
Upto 3 hours	2.00			
Upto 4 hours	2.50			
Over 4 hours	3.60			

Chesham

	Tariffs	Comments	Train Station
Albany Place			
Upto 10 min	0.10		
Upto 20 min	0.20		
Upto 30 min	0.30		
Upto 40 min	0.40		
Upto 50 min	0.50		
Upto 1 hour	0.70		
Upto 2 hours	1.40		
Upto 3 hours	2.00		
Upto 4 hours	2.50		
Over 4 hours	3.60		
Catlings			
Upto 10 min	0.10		
Upto 20 min	0.20		
Upto 30 min	0.30		
Upto 40 min	0.40		
Upto 50 min	0.50		
Upto 1 hour	0.70		
Upto 2 hours	1.40		
Upto 3 hours	2.00		£4.00
Upto 4 hours	2.50		
East Street			
Upto 1 hour	0.70		
Upto 2 hours	1.40		
Upto 3 hours	2.00		
Upto 4 hours	2.50		
Over 4 hours	3.60		
Star Yard			
Upto 1 hour	0.70		
Upto 2 hours	1.40		
Upto 3 hours	2.00		
Water Meadow			
Upto 1 hour	0.70		
Upto 2 hours	1.40		
Upto 3 hours	2.00		
Upto 4 hours	2.50		
Over 4 hours	3.60		
Mkt Traders (1 day)	4.10		

Appendix B

Season Tickets - Current Prices

St - Standard season ticket.

Business - Business Season ticket (based on 9hour tariff)

		1 month	3 months	6 months	12 months
Amersham					
St	Amersham MS	£99.00	£293.00	£580.00	£972.00
St	Sycamore Road	£99.00	£293.00	£580.00	£972.00
Business	Sycamore Road	£71.00	£211.00	£374.00	£702.00
St	Amersham Old Town	£64.00	£191.00	£355.00	£655.00
Chesham					
St	Albany Place	£71.00	£211.00	£374.00	£702.00
St	East Street	£71.00	£211.00	£374.00	£702.00
St	Star Yard	£71.00	£211.00	£374.00	£702.00
St	Watermeadow	£71.00	£211.00	£374.00	£702.00
Great Missenden&Prestwood					
St	Buryfield	£110.00	£327.00	£582.00	£1,092.00
Business	Buryfield	£71.00	£211.00	£374.00	£702.00
St	Link Road	£110.00	£327.00	£582.00	£1,092.00
Business	Link Road	£71.00	£211.00	£374.00	£702.00
St	Prestwood High Street	£64.00	£191.00	£355.00	£655.00
Chalfonts					
St	Blizzards Yard	£64.00	£191.00	£355.00	£655.00
St	Church Lane	£45.00	£136.00	£273.00	£437.00
St	Snells Wood	£64.00	£191.00	£355.00	£655.00

SUBJECT:	<i>Chiltern District Council and South Bucks District Council Joint Housing Strategy 2018 - 2021</i>
REPORT OF:	<i>Cabinet Portfolio: Healthy Communities</i>
RESPONSIBLE OFFICER	<i>Head of Healthy Communities – Martin Holt</i>
REPORT AUTHOR	<i>Housing Manager – Michael Veryard – 01494 732200 (mveryard@chiltern.gov.uk)</i>
WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

This report seeks authority to publish and implement the finalised version of the Chiltern District Council and South Bucks District Council Joint Housing Strategy (Affordable Housing and Homelessness) 2018-2021

RECOMMENDATIONS

- 1. That Members consider the final Joint Housing Strategy (Affordable Housing and Homelessness) 2018-2021 document and make any comments**
- 2. That Cabinet recommends that Full Council approve the final Joint Housing Strategy (Affordable Housing and Homelessness) 2018-2021 document**
- 3. That the Head of Healthy Communities be authorised to make any final amendments to the document agreed by members and to publish it in consultation with the Healthy Communities Portfolio Holder**

2. Reasons for Recommendations

The current Housing and Homelessness Strategies for Chiltern District Council and South Bucks District Council need to be reviewed and updated in view of the current housing situation across the two districts and new statutory requirements that have come into force.

3. Content of Report

3.1 The Chiltern District Council and South Bucks District Council Joint Housing Strategy (Affordable Housing and Homelessness) 2018-2021 provides an overview of the work and duties of both authorities in:

- responding to affordable housing need and
- meeting statutory homelessness duties.

The strategy will sit alongside the Joint Private Sector Housing Strategy that was formally adopted in 2017.

- 3.2 The draft Joint Housing Strategy was first reported to Members last year. The Councils did not proceed to full consultation at that time because the Homelessness Reduction Bill was published soon after and local authorities were advised that they may be subject to new requirements relating to Homelessness Strategies. A new Code of Guidance on Homelessness was subsequently issued in February 2018 and the Homelessness Reduction Act came into force from April 2018.
- 3.3 The draft Joint Housing Strategy was revised and updated to reflect the new Homelessness Code of Guidance and Act and other updated information. The revised version was approved for consultation by the Healthy Communities Portfolio Holders and further amendments have been made following consultation (see Section 4 below). The draft strategy has also been updated to reflect the recent developments at national Policy level including the newly revised National Planning Policy Framework, Rough Sleeper Strategy and Housing Green Paper (A new deal for social housing).
- 3.4 The final version of the draft Joint Housing Strategy is in Appendix **. Following the consultation and final amendments, it is now proposed that the Joint Housing Strategy is published and implemented.

4. Consultation

- 4.1 A 6 week consultation period on the draft strategy ran from 26th June 2018 to 6th August 2018 via the Council websites. All Members were directly notified of the consultation by e-mail (dated 26th June 2018). Direct notifications were also sent to all Town and Parish Councils and key external partner agencies inviting them to submit comments.
- 4.2 There were 8 responses to the consultation. The draft strategy has been amended to reflect the consultation feedback. The main amendments are:
- Update of the position regarding the emerging Joint Local Plan
 - Inclusion of references to Neighbourhood Plans in connection with working with Town and Parish Council
 - Increased emphasis on working jointly with Registered Providers on matters such as homelessness prevention, supporting downsizing etc.
 - Reference to making representations to Government as and when appropriate on the resources that are required to meet national expectations and regulatory requirements.
 - Update and expansion of the statistics in Appendix A.

5. Options (if any)

- 5.1 The Council has a specific statutory duty to publish a Homelessness Strategy. Therefore, if the Council does not proceed with preparing and authorising this Joint Housing Strategy document then it will still have to draft a Homelessness Strategy.
- 5.2 The Council could choose instead to continue to operate its own separate Housing strategy and policies. However, operationally, Chiltern District Council and South Bucks District

Council are facing many of the same housing issues and there are efficiencies in the authorities taking a joint approach to addressing these issues. If the Council was to continue to operate a separate strategy, this would be out of step with the single shared housing service and other strategy documents which have been published including the Joint Private Sector Housing Strategy

6. Corporate Implications

- 6.1 **Financial** – The Strategy highlights the potential resources available to support service delivery, but it does not propose any formal funding allocations or additional spending. Individual schemes or funding proposals to meet strategic objectives will be brought forward for consideration on a scheme by scheme basis.
- 6.2 **Legal** – The Council has a range of statutory housing responsibilities and legal duties and this strategy provides a clear framework for the activities required to meet these duties and responsibilities.

7. Links to Council Policy Objectives

This report relates to the following Aims and Objectives:

- Working towards safe and healthier local communities
- Striving to conserve the environment and promote sustainability

8. Next Step

Following approval by Full Council the finalised Joint Housing Strategy will be published and implemented.

Background Papers:	None other than the legislation, policies and guidance referred to in the report
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CHILTERN DISTRICT COUNCIL
AND
SOUTH BUCKS DISTRICT COUNCIL

JOINT HOUSING STRATEGY
(AFFORDABLE HOUSING AND
HOMELESSNESS)

2018-2021

CHILTERN DISTRICT COUNCIL AND SOUTH BUCKS DISTRICT COUNCIL**JOINT HOUSING STRATEGY 2018-2021****(AFFORDABLE HOUSING AND HOMELESSNESS)**

This Strategy should be read in conjunction with the Chiltern District Council and South Bucks District Council Joint Private Sector Housing Strategy

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1. INTRODUCTION

- 1.1 Chiltern District Council and South Bucks District Council have a range of statutory and legal housing duties including:
- Assessing current and future need for affordable housing and supporting the delivery of affordable housing to meet local needs
 - Securing that advice and information is available to prevent and reduce homelessness
 - Assessing applications for homelessness assistance and providing advice and support (including the provision of emergency and long term accommodation where appropriate)
 - Operating an allocations scheme to allocate social housing vacancies
 - Tackling poor housing conditions
 - Licensing HMOs (Houses in Multiple Occupation)
 - Supporting households to improve and maintain their homes and install adaptations when necessary
- 1.2 Since April 2014, the Councils have operated a single shared housing service to deliver many of these duties across the two districts. This service is facing significant challenges as it moves forward. The Chiltern and South Bucks districts have some of the highest housing costs in the country (outside London) for buying and renting. This is placing increasing pressure on the Shared Housing Service as more people seek help from the Councils because they cannot afford to secure housing in the private sector. In particular, there is a high demand for homelessness assistance in both districts with a large number of households in temporary accommodation (including bed and breakfast). There is also the increased risk of more landlords letting poor quality accommodation to exploit a market where low income households have no other housing options available to them.
- 1.3 Alongside this, opportunities to secure additional new affordable housing across both districts are being restricted by limited site availability, high land values and some private developers challenging the viability of delivering any affordable housing on site. Government subsidy for affordable rented housing is very limited and many

Registered Providers (the traditional providers of affordable housing for rent and sale) have reviewed their business plans and are re-assessing what type of housing they develop and who they house. Many Registered Providers will no longer develop affordable homes for rent without significant support and incentives from local authorities and some are now refusing to re-house clients perceived to be "high risk". Meanwhile, welfare reforms continue to progress with increasing restrictions on the level of benefits available to support low income and workless households to meet their housing costs.

- 1.4 This Joint Strategy Document sets down how Chiltern District Council and South Bucks District Council are addressing these challenges as both authorities move forward. It should be read in conjunction with the Chiltern District Council and South Bucks District Council Joint Private Sector Housing Strategy which addresses the Council's work around monitoring and enforcing standards in the private sector (including HMO licensing) and in delivering financial assistance including Disabled Facilities Grants.

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2. BACKGROUND TO JOINT HOUSING STRATEGY

2.1 Chiltern District Council and South Bucks District Council share three headline aims:

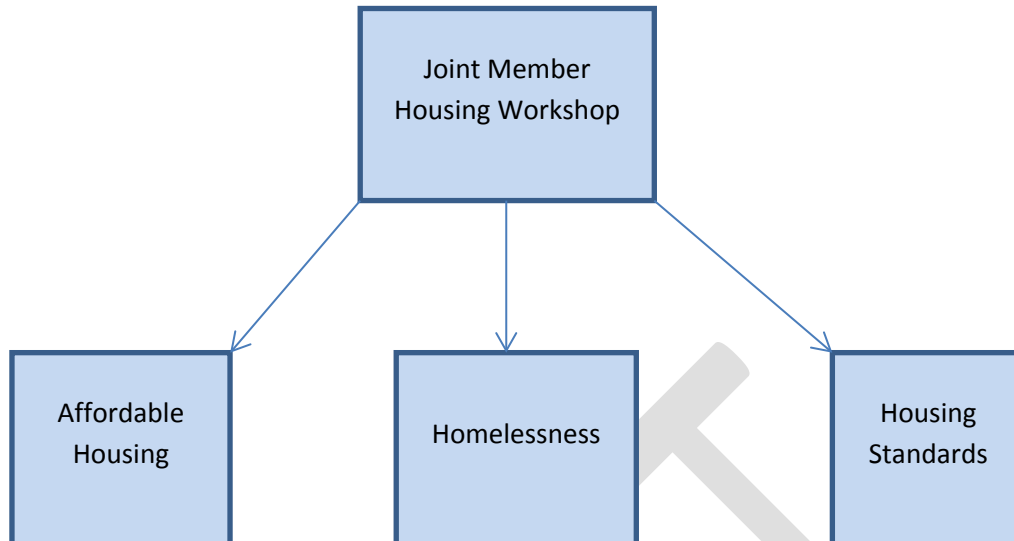
1. Delivering cost-effective, customer-focused services
2. Working towards safe and healthier local communities
3. Striving to conserve the environment and promote sustainability

2.2 The Joint Business Plan 2017-2020 (Stronger in Partnership) sets a number of actions for the Housing service to deliver in order to deliver the shared Aims 2 and 3 of the two Councils:

Aim 2 – We will work towards safe and healthier local communities	
<p>Objective: Promote Healthier Communities</p>	<p>Actions (Housing):</p> <ul style="list-style-type: none"> -Monitor effectiveness of Bucks Home Choice policy -Design and implement a robust Housing Strategy -Develop a joint housing and homelessness strategy to best meet statutory responsibilities and maximise affordable housing provision.
<p>Objective: Promote local communities</p>	<p>Actions (Housing):</p> <ul style="list-style-type: none"> -Work with partners to deliver Disabled Facilities Grants through the Better Care Fund
Aim 3 – We will strive to conserve the environment and promote sustainability	
<p>Objective: Conserve the Environment</p>	<p>Actions (Housing)</p> <ul style="list-style-type: none"> - Develop a joint Local Plan and manage development through the terms set out in it (<i>Housing service will support the development of the Plan in respect of the policies relating to affordable housing</i>) - Improve energy efficiency in dwellings – address fuel poverty and affordable warmth through partnership actions

<p>Objective: Promote sustainability</p>	<p>Actions (Housing):</p> <ul style="list-style-type: none"> - Work with landowners/prospective developers to secure high quality proposals for development opportunity sites -Maintain focused monitoring of homelessness trends and provide feedback to Members and Management Team -Support those residents affected by Housing Benefit reforms in order to limit the impact on homelessness -Facilitate the provision of new affordable housing commensurate with Development Plan projections -Replenish the stock of social and affordable rented property through a targeted programme of acquisition to enable re-letting -Use the Council's property assets for affordable housing where consistent with the Development Plan and supported by local communities - Encourage towns and parishes to come forward with proposals for affordable housing and facilitate their implementation -Use maximum leverage on S106 monies to provide for the needs of local families
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- 2.3 This Joint Housing (Affordable Housing and Homelessness) Strategy Document and the joint Private Sector Housing Strategy set down the activities being undertaken across both Councils to deliver the housing requirements of the shared Joint Business Plan.
- 2.4 The development of this Strategy has its origins in the joint Housing Member Workshop held at South Bucks District Council on Wednesday 3rd February 2016 and attended by over 30 Members from both authorities. The workshop comprised briefings and discussions looking at three key areas of the Housing service:



2.5 The workshop produced a wide range of issues and ideas to be taken forward in developing a Chiltern District Council and South Bucks District Council Joint Housing Strategy. Some specific points were directly incorporated into the Joint Business Plan (see above).

2.6 Following on from the workshop, the issues and ideas raised for the Housing Standards service area have informed the development of the **Joint Private Sector Housing Strategy 2017-2021** which was formally adopted by both Councils in 2017.

2.7 For the other two areas of the service covered at the workshop, Affordable Housing and Homelessness, the development of a formal Joint Strategy was held back while officers considered the implications for the Councils of the Housing and Planning Act 2016 and subsequently the Homelessness Reduction Bill. However, a number of tasks and initiatives have moved forward in the meantime in response to the issues and tasks highlighted in the Workshop and Business Plan. These include:

- Affordable Housing Members Working Group established in Chiltern District Council
- Joint Temporary Accommodation Framework agreed and put in place
- Reviews of Council-owned sites undertaken by both Councils
- Acquisition of Gerrard's Cross Police Station site by South Buck DC and leasing of former police house to Bucks HA as for use as temporary homelessness accommodation
- Development of modular temporary housing scheme at Bath Road Depot site to provide temporary homelessness accommodation
- Development of Emerging Joint Local Plan
- Joint working between Housing and Revenues Teams and key partner agencies to manage impact of welfare reforms on local residents

- Funding support for specific affordable housing developments
- Implementation of a Private rented sector housing leasing scheme with Paradigm Housing
- Agreement to acquire properties in South Bucks subject to business case for the delivery of affordable housing

2.8 After the Homelessness Reduction Bill received Royal Assent on 27th April 2017, a draft Joint Housing Strategy was reported to the Cabinets at Chiltern District Council (27th June 2017) and South Bucks District Council (28th June 2017) with the intention of being issued for wider consultation. However, the Councils did not proceed to full consultation at that time because the advice accompanying the new Homelessness Reduction Act 2017 highlighted that local authorities may be subject to new requirements relating to their Homelessness Strategies. Consequently, the draft strategy has been revised and updated to reflect the homelessness strategy requirements set down in the new Code of Guidance on Homelessness (MHCLG February 2018) and other developments since the original draft.

2.9 This new draft now also incorporates the revised and updated version of the Joint Temporary Housing Framework.

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3. HOUSING SERVICE – THE FIVE MAIN CHALLENGES FOR 2018-2021

At the time of drafting this strategy document, the key affordable housing and homelessness issues facing the Council Housing Service as it moves into the 2018-2021 period can be grouped into five main challenges.

- 3A. Homelessness Reduction Act
- 3B. Housing White Paper and National Strategy and Policy
- 3C. Temporary Accommodation for Homeless Households
- 3D. Affordable Housing Supply
- 3E. Other issues impacting on affordability

A brief summary of the each challenge is given below in order to provide some broader context for the Action Plans that follow:

3A. Homelessness Reduction Act

3A.1 The Homelessness Reduction Act was implemented from 3rd April 2018. The Act made significant changes to the Council's statutory homelessness duties within Part 7 of the Housing Act as follows:

- Councils has a duty to provide advice and assistance within 56 days of a household being threatened with homelessness (this was previously 28 days)
- Councils has formal legal duties to prevent and relieve homelessness for all eligible households (regardless of questions of priority need and intentionality)
- Advice services must in particular meet the needs of people released from prison, care leavers, former Armed Forces members, domestic abuse victims, people leaving hospital, those suffering from a mental illness and anyone else identified as particularly at risk of homelessness
- Other public agencies have a statutory duty to refer homeless clients to the Council (from October 2018)

3A.2 It is anticipated that the new Act will see a 26% increase in the homelessness caseload for local authorities (DCLG – New Burdens Funding Assessment – October 2017). Chiltern DC and South Bucks DC need to ensure that the shared housing service has sufficient capacity to meet the new statutory requirements set down in the Act and that its policies and procedures are revised to meet the Act's requirements. Alongside this, they will need to be pro-active in developing more affordable housing options and more support for households in order to prevent or relieve homelessness as much as possible.

3B. Housing White Paper and Nation Strategy and Policy

- 3B.1 The Government's Housing White Paper "Fixing Our Broken Housing Market" was published in February 2017 and has been followed up in 2018 by the publication of the revised National Planning Policy Framework (July 2018). The revised NPPF and the move to a standardised methodology approach to housing needs assessment both impact specifically on the Emerging Chiltern and South Bucks District Council Local Plan (2014-2036). They also impact on the Council's strategic role in supporting new affordable housing delivery with the new NPPF Affordable Housing definition encompassing a wider range of potential affordable housing models including both affordable and social rent, build to rent, discounted market sale and other home ownership. Together with the NPPF requirement that 10% of major residential developments should affordable home ownership, this presents a challenge for Chiltern and South Bucks where high local market costs mean that any form of discounted home ownership or shared ownership will normally be too expensive for households who are homeless or seeking rehousing via the Bucks Home Choice scheme.
- 3B.2 Alongside this, the Government has also putting forward major housing policy announcements in the national Rough Sleeping Strategy (August 2018) and the Housing Green Paper "A New Deal For Social Housing" (August 2018) which both have implications for the Council and its key partners. The Councils needs to consider the impact these and other policy announcements on service delivery and respond accordingly. This includes making representations to Government as and when appropriate on the resources that are required to meet national expectations and regulatory requirements.

3C. Temporary Accommodation

- 3C.1 Part 7 (Homelessness) of the Housing Act 1996 places a statutory duty on the Council to secure that temporary accommodation is available to homeless households in a range of circumstances. Chiltern District Council and South Bucks District Councils are both facing significant pressures on temporary accommodation provision caused by the demand for homelessness assistance and the lack of alternative affordable housing options in both the social and private housing sectors (see statistics in Appendix 1). This has impacts on the welfare of clients and is a major financial cost to both Councils. Alongside this, Statutory Instrument 2003/3326 places a duty on Councils that a household with (or expecting) children should not be placed in bed and breakfast accommodation unless no other accommodation is available and, in any event, the period in B&B should not exceed 6 weeks. The Council is at risk of legal challenge if it breaches this requirement.

3C.2 Against this backdrop, the new Homelessness Reduction Act could potentially see an increase in the number of households that the Councils have to place in temporary accommodation. Going forward, the Councils need to develop more temporary accommodation options in order to reduce the need to utilise bed and breakfast accommodation and minimise the cost. It also needs to ensure wherever possible that it can prevent or relieve homelessness in order to prevent the need for clients to be placed in temporary accommodation. The revised and updated Temporary Accommodation Framework is in Appendix B.

3D. Affordable Housing Supply

3D.1 To date, additional affordable housing properties in Chiltern and South Bucks have been delivered by:

- Planning system (Section 106 agreements requiring that a new development includes a proportion of affordable housing)
- Registered Provider new development programmes
- Street property purchases and equity loans partially funded by commuted sums

3D.2 For the Council's housing service, the key demand is for affordable rented housing. Most households who approach the Council for homelessness assistance or for re-housing via Bucks Home Choice will be unable to afford the cost of shared ownership (i.e. part-buy/part-rent) or other discounted home ownership products.

3D.3 The delivery of additional housing properties in Chiltern and South Bucks has been limited in recent years (see Appendix A) by a range of factors including:

- high land and property values,
- limited development opportunities due to green belt/AONB restrictions,
- viability challenges (whereby developers challenge Section 106 affordable housing requirements by citing that the scheme will be unviable as a result) and
- changes in the Registered Provider sector.

3D.4 On the last point, the combination of limited Government grant funding for rented housing, rent reductions (affecting income streams) and continued welfare reforms means that all Registered Providers are continually reviewing their Business plans and making significant decisions on their future direction and development strategies. In recent years, some Providers shifted their focus onto developing discounted home ownership properties rather than rented housing. There are indications that they are moving back towards delivering more rented housing again following Government

funding announcements which sought to deliver a higher level of affordable rented and social rented housing. However, Registered Providers continue to be heavily reliant on private finance rather than public subsidy and they need to ensure that they are generating sufficient income to cover loans and other costs. This means that many providers have to charge higher rents in order to service loans and some are also becoming more risk averse with regard to who they re-house. They are applying stricter allocation criteria and refusing some nominees on the grounds of affordability, anti-social behaviour or previous poor tenancy history etc.

- 3D.5 The lack of additional affordable housing delivery has significant knock-on effects with homeless households facing longer periods in temporary accommodation (and the consequent cost to the Council) and others facing long periods waiting on the Bucks Home Choice scheme.
- 3D.6 There is also the demand for accommodation for people with care and support needs. This includes older people, people with diagnosed mental health conditions (children and adults), people with disabilities (children and adults) and looked after children and care leavers. These people have a range of care and accommodation needs which are set down in the Buckinghamshire Health and Social Care Market Position Statement (Housing Accommodation Solutions) 2018 – 2022 (published by Bucks Clinical Commissioning Group and Bucks County Council). This will include people with care and support needs who need affordable housing either from within the existing social housing stock or through new provision.

3E. Other Issues Impacting on Affordability

- 3E.1 The problems caused by the restricted amount of additional affordable housing delivery (see above) are exacerbated by the lack of alternative affordable housing options in Chiltern and South Bucks. High private sector rent levels and the continued welfare reforms mean that many low income households simply cannot afford to rent privately within the two districts. The Local Housing Allowance (the cap on Housing Benefit payable on a private sector tenancy) is £400 to £500 below the average market rent for a family home and this gap is likely to grow as LHA rates remain frozen. Some larger families are also impacted by the household Benefit Cap (£20,000 per annum for a family).
- 3E.2 Further impacts will arise from the roll out of UC (Universal Credit) across Chiltern and South Bucks districts from 2018. There will be an increase over time in the proportion of households that receive assistance with their housing costs via UC rather than Housing Benefit. Experience to date in other parts of the country has found that private landlords can be reluctant to let properties to persons claiming UC. It is possible that some of the changes made to UC in late 2017/early 2018 (including changes to the Alternative Payment Arrangement to allow more direct payments to

landlords) may help to mitigate this perceived risk amongst landlords, but the position is uncertain and may make it even harder for low income households to secure private rented housing.

- 3E.3 The outcome of this is that many landlords in Chiltern and South Bucks are unwilling to consider letting tenancies to households on low or even average incomes. This will become even more challenging with the roll-out of Universal Credit across both districts during 2018
- 3E.4 In addition, across Buckinghamshire as a whole we are seeing an increasing number of homeless households being placed in private rented tenancies by other local authorities (predominantly London boroughs) who are making incentive payments direct to landlords. Currently, this is predominantly taking place in other districts within Buckinghamshire with only a small number of recorded placements in Chiltern or South Bucks. However, this will be a growing challenge as other local authorities increasingly use "out-of-borough" accommodation to meet their housing duties. This will directly impact on the private rented market and on landlord expectations on what level of support and payments they will require from us in return for providing a tenancy for a client.
- 3E.5 The ability of the Councils to secure alternative housing for clients in the private rented sector and elsewhere has become even more important in light of the new Homelessness Reduction Act. As stated above, the Act places a clear duty on the Councils to take steps to prevent or relieve homelessness and to secure alternative housing options for clients who are seeking assistance. Without these alternative options being available, the Councils will struggle to fulfil this duty. The outcome of this will be more households having to be placed in temporary accommodation if the Council is unable to source any alternative housing options.

4. FUNDING

The table below gives an overview of some of the funding streams available to the Councils in responding to the challenges highlighted in Section 3 and in taking forward the actions set down in Section 5

FUNDING	CHILTERN DC	SOUTH BUCKS DC
Housing Revenue Budgets	Details in Annual Budget Book	Details in Annual Budget Book
Discretionary Housing Payments (DHP) <ul style="list-style-type: none"> - DHP is available to alleviate financial hardship where a tenant needs additional help to meet rent payments - 	Annual allocation managed by Revenues and Benefits Team	Annual allocation managed by Revenues and Benefits Team
Capital Funding <ul style="list-style-type: none"> - Section 106 Affordable Housing Contributions - Affordable Housing Capital Reserves - Agreement to borrow from the Public Works Loan Board 	Ongoing	Ongoing
MHCLG Flexible Homelessness Support Grant The grant is intended for use by authorities to support a full range of homelessness prevention and support services.	2017/18 = £95,226.02 2018/19 = £109,566.78 2019/20 = £121,905 (No announcement of grant availability 2020/21)	2017/18 = £113,007.38 2018/19 = £130,025.97 2019/20 = £181,783 (No announcement of grant availability in 2020/21)
MHCLG New Burdens Funding – Support to Implement Homelessness Reduction Act 2017 Funding to support authorities to implement the requirement of the new Act	2017/18 = £16,359 2018/19 = £14,985 2019/20 = £15,840	2017/18 = £16,692 2018/19 = £15,233 2019/20 = £16,102

<p>Community Housing Fund In 2016/17 and 2017/18 the Councils received funding to support local communities to develop their capacity and skills in order to be able to lead and deliver new housing schemes for local people. From 2018/19 Homes England operates the fund centrally and invites applications from community groups and others for:</p> <ul style="list-style-type: none"> - revenue funding for capacity building and predevelopment costs, including revenue grants to local authorities to support community groups and -capital bids for associated infrastructure costs which will support community housing development 	<p>2016/17 = £14,596</p> <p>2017/18 = £14,596</p> <p>From 2018/19, this fund is being administered by Homes England</p>	<p>2016/17 = £12,834</p> <p>2017/18 = £12,834</p>
<p>MHCLG Homelessness Prevention Trailblazer</p>	<p>MHCLG awarded £625,998 to support a Trailblazer project in Bucks following the successful County-wide bid led by AVDC. The County-wide "Building Resilience" scheme is being delivered from 2017 to 2019 by Connection Support who will work with statutory agencies (including CDC and SBDC) to deliver early intervention support to prevent homelessness.</p>	

5. HOUSING SERVICE ACTION PLANS 2017-2021

This section contains a series of Action Plans setting down the objectives and associated actions for the Councils in respect of:

- Affordable Housing Delivery
- Homelessness

Each of these two areas has been sub-divided into separate Action Plans for Chiltern District Council and South Bucks District Council. A number of the objectives and actions are common to both districts and in these situations we will explore opportunities for shared working across the two districts to deliver the outcomes that we are seeking.

The objectives and actions within the Plans have been drawn from a range of sources including:

- The outcomes and recommendations of the joint Member Housing Workshop held on 3rd February 2016
- Chiltern District Council and South Bucks District Council Joint Business Plan 2016-2020
- The Chiltern District Council and South Bucks District Council joint Temporary Accommodation Framework document
- Chiltern District Council AHMWG (Affordable Housing Members Working Group) Action Plan
- South Bucks District Council Affordable Housing Action Plan (approved by Cabinet)
- Recommendations of South Bucks District Council Homelessness Task and Finish Group
- Homelessness Reduction Act 2017 and Homelessness Code of Guidance
- Housing White Paper (Fixing our Broken Housing Market) – (Feb 2017)
- National Planning Policy Framework (July 2018)
- Rough Sleeping Strategy (MHCLG - August 2018)
- A New Deal For Social Housing - Green Paper (MGLHG – August 2018)
- Market Position Statement – Housing and Accommodation Needs for People with Care and Support Needs (Bucks CCG and Bucks CC – August 2018)

These Action Plans are specifically referring to objectives and actions for the Council's Housing Service. Some of these objectives and actions will overlap with other services (e.g. Planning, Estates, Finance, Revenues and Benefits etc.) and the Housing Service will work jointly with the services concerned in taking these forward.

To assist in distinguishing the Plans, the numbered actions in the Chiltern District Council Plans are prefaced with the letter C (e.g. C1) and the numbered actions in the South Bucks District Council Plans are prefaced with the letter S (e.g. S1)

CHILTERN DISTRICT COUNCIL – AFFORDABLE HOUSING DELIVERY – ACTION PLAN

	OBJECTIVE	Status at August 2018	Actions	Monitoring
C1	Ensure that CDC works corporately to maximise affordable housing delivery	AHMWG (Affordable Housing Member Working Group) meeting bi-monthly since July 2016	AHMWG to continue to meet bi-monthly	AHMWG meetings and minutes
C2	Support development of the Chiltern and South Bucks Local Plan addresses affordable housing requirements	Development of Emerging Chiltern and South Bucks Local Plan is ongoing and next step is the publication of the Draft Local Plan for consultation prior to submission for an examination. This will set down the Council’s corporate position on affordable housing delivery via the planning system. The Council is awaiting the outcome of the Government’s consultation on a standard methodology for councils to work out housing Objectively Assessed Need (OAN). Chiltern and South Bucks will be affected by the transitional arrangements to the new OAN Methodology subject to the outcome of the consultation.	<ul style="list-style-type: none"> -Housing service to continue to support development of Local Plan -Local Plan to fully address district affordable housing requirements -Secure agreement of cross-district delivery of affordable housing in accordance with Bucks Memorandum of Understanding 	Reports to Joint Planning Policy Member Reference Group

<p>C3</p>	<p>Work with Paradigm Housing to maximise affordable housing delivery on PHG-owned sites and other opportunities</p>	<p>Principles of Co-operation Agreement being put in place between CDC and PHG and grant funding support for some developments on scheme by scheme basis.</p> <p>The Estates Renewal Assessment workshop undertaken with Paradigm identified and review PHG owned sites.</p>	<p>-Implement Principles of Co-operation Agreement</p> <p>-Joint assessment (by CDC and PHG) of opportunities on sites identified by Estates Renewal workshop (including adjacent CDC and PHG owned sites)</p>	<p>AHMWG</p> <p>PAG</p>
<p>C4</p>	<p>Work with Registered Providers to maximise affordable housing delivery</p>	<p>Grant funding support for some developments on scheme by scheme basis</p>	<p>-Assess if Principles of Co-operation Agreement with PHG could be applied to other Registered Providers</p> <p>- Positively encourage and support RPs to bring forward schemes for consideration including opportunities to deliver affordable housing within wider regeneration projects.</p>	<p>AHMWG</p> <p>PAG</p>
<p>C5</p>	<p>Review CDC-owned sites to identify and take forward affordable housing opportunities</p>	<p>Sites reviewed during 2016/17 by AHMWG. Those sites assessed as presenting opportunities are being progressed.</p>	<p>Continue to review sites and bring forward opportunities</p>	<p>AHMWG</p> <p>PAG</p>

C6	Make best use of capital funds from commuted sums and reserves to derive the maximum return from supporting affordable housing delivery (e.g. site assembly, match funding etc.)	Capital funds being allocated on a scheme by scheme basis in accordance with the terms of the Affordable Housing SPD (Supplementary Planning Document)	Continue to identify opportunities for funding and allocate funds as appropriate Identify and review ways to secure other forms of subsidy to support affordable housing delivery.	Quarterly monitoring reports to PAG AHMWG
C7	Work with other public sector bodies who have land and property in Chiltern/South Bucks to explore opportunities to deliver affordable housing	No specific opportunities identified to date.	Liaise with other public sector bodies to review opportunities from land/property in their ownership (by April 2019)	AHMWG PAG
C8	Explore options for Council to lease land and/or property to other agencies (while retaining ownership and receiving an income)	No models identified to date,	Keep under review	AHMWG PAG
C9	Undertake or support a targeted programme of acquisitions and lettings to replenish the stock of social and affordable rented property	Most recent programme of acquisitions was undertaken by Paradigm in 2014.	Keep under review in joint working with Registered Providers (see C3 and C4)	AHMWG PAG

<p>C10</p>	<p>Work with Town and Parishes to promote and support affordable housing schemes targeted at local people</p>	<p>Officers have promoted affordable housing to Town and Parish Councils. National Community-Led Housing Adviser gave a full presentation on the options and support available on 9/10/17. Interest has been limited to date.</p>	<p>Continue to promote opportunities via Town and Parish Council Forum and work with individual councils that want to bring forward schemes and proposals.</p> <p>Target support at Towns and Parishes whose emerging neighbourhood plan policies include meeting identified local affordable housing needs.</p>	<p>AHMWG PAG</p>
<p>C11</p>	<p>Assess opportunities to return empty homes back into use as affordable housing</p>	<p>Council Tax empty property database reviewed by Capacity Grid in 2017. Most long term empty homes present no opportunities (e.g. second homes, beyond repair or are subject to legal processes to resolve ownership)</p>	<p>Review options for targeted work on long term empty homes after Capacity Grid completes review of Council Tax database in 2018.</p> <p>Monitor availability of national funding to support empty homes work and support bids for funding as appropriate.</p>	<p>AHMWG PAG</p>
<p>C12</p>	<p>Assess possibilities of additional/expansion of current Park Home sites</p>	<p>No action to date. Expansion opportunities limited as Park Home Sites are in the Green Belt and would require very special circumstances to justify planning permissions.</p>	<p>Review position by April 2019</p>	<p>AHMWG PAG</p>

C13	Support provision of housing and accommodation solutions for people with care and support needs	Supported development of CCG/Bucks CC Market Position Statement	Identify opportunities to deliver solutions for people with care and support needs within both existing and new housing provisions	AHMWG PAG
C14	Support existing social housing tenants to downsize from family housing	Bucks Home Choice policy prioritises downsizers	<p>Work with RPs to assess extent of under-occupation in social housing tenancies</p> <p>Identify schemes and method that will actively encourage and support under-occupiers to downsize into existing or new social housing</p>	AHMWG PAG
C15	Ensure that CDC and its partners meet the requirements arising from the Housing Green Paper “A New Deal for Social Housing”	Green Paper published in August 2018	<p>Respond to consultation on Green Paper (by 6/11/18)</p> <p>Respond to final policies arising from Green Paper and work with partners to ensure that they are meeting policy requirements</p>	PAG

SOUTH BUCKS DISTRICT COUNCIL – AFFORDABLE HOUSING DELIVERY – ACTION PLAN

	OBJECTIVE	Status at August 2018	Actions	Monitoring
S1	Ensure that SBDC works corporately to maximise affordable housing delivery	<p>Affordable housing delivery is embedded in Joint Business Plan 2017-2020</p> <p>Cross departmental Project Groups for specific schemes (e.g. Gerrards Cross Police Station re-development, Bath Road development etc.) ensuring corporate approach to delivery.</p>	<p>-Continued cross-departmental working on new schemes and initiatives</p> <p>-Ensure Joint Business Plan updates continue to reflect affordable housing needs</p>	PAG Updates
S2	Support development of the Chiltern and South Bucks Local Plan addresses affordable housing requirements	<p>Development of Emerging Chiltern and South Bucks Local Plan is ongoing and next step is the publication of the Draft Local Plan for consultation prior to submission for an examination. This will set down the Council’s corporate position on affordable housing delivery via the planning system. The Council is awaiting the outcome of the Government’s consultation on a standard methodology for councils to work out housing Objectively Assessed Need (OAN). Chiltern and South Bucks will be affected by the transitional arrangements to the new OAN Methodology subject to the outcome of the consultation.</p>	<p>-Housing service to continue to support development of Local Plan</p> <p>-Local Plan to fully address district affordable housing requirements</p> <p>-Secure agreement of cross-district delivery of affordable housing in accordance with Bucks Memorandum of Understanding</p>	Reports to Joint Planning Policy Member Reference Group

<p>S3</p>	<p>Work with L&Q (London and Quadrant) to maximise affordable housing delivery on L&Q owned sites and other opportunities</p>	<p>Grant funding support for some developments on scheme by scheme basis.</p> <p>Ongoing discussions on bringing forward garage and green space sites for development.</p> <p>The Estates Renewal Assessment workshop undertaken with L&Q identified and review PHG owned sites.</p>	<p>-Joint assessment (by SBDC and L&Q) of opportunities on sites identified by Estates Renewal workshop (including adjacent SBDC and PHG owned sites)</p> <p>-Work with L&Q to maximise affordable housing opportunities arising from sheltered housing redevelopment programme</p>	<p>PAG Updates</p> <p>Quarterly liaison meetings between SBDC and L&Q</p>
<p>S4</p>	<p>Work with Registered Providers to maximise affordable housing delivery</p>	<p>Grant funding support for some developments on scheme by scheme basis</p>	<p>-Assess and support schemes on site by site basis</p> <p>- Positively encourage and support RPs to bring forward schemes for consideration including opportunities to deliver affordable housing within wider regeneration projects.</p>	<p>PAG updates</p>
<p>S5</p>	<p>Review SBDC-owned sites to identify and take forward affordable housing opportunities</p>	<p>Sites reviewed in conjunction with Savills during 2016/17.</p> <p>Modular temporary accommodation scheme being developed SBDC-owned former Depot site off Bath Road.</p>	<p>Continue to review sites and bring forward opportunities.</p>	<p>PAG updates</p>

<p>S6</p>	<p>Make best use of capital funds from commuted sums and reserves to derive the maximum return from supporting affordable housing delivery (e.g. site assembly, match funding etc.)</p>	<p>Capital funds being allocated on a scheme by scheme basis in accordance with the terms of the Affordable Housing SPD (Supplementary Planning Document)</p>	<p>Continue to identify opportunities for funding and allocate funds as appropriate</p> <p>Identify and review ways to secure other forms of subsidy to support affordable housing delivery.</p>	<p>Quarterly monitoring reports to PAG</p>
<p>S7</p>	<p>Assess potential for SBDC to acquire and assemble sites for affordable housing</p>	<p>SBDC acquired former-Gerrards Cross Police Station site in April 2017 and has used 8 houses on site to deliver temporary homeless accommodation (via leasing arrangement with Bucks HA) pending site re-development. Re-development now being brought forward for new housing scheme including policy compliant 40% affordable housing.</p> <p>Other potential site acquisitions considered on a scheme by scheme basis</p>	<p>-Redevelopment of Gerrards Cross Police Station site to include 14 affordable homes for rent.</p> <p>-Continue to assess other site acquisition possibilities on scheme by scheme basis (including options to assemble sites in partnership with RPs (see S3 and S4) and acquisition of properties which can help unlock potential sites)</p> <p>-Identify options for Housing Company (Consilio) to support affordable housing delivery</p>	<p>PAG updates</p>
<p>S8</p>	<p>Work with other public sector bodies who have land and property in Chiltern/South Bucks to explore opportunities to deliver affordable housing</p>	<p>No specific opportunities identified to date.</p>	<p>Liaise with other public sector bodies to review opportunities from land/property in their ownership (by April 2019)</p>	<p>PAG updates</p>

<p>S9</p>	<p>Explore options for Council to lease land and/or property to other agencies (while retaining ownership and receiving an income)</p>	<p>SBDC leasing 8 houses (ex-Gerrards Cross Police Houses) to Bucks Housing Association to let as temporary accommodation for homeless households.</p> <p>SBDC is developing options for applying leasing model to other schemes (e.g. proposed temporary accommodation development on Bath Road)</p>	<p>-Agree standardised leasing models that could be applied to different scenarios (e.g. new build, acquisitions, existing SBDC-owned properties etc.)</p> <p>-Assess options to applying leasing models on scheme by scheme basis and implement when appropriate.</p>	<p>PAG updates</p>
<p>S10</p>	<p>Undertake or support a targeted programme of acquisitions and lettings to replenish the stock of social and affordable rented property</p>	<p>SBDC supporting L&Q to acquire properties and let them to SBDC nominees (averaging 3 purchases per annum)</p> <p>SBDC bringing forward proposals to explore options to acquire properties and lease/rent them out (including acquisition of 3 properties by Bucks HA for temporary accommodation)</p>	<p>-Review L&Q purchase programme and confirm if programme should continue (subject to SBDC-funding being available)</p> <p>-Finalise options appraisal and business cases for SBDC to undertake direct acquisitions and implement scheme if agreed.</p>	<p>PAG updates</p>
<p>S11</p>	<p>Work with Town and Parishes to promote and support affordable housing schemes targeted at local people</p>	<p>Officers have promoted affordable housing to Town and Parish Councils. National Community-Led Housing Adviser gave a full presentation on the options and support available on 9/10/17. Interest has been limited to date.</p>	<p>-Continue to promote opportunities via Town and Parish Council Forum and work with individual councils that want to bring forward schemes and proposals (Target support at Towns and Parishes whose emerging neighbourhood plan policies include meeting identified local affordable housing needs)</p>	<p>PAG updates</p>

<p>S12</p>	<p>Assess opportunities to return empty homes back into use as affordable housing</p>	<p>Council Tax empty property database reviewed by Capacity Grid in 2017. Most long term empty homes present no opportunities (e.g. second homes, beyond repair or are subject to legal processes to resolve ownership)</p>	<p>Review options for targeted work on long term empty homes after Capacity Grid completes review of Council Tax database in 2018.</p> <p>Monitor availability of national funding to support empty homes work and support bids for funding as appropriate.</p>	<p>PAG updates</p>
<p>S13</p>	<p>Support provision of housing and accommodation solutions for people with care and support needs</p>	<p>Supported development of CCG/Bucks CC Market Position Statement</p>	<p>Identify opportunities to deliver solutions for people with care and support needs within both existing and new housing provisions</p>	<p>AHMWG PAG</p>
<p>S14</p>	<p>Support existing social housing tenants to downsize from family housing</p>	<p>Bucks Home Choice policy prioritises downsizers</p> <p>SBDC has operated incentive schemes to encourage downsizing (funded from commuted sums) but take up has been limited.</p>	<p>Work with RPs to assess extent of under-occupation in social housing tenancies</p> <p>Identify schemes and method that will actively encourage and support under-occupiers to downsize into existing or new social housing</p>	<p>AHMWG PAG</p>
<p>S15</p>	<p>Ensure that SBDC and its partners meet the requirements arising from the Housing Green Paper "A New Deal for Social Housing"</p>	<p>Green Paper published in August 2018</p>	<p>Respond to consultation on Green Paper (by 6/11/18)</p> <p>Respond to final policies arising from Green Paper and work with partners to ensure that they are meeting policy requirements</p>	<p>PAG</p>

CHILTERN DISTRICT COUNCIL – HOMELESSNESS - ACTION PLAN

	OBJECTIVE	Status at August 2018	Actions	Monitoring
C1	Monitor effectiveness of Bucks Home Choice policy and ensure social housing stock is being used as effectively as possible	<p>CDC/SBDC leads both the BHC Management Board and the Practitioner Group which regularly reviews the operation of the Bucks Home Choice scheme.</p> <p>Allocations Policy being reviewed in light of latest legal judgements and the requirements of the Homelessness Reduction Act 2017.</p>	<p>-Complete review of BHC Allocations and agree proposed amendments</p> <p>-Secure approval to adopt revised policy across the four district councils</p> <p>-Implement revised policy and monitor impact</p>	<p>BHC Management Board and Practitioners Group</p> <p>PAG Updates</p>
C2	Optimise current temporary accommodation provision through Temporary Accommodation Framework	<p>Joint CDC/SBDC Temporary Accommodation Framework agreed in 2017</p>	<p>Revised and updated Temporary Accommodation Framework incorporated into Strategy document</p>	<p>PAG Updates</p>
C3	Ensure all necessary procedures and documentation in place to implement the provisions of the Homelessness Reduction Act 2017	<p>New homelessness procedures in place and being kept under review alongside training for all staff and partner agencies and implementation of new upgraded IT system.</p>	<p>-Complete and implement new procedures</p> <p>-Monthly monitoring of implementation against requirements of HR Act and procedures amended as required</p>	<p>PAG Updates</p> <p>Homelessness Pls</p>

<p>C4</p>	<p>Prevent or relieve homelessness wherever possible to minimise the demand for temporary accommodation</p>	<p>As part of the implementation of the new HR Act (see C3) officers are reviewing the measures available to prevent homelessness and identifying what could be done to increase successful preventions. This will include assessing how we can make best use of the financial resources available to support this, including:</p> <ul style="list-style-type: none"> - CDC Homelessness Prevention Fund (within Housing budget) and Discretionary Housing Payments (administered by Benefits team) - MHCLG Flexible Homelessness Support Grant and New Burdens Funding 	<p>-Utilise Locata Toolkit (developed by Andy Gale) and other good practice to inform development of prevention and relief measures</p> <p>-Complete review of available measures and agree toolkit of prevention and relief measures available to officers and partners in working with clients.</p> <p>-Review CDC website and ensure updated, appropriate and realistic homelessness information and advice is available at first point of contact</p>	<p>PAG Updates</p>
<p>C5</p>	<p>Work with Registered Providers to secure:</p> <p>-additional temporary accommodation and</p> <p>- more private rented tenancy options.</p>	<p>CDC works with Registered Providers to maximise the use of temporary self - contained accommodation within their existing housing stock (including the 20-unit Tom Scott House owned by Paradigm Housing). CDC will continue to look at more temporary accommodation opportunities with Paradigm and other providers.</p>	<p>-Agreement between CDC and Paradigm to commence Private Sector Leasing Scheme to deliver temporary accommodation (minimum of 10 units initially)</p> <p>-Review existing temporary accommodation agreement between CDC and Paradigm</p> <p>- Work with RPs to continue to explore other TA options</p>	<p>CDC/Paradigm monitoring meetings</p> <p>PAG Updates</p>

<p>C6</p>	<p>Working with the private rental sector to secure:</p> <ul style="list-style-type: none"> - temporary accommodation and - private rented tenancies for clients to prevent or relieve homelessness 	<p>CDC has secured an increased supply of self-contained nightly-booked accommodation to provide alternative options to B & B. However, the ability to secure private rented tenancies for clients remains challenging due to high local rent levels and welfare benefits restrictions.</p>	<p>-As part of HR Act implementation, officers are reviewing ways to assist more clients to secure private rented accommodation (linked to C3 and C4 above) including looking at options such as:</p> <ul style="list-style-type: none"> - payments/guarantees to help meet the cost of deposits and rent in advance - funding the shortfall between rent levels and benefit levels - rent guarantees - incentive payments to landlords - use of Credit Union to support clients to meet up front tenancy costs <p>-Any new models can potentially be funded from the resources highlighted in C4 above.</p>	<p>PAG Updates</p>
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<p>C7</p>	<p>Look for opportunities to develop additional temporary accommodation on CDC-owned land (including possible low cost development using off-site construction, pre-fab, mobile homes etc.)</p>	<p>No opportunities have been identified as yet. Any potential scheme will be assessed on an “invest to save” basis looking at an initial investment generating subsequent savings through reduced B&B costs and the possibility of some level of ongoing income generated by the accommodation</p>	<p>Potential schemes to be assessed on an “invest to save” basis looking at an initial investment generating subsequent savings through reduced B&B costs and the possibility of some level of ongoing income generated by the accommodation</p>	<p>PAG Updates AHMWG Corporate Asset Management Group</p>
<p>C8</p>	<p>Explore options to work with South Bucks District Council and other statutory partners to secure additional temporary accommodation provision</p>	<p>Temporary Accommodation Framework makes provision for temporary accommodation provision in CDC to be utilised by SBDC and vice versa (subject to local demands within the host district)</p>	<p>CDC will continue to assess opportunities for the shared housing service to deliver joint provision that can support both authorities. It will also consider any opportunities that arise for joint working with other partners (including Wycombe District Council and Aylesbury Vale District Council) to deliver additional temporary accommodation provision.</p>	<p>PAG Updates AHMWG</p>

<p>C9</p>	<p>Support those residents affected by Housing Benefit reforms in order to limit the impact on homelessness</p>	<p>CDC operates a joint forum between the Housing and Revenues Team and Paradigm Housing to share information, monitor tenants affected by Housing Benefit changes and target intervention as required.</p>	<p>CDC will continue to support clients to mitigate seek to mitigate the impact of Housing Benefit changes by:</p> <ul style="list-style-type: none"> - providing appropriate advice and assistance, - utilising DHP (Discretionary Housing Payments) and other funding (see C4) to support clients as appropriate, and - signposting and referring clients to partner agencies to deliver welfare benefits and debt advice (see C10) 	<p>Quarterly Housing/Revenues meetings</p> <p>PAG Updates</p>
<p>C10</p>	<p>Work in partnership with other agencies to secure suitable advice and support to prevent and relieve homelessness</p>	<p>CDC has Service Level Agreements in place with certain partner agencies (CAB, Housing Interaction Trust, Connection Rough Sleeper Outreach etc.)</p> <p>Partner agencies attended HR Act event on 02/04/18. Database of partner agencies, services and referral routes is being compiled. SLA being reviewed and revised as required</p>	<p>-Work with Registered Providers to ensure early referrals are made to support service to avoid tenants becoming homeless.</p> <p>-Opportunities for further funding of specific services and schemes by CDC to be considered based on needs of district</p>	<p>PAG Updates</p> <p>One to one working with partner agencies (including monitoring against SLA requirements)</p>

<p>C11</p>	<p>Work with the Connection Support Resilience Service to ensure that early intervention is targeted as effectively as possible in the District.</p>	<p>Connection Support Resilience Service operating since June 2017 funded from MCHLG Homelessness Trailblazer programme. Service delivers early one-to-one intervention with clients to prevent homelessness.</p> <p>CDC part of service Steering Group and monitoring delivery</p>	<p>-Continue to monitor service and ensure referrals being made from Chiltern area (both self-referrals and agency referrals, including CDC). Implement changes as required to maximise intervention and prevention</p> <p>-Work with Bucks CC and other DCs to plan exit strategy for end of MCHLG 2 year funding.</p>	<p>PAG Updates</p> <p>Resilience Service Steering Group</p>
<p>C12</p>	<p>Provide targeted support to resolve or prevent rough sleeping</p>	<p>CDC part-funds the countywide Rough Sleeper Outreach Service which provides one-to-one support to identified rough sleepers</p>	<p>Respond to requirements of MHCLG Rough Sleeping Strategy in including:</p> <ul style="list-style-type: none"> - Developing annual Rough Sleeper Action Plan - Updating Homelessness Strategy in 2019 as "Homelessness and Rough Sleeping Strategy" 	<p>PAG Updates</p>

SOUTH BUCKS DISTRICT COUNCIL – HOMELESSNESS - ACTION PLAN

	<u>OBJECTIVE</u>	<u>Status at August 2018</u>	<u>Actions</u>	<u>Monitoring</u>
S1	Monitor effectiveness of Bucks Home Choice policy and ensure social housing stock is being used as effectively as possible	<p>CDC/SBDC leads both the BHC Management Board and the Practitioner Group which regularly reviews the operation of the Bucks Home Choice scheme.</p> <p>Allocations Policy being reviewed in light of latest legal judgements and the requirements of the Homelessness Reduction Act 2017.</p>	<p>-Complete review of BHC Allocations and agree proposed amendments</p> <p>-Secure approval to adopt revised policy across the four district councils</p> <p>-Implement revised policy and monitor impact</p>	<p>BHC Management Board and Practitioners Group</p> <p>PAG Updates</p>
S2	Optimise current temporary accommodation provision through Temporary Accommodation Framework	<p>Joint CDC/SBDC Temporary Accommodation Framework agreed in 2017</p>	<p>Revised and updated Temporary Accommodation Framework incorporated into Strategy document</p>	<p>PAG Updates</p>
S3	Ensure all necessary procedures and documentation in place to implement the provisions of the Homelessness Reduction Act 2017	<p>Full review of homelessness procedures is underway alongside training for all staff and partner agencies and implementation of new upgraded IT system.</p>	<p>-Complete and implement new procedures</p> <p>-Monthly monitoring of implementation against requirements of HR Act and procedures amended as required</p>	<p>PAG Updates</p> <p>Homelessness Pls</p>

<p>S4</p>	<p>Prevent or relieve homelessness wherever possible to minimise the demand for temporary accommodation</p>	<p>As part of preparation for new HR Act (see S3) officers are reviewing the measures available to prevent homelessness and identifying what could be done to increase successful preventions. This will include assessing how we can make best use of the financial resources available to support this, including:</p> <ul style="list-style-type: none"> - SBDC Homelessness Prevention Fund (within Housing revenue budget) and Discretionary Housing Payments (administered by the Revenues and Benefits team) - MHCLG Flexible Homelessness Support Grant and New Burdens Funding 	<ul style="list-style-type: none"> -Utilise Locata Toolkit (developed by Andy Gale) and other good practice to inform development of prevention and relief measures -Complete review of available measures and agree toolkit of prevention and relief measures available to officers and partners in working with clients. -Review SBDC website and ensure updated, appropriate and realistic homelessness information and advice is available at first point of contact 	<p>PAG Updates</p>
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<p>S5</p>	<p>Work with Registered Providers to secure:</p> <ul style="list-style-type: none"> -additional temporary accommodation and - more private rented tenancy options. 	<p>SBDC works with Registered Providers to both use existing RP housing stock and utilise leasehold arrangements to secure additional self-contained temporary accommodation. This has included 8 former police houses in Gerrards Cross being leased to an RP to let as temporary accommodation and another RP making former student accommodation available as TA on a short term basis.</p>	<ul style="list-style-type: none"> - Implement Agreement between SBDC and Paradigm to commence Private Sector Leasing Scheme to deliver temporary accommodation (minimum of 30 units initially) - Implement more TA leasehold arrangements based on Gerrards Cross Police Houses model - Identify replacement TA provision for Gerrards Cross Police Houses FOR when the accommodation is de-commissioned - Work with RPs to continue to explore other TA options 	<p>Monitoring meetings with RP partners</p> <p>PAG Updates</p>
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<p>S6</p>	<p>Working with the private rental sector to secure:</p> <ul style="list-style-type: none"> - temporary accommodation and - private rented tenancies for clients to prevent or relieve homelessness 	<p>SBDC has secured an increased supply of self-contained nightly-booked accommodation to provide alternative options to B & B. However, the ability to secure private rented tenancies for clients remains challenging due to high local rent levels and welfare benefits restrictions.</p>	<p>-As part of HR Act implementation, officers are reviewing ways to assist more clients to secure private rented accommodation (linked to S3 and S4 above) including looking at options such as:</p> <ul style="list-style-type: none"> - payments/guarantees to help meet the cost of deposits and rent in advance - funding the shortfall between rent levels and benefit levels - rent guarantees - incentive payments to landlords - use of Credit Union to support clients to meet up front tenancy costs <p>-Any new models can potentially be funded from the resources highlighted in S4 above.</p>	<p>PAG Updates</p>
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<p>S7</p>	<p>Look for opportunities to develop additional temporary accommodation on SBDC-owned land (including possible low cost development using off-site construction, pre-fab, mobile homes etc.)</p>	<p>SBDC currently owns and leases former former-Police Houses at Gerrards Cross to RP to let as temporary accommodation (see S5 above)</p> <p>SBDC bringing forward planning application to develop temporary accommodation on former depot site on Bath Road, Taplow, using off-site modular construction.</p>	<ul style="list-style-type: none"> -Develop TA scheme on former depot site in Bath Road (subject to planning permission) -Continue to explore potential schemes using SBDC-owned land or properties (or site acquisition) -Develop standard model to allow proposals to be assessed on an “invest to save” basis looking at an initial investment generating subsequent savings through reduced B&B costs and the possibility of some level of ongoing income generated by the accommodation 	<p>PAG Updates</p>
<p>S8</p>	<p>Explore options to work with Chiltern District Council and other statutory partners to secure additional temporary accommodation provision</p>	<p>Temporary Accommodation Framework makes provision for temporary accommodation provision in SBDC to be utilised by CDC and vice versa (subject to local demands within the host district)</p>	<p>SBDC will continue to assess opportunities for the shared housing service to deliver joint provision that can support both authorities. It will also consider any opportunities that arise for joint working with other partners (including Wycombe District Council and Aylesbury Vale District Council) to deliver additional temporary accommodation provision.</p>	<p>PAG Updates</p>

<p>S9</p>	<p>Support those residents affected by Housing Benefit reforms in order to limit the impact on homelessness</p>	<p>SBDC operates a joint forum between the Housing and Revenues Team to share information, monitor tenants affected by Housing Benefit changes and target intervention as required.</p>	<p>SBDC will continue to support clients to mitigate seek to mitigate the impact of Housing Benefit changes by:</p> <ul style="list-style-type: none"> - providing appropriate advice and assistance, - utilising DHP (Discretionary Housing Payments) and other funding (see C4) to support clients as appropriate, - signposting and referring clients to partner agencies to deliver welfare benefits and debt advice (see S10), and - secure attendance of L&Q at Housing and Revenues Team review meetings. 	<p>Quarterly Housing/Revenues meetings</p> <p>PAG Updates</p>
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<p>S10</p>	<p>Work in partnership with other agencies to secure suitable advice and support to prevent and relieve homelessness</p>	<p>SBDC has Service Level Agreements in place with certain partner agencies (CAB, Connection Rough Sleeper Outreach, Padstones etc.)</p> <p>Partner agencies attended HR Act event on 02/04/18. Database of partner agencies, services and referral routes is being compiled. SLA being reviewed and revised as required</p>	<p>-Work with Registered Providers to ensure early referrals are made to support service to avoid tenants becoming homeless.</p> <p>-Opportunities for further funding of specific services and schemes by SBDC to be considered based on needs of district</p>	<p>PAG Updates</p> <p>One to one working with partner agencies (including monitoring against SLA requirements)</p>
<p>S11</p>	<p>Work with the Connection Support Resilience Service to ensure that early intervention is targeted as effectively as possible in the District.</p>	<p>Connection Support Resilience Service operating since June 2017 funded from MCHLG Homelessness Trailblazer programme. Service delivers early one-to-one intervention with clients to prevent homelessness.</p> <p>SBDC is part of service Steering Group and monitoring delivery</p>	<p>-Continue to monitor service and ensure referrals being made from Chiltern area (both self-referrals and agency referrals, including SBDC). Implement changes as required to maximise intervention and prevention -Work with Bucks CC and other DCs to plan exit strategy for end of MCHLG 2 year funding.</p>	<p>PAG Updates</p> <p>Resilience Service Steering Group</p>
<p>S12</p>	<p>Provide targeted support to resolve or prevent rough sleeping</p>	<p>SBDC part-funds the countywide Rough Sleeper Outreach Service which provides one-to-one support to identified rough sleepers</p>	<p>Respond to requirements of MHCLG Rough Sleeping Strategy in including:</p> <ul style="list-style-type: none"> - Developing annual Rough Sleeper Action Plan - Updating Homelessness Strategy in 2019 as "Homelessness and Rough Sleeping Strategy" 	<p>PAG Updates</p>

APPENDIX A**BACKGROUND STATISTICS****A1. - SOCIAL HOUSING LETTINGS**

Social housing tenancies are allocated via the Bucks Home Choice scheme (for more details please go to www.buckshomechoice.gov.uk)

Number of households seeking a social housing tenancy:

As at 20th August 2018, the number of applicants registered for re-housing on the Bucks Home Choice scheme were as follows:

Property size required	Number of Applicants	
	CDC	SBDC
1 bedroom	311	266
2 bedrooms	54	84
3 bedrooms	100	73
4 bedrooms	4	6
Not known	11	8
Total	469	437

Availability of social housing tenancies (Summary of lettings in 2017/18):

Chiltern District Council – Lettings via Bucks Home Choice 1/4/17 to 31/03/18		
Property Type	Number of lettings	Average time spent on Housing Register for applicant offered tenancy
Sheltered	37	15 months
Studio	3	7 months
1 bedroom general needs	78	9 months
2 bedroom flat/maisonette	68	7 months
2 bedroom house	37	15 months
3 bedroom flat/maisonette	7	8 months
3 bedroom house	22	31 months
4 bedroom or more	0	No lettings
TOTAL LETTINGS	252	

South Bucks District Council – Lettings via Bucks Home Choice 1/04/17 to 31/03/18		
Property Type	Number of lettings	Average time spent on Housing Register for applicant offered tenancy
Sheltered	25	8 months
Studio	4	8 months
1 bedroom general needs	55	18 months
2 bedroom flat/maisonette	48	20 months
2 bedroom house	18	22 months
3 bedroom flat/maisonette	3	20 months
3 bedroom house	20	22 months
4 bedroom or more	0	0
TOTAL LETTINGS	173	

Total Lettings via Bucks Home Choice in previous years		
Year	Chiltern DC	South Bucks DC
2016/17	264	119
2015/16	234	133
2014/15	269	186

Headlines:

- The level of lettings in CDC and SBDC is dependent on turnover in the existing social housing stock (i.e. re-lets) and the provision of additional properties (via new building or buying existing dwellings)
- The average time spent on the Housing Register is broad indicator based on the overall lettings during the year. The Bucks Home Choice scheme prioritises applicants for vacancies based on a combination of factors taking account of housing need, time spent on the Register and the type of property required. Therefore, some households will wait considerably longer than the average waiting time before they have any opportunity to secure a tenancy.
- The availability of larger family-sized housing (i.e. 3 or more bedrooms) across both districts is particularly limited in comparison with demand. This has a particular impact on the ability of both Councils to secure long term accommodation for households who are homeless or threatened with homelessness (with a consequent knock-on effect on the length of time that larger families have to spend in temporary accommodation).

A.2 - HOMELESSNESS**(a) Total Number of Homelessness Applications for Assistance**

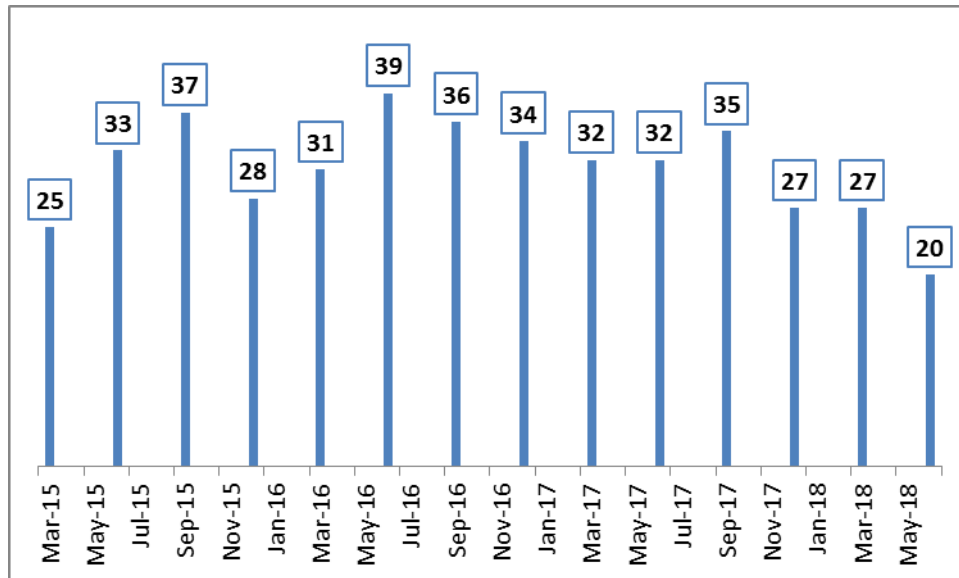
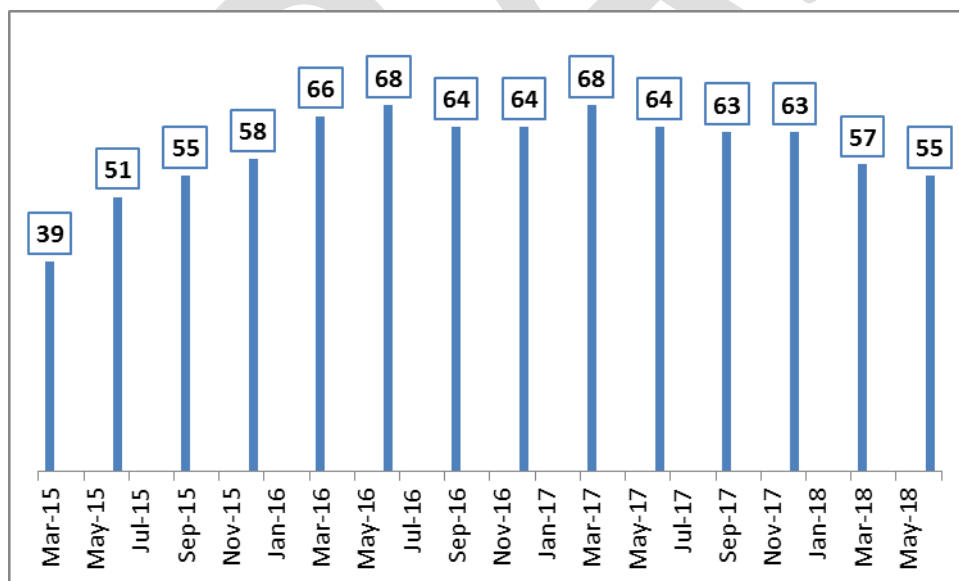
	Year									
	2013/14		2014/15		2015/16		2016/17		2017/18	
	CDC	SBDC	CDC	SBDC	CDC	SBDC	CDC	SBDC	CDC	SBDC
Total number of homeless applications for assistance	56	59	87	75	95	88	80	102	90	102

(This table shows the number of homelessness applications where the Council issued decisions during the year concerned. These were determined prior to the introduction of the new duties in the Homelessness Reduction Act from 3rd April 2018.)

(b) Accepted Homelessness Applications & Reasons

Out of the total number of applications in Table (a) above the following applications were accepted as being subject to the Council's main housing duty to secure accommodation.

Homeless Cases Accepted as Duty to Secure Accommodation										
Reason for Homelessness	Year									
	2013/14		2014/15		2015/16		2016/17		2017/18	
	CDC	SBDC	CDC	SBDC	CDC	SBDC	CDC	SB	CDC	SB
Parents/Family not willing to accommodate	3	25	24	19	21	30	14	27	21	30
End of Tenancy by Landlord	10	14	21	17	22	15	17	18	14	18
Domestic Violence	2	4	7	3	7	6	8	8	8	9
Other Violence/Harassment	1	0	0	1	7	3	0	3	4	5
Rent/Mortgage Arrears	5	0	4	0	1	2	6	2	3	1
Other	3	1	3	7	5	11	5	9	10	11
Total	24	44	59	47	63	67	50	67	60	74

(c) Number of Homeless Households in Temporary Accommodation**Chiltern DC - Quarterly Snapshot of Number of Households in TA****South Bucks DC - Quarterly Snapshot of Number of Households in TA****Headlines:**

- Both Chiltern and South Bucks saw a significant increase in applications for homelessness assistance in 2013/14. The annual rate of increase has subsequently differed between the two districts. South Bucks showing a continued annual upturn until levelling off in in 2017/18 while the position in Chiltern has been more erratic year on year.

- The main reasons for homelessness across both districts in recent years have been exclusion by family or friends or the ending of a tenancy by a landlord.
- The ongoing demand for temporary accommodation has been considerable higher in South Bucks compared to Chiltern. This is primarily because South Bucks has seen a higher level of homelessness applications and a lower level of turnover in its social housing stock. This means that many homeless households have to spend longer periods in temporary accommodation due to the limited availability of affordable accommodation to move on to.

Future Demand for Homelessness Services

The MHCLG (formerly DCLG) has estimated that the new Homelessness Reduction Act 2017 could see a 26% increase in the homelessness caseload for local authorities (DCLG – New Burdens Funding Assessment – October 2017). If this increase is applied to the 2017/18 caseload levels, this will result in anticipated levels as follows:

Council	Caseload per annum (Total homelessness cases)		Demand for Temporary Accommodation	
	Current level (2017/18)	Estimated demand (2018/19)	Current demand (Average number in TA during 2017/18)	Estimated demand (2018/19)
Chiltern DC	102	129	34 units	42 units
South Bucks DC	90	114	65 units	82 units

(The above estimates are based on a 26% upturn on the average number of TA placements at any one time during 2017. However, other factors including homelessness prevention levels under the new Act's provisions and new affordable housing developments will impact on this figure).

Rough Sleepers

Chiltern DC and South Bucks DC have generally recorded low levels of rough sleeping within the districts. The figures from the last 4 annual rough sleeper counts/estimates are:

	2014	2015	2016	2017
Chiltern	3	1	1	1
South Bucks	0	0	4	1

However, these are snapshot figures collected once a year as part of the national rough sleeper estimate. There is evidence to suggest that there are regular reported instances of rough sleeping in the two districts. The Rough Sleeper Outreach Service operated by

Classification: OFFICIAL

Connection Support received 53 reports of rough sleepers in Chiltern or South Bucks during the 12 month period from July 2017 to June 2018 and the service subsequently verified 10 of these.

The Councils will be reviewing the extent of rough sleeping across the districts and the support services that are in place as part of the response to the Government's Rough Sleeping Strategy.

A3 - DELIVERY OF ADDITIONAL AFFORDABLE HOUSING

Number of additional affordable homes (rented or shared ownership) delivered since 2011/12

The table below summarises the number of additional affordable homes delivered by Registered Providers in Chiltern and South Bucks since 2011/12:

YEAR	DISTRICT							
	CHILTERN				SOUTH BUCKS			
	New Build Rent	New Build S/Owners	Purchases	Other	New Build Rent	New Build S/Owners	Purchases	Other (Equity Loan)
2011/12	26	3	0	0	15	0	9	9
2012/13	57	35	0	0	7	17	4	8
2013/14	6	0	8	0	12	3	4	3
2014/15	34	0	7	0	6	0	10	0
2015/16	18	4	0	0	0	0	2	3
2016/17	26	9	0	0	4	0	5	2
2017/18	56	24	0	0	21	7	1	0

Headlines:

- The level of new build rented affordable housing has fluctuated from year to year and has been particularly limited in South Bucks in recent years. This is due to a range of factors including (i) limited development opportunities coupled with high land values, (ii) changes in the funding arrangements for Registered Providers and (iii) increasing numbers of housing developers challenging the viability of delivering affordable housing on site and instead paying an affordable housing contribution (or no contribution)
- The purchase of existing properties by registered providers has contributed to delivering additional affordable homes across both districts. However, this has declined in recent years due to rising house prices and the increasing levels of subsidy required to make such schemes viable.

APPENDIX B**Chiltern District Council****and****South Bucks District Council****TEMPORARY ACCOMMODATION FRAMEWORK****CONTENTS**

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Chiltern District Council**and****South Bucks District Council****TEMPORARY ACCOMMODATION FRAMEWORK 2018/19****1. Purpose**

- 1.1 The purpose of this framework is to:
- 1.1.1 Ensure that each Council fulfils its statutory duties under Part 7 of the Housing Act 1996 to secure temporary accommodation and
 - 1.1.2 Provide a clear and transparent framework for each Council for securing and allocating temporary accommodation

2. Background

- 2.1 Part 7 (Homelessness) of the Housing Act 1996 places a statutory duty on the Council to secure that temporary accommodation is available to homeless households in a range of circumstances. Details of the relevant statutory duties and related guidance are summarised in **Appendix B1**.
- 2.2 The Council must secure sufficient temporary accommodation to meet its statutory duty. This accommodation must be utilised and allocated correctly.
- 2.3 The Supreme Court in the case of *Nzolameso v Westminster City Council* (2015) (UKSC 22, (2015) HLR 22) advised that each local authority should have a clear statement on how it procures and allocates temporary accommodation.
- 2.4 In light of the above, this framework has been drafted to provide a clear statement to Members, officers, clients and partner agencies on how the Council secures and allocates temporary accommodation.
- 2.5 Chiltern District Council and South Bucks District Council operate a shared housing service which includes a shared housing options and homelessness service. Therefore, this Framework has been drafted as a joint document to be shared by both Councils. Any reference to "the Council" in this Framework document should be taken to mean both Chiltern District Council and South Bucks District Council and their respective duties.

3. Principles of the Framework

The Council will:

3.1 Secure temporary accommodation in compliance with its statutory duties under Part 7 of the Housing Act 1996

3.2 Secure self-contained temporary accommodation wherever possible and only secure B&B (Bed and Breakfast) accommodation when no other suitable self-contained temporary accommodation is available

3.3 Minimise the length of time that any household with family commitments has to spend in B&B accommodation

3.4 Secure temporary accommodation within the district whenever possible

3.5 Ensure that temporary accommodation meets appropriate standards of suitability and fitness

3.6 Minimise the cost of temporary accommodation provision to the Council and maximise income to offset costs where possible

4. Temporary Accommodation – Current Provision

4.1 Appendix B1 lists the temporary accommodation that is currently utilised by Chiltern District and South Bucks District Council.

5. Temporary Accommodation – Current and Future Demand

5.1 Appendix A2 in this Strategy document (Pages 39 to 41) shows the demand for temporary accommodation in Chiltern District Council and South Bucks District Council since 1st April 2014 and the projections for future demand following the implementation of the Homelessness Reduction Act 2017 from 3rd April 2018. It is estimated that the Councils will need to ensure that the following levels of temporary accommodation are available at any one time during 2018/19:

Chiltern DC	=	Maximum of 42 units
South Bucks DC	=	Maximum of 82 units

6. Use of Bed and Breakfast Accommodation

6.1 The Council recognises that B&B (Bed and Breakfast) is not suitable as temporary accommodation for households with family commitments (i.e. households who have or are expecting dependent children). Where possible, it will avoid placing such a household in B&B. However, the high demand for temporary accommodation means that there will be occasions when the Council has no option other than to secure B&B in order to meet its statutory duty.

6.2 When the Council has to place a household with family commitments in B&B, it will take full account of the provisions in Statutory Instrument 2003/3326 that the period in B&B should not exceed 6 weeks. The Council will seek to move the household on to alternative self-contained accommodation as soon as possible. These households will be prioritised for a move from B&B as and when suitable self-contained temporary accommodation becomes available for occupation. The process for this is summarised in Appendix B3.

7. Location of Accommodation

7.1 The Council will aim to secure temporary accommodation within its district. However, the high demand for temporary accommodation means that it may be necessary for the Council to secure accommodation that is located in another district. In this event, the Council will aim to minimise the distance between the district and the location of the temporary accommodation.

8. Allocation of Temporary Accommodation

8.1 Self-contained temporary accommodation will normally be allocated on the day that it becomes available and using the process summarised in Appendix D

8.2 When self-contained temporary accommodation becomes available, existing households with family commitments in B&B will be prioritised over households who have not yet been placed in temporary accommodation.

8.3 If no self-contained temporary accommodation is available for a household on the date that the household becomes homeless then the Council will secure bed and breakfast accommodation (see 6.1 above) subject to availability. If no bed and breakfast accommodation is available on the date concerned then the Council may have to utilise hotel accommodation on a short term basis until bed and breakfast or other alternative temporary accommodation becomes available.

8.4 The Council will make every effort to secure temporary accommodation that is a suitable size, type and location for the household concerned. In doing so, the Council will have regard to the relevant statutory requirements and guidance (see Appendix B1). However, this must be balanced against the demands on the Council's service for homelessness assistance and the pressures on temporary accommodation. The Council's primary focus

is to secure accommodation that meets its duties under Part 7 of the Housing Act 1996 even if the household concerned considers that it may not be suitable.

8.5 A household may request a review of the suitability of the temporary accommodation secured by the Council if a review is permitted under Part 7 of the Housing Act 1996.

8.6 In exceptional circumstances, the Council may depart from the allocation process set down in this Framework. This may arise because of reasons such as:

- safeguarding issues,
- personal safety concerns,
- medical issues,
- household size, or
- the household has been deemed intentionally homeless and/or has a review or appeal pending into the Council's decision.

Any exceptional allocation will be subject to the agreement of the Senior Housing Options Officer (or the Housing Manager in the absence of the Senior Housing Options Officer).

9. Chiltern District Council and South Bucks District Council – Cross District Provision

9.1 Chiltern District Council and South Bucks District Council operate a shared housing service. Each Council retains its own separate statutory responsibility to fulfil its duties under Part 7 of the Housing Act 1996.

9.2 There may be occasions where one of the Councils (Chiltern District Council or South Bucks District Council) has available capacity within its temporary accommodation while the other authority is facing significant pressures to secure sufficient accommodation. In this situation, the Council with available capacity may make its temporary accommodation available to the other authority to utilise in order to fulfil its Part 7 duties (i.e. Chiltern DC would make its temporary accommodation available to be utilised by South Bucks DC or vice versa).

9.3 The provisions in paragraph 9.2 would be subject to:

- consideration of current and future temporary accommodation demands for both Councils,
- confirmation that the Council which makes the temporary accommodation available will not suffer any detriment to its service delivery or budget as a result, and
- the placement being reviewed on a weekly basis and ending as and when the temporary accommodation is again required by the Council which has made it available.

10. Charging for Temporary Accommodation

10.1 The Council reserves the right to require a household to pay a reasonable charge in respect of the temporary accommodation that has been secured for them. In making any charge, the Council will have regard to the statutory requirement that the temporary accommodation must be affordable to the household concerned.

11. Maintaining and Increasing the Supply of Temporary Accommodation

11.1 The Council will explore the following options over the next 12 months to help maintain and increase the supply of temporary accommodation to meet the current and future needs highlighted in Section 5.

11.1.1 Prevent Homelessness wherever possible to minimise the demand for temporary accommodation

The Council continues to review its housing options service to ensure that all available options are explored to help prevent or relieve homelessness before a client becomes homeless. The Homelessness Reduction Act 2017 has placed increased emphasis on this.

11.1.2 Optimise current temporary accommodation provision

The Council will ensure that it makes the best use of the available temporary accommodation by making appropriate allocations, minimising the time spent by households in B&B and ensuring that households are moved on in a timely and efficient manner to longer term accommodation when possible.

11.1.3 Secure temporary accommodation from Registered Provider stock

The Council will continue to work with Registered Providers to maximise the use of temporary self-contained accommodation from within their existing housing stock and through other initiative and schemes (e.g. new build, private sector leasing etc.)

11.1.4 Explore options for new developments to incorporate new temporary accommodation provision.

The Council will monitor development opportunities on its own land and elsewhere

11.1.5 Explore options for working with the private rental sector to secure temporary accommodation

The Council will review its work with private landlords and letting agents and assess opportunities for partnership working to deliver temporary accommodation and tenancies to help prevent or relieve homelessness.

11.1.6 Explore options for Chiltern District Council and South Bucks District Council to work jointly to secure additional temporary accommodation provision

The Council will assess opportunities for the shared housing service to deliver joint provision that can support both authorities.

11.1.7 Explore options to work with other statutory partners to deliver additional temporary accommodation

The Council will assess opportunities for joint working with other partners including Wycombe District Council and Aylesbury Vale District Council to deliver additional temporary accommodation provision.

12. Review of Framework Document

12.1 This document will be reviewed annually

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APPENDIX B1**DUTY TO SECURE TEMPORARY ACCOMMODATION****1. SUMMARY OF STATUTORY DUTIES AND POWERS**

1.1 Under **Part 7 (Homelessness) of the Housing Act 1996** the Council has a statutory duty to secure that accommodation is available to homeless persons who meet certain criteria and requirements set down in the Act and associated Statutory Instruments and guidance.

1.2 The specific statutory duties set down in Part 7 are broadly summarised below:

(i) *Section 188 – Interim duty to accommodate in case of apparent priority need*

When the Council receives an application for assistance under Part 7 then the Council will have a duty to secure temporary accommodation while it assesses the application if it considers that the applicant is homeless and may be in priority need (in accordance with the priority need categories set down in Section 189 of the Act)

(ii) *Section 190 – Duties to persons becoming homeless intentionally*

When the Council has assessed an application and determined that the applicant is homeless and in priority need, but is homeless intentionally, then it will have a duty to secure that accommodation is available for a period to give the applicant a reasonable opportunity to find other housing.

(iii) *Section 193 – Duty to persons with priority need who are not homeless intentionally*

When the Council has assessed an application and determined that the applicant is homeless and in priority need and not homeless intentionally (and the initial Homelessness Relief Duty has come to an end), then it will have a duty to secure that accommodation for occupation by the applicant. There is no time limit on this duty. Section 193 sets down the specific circumstances in which this duty can come to an end.

(iv) *Section 199A – Accommodation pending the outcome of a referral to another local authority*

In some cases when the Council has assessed that the conditions are met for a referral to another local housing authority and applicant is homeless and in priority need, the Council will have a duty to secure that accommodation is available pending the outcome of the referral.

1.3 In respect of (i) to (1v) above, Section 208(1) of the Act states that so far as reasonably practicable the Council shall secure that suitable accommodation is available for occupation within its district.

1.4 In addition to the statutory duties summarised above, the Council also has the **power to secure accommodation pending a review or appeal**. Under Sections 188 and 204 of the Act, the Council has the power to secure accommodation for an

applicant pending the outcome of a review or appeal on the Council's decision on a homelessness application. This is a power and not a duty and the Council will assess requests for accommodation in these circumstances on a case by case basis. In assessing whether or not to exercise its power to secure accommodation, the Council will have regard to the applicant's circumstances and the relevant guidance and case law.

- 1.5 Under Section 192 (3) of the Act, the Council also has ***the power to secure accommodation for an applicant who is homeless, not homeless intentionally and is not in priority need***. Again, this is a power and not a duty. In considering whether or not to use this power, the Council must take into account the demands on local housing and the need to secure accommodation for homeless households who are subject to the statutory duties summarised in (i) to (v) above. The current demands on housing stock in Chiltern and South Bucks and the ongoing demands from homeless households who are subject to statutory accommodation duties means that the Councils are highly unlikely to exercise the power under Section 193(2) of the Act. However, any requests will be assessed on a case by case basis.

2. GUIDANCE ON EXERCISING STATUTORY DUTIES

- 2.1 When exercising a statutory duty in accordance with (i) to (v) above, the Councils will have full regard to the relevant law, statutory instruments and guidance in assessing whether or not the accommodation concerned is suitable. This includes:

- a) **Homelessness Code of Guidance for Local Authorities (February 2018)**
- b) **SI 1996/3204 Homelessness (Suitability of Accommodation) Order 1996**

This requires that the accommodation must be affordable.

- c) **SI 2003/3326 Homelessness (Suitability of Accommodation)(England) Order 2003**

This highlights that B&B accommodation is not to be regarded as suitable accommodation for an applicant with family commitments and should only be used (i) where no other accommodation is available and (ii) for no more than 6 weeks in total.

- d) **SI 2012/2601 Homelessness (Suitability of Accommodation)(England) Order 2012**

This highlights a range of factors that the Council must take into account including:

- distance from district (if placed out of area)
- significance of disruption to employment, caring responsibilities or education

- proximity and accessibility of medical facilities
- proximity and accessibility of local services, amenities and transport

e) **S. 11 of the Children Act 2004**

This requires that where the applicant's household includes children, then the Council's decision on suitability must identify the needs of the children (individually and collectively) and have regard to the need to safeguard and promote the children's needs. However, it is not required that the children's welfare should be given paramount or even primary consideration by the Council in making the decision on the suitability of accommodation.

f) **Equality Act 2010**

This requires that the Council assesses whether or not the applicant has a disability (or another relevant protected characteristic) and, if so, the extent of the disability and whether or not this impacts on suitability of the accommodation.

- 2.2 Overall, the Councils will always aim to minimise disruption to the applicant's household and have full regard to the relevant law and guidance when securing temporary accommodation. However, this will always need to be balanced against the overall demands on the housing and homelessness service and the availability of accommodation. This means that it may not always be possible to avoid disruption to the household concerned. The Council's primary focus will be to ensure that it secures accommodation for the applicant in accordance with its statutory duties under Part 7 of the Housing Act 1996.

END

APPENDIX B2**TEMPORARY ACCOMMODATION – CURRENT PROVISION**

This Appendix lists the temporary accommodation that is currently secured by each Council to fulfil its duties under Part 7 of the Housing Act 1996.

CHILTERN DISTRICT COUNCIL

CDC - Current Provision – Self Contained Accommodation (No facilities shared with other households)		
Accommodation	Number of Units	Details
Tom Scott House, Pearce Road, Chesham	12 x 1 br flats 8 x bedsits	Scheme owned and managed by Paradigm Housing
Other Registered Provider accommodation	No fixed number	Properties in general needs stock utilised as temporary accommodation as and when required
Nightly booked self-contained accommodation	No fixed number	Properties secured from private provider and subject to a nightly rate. The main providers are located in Slough, High Wycombe, Hemel Hempstead and Chiltern.
Private Sector Leasing Scheme	Minimum of 10 units	Properties to be leased by Paradigm Housing and let to CDC nominees to meet temporary accommodation duty.

CDC - Current Provision – Non-Self Contained Accommodation (Facilities shared with other households)		
Accommodation	Number of Units	Details
Nightly booked non-self contained accommodation (e.g. Bed and Breakfast)	No fixed number	Rooms are booked as and when required and charged on a nightly rate. The main providers are located in Slough, High Wycombe and Hemel Hempstead.
Hotels	No fixed number	Hotel rooms are booked when no other options are available. (Normally emergency out-of-hours placements placements).

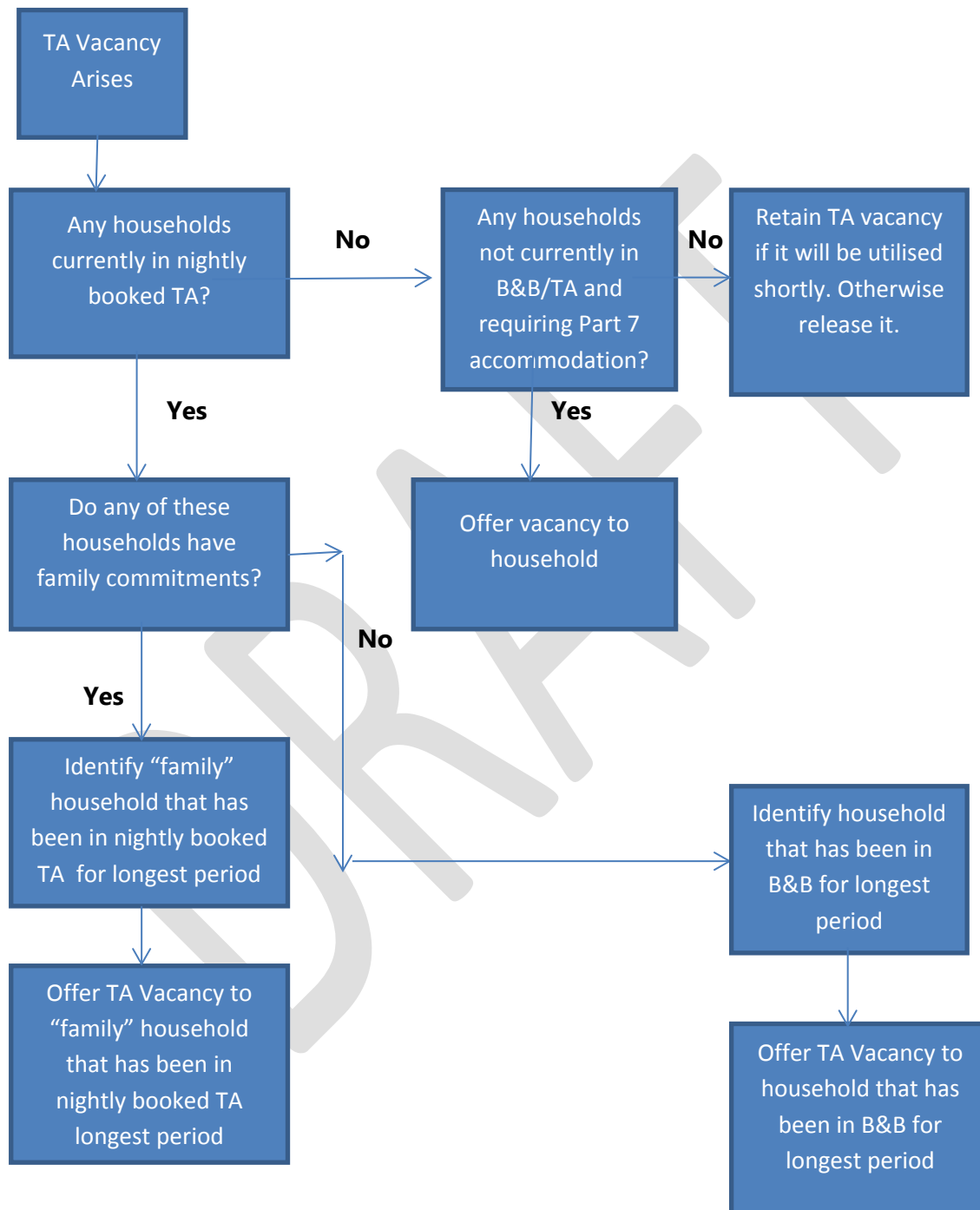
SOUTH BUCKS DISTRICT COUNCIL

SBDC Current Provision – Self Contained Accommodation (No facilities shared with other households)		
Accommodation	Number of Units	Details
Oxford Road, Gerrards Cross (Former Police Houses)	8 x Houses	Properties leased by Bucks Housing Association from SBDC (Due to be decommissioned in December 2018)
Private Sector Leasing Scheme	Minimum of 30 units	Properties to be leased by Paradigm Housing and let to SBDC nominees to meet temporary accommodation duty.
Other Registered Provider properties	No fixed number	Properties in general needs stock owned by other Registered Providers (e.g. L&Q, Bucks HA) and made available to SBDC to use as temporary accommodation on an interim basis.
Nightly booked self-contained accommodation	No fixed number	Properties secured from private provider and subject to a nightly rate. The main providers are located in Slough, High Wycombe, Hemel Hempstead and Chiltern.

SBDC Current Provision – Non-Self Contained Accommodation (Facilities shared with other households)		
Accommodation	Number of Units	Details
Nightly booked non-self contained accommodation (e.g. Bed and Breakfast)	No fixed number (18 x placements as at 26/02/16)	Rooms are booked as and when required and charged on a nightly rate. The main providers are located in Slough, High Wycombe and Hemel Hempstead.
Hotels	No fixed number	Hotel rooms are booked when no other options are available. (Normally emergency out-of-hours placements placements)
SBDC – Pipeline Provision - Temporary Accommodation Schemes being developed as at August 2018		
Accommodation	Number of Units	Details
Development of former Depot Site on Bath Road, Burnham	12 units	Development of temporary emergency accommodation using off-site manufacturing. Due for completion in 2018/19.

Acquisitions	3 units	Programme of 3 acquisitions by Bucks Housing Association for use as temporary accommodation (supported with SBDC funding)
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APPENDIX B3**PROCESS FOR ALLOCATING SELF-CONTAINED TEMPORARY ACCOMMODATION (NOT NIGHTLY BOOKED)**

Note – In some cases the Council will have to place a household in accommodation located outside of the district (see Paragraph 7.1 of the Temporary Accommodation Framework).

SUBJECT:	<i>Bucks Home Choice - Review of Allocations Policy</i>
REPORT OF:	<i>Cabinet Portfolio: Healthy Communities</i>
RESPONSIBLE OFFICER	<i>Head of Healthy Communities – Martin Holt</i>
REPORT AUTHOR	<i>Housing Manager – Michael Veryard (01494 732200 E-mail:mveryard@chiltern.gov.uk)</i>
WARD/S AFFECTED	<i>Not Ward Specific</i>

1. Purpose of Report

The purpose of this report is to allow Members to view and comment on the proposed revisions to the Bucks Home Choice Allocations Policy ahead of the full consultation.

RECOMMENDATIONS

- 1. That the Cabinet considers the proposed revisions to the Bucks Home Choice Allocations Policy and comments as appropriate.**
- 2. That the final version of the draft revised Bucks Home Choice Allocations Policy be agreed for consultation by the Head of Healthy Communities in consultation with the Healthy Communities Portfolio Holder and subject to the agreement of Aylesbury Vale District Council, South Bucks District Council and Wycombe District Council.**

2. Executive Summary

Not required

3. Reasons for Recommendations

To allow Members to comment on the first draft of the revised Bucks Home Choice Allocations Policy (which has been reviewed and updated to take account of current legislation, guidance and case law) and to then proceed to consultation once agreed by all four District Councils.

4. Content of Report

- 4.1** Bucks Home Choice is the choice based lettings scheme that is operated jointly by Aylesbury Vale, Chiltern, South Bucks and Wycombe District Councils for the allocation of social housing tenancies. Under the scheme, the Councils operate a common allocations policy for:
- assessing who qualifies for Bucks Home Choice,
 - prioritising applicants based on their housing needs (using four priority bands ranging from A to D) and
 - allocating vacant social housing tenancies.

The Councils also share a common database and IT system for recording applications, advertising tenancies and making allocations. However, within this common allocation policy and database each Council still operates its own housing register (i.e. Chiltern District Council operates its own housing register for applicants who qualify to be re-housed in Chiltern).

- 4.2** Bucks Home Choice has been operating since 2009 and the last major revision to the Allocations Policy was in 2014. The Scheme Management Board (which comprises representatives from all four districts) is now proposing to make a number of revisions to the Allocations Policy in response to:
- case law and ombudsman decisions relating to allocations policies,
 - new national legislation and guidance (particularly the implementation of the Homelessness Reduction Act 2017) and
 - the experiences of the four Councils across the county in applying the Policy and managing the allocations process
- 4.3** The Scheme Management Board has reviewed the policy and made a number of proposed revisions. A table summarising the main revisions and changes being proposed and the reasons for them is in Appendix 1.
- 4.4** A copy of full draft revised Allocations Policy is in Appendix 2. At the time of writing, the draft policy was being reviewed by the Council's Principal Solicitor in consultation with the other District Councils and a further update will be given at the meeting.
- 4.5** The views of Members are sought on the proposed revisions to the Bucks Home Choice Allocations Policy. Following this, the draft policy will be finalised in agreement with the other three District Council partners and will then be subject to a formal countywide consultation process. This will consist of a 6 week consultation period whereby key stakeholders and partners (including applicants) will have the opportunity to consider the proposed changes and comment. Once the consultation process is completed, a final draft of the revised policy will be prepared and presented to Members to consider the consultation responses and draft for final approval and adoption.

5. Consultation

The proposed revised Bucks Home Choice Allocations Policy will be subject to a formal countywide consultation process.

6. Options

- 6.1** The Bucks Home Choice Allocations Policy could be left in its current form. However, this would create significant risks for Council:
- It would leave the Council vulnerable to legal challenge on some aspects of the Policy which have not been formally updated to reflect changes brought forward by legislation, guidance, case law and Ombudsman decisions.
 - The current policy is no longer compatible with the Council's statutory homelessness duties following the implementation of the Homelessness Reduction Act 2017. Without the proposed revisions, the Council will face increasing challenges in meeting its statutory homelessness duties and preventing homelessness wherever possible (avoiding the need to provide costly temporary accommodation).
 - Other aspects of the policy which would benefit from updating will be left unchanged.
- 6.2** The proposed revisions will mean that the Policy will be more robust in responding to any challenges and fit for purpose in meeting the current legislative housing requirements

7. Corporate Implications

7.1 Financial

There will be costs associated with undertaking the consultation on the proposed revisions to the Policy and implementing any changes to policy (including IT changes) as and when the final policy is adopted. These costs will be shared across the four District Councils and provision for these costs has been include in the Council's budgetary estimates.

7.2 Legal

It is a statutory requirement for the Council to have an Allocations Policy for social housing.

7.3 Equalities Act 2010

An Equalities Impact Assessment of the policy will be undertaken in accordance with the requirements of the Equalities Act 2010.

8. Links to Council Policy Objectives

1. Delivering cost-effective, customer-focussed services
2. Working towards safe and healthier communities

9. Next Step

The draft revised Bucks Home Choice Allocations Policy will be finalised and issued for consultation.

Background Papers:	None other than the legislation, policies and guidance referred to in this report.
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Appendix 1– Bucks Home Choice – Review of Allocations Policy

Key proposed revisions to the Policy

Para	Proposed Revision	Reasons
2.3	Additional categories of non-qualifying persons	<p>This will exclude persons who:</p> <ul style="list-style-type: none"> -have sufficient available resources to secure their own accommodation privately -have previously owned their own home and disposed of the capital from any sale without making other housing arrangements -have previously been social housing tenants and exercised the right to buy or right to acquire -have outstanding housing related debt with the local authority
2.3.2	Amendments to local connection criteria	<p>This continues the current requirement that applicants must have a local connection of at least 2 years residence or employment in district (and clarifies how any periods of absence or change of jobs are taken into account in assessing this).</p> <p>It will meet statutory and legal requirements by formally adding the following to the list of those persons exempted from local connection requirements:</p> <ul style="list-style-type: none"> -persons who meet the national Right To Move criteria (i.e. social housing tenant needing to move areas to take up work) and -persons who fall into one of the statutory “reasonable preference” categories.
2.3.3	Remove exemption for owner occupiers who are aged 55 or more and are seeking accommodation specifically designated for persons aged 55 or more	<p>This is a response to the experience of some allocations under the existing policy which has seen owner occupiers selling their accommodation and then moving into age designated or sheltered schemes. This is not considered an appropriate use of social housing tenancies which should be targeted at persons who cannot secure accommodation on the private market</p>

2.3.4	Tightening of restrictions on applicants how have current or previous rent arrears	This is intended to ensure that applicants must clear any rent arrears in full before being prioritised for re-housing (with exceptions allowed for cases of hardship or other mitigating circumstances)
3.3	Clearer guidance on who can be included in a Bucks Home Choice application	Where a household with adult children is re-housed via Bucks Home Choice, there is a risk that the accommodation soon becomes under-occupied because the adult children move on. The policy revision will mean that adult children aged over 21 will not normally be considered as part of the household making an application. There will be exceptions in cases of adult children with support needs etc.
3.4	Additional paragraph on “Right to Move”	This has now been formally included to meet the requirements of the national “Right to Move” scheme which supports social housing tenants to re-locate when they obtain employment in other areas.
4.2	Expansion of section on “Assessment of Medical Needs”	This clarifies that applicants requiring level access accommodation will not normally be considered for properties with internal or external stairs.
5.2	Expansion of section on “Advertising Criteria”	This gives added guidance on ensuring that we make the best use of family sized accommodation by: - prioritising properties with gardens for those with younger children and -allowing that in larger properties (with two reception rooms) one of the reception rooms can be used as a bedroom
6.1	Expansion of section on “Determining priority between shortlisted applicants”	This now includes additional wording to clarify that the Registered Provider landlords may also apply their own assessment and qualification criteria to a potential tenant when receiving a nomination via the scheme

<p>6.4</p>	<p>Amendment to section dealing with applicants who are subject to the Council’s statutory homelessness duties (Part 7 of the Housing Act 1996)</p>	<p>This is being amended to reflect the changes in the Council’s homelessness duties introduced by the Homelessness Reduction Act 2017. The revision is intended to ensure that homeless persons receive a reasonable preference under the Allocations Policy but that this does not outweigh the level of priority awarded to other applicants with different housing needs (e.g. living at home with family). This will support the Council in providing advice and assistance to applicants who may be facing homelessness and avoid a situation where a person may feel that they will be in a better position on the Bucks Home Choice scheme if they become homeless (rather than working with the Council to remain where they are or make other housing arrangements).</p>
<p>App</p>	<p>Appendix 1- Amendments and additions to Priority Bands (Note – There are currently 4 Priority Bands – from the highest priority Band A to the lowest priority Band D)</p>	<p>The main changes are:</p> <ul style="list-style-type: none"> -Applicants who are severely overcrowded (any tenure) or who are under-occupying social housing have been moved from Band B to the highest Band A. This improves the chances of severely overcrowded household securing a social housing tenancy (rather than become homeless) and increase the prospect of under-occupiers being able to downsize. - Applicants living in insanitary conditions or significant disrepair have been moved from Band C to Band B (if the problems cannot be rectified). Again this improves the prospect of securing another tenancy rather than becoming homeless because the problem persists in the long term. -Applicants with care needs who are ready to move on with care and support packages are in Band B and C (depending on the individual circumstances) - Homeless households (including those in temporary accommodation) are now banded as Band D and Band E (see Reasons column for paragraph 6.4 for further explanation) - An additional Band E has been added which will become the lowest Priority Band. This will allow the scheme to meet the requirements of the new Homelessness Reduction Act 2017 by allowing the registration of households subject to the relief duty and other households who have been deemed non-priority, intentionally

		<p>homeless etc.</p> <ul style="list-style-type: none">- The additional Band E will also allow the scheme to meet the statutory requirements to register non-local connection Right to Move and "reasonable preference" applicants while ensuring that they are not awarded a higher priority than applicants who do have a local connection
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Bucks Home Choice

Allocation Policy



Home Choice

DRAFT

Draft Copy
July 2018

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1. Introduction

1.1 Introducing Bucks Home Choice

Section 166(A) of the Housing Act 1996 requires that every local housing authority in England must have an allocation scheme for determining priorities (and the procedure to be followed) in allocating housing accommodation.

Bucks Home Choice is the scheme that is used to allocate affordable housing in four local housing authority areas – Aylesbury Vale, Chiltern, South Bucks and Wycombe.

As the demand for affordable housing exceeds availability, Bucks Home Choice prioritises applicants so properties that become available are offered fairly and transparently. This document describes the policy in detail including who qualifies to apply for housing and how we give priority to different applicants based on their housing need.

Bucks Home Choice operates on the following basis:-

- Applicants register with the scheme
- Applicants are prioritised for re-housing based on their circumstances
- Available properties will be advertised
- Applicants can bid on properties they qualify to move to
- Bids on a property will be shortlisted in priority order
- The property will be offered in accordance with 6.1 of the policy.

1.2 Members of the Bucks Home Choice Partnership

The following District Councils are members of the Bucks Home Choice partnership:-

- Aylesbury Vale District Council
- Chiltern District Council
- South Bucks District Council
- Wycombe District Council

The four District Councils have chosen to jointly operate Bucks Home Choice and a common Allocation Scheme in order to:-

- Deliver value for money by operating a shared scheme and IT system
- Allow good practice and knowledge to be shared across the four districts
- Provide the opportunity for properties to be advertised across the Partnership allowing applicants to move from one district to another

The scheme applies to all properties in the Bucks Home Choice districts that are owned and/or managed by a Registered Provider and the Councils have the right to nominate to.

The term “Senior Housing Officer” has been used in this policy for ease of reference only. The exact titles of the officers within each organisation vary and may be subject to change from time to time. Each organisation within the Partnership will have designated officers responsible for the operation of the Bucks Home Choice Scheme and Allocation Policy and details of these officers are available from each organisation on request.

1.3 Aims of the Bucks Home Choice Partnership

The aims of the Partnership are:

- a) To meet the District Councils’ statutory requirements and ensure that priority for housing is given to those with the highest level of housing need.
- b) To give applicants as much choice as possible having regard to the statutory requirements and the availability of housing stock.
- c) To provide a common framework for allocations of affordable housing within the Partnership.
- d) To facilitate a degree of mobility within the Partnership.
- e) To help and encourage sustainable communities.
- f) To make the best possible use of all available housing stock.
- g) To allocate housing resources in a way that is as fair as possible.
- h) To make the process of allocating tenancies as open and transparent as possible.

The Partnership is also committed to:

- i) Preventing households from becoming homeless.
- j) Providing applicants with sufficient information to enable them to make the right choices about where they wish to live.
- k) Providing applicants with information on a variety of housing options to enable them to make informed decisions about their housing application.
- l) Ensuring that vulnerable people are able to make the most of Bucks Home Choice to meet their housing needs.
- m) Acting sensitively and treating all personal information as confidential.
- n) Ensuring customers are advised of their right to a review of decisions.

1.4 Equality Statement

This policy has been drafted in compliance with the requirements of the Equality Act 2010 and it has been subject to an Equalities Impact Assessment. Applicants will be asked to complete an equalities monitoring questionnaire. This information will be treated in the strictest confidence

1.5 Legal Background

This policy has been drafted to give due regard to the requirement to give reasonable preference to those categories of person set out in section 166A (3) of the Housing Act 1996.

In framing the Bucks Home Choice Allocations Policy, we have had regard to:

- The “Allocation of Accommodation: Guidance for Local Housing Authorities in England (DCLG – June 2012),
- The Localism Act 2011
- The Housing Act 1996 (additional preference for Armed Forces) (England) Regulations. The allocation of Housing (Qualification Criteria for the Armed Forces) (England) Regulations “Providing Social Housing For Local People: Statutory Guidance on Social Housing Allocations for Local Authorities in England” (DCLG – December 2013),
- “The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015 (SI 2015/967)” (DCLG – March 2015),
- The Bucks Tenancy Strategy and each of the District Councils’ Housing and Homelessness Strategies (see Appendix 5 for details). Homeless Reduction Act 2017

1.6 Policy Contents

This policy sets down:

- How applicants can apply to the Bucks Home Choice scheme
- Who is a qualifying person to join Bucks Home Choice
- Who is eligible to join Bucks Home Choice
- How an applicants’ priority is assessed.
- How members of the Partnership will determine priorities in allocating housing accommodation.
- How properties are advertised and let.
- How applicants can ask for a review of a decision.
- How the policy will be monitored and reviewed.
- How the Partnership will comply with the Data Protection Act.

This policy does not cover offers of licences, non-secure, or assured shorthold tenancies granted to homeless households in pursuance of any member of the Partnership’s homelessness duties under Part 7 of the 1996 Act. This policy does not cover offers of tenancies excluded from an allocation scheme by virtue of S.159 (4A) and s.160 of the 1996 Act.

This policy is available, on our website www.buckshomechoice.gov.uk or applicants can request for a copy of the policy to be sent to them.

2. Eligibility and Qualification

2.1 Registering on Bucks Home Choice

In order to register for Bucks Home Choice, an applicant must:-

- Be aged 16 years or over (upon allocation of a property an applicant aged 16 or 17 years of age will be required to have an adult who can hold a tenancy as a trustee until they are 18.)
- Be eligible for an allocation of housing under Part 6 of the Housing Act 1996, and
- Qualify for the Bucks Home Choice scheme.
- Where two persons apply jointly for housing, at least one of the applicants must be eligible. A joint tenancy cannot be granted when one of the applicants is not eligible. The application will be made in the name of the applicant who is eligible and a sole tenancy will be granted.
- Must be residing in the United Kingdom

2.2 Eligibility for an allocation of housing

Under Section 160ZA of the Housing Act 1996, an applicant will not be eligible for an allocation of housing if he she is:

- A person subject to immigration control within the meaning of the Asylum and Immigration Act 1996 (unless he is of a class prescribed by regulations made by the Secretary of State).
- A person who falls within a class of persons from abroad who have been prescribed by the Secretary of State as being ineligible to be allocated housing accommodation by a local housing authority.
- A person who falls into any other class of person prescribed by the Secretary of State as not qualifying to be allocated housing accommodation by a local housing authority.

An applicant who is not eligible for an allocation of housing under Section 160ZA of the Housing Act 1996 cannot register with Bucks Home Choice regardless of the applicant's personal circumstances.

2.3 Persons who do not qualify to join the Bucks Home Choice scheme

Under Section 160ZA (7) a local housing authority may decide what classes of persons are, or are not, qualifying persons for an allocation of housing accommodation.

The following classes of person are not qualifying persons for the Bucks Home Choice scheme:

- A person whose circumstances do not meet the criteria of any of the Priority Bands set down in Appendix 1.

- A person who does not meet the local connection criteria set down in Section 2.3.2.
- A person who is an owner occupier of a property (See 2.3.3)
- A person with current or former tenancy rent arrears owed to a Registered Provider or private landlord unless the Council is satisfied that action is being taken to resolve the arrears (See 2.3.4)
- A person who is an applicant or a member of the applicant's household and is considered guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant and at the time of the application for housing and they are still considered unsuitable to be a tenant by reason of that behaviour (see 2.3.5).
- A person is not a qualifying person if the household's income, assets or savings are sufficient to enable them to source accommodation in the private sector..
- A person who formerly owned a property within the last five years will be asked to provide evidence of the sale and details of any capital gained from the sale to determine their qualification. If applicants disposed of capital without making adequate housing arrangements, they will not qualify.
- An person who has previously purchased a property under the Right to Buy or Right to Acquire will not be able to join the housing register
- To promote tenancy sustainability, applicants who have been housed into a social rented property will not be able to re-apply for housing unless there has been a change of circumstances and the applicant now falls into reasonable preference category A-C.
- A person who has any outstanding related housing debt with the local authority's housing department to whom you are applying to will be non-qualifying. A housing related debt could be former tenant arrears whilst in temporary accommodation, former tenant arrears whilst holding a previous tenancy or you have failed to repay loans provided to you by the local authority when providing you with accommodation.
- A person who has deliberately provided false information
- A person who is considered to be adequately housed as detailed in 'size and type of property for which applicants are eligible' (5.5) but are not using the bed spaces within their property to its optimum capacity. This includes where there is an additional reception room or dining room that could be reasonably used as a bedroom.

The Bucks Home Choice Partnership reserves the right in exceptional circumstances to register a household with the scheme even if the household falls into one of the non-qualifying classes set down above. Any decision to register a non-qualifying household will be subject to authorisation by the Senior Housing Officer of the partner Council receiving the application and will be based on the individual circumstances of the household concerned. In event of a decision being made to register a non-qualifying household, the partner concerned will record full details of the reason for the decision.

2.3.1 Non-Priority

Those persons who do not fall into any of the priority bandings set out in Appendix 1 are considered to be adequately housed and therefore not qualifying persons.

2.3.2 Local Connection

An applicant must have a local connection to at least one of the following District Councils in order to qualify for Bucks Home Choice;

- Aylesbury Vale
- Chiltern
- South Bucks
- Wycombe

An applicant is deemed to have a local connection with a district if the applicant:

- Is living and has lived in a district continuously for at least 2 years immediately preceding the date of the application. If an applicant has lived out of the district for a single period of up to 4 calendar months whilst registered they will retain a local connection. If an applicant has lived outside of the district for a single period exceeding 4 calendar months (or for multiple periods) and the applicant does not meet the reasonable preference categories set down in Appendix 3, their housing register application will be cancelled.
- If an applicant is working and has been in continuous employment in a district for at least 2 years immediately preceding the date of the application and has worked for a minimum of 24 hours per week throughout that period. Employment is described as having a permanent contract, or working under contract as temporary member of staff. Location of work is determined by an applicant's main place of work. If an employee's head office is in the area but the location of work is outside the actual area when it is carried out, this cannot be considered as being the main place of work.
- If an applicant has changed employer within the district, or their hours have reduced, to below 24 hours per week, for no more than 4 calendar months, they will retain a local connection. Any applicant who no longer retains a local connection and does not meet the reasonable categories set down in Appendix 3 will have their housing register application cancelled.
- A person who has found accommodation in a supported housing unit within the Bucks Home Choice Partnership will retain a local connection with the area they were living in before moving into supported accommodation.

If an applicant does not meet criteria above, then the applicant will not be a qualifying person for Bucks Home Choice. The only exceptions to this are applicants who:

- a) Are aged 55 or more and seeking accommodation designated solely for person aged 55 or more and the household's income, assets or savings are sufficient for them to source accommodation in the private sector. See Appendix 6
- b) Are subject to the main housing duty under Section 193 of Part 7 (Homelessness) of the Housing Act 1996 by Aylesbury Vale, Chiltern, South Bucks or Wycombe District Councils (in this event the applicant will qualify solely to go onto the Housing Register administered by the District Council that has accepted the duty)
- c) Are serving in the armed forces or who have served in the armed forces within the five year period immediately preceding the application
- d) Have recently left ministry of defence accommodation because of the death of a spouse, who served in the regular forces
- e) Are serving or have previously served in the reserve forces and are suffering from a serious injury as a result of this service
- f) Persons who were required to live outside of the district for reasons out of their control (i.e. placed in care,) and who had a local connection to the district immediately prior to moving away.
- g) Prisoners who have been released from prison and had a local connection to the district immediately prior to going to prison.
- h) Persons who meet the criteria as set out in the Right to Move Regulations.
- i) Persons who do not meet the local connection criteria but meet the criteria for one or more of the reasonable preference categories set out in appendix 3

If an applicant meets any of the criteria listed in (a) to (i) above they will be deemed to qualify for Bucks Home Choice regardless of whether or not the applicant has a local connection to a district.

For the purposes of determining a local connection the following living arrangements will not be taken into account:

- Occupation of a mobile home, caravan, motor caravan, or houseboat which is not placed on a residential site; or
- Occupation of a holiday letting which includes a permanent building, hotel or bed and breakfast accommodation for the purposes of a holiday letting.
- Applicants placed in an institution, prison, hospital or in one of the districts who otherwise have no local connection.

2.3.3 Owner Occupiers.

A person is considered to be an owner-occupier for the purpose of this policy if they are the owner or joint owner of any residential property regardless of location. They will not be a qualifying person unless;

- It is not possible for the person to remain in their current address (e.g. because adaptations are required and cannot be undertaken) and the person does not have sufficient financial resources available to secure other accommodation without the Council's assistance.

In considering the issues raised in this section, the District Council managing the application will take specialist advice as required (e.g. from an Occupational Therapist).

If an applicant has a legal, financial or beneficiary interest in a property, the full circumstances will be investigated. If the applicant is able to realise his/her interest in the property and it would be sufficient to secure alternative accommodation without the Council's assistance, the applicant will be considered to be an owner occupier.

2.3.4 Rent Arrears

- a) An applicant who has been evicted from a previous tenancy on the grounds of rent arrears within the five year period preceding the date of application (or who voluntarily surrendered a tenancy in advance of a warrant for possession being executed on rent arrears grounds) will not be a qualifying person for Bucks Home Choice unless the arrears have been cleared in full.
- b) Where an applicant or a member of his household owes rent arrears to a current or former landlord, at the time of the application or at any period during the application they will be placed in a Band E until such times as they provided evidence that the arrears have been cleared. Once confirmation has been received the application will be reassessed in line with the Bucks Home Choice Allocation Policy.

Where the rent arrears have arisen due to exceptional circumstances beyond the applicant's control the Council may depart from this policy and the decision will be referred to a Senior Officer.

Registered Provider tenants transferring who have accrued rent arrears solely through a shortfall in housing benefit due to under-occupying their property may apply to the housing register. Each case will be looked at on an individual basis by a Senior Officer; the tenant must be able to demonstrate that they are trying to resolve the situation at an early stage by seeking a smaller property and making an attempt to cover any shortfall.

The provisions in (a) will not apply if the District Council has accepted a main housing duty under Section 193 of Part 7 (Homelessness) of the Housing Act 1996. The Council will contact the current or former landlord of the applicant or any member of his or her household to confirm the facts.

2.3.5 Unsuitable for Tenancy - Unacceptable Behaviour

Unacceptable behaviour is behaviour that renders the applicant unsuitable to be offered a tenancy.

If an applicant or any member of the applicant's household is considered to be guilty of unacceptable behaviour or considered to be causing or involved in activities that may be considered unacceptable behaviour, that is serious enough to make them unsuitable to be a tenant at the time of the application for housing, then they will be considered unsuitable to be a tenant by reason of that behavior.

Any decision made in respect of the applicant's behavior making an applicant unsuitable to be considered a tenant, will consider the timing, pattern and seriousness of the behavior and an applicant's engagement with appropriate services.

Examples of Unacceptable Behavior could be and are not limited to:

- a) Having been evicted for anti-social behaviour or rent arrears on a previous tenancy, either with a Registered Provider or Private landlord in the last 5 years.
- b) Conviction for illegal or immoral purpose.
- c) Causing nuisance and annoyance to neighbours or visitors.
- d) Committing certain criminal offences in or near the home and still posing a threat to neighbours or the community
- e) Being violent towards a partner or members of the family.
- f) Being verbally or physically abusive towards a member of one of the partnership's staff
- g) Allowing the condition of the property to deteriorate.
- h) Allowing any furniture provided by the landlord to deteriorate due to ill treatment.
- i) Obtaining a tenancy by deception, for example, by giving false or misleading information.
- j) Paying money to illegally obtain a tenancy.
- k) Having lost accommodation provided in connection with employment due to conduct making it inappropriate for the person to reside there.
- l) Subject to an Anti-Social Behaviour Order
- m) Breaking the terms of a tenancy agreement and a notice to quit has been issued.

If an applicant is accepted onto the Housing Register and is subsequently found to be guilty of unacceptable behavior (including one of (a) to (m) above) then the managing member of the Partnership will review the application and may remove the applicant from the Housing Register.

2.3.6 Right to a Review of a Decision of a Non Qualifying Person

If the managing partner has made a decision that an applicant is not a qualifying person and cannot join Bucks Home Choice, the applicant will have the right to request a review of this decision within 21 days of being notified of the decision. The review will be undertaken by a Senior Housing Officer who

was not involved in the original decision. The decision will be made within a 56 day period.

3. Applying and registering for Bucks Home Choice

3.1 Applying to Bucks Home Choice

An applicant for Bucks Home Choice must apply to go on to one of the four District Housing Registers. The applicant must have a local connection to the District concerned in order to qualify for the District Housing Register (e.g. an applicant for the Aylesbury Vale District Housing Register must have a local connection with Aylesbury Vale). The full definition of what constitutes a Local Connection is in Paragraph 2.3.2.

Where an applicant has a local connection to more than one District, the application will be managed and maintained by the district where the applicant has a residential local connection (i.e. where the applicant has lived for at least 2 years).

An applicant who does not have a local connection but is still a qualifying person can apply to go on to the Housing Register of any of the four Districts.

3.1.2. Applications from staff, elected council members or their family members

A person who is a member of staff of the Partnership, their close family and elected members in the Partnership may apply for housing in the same way as other applicants. A close family member is a parent, sibling or adult child. Their status should be disclosed on the application form at the time of applying. Any applicant making a successful bid for a property and subsequent letting must be approved by the appropriate senior officers.

3.2 Registration form and supporting information

To apply to go on the housing register, applicants are required to complete an on-line application process at www.buckshomechoice.gov.uk. Assistance from staff will be made available to applicants needing to make an on-line application. There are two stages to an application;

Stage 1 – This is a pre-assessment process which takes details from the applicant and determines what housing options are available to them. This will include the option of making a Bucks Home Choice application if the information provided indicates that the applicant is eligible and will qualify for scheme.

Stage 2 – If the Stage 1 pre-assessment indicates that the applicant is eligible and qualifies for Bucks Home Choice, the applicant will then have the option of making a formal application to the Bucks Home Choice scheme.

After assessment, if the applicant is accepted onto the register they will receive written confirmation of the following information:

- Their unique reference number, which allows them to express interest via Bucks Home Choice.
- The Priority Band in which the application has been placed.
- The date that the application was registered.
- The size of the property for which the applicant is likely to be able to bid for.

Applicants must also provide the information and evidence that is required to enable the Partnership to check and assess their eligibility and housing need. If an applicant fails to provide the requested information within 28 calendar days their application will be cancelled.

The Partnership will make any enquiries necessary in order to determine an applicant's eligibility to join the housing register and their level of priority for housing. When completing an on-line application and declaration, applicants are authorising the Partnership to make reasonable and relevant enquiries as are required to complete the assessment. When signing the application, applicants are also authorising the Partnership to disclose information to other parts of the Council and other agencies in order to verify the application.

Applications will normally be assessed, once all the required information has been provided, within 10 working days.

If an applicant is ineligible or does not qualify to join the housing register they will be informed of the reasons for this decision and advised of the review process.

3.3 Persons to be included in an application

An application for the Bucks Home Choice scheme will comprise of the lead applicant and any members of the applicant's household who require re-housing with the applicant. For the purposes of Bucks Home Choice, the applicant's household will normally comprise the applicant together with his/her partner (if applicable) and any dependent children (if applicable) who might reasonably be expected to reside with the applicant.

In assessing an application, the managing partner will assess who reasonably requires re-housing with the applicant. This will include consideration of the circumstances below.

Any non-dependent adult over the age of 21 and not in full time education may not be considered as part of the household and are able to make an application in their own name.

Household members who have always been living as one household will only be considered as part of the household if they are unable to live

independently which will require an assessment from Adult Social care and or medical professionals to support the request at the time of application.

For the purpose of assessing an application, dependent children are expected to share rooms with other children in the same extended family regardless of whether they are siblings.

3.3.1 Carers

If an applicant wishes to include a carer in the application, then in all cases the carer must have been identified by the applicant as the person who is primarily responsible for providing the applicant with care and the carer must need to live with the applicant to provide this care.

Even if a carer is in receipt of carer's Allowance this does not mean that it is necessary for them to reside with the person who is being cared for. Many carers provide over 35 hours a week support whilst living in their own home. An application to include a carer in a housing application will be considered if the applicant has been assessed by Social Care as needing to receive overnight support and the persons care package that they would supply supports overnight care. In these circumstances a copy of the Care Package will be required.

3.3.2 Separated Parents and Dependent Children

If an applicant is a separated parent and wishes to include his/her child in the application, the managing partner will assess whether or not the child resides with the applicant. This assessment will consider all circumstances including:

- Residence Order for the child
- Which parent is the recipient of Child Benefit and Tax Credits
- The existing residence arrangements for the child (i.e. where does the child currently stay with each parent?)
- Any other relevant information

In the case of children, the test of normal residence as a member of the family will require residence as opposed to 'staying' or 'staying access' even in cases of joint custody or joint residence or similar orders. The Council in applying the residence test will consider whether there is a sufficient degree of permanence or regularity to constitute normal residence as a member of the family. Account may be taken of whether the child is dependent upon the applicant. The Council may also take account of the supply and demand for accommodation, the general housing circumstances within the district and any under-occupation that may result where a child spends part of a week with one parent and part of a week with another.

3.3.3 Split families

Where the family unit is not currently residing together and they have previously lived together as a family unit and there is a reasonable

expectation that they should reside together the family will be considered as a split family. Assessment of priority band will consider the accommodation currently available by the different parts of the family and will be based on the accommodation that better suits the family's needs at the time of the application.

3.3.4 Support Needs

Where an applicant has been assessed as having support needs they will not be offered accommodation until they can demonstrate that they have engaged with the appropriate services and have a continuing support plan for tenancy sustainment. This is to ensure that an applicant with support needs will be able to manage a tenancy and reduce the risk of repeat homelessness. The partner that is managing the application will consult partner agencies as required.

3.4 Right to Move

In order to meet the criteria to qualify to join Bucks Home Choice under Right to Move the applicant must:

- be a social housing tenant
- have reasonable preference because of a need to move to the local authority's district to avoid hardship
- need to move because the tenant works or has been offered work in the district of the authority
- and has a genuine intention to take up the offer of work.

Local authorities must be satisfied that the tenant needs, rather than wishes, to move for work reasons. As well as other factors the authority should take into consideration the nature of work and whether similar opportunities are available closer to home.

3.5 False or withheld information

Under section 171 of the Housing Act 1996 it is an offence for an applicant to knowingly or recklessly give false or misleading information or knowingly withhold information relevant to their application. Under the Act, the Local Authority has the power to take action against an applicant which could result in a fine of up to £5000.

An offence is also committed if the applicant allows a third party to provide false information on his or her behalf, or at his or her instigation.

If an applicant, or a person acting on his or her behalf, has given false information or withheld information it could:

- Affect an applicant's eligibility to join the housing register;
- If appropriate, result in the applicant not being given preference at all.
- If appropriate, be taken into account in prioritising applicants who have reasonable preference

Where there is an allegation or suspicion that a person has given false information, or has withheld information, the application will be suspended pending the outcome of an investigation. If it has been established that an applicant has provided false information the person will be deemed not to be a qualifying person.

3.6 Giving applicants advice and information

The Partnership will provide advice and information to help applicants to make the most of Bucks Home Choice to meet their housing needs. This will include:

- How to apply to join the housing register and what supporting information applicants will be required to provide.
- Help to fill in the housing registration form (by prior appointment).
- The meaning of the priority bands and how this affects the time individual applicants are likely to have to wait.
- Advice on how to bid on a property, and how to obtain help to bid.
- Advice on other options for housing such as private renting or shared ownership.

Where an applicant is assessed as being a non-qualifying person, the applicant will be given advice and information on the other housing options open to them.

3.7 Renewal of applications and changes of circumstances

Applicants must renew their applications once a year and they will receive a reminder and information on how to do this on the anniversary of the date of their application.

Applicants must also notify the member of the Partnership with which they are registered of any changes in their circumstances, such as a relationship breakdown, an older child leaving home or a baby being born.

3.8 Suspending or Cancelling an Application

An application will be suspended if:

- An applicant has been asked for information to support an application and a reply is awaited.
- An applicant has changed address and not provided a change of circumstances form.
- An applicant has been asked to provide information from their support agency or worker to support their application and a reply is awaited.

If suspended, an applicant will not be able to bid for properties.

An application will be cancelled if:

- The applicant has asked for it to be cancelled.

- The applicant has been rehoused via Bucks Home Choice.
- The applicant has exchanged a property with another tenant and is now deemed to be adequately housed.
- The applicant has moved and not told us of their new address.
- A Partner has written or emailed the applicant about the application and there has been no response within 28 days.
- An applicant has not provided within 28 days all the information that has been requested and is reasonably required to support the application.
- A Partner has evidence that the applicant no longer qualifies for housing.
- The applicant has not responded to an offer of housing.
- The applicant has given false or misleading information.
- The applicant's circumstances have changed and the applicant no longer has a housing need or local connection under this policy.

In the event of an application being cancelled the partnership reserves the right to re-instate an application at its discretion.

4. Assessment and Prioritisation of Applicants

The Partnership will assess the relative priority of applicants in two stages:

Stage One – Banding (See 4.1)

This assessment takes place when an applicant applies to join the housing register and his or her eligibility and priority are assessed. This policy ensures that reasonable preference is given to applicants who satisfy one or more of the categories listed in Appendix 1. It also seeks to ensure that the landlords in the Partnership are able to make the best use of their stock, and deal effectively with housing management issues.

The assessment of an application will take into account any accommodation that the applicant is currently entitled to occupy and any medical and welfare needs. When assessing for lacking bedrooms a second living room that is suitable to be used as sleeping accommodation will be treated as a bedroom,

An applicant is entitled to occupy accommodation:

- As an owner, lessee, leaseholder or tenant or by virtue of a court order.
- Express or implied license to occupy i.e. as a lodger or living with relative.
- Any other enactment or rule of law giving a person the right to remain in occupation or restricting the right of another person from recovering possession.

Worsening of housing circumstances.

An applicant must not do (or fail to do) something for the purpose of worsening their housing circumstances. When such a situation arises, the managing partner will carefully assess the change of circumstances and consider the facts of the case. The assessment of an application in these

circumstances will take into account the applicants circumstances prior to the act.

For an applicant to have worsened their circumstances, there must be evidence that it would have been reasonable for the applicant to have remained in their previous accommodation.

Examples of an applicant undertaking an act for the purpose of worsening housing circumstances are set out below;

- Abandoning a previous suitable tenancy.
- Moving without good reason to accommodation which is more overcrowded or is considered more unsatisfactory or insanitary than their previous accommodation.
- Selling a property or giving notice on a tenancy without having alternative accommodation available to them.
- Allowing a property to become overcrowded by inviting additional households to move in.
- Moving out of a property when housing advice has been provided for the applicant to remain in their existing accommodation.
- Moving out of an adapted property into an unsuitable or un-adapted property.
- Moving out of a property due to financial reasons when the property has been assessed as being affordable by the partnership.
- Having sufficient funds available to purchase or to rent suitable accommodation in the private sector and choosing not to do so.
- Refuse an offer of private rented accommodation in order to get a banding on BHC.
- A statutory homeless household refusing a suitable final offer
- Collusion with landlord or family member to obtain notice to quit.

If an applicant is assessed as having worsened their housing circumstances, and they qualify to join the scheme, they will be placed into band E for a period of 12 months. An applicant can then request that their application be re-assessed after this period. All relevant facts and information available will be considered in the re-assessment process.

Stage Two – Shortlisting (See 6.1)

This assessment takes place when an applicant has bid on a property.

If more than one applicant bids on a property, they will be placed on a shortlist. The policy states how the relative priority of applicants on a shortlist will be determined.

4.1 Priority Bands

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Applicants will be placed in a Priority Band, taking into account the information they have provided with their housing application. The criteria for the Bands are given in Appendix 1.

When a change of circumstances results in a change of banding to a higher band the priority date of the banding will be amended to the date of acceptance onto the new band. Should a change in circumstances result in the band being lowered the date of application will remain.

4.2 Assessment of Medical Needs

Members of the Partnership have appointed a qualified medical advisor whose advice may be sought when assessing whether to place an applicant in a higher priority band on medical grounds.

Applicants with serious medical problems may complete a self-assessment form. A Housing Officer will consider the information provided and make an assessment as to whether any medical priority should be awarded. In some cases the managing partner will seek the medical advisor's opinion before reaching a decision. They will consider the medical advisors opinion along with all other relevant information in order to determine whether a priority band should be given and also any recommendation for the type of housing required (e.g. ground floor or adapted accommodation).

If applicants have been assessed as having a medical need they will be advised of the type of property that would be considered as suitable. Bids placed by the applicant on properties not meeting the criteria recommended will not be considered for the property.

When making a decision whether to award a priority on medical grounds, the Housing Officer will look at:-

- How the current accommodation is causing or affecting the medical condition.
- How social housing would improve it.
- The severity of the effect that housing is having on the medical condition.
- The duration of the condition and any expected recovery time.
- The severity in comparison to the housing needs of other applicants.
- Whether other options are viable that could improve the situation.

Following the assessment a decision will be made whether to award a priority banding. The bandings are below:-

- **Band B “Severe”** – The current housing is having a severe impact on the applicant's (or family members) health and their health will deteriorate if the applicant is not moved to a suitable property.
- **Band C “Adverse”** – The current housing is having an adverse impact on applicant's (or family member's) health. Their health will not

deteriorate in current accommodation, but the adverse impact will be reduced if the applicant moves to more suitable accommodation.

An applicant has a right to request a review of a decision not to award medical priority. Following the outcome of that review, the managing partner will not undertake any further assessment for 12 months unless there is a significant change in circumstances.

Applicants who have been awarded a medical priority to take into account difficulty with stairs and the need for ground floor accommodation will not usually be considered for a property with either internal or external stairs unless there are appropriate adaptations in place.

Medical bandings will not be awarded to those households in temporary accommodation provided by the District Council in pursuance of their homelessness duty. Any request for a review of suitability of temporary accommodation will be dealt with outside of the Bucks Home Choice Allocation Policy and via the current homelessness legislation.

4.3 Assessment of welfare needs

Some applicants may need to move on welfare grounds that are not related to a medical condition.

It is not possible to state all the circumstances that will justify reasonable preference on welfare grounds, and each case will be assessed individually. A panel of officers will assess each application, and will record their decisions to ensure equality and consistency is maintained.

The panel will comprise of at least two senior officers of the partnership who will consider the following factors to ensure consistency when assessing welfare cases:

- Is the applicant's current housing situation having an adverse effect on their welfare?
- If so, can the adverse effect on the applicant's welfare be resolved without the need to move?
- If the adverse effect cannot be resolved in the applicant's current housing situation, can it be resolved by re-housing elsewhere? (Consideration will be given by the panel to ensure that, where there is a risk to the applicant's safety and well-being, any move will reduce that risk. This may require a move away from the applicant's current district).
- Will the applicant suffer hardship if they do not move to a particular location in the local authority district? (Where an applicant is applying to move to live near a relative to give/receive support, the panel will consider if there is evidence to support the application. These may include confirmation from support services, evidence of Carers Allowance and any other information that the Partnership feels is relevant to the application).

In the event that the panel accepts that:

- An applicant needs to move on welfare grounds, but
- The Bucks Home Choice scheme cannot deliver a suitable move (e.g. because the applicant needs to move out of the partnership area).

The partner managing the application will liaise with the applicant and relevant agencies to identify a suitable course of action to address the welfare needs.

4.4 Reviewing of Welfare and Medical Priority Banding

The Partnership reserves the right to review the applicant's priority banding on an appropriate periodic basis. Applicants are expected to be actively looking for and bidding on available properties on Bucks Home Choice. In certain circumstances the Partnership may make a direct allocation of an appropriate property. Any reviews will take into account bids that have been made by an applicant, offers made and refused, along with the particular circumstances of the case.

If an applicant has been placed in Priority Band A (Welfare) or B or C (Medical grounds) and has failed to bid for any properties or accept a direct offer of accommodation, the Partnership reserves the right to review the Priority Band.

In conducting the review the managing partner will take into consideration the following:

- Have there been any properties advertised that would have met the applicant's needs?
- If so did the applicant apply for them?
- Why were the bids unsuccessful?
- Did the applicant receive appropriate support in accessing the bidding cycle?
- Are the applicant's circumstances the same?

On completion of the review a decision will be made whether the priority banding continues to apply. This may result in the application being removed where, without this priority banding, they would not otherwise qualify to join the housing register.

5. How properties will be advertised and let

5.1 How properties will be advertised

Properties will be advertised weekly in a variety of formats and locations.

- On the Bucks Home Choice website
- In the offices of members of the Partnership

- Personalised property lists may be posted to applicants who are housebound or cannot use any of the other methods

The Partnership may choose to vary the timing of the cycle for advertising properties. Any such variation will be subject to the agreement of all partners.

5.2 Advertising criteria

Each property advert will have information on the location, size and type of Property and any criteria that applicants must satisfy in order to be eligible for shortlisting.

Some properties may have letting restrictions for example no pets or age restrictions

Priority for family sized accommodation of two bedrooms or more with access to a garden will be given to households with all children under the age of 16 unless medical evidence of the need for a property with a garden exists.

Properties that have two reception rooms may be considered as having an additional bedroom to assist where necessary with housing larger families where larger accommodation is not available.

Any restrictions will be explained in the advert and applicants who do not meet the criteria will not be nominated for the property.

5.3 Properties advertised within the District Council areas

An applicant will only be able to bid for a property that is:

- Advertised via a Partner where the applicant has a local connection with the Partners' district or,

Advertised across the Partnership and is available to all Bucks Home Choice applicants who require the size and type of property concerned (regardless of which District(s) the applicant has a local connection with).

5.4 Properties advertised across the Partnership

One of the aims of Bucks Home Choice is to enable some applicants to move within the Partnership. In order to achieve this, properties that do not have a high local demand will be advertised as being available for any applicants who are registered with Bucks Home Choice, regardless of the District(s) with which they have a local connection.

The Partnership will monitor how many properties are advertised, and how many are let in this way. It will also monitor how many properties are let to applicants who do not have a local connection. This monitoring will enable the Partnership to assess whether applicants are finding some flexibility in

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where they can choose to live, whilst ensuring that the District Councils continue to be able to meet their Statutory Duties.

Where a property has been advertised for three advertising cycles and the property has received no appropriate bids the Partnership reserve the right to consider allocation of the property to people outside of the Bucks Home Choice scheme.

5.5 Size and type of property for which applicants are eligible

In order to make the best use of the available housing stock, it is essential to let properties to those who need that size and type of property to:

- Avoid creating overcrowding or under-occupation when letting a property
- House families with children under the age of 16 into properties with gardens.
- Minimise the risk of the applicant being unable to afford rent payments on the property that is being let
- Prioritise large families with four or more children for properties with two reception rooms

When deciding the size and type of property that an applicant is entitled to bid for, the Bedroom Standard will normally be used as 1 bedroom for each of the following:

- a) Adult or adult couple
- b) Two children of the same sex aged under 21
- c) Two children of different sexes when the eldest is aged under 10
- d) Any other child

More information is available in Appendix 2.

In exceptional circumstances the Senior Housing Officer may exercise discretion in deviating from the Bedroom Standard. In all cases applicants will need to demonstrate the property is affordable at the time of offer. Examples are:

- Where applicants require larger accommodation on health grounds, the Senior Housing Officer will consider this on a case by case basis, taking into account the advice of a qualified medical advisor appointed by the Partnership.
- Where there is little or no demand for a particular property.
- Where the applicant has been approved as a foster carer by Buckinghamshire County Council, and so will need a larger property than normally required by the household.
- Where the applicant or a member of the household needs the support of a carer who will need to sleep in the home and cannot reasonably be expected to share a bedroom with another member of the household. (See section 3.3)

5.6 How applicants bid on a property

Applicants may bid on up to three properties for which they are entitled in any one advertising cycle, this can be done;

- On the Bucks Home Choice website
- In person at one of the Partnership's customer service centre
- Telephone bidding by contacting relevant partner

Applicants who find it difficult to bid may ask an advocate or support worker to do so on their behalf. Help will also be available via the Partners and special arrangements will be made for vulnerable applicants who are unable to bid without help.

It is not possible for an applicant to view a property before making a bid.

6. Prioritising and Lettings

6.1 Determining priority between shortlisted applicants

Where more than one applicant bids on a property, they will be placed on a shortlist. Any applicant who bids on a property where they do not satisfy the advertised criteria will not be included on the shortlist. The reasons for this could include, but not be exclusive to, the following:

- a) The applicant's household size does not meet the Bedroom Standard.
- b) The applicant does not satisfy the age limit or mobility level as advertised.
- c) Has failed to meet any other advertising criteria.

The details of how applicants are awarded a Priority Band are given in Appendix 1.

For each property the applicants' bids will be ranked in the following order:-

- a) Local Connection
- b) Priority Band (Band A applicants will have a higher priority than Band B, and so on)
- c) Date of priority Banding
- d) Date of Registration

If the applicant with the highest priority on a shortlist refuses the offer, the property will then be offered to the next applicant on the shortlist. Age limited restrictions will be clearly indicated in the advert, if the applicant does not meet the specified restrictions, any bid placed on such a property will not be considered.

It should also be noted that:-

- a) If an applicant bids for a property and has rent arrears, then the bid will not be accepted and the application will be placed into a band E until the arrears have been cleared (see section 2.3.4). Once the arrears are cleared the application will be re-assessed and a banding awarded. The banding date will take effect from the date of the re-banding.
- b) Some advertised properties may be subject to a Local Lettings Policy (see section 6.2)
- c) The prioritisation of short-listed applicants will be based on the priority banding of each applicant as it stood at the point when the advert cycle closed.
- d) The prioritisation and allocation process will take account of any additional criteria set down by the landlord for the occupation of the property. Where a property has specific adaptations (e.g. wheelchair access, ramps, level access shower), priority will be given to applicants who require the adaptation in the property.

The District Councils do not own any housing stock and will make nominations to the Registered Provider who is advertising the vacancy. On some occasions nominations may be refused by the Registered Provider as they will have their own Allocations Policy which may differ from Bucks Home Choice.

In most cases the Registered Providers will undertake a financial assessment of your finances to ensure that you can afford the property before making you an offer of affordable accommodation.

6.2 Local lettings policies

Section 167(2E) of the 1996 Act enables housing authorities to allocate particular accommodation to people of a particular description, whether or not they fall within the reasonable preference categories.

Local lettings policies may be used to achieve a wide variety of housing management and other housing policy objectives. So for example, local lettings policies may be used to lower the proportion of older children/young adults on an estate to reduce the incidences of anti-social behaviour; or to deal with concentrations of deprivation by setting aside a proportion of vacancies for applicants who are in employment.

Local lettings schemes (LLS) will be designated by Registered Provider's following detailed consultation with the District Council and an assessment on the impact of a LLS. Once agreed these schemes will have their own allocation criteria. LLS will be put in place for a specific area or estate and will be set up in response to particular local circumstances.

The aim of LLS is to work towards more balance within local communities to result in outcomes that reflect the wider community and address issues such as child density and the proportion of households in employment in one area or estate.

Working towards more balanced communities may mean a housing mix of:

- Different household types/client groups
- Households of different ages and/or with children of different ages
- People who are in paid employment and those who are not in paid employment
- Families which have one child and those that have two children.

The precise approach to be adopted will reflect the particular problems/issues of an area, estate or development of new build properties.

From time to time a member of the Partnership may adopt a local lettings policy that will apply to a proportion of the properties that it advertises. All such local lettings policies will be published on the Bucks Home Choice website and will be available by request. The local lettings policy will state clearly the justification for its adoption and operation.

In some cases, a housing scheme may be subject to planning conditions that restrict who is permitted to occupy the accommodation (e.g. a rural housing scheme where occupancy is limited to people with a local connection).

When a property is subject to a local lettings policy or planning conditions, the advertisement will state the restrictions and which applicants are permitted to bid.

6.3 Direct allocations

In certain circumstances members of the Partnership reserve the right not to advertise a property and allocate it directly to an applicant, or to allocate a property that has been advertised directly to an applicant. The following are examples of circumstances where a direct allocation may be made.

- a) Where a person has been assessed as needing an urgent move as a result of violence or threats of violence or through the National Witness Protection Service.
- b) Where a sensitive letting has to be made, for example for a vulnerable person, or a sex or violent offender and is subject to MAPPA., or to deal with a severe housing management problem, where the Council considers that a direct allocation is more appropriate than requiring or allowing the applicant to bid on a property.
- c) Where the applicant is a homeless person and the Council has accepted a full Housing Duty under Section 193 of Part 7 (Homelessness) of the Housing Act 1996 and the applicant has failed to regularly participate in bidding for properties which the District Council in question considers suitable. This means that applicants should bid for the maximum permitted (and available) properties regardless of the property type (for example flats/houses).
- d) Where an applicant demonstrated an urgent need to move due to serious imminent personal risk or severe harassment.
- e) Where the applicant is a homeless person where the Council has accepted a full housing duty under Section 193 of Part 7 (Homelessness) of the Housing Act 1996 and the applicant is:

- in temporary accommodation,
 - has bid on a property or properties,
 - has not been successful, and
 - there is a strategic need to move that applicant from the temporary accommodation to make way for another homeless applicant.
- f) Where a property is identified as having adaptations or suitable adaptations a Direct Allocation may be made.

In c) and e) above, if the applicant is in accommodation secured under Section 193 of the Housing Act 1996 and the applicant refuses a suitable offer of accommodation then the District Council that is securing the accommodation under Section 193 will discharge its duty and will take possession proceedings to bring an end to the accommodation. When making a direct allocation, the preferences of the applicant will be taken into account as far as possible.

6.4 Applicants subject to duty under Section 193 of Housing Act 1996 (Homelessness)

Where a Bucks Home Choice applicant has also made an application for assistance to the District Council under Part 7 (Homelessness) of the Housing Act 1996 then the priority awarded to the applicant will be based solely on the status of their homelessness application in accordance with the relevant category set down in the Priority Bands in Appendix 1.

In these cases, the assessment of the priority band will not consider any factors set down in the other reasonable preference categories. Any issues relating to the suitability of the applicant's temporary accommodation will be addressed by the relevant District Council in accordance with the requirements of Part 7 of the housing Act 1996 and the associated guidance.

Further details of specific arrangements for applicants who have also submitted an application for homelessness assistance are set down below.

Where a Bucks Home Choice applicant:

- has also made an application for assistance to the District Council under Part 7 (Homelessness) of the Housing Act 1996 and
- has been deemed to be eligible for the duty under Section 193 of the Housing Act 1996 (Duty to persons with priority need who are not homeless intentionally),

then the applicant will be placed in Priority Band D in order to give the applicant a reasonable opportunity of securing suitable long term settled accommodation.

If the District Council ceases to be subject to a duty under Section 193 of the Housing Act 1996 then this will be deemed to be a change of circumstances and the applicant's qualification and priority under Bucks Home Choice application will be re-assessed accordingly.

If the reassessment finds that:

- (a) the applicant continues to qualify for Bucks Home Choice (see Section 2.3) and
- (b) the duty under Section 193 of the Housing Act 1996 ceased because the applicant:
 - (i) refused a suitable offer of accommodation that was offered in performance of the Section 193 duty,
 - (ii) voluntarily ceased to occupy accommodation that was offered in performance of the Section 193 duty,
 - (iii) has become homeless intentionally from accommodation that was offered in performance of the Section 193 duty,
 - (iv) has refused a suitable final offer of accommodation made under Part 6 of the Housing Act 1996 , or
 - (v) has refused a suitable private rented sector offer

then the Bucks Home Choice application will be re-banded and placed in Priority Band E unless the applicant has suitable accommodation in which case they will cease to qualify.

The above approach aims to assist homeless applicants by giving them reasonable priority for re-housing while also recognising the scarcity of accommodation and the need for such applicants to make full use of the assistance provided under Section 193 of the Housing Act 1996. This assistance is not available to other applicants on Bucks Home Choice and, therefore, it is expected that a homeless applicant will accept all assistance offered through the Section 193 duty in order to secure accommodation.

If an applicant fails to make use of this assistance and the duty under Section 193 ceases, then the Bucks Home Choice scheme considers that it is unfair to continue to give the applicant a high priority banding (i.e. Band D) compared to the other applicants on the scheme. Therefore, the Bucks Home Choice application will be re-banded to the lowest Priority Band, Band E.

If a homeless household has not been bidding on a regular basis the Bucks Home Choice Partners reserve the right to make bids on applicant's behalf or make a direct offer of accommodation.

6.5 Verifying and nominating an application

6.5.1 Verifying

Before any offer of accommodation is made, the managing partner will contact the successful applicant to verify all relevant information on their housing application. Unannounced home visits will, where appropriate, be carried out to verify applications. Applicants will be expected to provide the required documentary proof to confirm the statements on their housing application.

The purpose of this verification is to check that the details provided by the applicant are correct, and in particular to confirm that the applicant is:

- Eligible and qualify for housing under the Bucks Home Choice Allocation Policy, and
- Suitable for the size and type of property concerned (see Appendix 2), and
- Has been placed in the correct Priority Band, based on his or her circumstances (see Appendix 1).

If an applicant does not provide the necessary information or if the verification shows that the housing application is not correct the application will be suspended and a re-assessment will be made reflecting the current circumstances. This includes where the applicants rent account is not up to date and it does not meet an exception category, the offer will be withdrawn (see Paragraph 2.3.4). The next person on the shortlist will be contacted with a view to making an offer.

If a member of the Partnership is unable to contact the applicant and verify circumstances within the next working day following a home visit the applicant will not be put nominated for the property.

6.5.2 Nomination

If an applicant is shortlisted for a property, then the Registered Provider will contact the applicant to set down the timescales for a viewing of the property concerned and for the acceptance of any offer that is subsequently made. It is the responsibility of the applicant to attend the viewing at the stated time and to respond to the timescales set down by the Registered Provider. In the event of the applicant failing to do so, the Registered Provider will have the option to withdraw the offer of the tenancy.

In the event of the Registered Provider refusing a nomination the Partnership will require clear written reasons for the refusal. If the Partnership considers the reason for refusal as being incorrect, unjust or subjective then the Partnership will submit a written request to the Registered Provider to review their decision.

6.5.3. Withdrawal of a nomination

In very exceptional circumstances, the Registered Provider may withdraw an advert/ offer of accommodation, these circumstances may include but not be limited to:-

- Where an error has been made in the advertising criteria.
- When it has been established that the property needs extensive works.
- When the property has been advertised, but the existing tenant has withdrawn their notice.
- When the property has been advertised but withdrawn for a direct let for an urgent case.
- When the nominee does not qualify under their Allocation Policy

6.6 Temporary suspension from bidding

An applicant will be suspended from bidding on a temporary basis when:

- They are placed under offer for a property the application will be suspended until the applicant decides if they will take the property or not.
- They have accepted a property as it will be considered their housing requirements have been met. Once the property has been let to the applicant the application will be removed from Bucks Home Choice
- They have refused three offers of accommodation that they have bid on and the Partnership considered suitable for the applicant's needs. The application will be suspended for 6 months and the applicant will be advised in writing of this decision. During this period an applicant will not be permitted to bid on any advertised properties.

7. Review of decisions and complaints

7.1 Asking for a decision to be reviewed

Applicants have rights under the Act to ask for the review of a decision. The following decisions are subject to the right to request a review:

- The applicant's housing application has been refused on the grounds they are not eligible or qualifying person.
- The applicant is removed from the housing register on the grounds they are no longer eligible or qualifying person.
- An applicant's Priority Banding (i.e. the applicant disagrees with the banding that they have been awarded and wishes to have their banding reviewed).
- Any decision about the facts of a particular application which have been taken into account to assess whether an allocation should be made.
- Any decision to suspend an application due to the applicant having refused three offers of a tenancy (see section 6.6).

Applicants should request a review within 21 days of being notified of a decision.

The review will be carried out by the Member of the Partnership that made the decision in respect of (a) to (e) above. Reviews will be carried out by a senior member or member of staff who was not involved in the original decision.

The applicant will be notified of the Partnership's decision in writing within a 56 day period of the review being requested.

Once a review has been completed and the applicant has been notified of the decision on review, the applicant cannot request a further review on the same decision unless there has been a factual change in his/her circumstances.

7.2 Making a complaint

Each member of the Partnership has a published procedure for customer complaints which can be found on their website or a hard copy is available upon request.

8. Monitoring and policy review

8.1 Monitoring

The Partnership will monitor the outcomes of lettings through Bucks Home Choice, to assess whether it is meeting the aims stated in section 1.3 and the Equality Statement in section 1.4.

8.2 Policy review

The results of monitoring will be used to review this Policy. Reviews will be carried out annually, but the Partnership may carry out an earlier review if monitoring shows that this is necessary.

9. Data Protection and information sharing

9.1 Data Protection

All information held by the Partnership is subject to the Data Protection Act 2018. Each member of the Partnership will seek the express consent of applicants joining their housing register to share personal information about the applicant, and any member of the household.

9.2 Information sharing without consent

Information can be shared with the other members of the Partnership and Registered Providers to whom nominations are to be made and, where relevant to organisations' providing support services in supported housing.

Information may be shared about the individual and their history irrespective of whether their consent has been obtained in exceptional circumstances which will include:

- In accordance with the provisions of the Crime and Disorder Act 1998 (Section 115).
- Where there is a serious threat to the other party's staff or contractors.
- Where information is relevant to the management or support duties of the proposed landlord or support organisation to ensure the health and safety of the applicant, a member of his or her household, or a member of staff.

Each Council will on an annual basis publish lettings information including the age, sex, ethnicity and nationality of applicants and new tenants.

9.3 Councilor or MP enquiries on behalf of applicants.

Where an enquiry is received by a ward Councilor or an MP on behalf of their constituents, the District Council may release your “personal data” in response to their queries, this may include information on your age, marital status, housing history, household type, economic status, benefits, income, support services received and medical history.

By contacting your Councilor or MP they are investigating your case as part of their democratically elected role and you are giving them permission for the District Council to disclose this personal data.

9.4 Enquiries made on behalf of applicants by an advocate organization.

Where an enquiry is received by an advocate/ organisation on your behalf, the District Council may release your “personal data” in response to their queries; this may include information on your age, marital status, housing history, household type, economic status, benefits, income, support services received and medical history.

We will only discuss your case with an advocate agency if we have your written consent to discuss your case with them and you may be asked to sign a data release form.

APPENDIX 1 *Priority Bands*

This Policy assesses the relative priority of Bucks Home Choice applicants by placing them in a Priority Band that best reflects the applicant's current housing circumstances and level of housing need.

The Priority Bands take account of the requirement of Section 166A (3) of the Housing Act 1996 which states that a local housing authority's allocation scheme must framed so as to secure that reasonable preference is given to the categories of household listed in Appendix 3 of this policy.

The Priority Bands are listed below.

Band A
<ol style="list-style-type: none"> 1. Applicants or a member of his or her household who are living within one of the partnership districts and have demonstrated an urgent need to move due to serious imminent personal risk or severe harassment and rehousing is the only option. The Partnership reserves the right to make a Direct Let of accommodation. As determined by a Senior Officer. 2. Applicant or a member of his or her household whose health or disability is so severely affected that they physically cannot access their current home and/or essential facilities within their current home and it is not possible for adaptations to be carried out to the property to provide this access. 3. Applicants who cannot leave hospital because they have no suitable accommodation elsewhere and require specially adapted accommodation. 4. Social Housing tenants with a Registered Provider within the Bucks Home Choice Partnership area who are under-occupying family accommodation and are wishing to downsize to a suitable size property as set down in appendix 2. 5. Families living in accommodation where there are two or more bedrooms short or the property is statutory overcrowded. 6. Social Housing tenants within the Partnership area with a Registered Provider and are living in a property that has been built or adapted for a person with a disability and this is no longer needed. 7. Applicants as assessed by the Safeguarding Board and a more suitable property is essential to reduce the risk.

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Band B

1. Applicants living in supported housing who have been nominated to the Housing Register as being ready for move on and where there is an agreed move on protocol in place between the landlord/support provider and the District Council with which the applicant is registered.
2. Applicants who are due to leave care of the Children and Families services (Aftercare Team) and who are ready for independent living. Priority band B will only be awarded where the move is being undertaken in accordance with the Buckinghamshire Leaving Care Protocol between Bucks County Council, Aylesbury Vale, Chiltern, South Bucks and Wycombe District Councils'.
3. Applicants who need to move on medical grounds because their current home is having a severe impact on the health of a member of the household and re-housing to more suitable accommodation will help to reduce this impact and his/her health will deteriorate if the household is not moved to more suitable accommodation. Priority band B will only apply where the applicant is bidding on properties that will reduce the impact on the health of the member of the households.
4. Households living in accommodation where the household is lacking one bedroom.
5. Living in insanitary or unsatisfactory conditions which would include properties affected by lack of amenities or services, severe damp. Major structural defects, flooding, collapse of roof or statutory nuisance and the conditions cannot be rectified within a reasonable period. As assessed by the district council

Band C

1. Applicants that need to move on welfare grounds as agreed by the Bucks Home Choice Partnership. Applicants who need to move on medical grounds because their current home is having an adverse impact on the health of a member of his or her current accommodation and their health will not deteriorate in their current accommodation but the adverse impact will be significantly reduced with a move to more suitable accommodation. The recommendation of the medical advisor may be taken into consideration when deciding what level to priority to award and the type of accommodation necessary to alleviate the impact.
2. Applicants who may need assistance in finding their own accommodation such as adults with a learning disability/ mental health grounds who are ready to leave the family home and who are currently receiving a care package/support package from Bucks CC.
3. Families living within another household where there is sufficient bedrooms to accommodate both families e.g. adult children with their own families living in the parental home
4. Armed Forces applicants who have been discharged due to serious injury in the past five years

Band D

1. Applicants who are subject to the main housing duty S193(2) under the Housing Act 1996 Part VII and have been accepted as homeless, in priority need and unintentionally so by:-
 Aylesbury Vale District Council
 Chiltern District Council
 South Bucks District Council
 Wycombe District Council
2. Singles/Couple with no dependent children sharing where there is no overcrowding. (For the purpose of this policy sharing accommodation means sharing the use of the kitchen, bathroom and toilet facilities)
3. Singles/Couples who are living in HMOs (House in Multiple Occupation). (For the purposes of this policy, a HMO is a building which is lived in by more than one separate household who share basic facilities such as kitchen, bathroom or a toilet. People are treated as being part of the same household if they are related to each other (family members) or live together as a couple)
4. Sofa surfers, single person households without a fixed address who rely upon friends and family for accommodation for limited periods (also known as Sofa Surfers) and verified rough sleepers. (Verified by the Council's partner agencies)
5. Singles or couples who are over 55 and seeking designated aged persons accommodation for persons 55 and over and whose circumstances do not fall into bands A-C and do not hold any form of social housing tenancy within the partnership.
6. Applicants living in Supported Housing who do not qualify under a

move on protocol.

7. Applicants who are in care of Children and Families who wish to register prior to being 18 under the Buckinghamshire Leaving Care Protocol.
8. Applicants who are serving in the armed forces (or have served in the armed forces with the five year period immediately preceding their Bucks Home Choice Application) and who do not satisfy any of the reasonable preference categories listed in Appendix 3.
9. Applicants who have recently left ministry of defence accommodation because of the death of a spouse, who served in the regular force and whose circumstances do not fall in Priority Bands A,B or C.

Band E

1. Applicants who are homeless within the meaning of Part VII of the Housing Act 1996 and who have been assessed as being owed a relief duty by one of the members of the partnership.
2. Applicants who have applied for assistance to one of the four District Councils' belonging to the Bucks Home Choice Partnership under Part VII of the Housing Act 1996 where the Council has reached a decision that they are homeless and in priority need but have been determined to be homeless intentionally s191(3).
3. Applicants who have applied for assistance to one of the four District Councils' belonging to the Bucks Home Choice Partnership under Part VII of the Housing Act 1996 where the Council has reached a decision that they are homeless but not in priority need.
4. Applicants who have applied for assistance to one of the four District Councils' belonging to the Bucks Home Choice Partnership under Part VII of the Housing Act 1996 and have ceased to be subject to a duty under S193 and who meet the circumstances set down in 6.4
5. Applicants who have been assessed as having worsened their circumstances.
6. Households who have a reasonable preference but no local connection (see Appendix 3)
7. Applicants accepted under the Right to Move (see Paragraph 3.4)

Appendix 2

Bedroom Standard and Type of Accommodation

When deciding the size of property for which applicants will be eligible, the following Bedroom Standard will be used.

Bedroom Standard				
Household Size	Number of bedrooms			
	1 *	2	3	4
Single Person	✓			
Couple wishing to live together	✓			
In exceptional cases e.g. where there are care needs adult siblings wishing to live together		✓		
Parent(s) with one child		✓		
Parent(s) with two children of the same sex both aged under 21 years		✓		
Parent(s) with two children of opposite sex both aged under 10 years		✓		
Parent(s) with two children of the same sex and the oldest is aged 21 years or more			✓	
Parent(s) with two children of opposite sex where the older child is aged 10 years or over			✓	

Classification: OFFICIAL

Parents with three children where two children can share (because they are (i) same sex both under 21 or (ii) different sex both under 10)			✓	
Parents with four children where it is possible for two pairs of children to each share a bedroom (because they are (i) same sex both under 21 or (ii) different sex both under 10)			✓	
Parents with three children where none of which can share (same sex over 21 or different sex over 10)				✓
Parents with four children where only two can share (same sex both under 21, or different sex both under 10)				✓
Parents with five or more children				✓

*For the purposes of this policy a bedsit/studio is considered suitable for either a single person or a couple.

In all cases, where children meet the criteria to share a bedroom, the applicant will only be considered for a property which meets the families need, based on the above bedroom standard.

- When deciding whether an applicant and his or her household is under-occupying accommodation, or lacks one or more bedrooms, the lower number of bedrooms shown against each size of household will be used as the “standard” number of bedrooms required. For example, a family with two children who is living in a relative’s home and has the use of one bedroom will be deemed to lack one bedroom.

Where a bedroom can accommodate bed/beds in line with Housing Benefit rules, this is deemed adequate. There may be exceptions to this i.e. Sloping ceiling under stair or eaves, where it may be relevant to reconsider.

A bedroom being used for storage will still be considered to be available as a bedroom

Where a property has two reception rooms it may be considered that one of the reception rooms can be used as a bedroom.

Type of accommodation

- Age restricted housing will normally be available for applicants over 55.

Classification: OFFICIAL

- Accommodation that is designated as supported housing will be available only for applicants who are eligible for that particular accommodation. For example, some supported housing is provided exclusively for people with learning difficulties, or for young people leaving care.

Where accommodation is available only for applicants who satisfy such special criteria, this will be made clear in the advertisement of the property

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Appendix 3 Reasonable Preference

Section 166A (3) of the Housing Act 1996 states that a local housing authority's allocation scheme must be framed so as to secure that reasonable preference is given to

People who are homeless (within the meaning of Part 7 (Homelessness) of the Housing Act);

People who are owed a duty by any local housing authority under Part 7 (Homelessness) of the Housing Act 1996 because they are:

- Homeless and in priority need but homeless intentionally;
- Homeless and in priority need and not intentionally homeless;
- Threatened with homelessness and in priority need and not intentionally homeless;
- Not intentionally homeless but not in priority need;

People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions.

People who need to move on medical or welfare grounds (including grounds relating to disability).

People who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship to themselves or others.

Appendix 4

Explanation of the terms used in this policy	
Applicant	The term “applicant” includes single people and couples.
Household	The term “household” includes all eligible adults and dependent children included in the applicant’s application. Short term sharing arrangements or temporary part time arrangements will not normally be classified as a household member (see Section 3.3)
Reasonable preference category	Description of those applicants to whom the District Councils must give “a head start” in their housing application. See Appendix 3.
The Act	The Housing Act 1996 as amended
Child	A person under 16
Housing Register	A database of applicants for Bucks Home Choice
Change of Circumstances	A change in household circumstances (e.g. address/accommodation, addition of an adult household member) that may affect BHC qualification and/or priority banding
Registered Provider	A private non-profit making body that is registered and regulated by Government to provide and manage affordable housing (also known as a Housing Association)
Definition of Social and	Affordable housing is social rented, affordable rented and intermediate

Affordable Housing	housing, provided to eligible households whose needs are not met by the market.
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Appendix 5

Policies

In accordance with Section 166A (12) of the Housing Act 1996, the Bucks Home Choice Allocation Policy has been prepared with regard to the following Strategies:

Bucks Tenancy Strategy (Adopted January 2013)

Aylesbury Vale District Council Housing and Homelessness Strategy 2014-2017

Chiltern District Council Homelessness Strategy 2009-2011 (Update pending)
Chiltern District Council Strategic Housing Framework 2013-2014

South Bucks District Council Homelessness Strategy 2008-2013

Wycombe District Council Homelessness Strategy 2014-2019

SUBJECT:	<i>Gambling Act 2005 Statement of Principles - 2018 Revision</i>
REPORT OF:	<i>Cabinet Portfolio: Healthy Communities</i>
RESPONSIBLE OFFICER	<i>Head of Healthy Communities – Mr Martin Holt</i>
REPORT AUTHOR	<i>Charlie Robinson, crobinson@chiltern.gov.uk, 01494 732056.</i>
WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

- 1.1 The purpose of this report is to inform Cabinet of the final revised draft Gambling Act 2005 Statement of Principles, and to request that it is recommended to Council for adoption to come into effect on 14 January 2019.

RECOMMENDATION

- 1. That Council be recommended to adopt the draft Statement of Principles at its meeting on Tuesday 13 November 2018 for publication at least 4 weeks prior to coming into effect for the period 14 January 2019 to 13 January 2022.**

2. Reasons for Recommendations

- 2.1 The recommendation is in line with the legal requirements for the correct process for the required review and adoption of the Statement of Principles.
- 2.2 The adoption of the revised Statement of Principles is a shared function under the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) and therefore Cabinet must be asked to consider the draft Statement of Principles and to recommend to Council that it be adopted.

3. Content of Report

- 3.1 The Council has a statutory requirement to review its adopted Statement of Principles every 3 years. The Licensing Committee agreed the draft reviewed document prior to a consultation being completed, and the result of the consultation was reported to the Licensing Committee on 10 July 2018. The Committee noted the responses received and some minor amendments proposed by Officers were agreed, as were the recommendations stated in the report. It was also agreed that final amendments to the draft Statement of Principles referred to in the Minutes of the meeting on 10 July 2018 be made with the exact wording to be delegated to the Head of Healthy Communities in consultation with the Chairman of the Licensing Committee. A copy of the final draft Statement of Principles is attached to this report in Appendix 1.

4. Consultation

- 4.1 The draft Statement of Principles was subject to a six week consultation period following agreement by the Licensing Committee at its meeting on 10 May 2018. During the consultation period, two responses were received which were subsequently considered by the Licensing Committee at its meeting on 10 July 2018. The minutes of the meeting on 10 July 2018 can be found at Appendix 2.

5. Options

- 5.1 Members can recommend adoption of the draft Statement of Principles with or without modification having duly considered the information provided in this report and the matters already considered by the Licensing Committee.

7. Corporate Implications

7.1 Legal and Financial

The revision of the Statement of Principles is a statutory function and must be undertaken every 3 years. The costs in carrying out the revision, including the consultation process, will be covered by the Gambling Act 2005 fees. There will be no income generated by the revision of the existing Statement of Principles.

8. Links to Council Policy Objectives

- 8.1 The licensing of gambling premises and the adoption of a Statement of Principles in respect of this activity contributes towards the Council's Corporate Plan Key Theme 2 of working towards safe and healthier local communities. Properly controlling and regulating gambling activities will assist in ensuring that levels of crime and disorder remain low and appropriate well run gambling premises can contribute towards the local economy.

<http://www.chiltern.gov.uk/Aims-and-Objectives>

9. Next Step

The next steps will be as stated in the recommendation.

Background Papers:	None other than those referred to in this report.
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CHILTERN District Council



CHILTERN District Council

Healthy Communities Division

GAMBLING ACT 2005

STATEMENT OF PRINCIPLES

This Statement of Principles will remain in force from
14th January 2019 until 13th January 2022

FOREWORD

The Gambling Act 2005 ('the Act') requires Chiltern District Council ('the Council') to carry out its functions under the legislation whilst having regard to the three principal licensing objectives.

The Act requires the Council to prepare a Statement of Principle that sets out its position in relation to its duties under the Act and to guide its work during the implementation period.

In developing a Statement of Principle that will deliver the licensing objectives locally, consultation has taken place in accordance with the Revised Code of Practice (which came into effect in April 2004) and the Cabinet Office Guidance on consultations by the public sector.

The initial Statement, was formally adopted by Full Council on 12th December 2006, and has been reviewed every three year since. Subsequent reviews and adoptions are detailed in Appendix C. Following adoption the Statement is published on the Council's website and takes effect one month from the date of publication.

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1. INTRODUCTION

1.1 The Gambling Act 2005 (the Act) introduced a new regime for regulating gambling and betting throughout the United Kingdom from 1 September 2007. Section 349 of the Act imposes a statutory duty upon licensing authorities to publish a Statement of the Principles which they propose to apply when exercising their functions under the Act.

1.2 Licensable activities

Chiltern District Council has a duty under the Act to license premises where gambling is to take place, and to license certain other activities. 'Gambling' is defined in the Act as either gaming, betting or taking part in a lottery. In particular, the licensing authority is responsible for:

- a) the licensing of premises where gambling activities are to take place by issuing *Premises Licences*;
- b) Issue *Provisional Statements*;
- c) regulating *members' clubs* and *miners' welfare institutes* who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits;
- d) issuing *Club Machine Permits to Commercial Clubs*;
- e) granting permits for the use of certain lower stake gaming machines at *unlicensed Family Entertainment Centres*;
- f) receiving notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines;
- g) issuing *Licensed Premises Gaming Machine Permits* for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines;
- h) registering *small society lotteries* below prescribed thresholds;
- i) issuing *Prize Gaming Permits*;
- j) receiving and endorsing *Temporary Use Notices*;
- k) receiving *Occasional Use Notices*;
- l) providing information to the Gambling Commission regarding details of licences issued; and
- m) maintaining registers of the permits and licences that are issued under these functions.

1.3 The Gambling Commission are responsible for the regulation of gambling and betting except for National Lottery and spread betting through the licensing the operators and individuals involved in providing gambling and betting facilities. .

1.4 This policy provides information and guidance to applicants, responsible authorities and interested parties on the general approach that Chiltern DC

will take in terms of licensing.

- 1.5 In accordance with the statutory procedures, a review of this policy will take place every 3 years, to take into account information collated over a period of time, coupled with the outcomes of initiatives relating to gambling at central and local government level. The Policy may also be subject to minor amendments from time to time, for example, when there are changes to relevant legislation; when this is necessary, changes will be authorised by the Head of Healthy Communities, in consultation with the Chairman of the Licensing Committee.
- 1.6 In preparing this statement Chiltern DC has consulted with and considered the views of a wide range of people and organisations including:
- a) Chief Officer for Thames Valley Police;
 - b) One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area;
 - c) One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005.

A full list of consultees is attached in Appendix A

- 1.7 The council's statement of principles is intended to be reasonably consistent with the three licensing objectives set out in the Act. These objectives are:
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
 - Ensuring that gambling is conducted in a fair and open way;
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 1.8 The Licensing Authority recognises that the best means of promoting the licensing objectives is through the co-operation and partnership of all the responsible authorities, local businesses and residents.
- 1.9 Declaration
- 1.9.1 In producing this Statement, Chiltern DC declares that it has had regard to the licensing objectives of the Gambling Act 2005, the Guidance issued by the Gambling Commission, and any responses received from those consulted on the statement.

2. STATEMENT OF PRINCIPLES

2.1 Nothing in this Statement of Principles will:

- a) Undermine the right of any person to apply under the Act for a variety of permissions and have the application considered on its own merits; or
- b) Override the right of any person to make representations on any application or seek a review of a licence or permit where they are permitted to do so under the Act.

The starting point in determining applications will be to grant the application with only mandatory and default conditions, so long as this can be achieved in a manner which is:

- a) in accordance with any relevant code of practice issued by the Gambling Commission;
- b) in accordance with any relevant guidance issued by the Gambling Commission;
- c) reasonably consistent with the licensing objectives; and
- d) in accordance with the licensing authority's Statement of Principle.

2.2 Licensing authorities are however, able to exclude default conditions and also attach others, where it is believed to be appropriate.

2.3 It is appreciated that as per the Gambling Commission's Guidance for local authorities *"moral or ethical objections to gambling are not a valid reason to reject applications for premises licences"* and in addition to this unmet demand is not a criterion for a licensing authority.

2.4 In carrying out its licensing functions, the licensing authority will have regard to any guidance and codes of practice issued by the Gambling Commission from time to time and there will be strong, clearly expressed and defensible reasons for departing from the guidance.

2.5 The licensing authority will not seek to use the Act to resolve matters more readily dealt with under other legislation.

2.6 The overriding principle is that all applications and the circumstances prevailing at each premises will be considered on its own individual merits. When applying these principles, the licensing authority will consider, in the light of relevant representations, whether exceptions should be made in any particular case.

2.7 This licensing authority also notes Gambling Commission guidance on ensuring that betting operators provide substantive facilities for betting on

licensed premises before gaming machines are made available for use. Gaming machines may be made available for use in licensed betting premises only at times when there are also sufficient facilities for betting available. Operators will need to demonstrate that betting will continue to be the primary activity of the premise when seeking variations to licences.

In making this determination, this licensing authority will have regard to the six indicators of betting as a primary gambling activity.

- The offer of established core products (including live event pictures and bet range)
- The provision of information on products and events
- The promotion of gambling opportunities and products
- The actual use made of betting facilities
- The size of premises
- The delivery of betting facilities

3. OBJECTIVES

3.1 The Gambling Act 2005 requires that licensing authorities must have regard to the following licensing objectives as set out in the Act:

- a) Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
- b) Ensuring that gambling is conducted in a fair and open way;
- c) Protecting children and other vulnerable persons from being harmed or exploited by gambling.

3.2 **Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime**

3.2.1 The Gambling Commission will take a leading role in preventing gambling from being a source of crime. Anyone applying to the Council for a premises licence will have to hold an operating licence from the Commission before a licence can be issued. Therefore the licensing authority will not be concerned with the suitability of an applicant. However, where concerns about an applicant's suitability do arise, the licensing authority will bring those concerns to the attention of the Commission.

3.2.2 In considering applications, the licensing authority will pay attention to the proposed location of gambling premises in terms of this licensing objective and in appropriate cases, will consider whether it is necessary to prevent particular premises becoming a source of crime or disorder.

3.2.3 Issues of disorder should only be dealt with under the Act if the disorder amounts to activity which is more serious and disruptive than mere nuisance and it can be shown that gambling is the source of that disorder. Chiltern DC will work closely with Thames Valley Police when concerns are raised of this nature and factors such as whether police assistance was required and how threatening the behaviour was to those who could see it will be considered by the Council.

3.3 Ensuring that gambling is conducted in a fair and open way

3.3.1 The Gambling Commission has stated that it would generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. There is however, more of a role with regard to betting tracks.

3.4 Protecting children and other vulnerable persons from being harmed or exploited by gambling

3.4.1 The Gambling Commission's Guidance to licensing authorities states that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children) and the Gambling Commission has stated: "The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling". Therefore, the licensing authority will consider whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.

3.4.2 When determining an application to grant a premises licence or review a premises licence, regard will be taken to the proximity of the premises to schools, vulnerable adult centres or residential areas where there may be a high concentration of families with children. The proximity of premises taken into consideration will vary depending on the size and scope of the gambling premises concerned. Each case will, however, be decided on its merits. Therefore, if an applicant can effectively demonstrate how they intend overcome concerns relating to the licensing objectives, this will also be taken into account.

3.4.3 Although there is no clear definition, it will assume that for regulatory purposes "vulnerable persons" includes people:

- a) who gamble more than they want to;
- b) people who gamble beyond their means; and
- c) people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.

4. RESPONSIBLE AUTHORITIES

4.1 Responsible authorities are public bodies that must be notified of applications and who are entitled to make representations to the licensing authority if they are relevant to the licensing objectives.

4.2 These are:

- a) The Gambling Commission;
- b) Thames Valley Police;
- c) Buckingham Fire and Rescue Service;
- d) The local planning authority;
- e) An authority which has functions in relation to pollution to the environment or harm to human health;
- f) Anybody, designated in writing by the Licensing Authority as competent to advise about the protection of children from harm;
- g) HM Revenue and Customs;
- h) A licensing authority in whose area the premises is wholly or partly situated.

4.3 The licensing authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:

- a) the need for the body to be responsible for an area covering the whole of the licensing authority's area; and
- b) the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

4.4 Therefore, in accordance with the suggestion in the Gambling Commission's Guidance to Licensing Authorities, this authority designates the Buckinghamshire Safeguarding Children Board at Buckinghamshire County Council for this purpose.

4.5 The contact details of all the Responsible Authorities under the Gambling Act 2005 are available via the Council's website at: www.chiltern.gov.uk

5. INTERESTED PARTIES

5.1 Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as a person who:

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities;

- b) has business interests that might be affected by the authorised activities or;
 - c) represents persons as above.
- 5.2 In determining whether someone lives sufficiently close to a particular premises as to likely to be affected by the authorised activities, or has business interests likely to be affected, the Council may take account of:
- a) the size of the premises;
 - b) the nature of the premises;
 - c) the nature of the authorised activities and operating hours being proposed;
 - d) the distance of the premises from the person making the representation;
 - e) the characteristics of the complainant;
 - f) the potential impact of the premises, including on those not in the immediate locality.
- 5.3 In determining whether a person has a business interest which could be affected the Licensing Authority will consider, among other things:
- a) the size of the premises;
 - b) the catchment area of the premises; and
 - c) whether the person making the representation has business interests in the catchment area that might be affected.
- 5.4 The licensing authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are:
- a) Each case will be decided upon its merits. The licensing authority will not apply a rigid rule to its decision making and it will consider the Gambling Commission's Guidance to Licensing Authorities.
 - b) Interested parties will include trade associations and trade unions, and residents' and tenants' associations, providing that they can show they represent someone who can be classed as an interested person in their own right.
 - c) Interested parties can also be persons who are democratically elected as councillors and MP's. No specific evidence of being asked to represent an interested person will be required as long as the councillor / MP represents the ward likely to be affected. Likewise, parish councils likely to be affected, will be considered to be interested parties. An elected member of the Council must comply with the Council's code of conduct and if they have a

specific interest or there is an issue of bias, they must declare this and seek advice on whether they are able to appear before a licensing panel.

- d) Other than these however, the licensing authority will generally require written evidence that a person/body (e.g. an advocate / relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.

6. REPRESENTATIONS

- 6.1 Any responsible authority or interested party (or person representing them) can make representations about a licence application to the licensing authority.
- 6.2 Representations must be relevant to the individual application and to one or more of the licensing objectives (as defined in Section 3 of this Statement of Principles). Representations must also be made within prescribed timescales and be in writing. Anonymous representations cannot be taken into consideration. In relation to whether to grant a Premises Licence, the authority cannot consider representations which relate to the need or unmet demand for gambling premises, nor concerns which relate to general nuisance, which should be addressed by other legislation.
- 6.3 All representations will be considered on their own merits but the authority may, in certain circumstances, consider a representation to be either frivolous or vexatious. This will generally be a matter of fact given the circumstances of each individual case and full reasons will be given where representations are rejected.
- 6.4 Where valid representations are made, the details of the person making the representation will be made available to the applicant for the purposes of mediation. Should the representation result in a formal hearing before the Licensing Sub-Committee, the details of the representation will form part of a public document. Anyone making representations will be informed that their details will be disclosed.

7. Public Register

Section 156 of the Act requires licensing authorities to maintain a register of the premises licences that it has issued. The register must be made available, at any reasonable time, to the public who may request copies of

the entries. The Council achieves this requirement through the use of an online register which is accessible via the Council's website.

8. PREMISES LICENCES

- 8.0.1 An application for a premises licence can only be made by a person or company who either holds an operating licence authorising him to carry on the activity in respect of which a premises licence is sought, OR has made an application for an operating licence which has not yet been determined.
- 8.0.2 Applications for the grant, transfer or variation of a premises licence must be accompanied by an assessment that demonstrates how the applicant will promote all of the licensing objectives in the form of a written Operating Schedule. The applicant may ask the authority for advice as to the scope of information to be provided.
- 8.0.3 The level of detail to be provided will be advised by the authority and will be proportional to the scale and nature of the application made.

8.1 Local Risk Assessments

- 8.1.1 From 6 April 2016, it is a requirement of the Gambling Commission's Licence Conditions and Codes of Practice (LCCP), for licensees to assess the local risks to the licensing objectives posed by the provision of gambling facilities at their premises and have policies, procedures and control measures to mitigate those risks. In making risk assessments, licensees must take into account relevant matters identified in this policy.
- 8.1.2 The LCCP goes on to say licensees must review (and update as necessary) their local risk assessments:
- To take account of significant changes in local circumstance, including those identified in this policy;
 - When there are significant changes at a licensee's premises that may affect their mitigation of local risks;
 - When applying for a variation of a premises licence; and
 - In any case, undertake a local risk assessment when applying for a new premises licence.
- 8.1.3 The Council will expect the local risk assessment to consider as a minimum:

- The demographics of the area in relation to all groups that could be deemed as vulnerable or more susceptible to problem gambling;
- Whether the premises is in an area subject to high levels of crime and/or disorder;
- The location of services for children such as schools, playgrounds, toy shops, leisure centres and other areas where children will gather.
- Significant presence of young children, both residents and visitors;
- Nearby homeless hostels;
- Nearby gambling, alcohol, drug or mental health support facility.

8.2 Local Area Profile

8.2.1 Each locality has its own character and challenges. In order to assist applicants, where there is an issue in a local area which impacts on how the applicant should complete their risk assessment, the Council has published a local area profile. This profile can be obtained from: www.chiltern.gov.uk/gambling

8.2.2 The local area profile should be given careful consideration when making an application. Applicants may be asked to attend a meeting with licensing officers to discuss the profiles, appropriate measures to mitigate risk in the area and how they might be relevant to their application. The local area profile will be presented to any subsequent licensing sub-committee when they determine an application that has received representations.

8.2.3 The Council recognises that it cannot insist on applicants using the local area profile when completing their risk assessments. However, an applicant who decides to disregard the profile may face additional representations and the expense of a hearing as a result.

8.3 Duplication with other regulatory regimes

8.3.1 This licensing authority will seek to avoid any duplication with other statutory / regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

8.4 Conditions

8.4.1 Any conditions attached to licences will be proportionate and will be:

- a) relevant to the need to make the proposed building suitable as a gambling facility;
- b) directly related to the premises and the type of licence applied for;
- c) fairly and reasonably related to the scale and type of premises; and
- d) reasonable in all other respects.

8.4.2 Decisions upon individual conditions will be made on a case by case basis. Although there will be a number of control measures this licensing authority will consider utilising should there be a perceived need, such as the use of door supervisor's, supervision of adult gaming machines, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. This licensing authority will also expect the licence applicant to offer his/her own suggestions as to the way in which the licensing objectives can be met effectively.

8.4.3 It is noted that there are conditions which the licensing authority cannot attach to premises licences which are:

- a) any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- b) conditions relating to gaming machine categories, numbers, or method of operation;
- c) conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated; and
- d) conditions in relation to stakes, fees, winning or prizes.

8.5 Door Supervisors

8.5.1 Consideration should be given whether there is a need for door supervisors in terms of the licensing objectives of protection of children and vulnerable persons from being harmed or exploited by gambling, and also in terms of preventing premises becoming a source of crime. It is noted though that in-house staff at casinos or bingo premises need not be licensed by the Security Industry Authority (SIA) although this would be preferable in helping meet the licensing objectives. Where operators and the licensing authority consider that supervision of entrances and machines is appropriate in particular cases, it will be decided whether these need to be SIA licensed on a case by case basis.

8.6 Multiple Premises Licenses

- 8.6.1 Premises is defined in the Act as “any place”. Different premises licences cannot apply in respect of a single premises at different times. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact in the circumstances. However, the Gambling Commission does not consider that areas of a building that are artificially or temporarily separate can be properly regarded as different premises.
- 8.6.2 In considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes, entrances and exits from parts of a building covered by one or more licences should be separate and identifiable so that the separation of different premises is not compromised and that people do not ‘drift’ into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
- 8.6.3 The licensing authority will consider, amongst others, the factors outlined in the Gambling Commission guidance when deciding upon the extent of separation of licensable premises. In particular, due regard will be given to the specific requirements relating to entrances and exits to particular types of licensable premises.
- 8.6.4 It should also be noted that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use. If the construction is not yet complete, or if they need alteration, or if the applicant does not yet have the right to occupy them, then an application for a provisional statement should be made instead.
- 8.6.5 In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, applications will be determined on their merits, applying a two stage consideration process:
- a) Whether the premises ought to be permitted to be used for gambling;
 - b) Whether appropriate conditions can be applied to the situation

whereby the premises are not yet in the condition in which they ought to be before gambling can take place.

- 8.6.6 Applicants should note that the licensing authority is entitled to decide whether it is appropriate to grant a licence subject to conditions, but is not obliged to grant such a licence.

8.7 Adult Gaming Centres

- 8.7.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.

This licensing authority may consider measures to meet the licensing objectives, for example:

- a) Proof of Age schemes;
- b) CCTV;
- c) Supervision of entrances / machine areas;
- d) Physical separation of areas;
- e) Location of entry;
- f) Notices / signage;
- g) Specific opening hours;
- h) Self-exclusion schemes on recommendation of police or families;
- i) Provision of information leaflets / helpline numbers for organisations such as GamCare.

8.8 (Licensed) Family Entertainment Centres

- 8.8.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

- 8.8.2 This licensing authority may consider measures to meet the licensing objectives such as:

- a) CCTV;
- b) Supervision of entrances / machine areas;
- c) Physical separation of areas;
- d) Location of entry;
- e) Notices / signage;
- f) Specific opening hours;

- g) Self-exclusion schemes on recommendation of police or families;
- h) Provision of information leaflets / helpline numbers for organisations such as GamCare. Also information on other diversionary leisure activities;
- i) Measures / training for staff on how to deal with suspected truant school children on the premises.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

8.8.3 This licensing authority will refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. This licensing authority will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

8.9 Casinos

8.9.1 Currently there are no casinos operating within the District. Section 166 of the Gambling Act 2005, enables a licensing authority to **resolve not to issue casino licences**. A resolution was passed by Full Council on 13/11/2018 with effect from 14/01/2019 not to issue casino premises licences and therefore the Council will not accept applications for casino premises licences within the Chiltern District.

8.10 Bingo premises

8.10.1 The Gambling Commission's Guidance states:

It is important that if children are allowed to enter premises licensed for bingo that they do not participate in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted licensing authorities should ensure that:

- a) all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- b) only adults are admitted to the area where the machines are located;
- c) access to the area where the machines are located is supervised;
- d) the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and
- e) at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

All current and future guidance provided by the Gambling Commission will also be taken into consideration when considering such applications.

8.11 Betting premises

8.11.1 This licensing authority will, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

8.11.2 The authority recognises that certain bookmakers have a number of premises within its area. In order to ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to give the authority a single named point of contact, who should be a senior individual, and whom the authority will contact first should any compliance queries or issues arise.

8.12 Tracks

8.12.1 Tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. The licensing authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

8.12.2 Applicants will be expected to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

8.12.3 The licensing authority may consider measures to meet the licensing objectives such as:

- a) Plans of designated areas;
- b) Proof of age schemes;
- c) CCTV;
- d) Supervision of entrances / machine areas;
- e) Physical separation of areas;

- f) Location of entry;
- g) Notices/signage;
- h) Specific opening hours;
- i) Self-exclusion schemes on recommendation of police or families;
- j) Provision of information leaflets / helpline numbers for organisations such as GamCare. Also information on other diversionary leisure activities.

This list is not mandatory nor exhaustive and is merely indicative of example measures.

8.12.4 *Gaming machines* - Applications for track premises licences will need to demonstrate that, where the applicant holds a pool betting operating licence and is going to use his entitlement to four gaming machines, these machines are located in areas from which children are excluded. Children and young persons are not prohibited from playing category D gaming machines on a track.

8.12.5 *Betting machines* – Account will be taken of the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

8.12.6 *Condition on rules being displayed* - The Gambling Commission has advised in its Guidance for local authorities that “...licensing authorities should attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office.”

8.12.7 *Applications and plans* –Although the precise location of where betting facilities are provided is not required to be shown on track plans, applicants should provide sufficient information so that the licensing authority can satisfy itself that the plan indicates the main areas where betting might take place. In particular, betting rings must be indicated on the plan

8.12.8 In circumstances where a perimeter is not defined, for example in point-to-point racing where an entry fee is levied, temporary structures restricting access to the premises can be used.

8.12.9 This licensing authority also notes that in the Commission’s view, it would be preferable for all self-contained premises operated by off-course betting operators on track to be the subject of separate premises licences, to ensure that there is clarity between the respective responsibilities of the

track operator and the off-course betting operator running a self-contained unit on the premises.

8.12.10 The Commission considers that track premises licence holders should accept some accountability for promoting socially responsible gambling on their premises and that the level of responsibility should be commensurate with the volume and intensity of gambling that occurs on their premises.

8.13 Travelling Fairs

8.13.1 It will fall to this licensing authority to decide whether, where category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

8.13.2 The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

8.13.3 It has been noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

8.14 Provisional Statements

8.14.1 This licensing authority notes the Guidance for the Gambling Commission which states that “it is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence” and that “requiring the building to be complete ensures that the authority could, if necessary, inspect it fully”.

8.14.2 In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant’s circumstances. In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- (a) which could not have been raised by objectors at the provisional licence stage; or
- (b) which is in the authority’s opinion reflect a change in the operator’s

circumstances.

8.14.3 This authority has noted the Gambling Commission's Guidance that "a licensing authority should not take into account irrelevant matters.... One example of which would be the likelihood of the applicant obtaining planning permission or building regulations approval for the proposal."

9. PERMITS / TEMPORARY & OCCASIONAL USE NOTICE

9.1 Unlicensed Family Entertainment Centre (FEC) gaming machine permits

9.1.1 Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use.

9.1.2 The Gambling Act 2005 states that a licensing authority may prepare a *statement of principles* that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission.

9.1.3 An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application. Applicants will be expected to demonstrate:

- a) full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- b) that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act; as demonstrated by producing an Enhanced Criminal Record Bureau check; and
- c) that staff are trained to have a full understanding of the maximum stakes and prizes.

9.1.4 A licensing authority cannot attach conditions to this type of permit although it will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits, however, they may include appropriate measures / training for staff as regards suspected truant school children on the premises, measures / training covering how staff would deal with unsupervised very young children being on the premises, or children

causing perceived problems on / around the premises.

9.2 (Alcohol) Licensed premises gaming machine permits

9.2.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D and as such, the premises merely need to notify the licensing authority. If the person ceases to be the holder of the on-premises alcohol licence for the premises, the automatic entitlement to the two gaming machines also ceases. Whoever applies for the new premises alcohol licence will also need to apply under S 282 (2), notifying the licensing authority of their intention to make the gaming machines available for use and paying the prescribed fee. If the alcohol licence ceases to have effect because it is suspended then the gaming machines cannot be used. The licensing authority can remove the automatic authorisation in respect of any particular premises if:

- a) provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- b) gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- c) the premises are mainly used for gaming; or
- d) an offence under the Gambling Act has been committed on the premises.

9.2.2 If an applicant wishes to have more than 2 machines, then they need to apply for a permit and the licensing authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “*such matters as they think relevant.*” This licensing authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from being harmed or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be help. As regards the protection of vulnerable persons applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.

9.2.3 Some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Such an application would be considered and dealt with as an Adult Gaming Centre premises licence.

9.2.4 In such circumstances, the licensing authority may decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

9.2.5 The holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

9.3 Prize Gaming Permits

9.3.1 Applicants for these permits should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:

- a) that they understand the limits to stakes and prizes that are set out in Regulations;
- b) that the gaming offered is within the law; and
- c) clear policies that outline the steps taken to protect children from harm.

9.3.2 In determining an application for this permit the licensing authority does not need to (but may) have regard to the licensing objectives but must have regard to any Gambling Commission guidance.

9.3.3 Permit holders must comply with the following conditions specified in the Act:

- a) the limits on participation fees, as set out in regulations, must be complied with;
- b) all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- c) the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- d) participation in the gaming must not entitle the player to take part in any other gambling.

9.4 Club Gaming and Club Machines Permits

9.4.1 Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Clubs Gaming machines permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in regulations. Members Clubs and Miner's welfare institutes and also Commercial Clubs may apply for a Club Machine Permit. A Club Machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D). NB Commercial Clubs may not site category B3A gaming machines offering lottery games in their club.

9.4.2 Members clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations.

9.4.3 Licensing authorities may only refuse an application on the grounds that:

- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- (b) the applicant's premises are used wholly or mainly by children and/or young persons;
- (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- (d) a permit held by the applicant has been cancelled in the previous ten years; or
- (e) an objection has been lodged by the Commission or the police.

9.4.4 There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003. However, there is no opportunity for objections to be made by the Commission or the police, and the grounds on which an application may be refused are:

- (a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or

- (c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."

9.4.5 No child may use a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

9.5 Temporary Use Notices

9.5.1 These allow the use of premises for gambling where there is no premises licence but a person or company holding an operating licence wishes to use the premises temporarily for providing facilities for gambling. Currently this is restricted to the provision of facilities for equal chance gaming where the gaming is intended to produce a single winner, in essence, poker tournaments. The same set of premises may not be the subject of a temporary use notice for more than 21 days in any 12-month period. There are also a number of other statutory limits in relation to these notices. Notice must be given to the authority and other bodies, who may object to the grant of the notice having had regard to the licensing objectives. The definition of "a set of premises" will be a question of fact in the particular circumstances of each notice. In the Act "premises" is defined as including "any place". In considering whether a place falls within the definition of "a set of premises", the authority will need to consider, amongst other things, the ownership/occupation and control of the premises. The authority will take a strict view where it appears that the effect of notices appears to permit regular gambling at a particular place.

9.6 Occasional Use Notices:

9.6.1 The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This licensing authority will though consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice. This licensing authority will also ensure that no more than 8 OUNs are issued in one calendar year in respect of any venue.

9.7 Small Society Lotteries

9.7.1 This licensing authority will adopt a risk based approach towards its enforcement responsibilities for small society lotteries. This authority considers that the following list, although not exclusive, could affect the risk status of the operator:

- a) submission of late returns (returns must be submitted no later than three months after the date on which the lottery draw was held)
- b) submission of incomplete or incorrect returns
- c) breaches of the limits for small society lotteries

9.7.2 Non-commercial gaming is permitted if it takes place at a non-commercial event, either as an incidental or principal activity at the event. Events are non-commercial if no part of the proceeds is for private profit or gain. The proceeds of such events may benefit one or more individuals if the activity is organised:

- a) by, or on behalf of, a charity or for charitable purposes
- b) to enable participation in, or support of, sporting, athletic or cultural activities.

10. EXCHANGE OF INFORMATION

10.1 The principle that this licensing authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened. Section 350 of the Act allows licensing authorities to exchange information with other persons listed in Schedule 6 (1) for use in the exercise of functions under the Act. The licensing authority will also have regard to any Guidance issued by the Gambling Commission to licensing authorities on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

10.2 Details of applications and representations which are referred to a Licensing Sub-Committee for determination will be published in reports that are made publicly available in accordance with the Local Government Act 1972 and the Freedom of Information Act 2000. Personal details of people making representations will be disclosed to applicants and only be withheld from publication on the grounds of personal safety where the licensing authority is asked to do so. This authority will ensure that the information on the returns is accurate and sent to the Commission within agreed timescales.

10.3 In keeping with the Hampton principles and the Regulators Compliance Code, we seek to avoid the risk of duplication or over-regulation and maximise the efficient use of our resources. To accomplish this, we recognise the need to share information about our inspections and compliance activities regularly. Communication with other agencies will be by the most effective means, whether this be electronic or paper.

9.4 The Council has various policies relating to 'information governance', which will be considered when deciding what information to share and the process of doing so.

11. ENFORCEMENT

- 11.1 The licensing authority has an established enforcement policy, based upon the principles of consistency, targeting, transparency, accountability and proportionality set out in the Regulatory Compliance Code and which also takes into account the Attorney-General's Guidelines to Crown Prosecutors for bringing prosecutions.
- 11.2 The main enforcement and compliance role of the licensing authority is to ensure compliance with the premises licences and other permissions which it authorises. This will involve a targeted approach at those high risk premises that require greater attention, whilst operating a lighter touch in respect of low-risk premises
- 11.3 This Statement proposes that a graduated response is taken where offences against gambling legislation are found or where licence conditions have been contravened. An isolated administrative offence, may be dealt with purely by way of written warning whilst more serious offences which have either been committed over a period of time or which have a significant impact upon the licensing objectives, may result in a referral for prosecution.
- 11.4 The licensing authority will seek to work actively with the Police, the Gambling Commission and other responsible authorities in enforcing gambling legislation.
- 11.5 The licensing authority will continue to be a partner in the local licensing liaison group, and will keep itself informed of developments as regards best practice in its consideration of the regulatory functions of local authorities.

12. COMPLAINTS AGAINST LICENSED PREMISES

- 12.1 The licensing authority will investigate relevant complaints against licensed premises of any description. In the first instance, complainants should raise the complaint directly with the licence holder or business concerned. All complaints will be investigated and enforcement action taken in accordance with the licensing authority's Enforcement Policy and Complaints Procedure. It is recognised that another agency may be the more appropriate body to investigate the complaint. In such circumstances, the licensing authority will maintain liaison with that agency.
- 12.2 Where necessary, the licensing authority will initially arrange a meeting with the licence holder to address, clarify and try to resolve the issues of concern.

- 12.3 This process will not override the right of any interested party or responsible authority to request a review of a licence by the Licensing Committee at any stage following the grant of a premises licence or if the particular concerns are not addressed in a way that fulfils the licensing objectives.

13. REVIEWS

- 13.1 The authority will carry out a review of a Premises Licence where it has received a formal, valid application for review in accordance with the Act from either an interested party or a responsible authority and which relates to one or more of the licensing objectives. Due consideration will be given to all relevant representations and guidance issued by the Gambling Commission. Decisions as to whether requests for review are irrelevant, frivolous or vexatious will be made by Council Officers in consultation with the Chair of the Licensing and Regulation Committee, who will also decide on whether such requests should be referred to the Licensing Committee or Sub-Committee. Where an application for review is rejected, the person making that application will be given written reasons for the rejection. There is no right of appeal against a determination that such an application is not admissible.
- 13.2 A premises licence may also be reviewed by the Licensing Authority of its own volition.
- 13.3 In determining what action, if any, should be taken following a review, the licensing authority will have regard to the principles set out in section 153 of the Act, as well as any relevant representations.

14. APPEALS

- 14.1 Any party aggrieved by a decision of the Licensing Sub Committee and with standing to appeal (as specified within the Act) may appeal against the decision to the local Magistrates Court. An appeal has to be started by the giving of a notice of appeal by the appellant to the justices' chief executive for the magistrates' court within a period of 21 days from the day on which the appellant was notified by the licensing authority of the decision appealed against. This will be either Wycombe and Beaconsfield or Central Buckinghamshire Magistrates' Court (Aylesbury) depending upon the location of the premises
- 14.2 The licensing authority will always be a respondent to the appeal, but in cases where a favourable decision has been made for an applicant against the representations of a responsible authority or an interested party, the holder of the premises licence or club premises certificate will also be entitled to act as a respondent.

14.3 On determining an appeal, the court may:

- a) dismiss the appeal;
- b) substitute for the decision appealed against any other decision which could have been made by the licensing authority; or
- c) remit the case to the licensing authority to dispose of it in accordance with the direction of the court.

14.4 The court may make such order as to costs as it thinks fit, but will be required to bear in mind guidance and legislation about the awarding of costs against a public body.

15. DELEGATION AND DECISION MAKING

15.1 One of the major principles underlying the Gambling Act 2005 is that the licensing functions contained within the Act should be delegated to an appropriate level so as to ensure speedy, efficient and cost effective service delivery.

15.2 The Authority is committed to the principle of delegating its powers to ensure that these objectives are met and has arranged for its licensing functions to be discharged in accordance with the Guidance issued by the Secretary of State, the Council's Constitution and procedures laid down for good governance. The scheme of delegation can be found in the Council's constitution, which is available on the website.

APPENDIX A
LIST OF CONSULTEES

The Chief Officer of Police for the Council's area
Bodies representing the interests of persons carrying on gambling businesses within Chiltern District
Bodies representing the interests of persons who are likely to be affected by the exercise of the authority's function under this Act
The local Planning Authority
The local Health and Safety Authority
The Authority responsible for Control of Pollution
Bucks Fire and Rescue
Buckinghamshire Safeguarding Children Board
Local Primary Care Trusts
Bodies dealing with mental health issues
Citizens Advice Bureau
GamCare
Gamblers Anonymous
Bodies representing businesses and residents in the area
Parish Councils within the District
Other Councils, including Wycombe DC, South Bucks DC, Aylesbury Vale DC, Milton Keynes Council, Dacorum Borough Council, Three Rivers District Council and Buckinghamshire County Council
Wycombe and Beaconsfield Magistrates Court
Central Buckinghamshire Magistrates' Court (Aylesbury)

Note: - This list is not intended to be exclusive. Comments and observations will be welcome from anyone who will be affected by the policy.

Copies of the draft Gambling Statement of Principles were also placed in the public libraries of the Chiltern District Council area as well as being available at the Council Offices and on the Council's website.

APPENDIX B
TABLES OF PERMITTED ACTIVITIES / LOCATIONS

Premises Type	Machine Category						
	A	B1	B2	B3	B4	C	D
Large casino (machine/table ratio of 5-1 up to maximum)		Maximum of 150 machines Any combination of machines in categories B to D (except B3A), within the total limit of 150 (subject to machine/table ratio)					
Small casino (machine/table ratio of 2-1 up to maximum)		Maximum of 80 machines Any combination of machines in categories B to D (except B3A), within the total limit of 80 (subject to machine/table ratio)					
Pre-2005 Act casinos (no machine/table ratio)		Maximum of 20 machines categories B to D (except B3A) or any number C or D machines instead					
Betting premises and tracks occupied by Pool Betting			Maximum of 4 machines categories B2 to D (except B3A)				
Bingo Premises				Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4**	No limit C or D machines		
Adult gaming centre				Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or	No limit C or D machines		

				B4**			
Family entertainment centre (with premises licence)						No limit on Category C or D machines	
Family entertainment centre (with permit)							No limit on Category D machines
Clubs or miners' welfare institutes with permits						Maximum of 3 machines in categories B3A or B4 to D*	
Qualifying alcohol licensed premises						1 or 2 machines of Category C or D automatic upon notification	
Qualifying alcohol licensed premises with gaming machine permit						Number of category C or D machines as specified on permit	
Travelling fair							No limit on Category D machines
	A	B1	B2	B3	B4	C	D

* It should be noted that members' clubs and miners' welfare institutes are entitled to site a total of three machines in categories B3A to D but only one B3A machine can be sited as part of this entitlement. Commercial clubs are entitled to a total of three machines in categories B4 to D.

** Adult gaming centre and bingo premises are entitled to make available a number of Category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises. Premises in existence before 13 July 2011 are entitled to make available four (adult gaming centre premises) or eight (bingo premises) category B gaming machines, or 20% of the total number of gaming

Classification: OFFICIAL

machines, whichever is the greater. Adult gaming centre premises and bingo premises licences granted on or after 13 July 2011 but before 1 April 2014 are entitled to a maximum of four or eight category B gaming machines or 20% of the total number of gaming machines, whichever is the greater; from 1 April 2014 these premises will be entitled to 20% of the total number of gaming machines only, but not B3A machines.

Category of machine	Maximum Stake	Maximum Prize
A	No category A gaming machines are currently permitted	
B1	£5	£10,000 or £20,000 if linked to other B1 machines
B2	£100 (in multiples of £10)	£500
B3A	£2	£500
B3	£2	£500
B4	£2	£400
C	£1	£100
D	Various 10p to £1	£5 to £50 (max relates to non-money prizes only)

APPENDIX C**Statement of Principles Log**

Date	Action
12 th December 2006	First Statement of Licensing Principles approved for publishing by Council
1 st January 2007	Statement of Principles came into effect
8 th December 2009	Statement reviewed and approved for publishing by Council
1 st January 2010	Reviewed Statement came into effect
13 th November 2012	Statement reviewed and approved for publishing by Council
1 st January 2013	Reviewed Statement came into effect
14 th January 2014	Statement Amended following changes to Gaming Machine Categories
15 th December 2015	Statement reviewed and approved for publishing by Council
14 th January 2016	Reviewed Statement came into effect
13 th November 2018	Draft and TBC- Statement reviewed and approved for publishing by Council
14 th January 2019	Draft and TBC-

Gambling Act 2005 Statement of Principles Review 2017 Consultation Outcome

Meeting of Licensing Committee (CDC), Tuesday, 10th July, 2018 6.30 pm (Item 3.)

Minutes:

Members received a report which detailed the outcome of the consultation on the revised draft Gambling Act 2005 Statement of Principles. It was advised that the consultation had lasted for 6 weeks and in that time two responses had been received.

The first response from GamCare could be seen at Appendix 2 of the agenda pack. Members were advised that the response contained general guidance and information which officers confirmed was already adequately covered by the draft Statement of Principles.

The second response was received from Gosschalks Solicitors, on behalf of the Association of British Bookmakers, which could be seen at Appendix 3 of the supplementary agenda pack. The Committee were informed that the response contained general guidance and comments and a number of suggested changes, which were summarised below:

- In relation to the foreword, officers agreed with the suggestion that the legislation no longer be referred to as "new", and that reference to "promoting" licensing objectives should be removed and replaced with "have regard to" the licensing objectives.
- Officers recommended that minor changes to the wording of section 2.7 should be made to remove reference to "primary activity" and replace with "providing substantive facilities for betting".
- Officers recommended the removal of section 8.3 relating to a location policy as it was deemed as unnecessary.
- Officers did not recommend that suggested minor changes to sections 8.6 and 8.12 should be made as these had been adequately covered by other sections of the draft Statement.
- In relation to local risk assessments, it was suggested that points relating to deprivation, unemployment and homeless people should be removed as they were not relevant. Officers did not recommend that these changes be made as the list of factors was widely used by other authorities and was supported by wider knowledge including the recent Guidance issued by the LGA and Public Health England.
- Regarding the possible future Location Policy in the draft Statement of Principles, officers confirmed that the new information on Local Risks addressed this and therefore recommended that reference to a possible future Location Policy be deleted.

- Regarding changes to Conditions, officers confirmed that the draft Statement of Principles already addressed this.

Members were informed that the proposed amendments to the draft Statement of Principles could be delegated to the Head of Healthy Communities in consultation with the Chairman without needing to return to the Committee for approval.

A question was raised as to why there were concerns over the reference to areas of deprivation in the local risk assessment. It was advised that the main concern was around predetermination, however officers explained that the Council was not making any predetermination, but the draft Statement of Principles was instead providing a list of relevant factors which should be taken into account when carrying out a local risk assessment. Various pieces of research had been carried out showing that persons of lower income, unemployment and homelessness were at a higher risk of being affected by gambling related issues.

The Head of Healthy Communities advised the Committee that none of the wards in Chiltern District were in the lowest 30% of deprived areas in the country. Therefore it was suggested that supporting documentation may need to be produced to define areas of deprivation before adopting the wording as part of the Statement of Principles. Members felt that the Council had a duty to protect vulnerable people, regardless of whether they lived in an area of deprivation, and that crime and disorder relating to gambling establishments was often under-reported.

Councillor C Jones proposed:

1. That the responses to the consultation at Appendix 2 and Appendix 3 be noted.
2. That the draft Statement of Principles attached at Appendix 1 be approved subject to the amendments referred to in the minute above, the exact wording to be delegated to the Head of Healthy Communities in consultation with the Chairman of the Licensing Committee.
3. To recommend to Council to adopt the approved draft Statement of Principles at its meeting on 13 November 2018 for publication at least 4 weeks prior to coming into effect for the period 14 January 2019 to 13 January 2022.
4. To request that Cabinet, at its meeting on 16 October 2018, consider the approved draft Statement of Principles and recommend to Council as set out in 3 above.
5. To recommend to Council to resolve with effect from 14 January 2019 to 13 January 2022 not to issue casino premises licences in accordance with Section 166 of the Gambling Act 2005.

This proposal was seconded by Councillor Flys and agreed at a vote.

RESOLVED

- 1. That the responses to the consultation at Appendix 2 and Appendix 3 be noted.**
- 2. That the draft Statement of Principles attached at Appendix 1 be approved subject to the amendments referred to in the minute above, the exact wording to be delegated to the Head of Healthy Communities in consultation with the Chairman of the Licensing Committee.**
- 3. To recommend to Council to adopt the approved draft Statement of Principles at its meeting on 13 November 2018 for publication at least 4 weeks prior to coming into effect for the period 14 January 2019 to 13 January 2022.**
- 4. To request that Cabinet, at its meeting on 16 October 2018, consider the approved draft Statement of Principles and recommend to Council as set out in 3 above.**
- 5. To recommend to Council to resolve with effect from 14 January 2019 to 13 January 2022 not to issue casino premises licences in accordance with Section 166 of the Gambling Act 2005.**

Note: Councillor M Harrold entered the meeting at 6.45 pm but did not participate in the debate.

SUBJECT:	<i>Chiltern and South Bucks Open Spaces Strategy</i>
REPORT OF:	<i>Director of Services – Steve Bambrick</i>
RESPONSIBLE OFFICER	<i>Head of Healthy Communities - Martin Holt</i>
REPORT AUTHOR	<i>Principal Leisure & Wellbeing Manager - Paul Nanji Tel: 01494 732110 pnanji@chiltern.gov.uk</i>
WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

- 1.1 On 26th June 2018 the draft Chiltern and South Bucks Open Space Strategy was presented to Cabinet. The report detailed the strategy's key findings and recommendations in relation to the quality and provision of open spaces/parks across the district.
- 1.2 To verify the strategy's accuracy, Cabinet requested that it be subject to an additional further round of public consultation with the district's Town and Parish Councils and other key stakeholders.
- 1.3 The attached updated strategy reflects the feedback captured through the additional consultation.
- 1.4 Cabinet is requested to formally adopt the strategy so that it can be used to inform the emerging Local Plan and support local Town and Parish Councils and other community groups improve facilities.

RECOMMENDATION

- 1. To formally approve the proposed Chiltern and South Bucks Open Space Strategy and utilise its findings to support the implementation of the new Chiltern and South Bucks Local Plan.**

2. Reasons for Recommendation

- 2.1 As well as helping inform the new Local Plan the strategy is a key document in helping improve access and the quality of open space provision, contributing directly to improving the health and wellbeing of residents.
- 2.2 An up to date audit of Chiltern's existing open space will provide a valuable resource to Parish Councils, Town Councils and local community groups, helping them attract external funding by providing an independent robust evidence base of existing shortfalls in provision.

2.3 The proposed Chiltern and South Bucks Open Space Strategy has been through two rounds of consultation with local town and parish councils to ensure it accurately reflects existing open space provision as well as capture recent changes in local open spaces across Chiltern.

3. Content of report

3.1 In March 2016 Chiltern and South Bucks Councils jointly commissioned a specialist consultant, Strategic Leisure, to undertake an Open Space 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 Councils to develop planning policies which are supported by sufficient evidence to withstand external scrutiny.
- Increase participation in recreational facilities by bringing together key community organisations to develop a co-ordinated approach to effectively manage recreational and open space provision.
- 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 open space included in the strategy assessment are detailed below with a visit to each individual facility involving both a qualitative and quantitative assessment:

- Public parks and gardens
- Amenity greenspace
- Provision for children and young people
- Allotments and community gardens
- Recreation grounds (where applicable)
- Accessible areas of countryside on the urban fringe
- Cemeteries
- Civic spaces
- Natural and semi-natural greenspaces

3.3 The methodology employed to inform 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.
- Use of quantitative standards in accordance principles contained in the Planning Policy Guideline 17 (PPG17) and by applying a local standard based on new Fields in Trust standards.
- Division of open spaces into typology consisting of a number of different and discrete amenity "types".
- Creation of a qualitative template to include key elements of design and maintenance.
- Qualitative on-site assessment of open spaces distributed throughout Chiltern and South Bucks in accordance with the National Planning Policy Framework (NPPF) and the principles contained in the PPG17 Companion Guide.
- Analysis of results to qualitatively assess the condition of open spaces as well as their overall accessibility standards.
- Devising a parish questionnaire, distribution to all parishes and analysis of questionnaire results.
- Drafting key conclusions relating to the current state of open spaces in Chiltern.
- Drafting recommendations relating to the significance of open space Chiltern in relation to the Local Plan.

3.4 Following the site assessments a range of key findings were identified. These included:

- The District having healthy quantities of Natural and semi-natural greenspace which is accessible to residents and other visitors.
- A more than adequate supply of allotments.
- More public parks and gardens being required in Chiltern.
- A need for more amenity greenspace. Public parks and gardens are required in some communities, particularly in the south of the District to the south of Little Chalfont.
- Many open space sites can be improved by making entrances more welcoming and by introducing informative signage to interpret the district's interesting heritage and history.
- Softening of many grass areas with natural meadow and tree planting would increase their landscape value and enhance biodiversity.
- A general shortage of interesting and exciting play space when compared to the national standard. An additional Neighbourhood Equipped Area for Play (NEAP) and

more Local Equipped Area for Play (LEAPs) should be considered in the Chalfont St Giles area, and more Local Areas of Play (LAP) for very young children in and around Chalfont Common.

- Some playgrounds have rubber surfacing which may pose a risk to safety if not attended to.

4. Consultation

4.1 Following completion of the draft strategy it was agreed by Services Committee that there should be an additional round of consultation with key stakeholders to verify the accuracy and content of the document. Town and Parish Councils were given an additional month to report back issues specific to their respective localities. Collectively these two rounds of feedback have provided invaluable information in improving the accuracy of the strategy.

4.2 This has included updating and incorporating the correct site names of the all the assessed sites, capturing any recent improvements which have recently been undertaken, updating any inaccuracies in the strategy's findings for specific sites and ensuring the population data used to ensure any shortfall and over-supply in provision was accurate.

4.3 Looking ahead given the ongoing changes to open space provision Town and Parish councils along with local community groups will be encouraged to provide the district councils with information of any improvements. This will allow the strategy to be regularly updated and accurately reflect local needs.

4.4 Internally, the Council's Planning and Economic Development Department has supported the strategy throughout its development, advising on key issues such as population growth, planning issues and settlement sizes.

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 – the National Planning Policy Framework require local authorities to

- Avoid any erosion of recreational function and maintain and enhance the character of open spaces
- Ensure that open spaces do not suffer from encroachment (from traffic flows, etc.)
- Protect and enhance rights of way
- Consider the impacts of development on biodiversity and nature conservation.

- Base planning policies on an up-to-date assessment of the needs for open space sport and recreational facilities

6. Links to Council Policy Objectives

- 6.1 Sustainable Environment – The strategy will help protect the district’s green infrastructure and facilitate improved provision for residents to access both now and in the future.
- 6.2 Safe, Healthy and Active Communities – Chiltern District Council has a duty to consider the health and wellbeing of its community, enabling improved access and provision of open spaces 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 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 both councils emerging Local Plan policies

Background Papers:	Appendix 1 – Chiltern and South Bucks Open Space Strategy
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SUBJECT:	<i>Chiltern and South Bucks Playing Pitch Strategy</i>
REPORT OF:	<i>Director of Services – Steve Bambrick</i>
RESPONSIBLE OFFICER	<i>Head of Healthy Communities - Martin Holt</i>
REPORT AUTHOR	<i>Leisure & Community Manager - Paul Nanji Tel: 01494 732110 pnanji@chiltern.gov.uk</i>
WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

- 1.1. Improving the quality and access to sports local playing pitches directly contributes to improving the health and wellbeing of residents. The attached Chiltern and South Bucks Playing Pitch strategy helps support this by providing an up to date audit of Chiltern's existing sports playing pitches as well as identifying current and future shortfalls in provision.
- 1.2. On 26th June 2018 the completed draft Chiltern and South Bucks Council Playing Pitch Strategy was presented to Cabinet detailing its key findings and recommendations in relation to the quality and provision of playing pitches across the district.
- 1.3. To verify the strategy's accuracy, Cabinet requested that it be subject to an additional further round of public consultation with the district's Town and Parish Councils, sports clubs and the appropriate sports governing bodies.
- 1.4. The attached updated strategy reflects the feedback captured through the additional consultation.

RECOMMENDATIONS

1. **That Cabinet approve the proposed 2018-2036 Chiltern and South Bucks Playing Pitch Strategy and it be submitted to Sport England for external accreditation.**

2. Reasons for Recommendation

- 2.1 The strategy helps inform the newly emerging Local Plan by providing a comprehensive evidence base to withstand public scrutiny.
- 2.2 The strategy provides a joined-up approach with clear localised priorities to develop sustainable facilities that support increased participation.

2.3 The strategy provides a robust evidence source to support local sports clubs, Town and Parish Councils and other community groups to access external funding.

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 covering the period 2018 to 2036.

3.2 The Strategy's key aims were to:

- Inform and support the newly emerging Chiltern and South Bucks Local Plan.
- Improve health and wellbeing by increasing levels of sports and physical activity.
- Support community groups and others to access external funding.

3.3 The types of playing pitches covered within the scope of the study are detailed below with each pitch within Chiltern having both a qualitative and quantitative assessment:

- Football 3G rubber crumb pitches
- Football (grass pitches)
- Cricket
- Hockey
- Rugby Union
- Golf

3.4 The methodology employed to reach the strategy's conclusions included a number of actions, all of which are detailed below:

- Review of national, regional and local strategies and policy documents relevant to the exercise.

- Creation 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)
- Creation of a qualitative template to include key elements of design and maintenance.
- Qualitative on-site assessment of playing pitches distributed throughout Chiltern and South Bucks in accordance with the National Planning Policy Framework (NPPF) and the principles contained in the Planning Policy Guidance (PPG) 17 companion guide.
- Use of the Sport England Sports Facility Calculator to ascertain the required number of sports specific playing pitches to meet current and future needs.
- Drafting key conclusions relating to the current state of playing pitches in Chiltern and South Bucks.

3.5 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.

3.6 **Table 1 - Chiltern Key Findings**

Sport	Current demand shortfall 2018	Future demand shortfall 2036 using ONS Sub National Population Projections 2018 -2036
Football 3G Rubber Crumb Pitches	After taking into account existing 3G rubber crumb provision there is a current shortfall of 6 full size 3G rubber crumb pitches based upon the FA training model.	After taking into account existing 3G rubber crumb provision there is a shortfall of 1 full size 3G rubber crumb pitch on top of the current shortfall of 6 based upon the FA training model. The need by 2036 will be 7 full size rubber crumb pitches.
Football (grass pitches)	Adult 11 v 11 - demand is being met for adult match equivalent sessions. 20 spare match equivalent sessions in secured community use. Junior 11 v 11 – shortfall 11 match equivalent sessions based on home and away play each week.	Adult 11 v 11 – demand can be met from existing supply. Junior 11 v 11 shortfall of 28 junior 11 v 11 match sessions based on home and away play each week. This

Sport	Current demand shortfall 2018	Future demand shortfall 2036 using ONS Sub National Population Projections 2018 -2036
	<p>Junior 9 v 9 – current shortfall 6 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 Demand is being met for mini 5 v 5 match</p>	<p>shortfall includes 7 match equivalent sessions for current exported teams.</p> <p>Junior 9 v 9 – shortfall 11 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>
Cricket	<p>Current demand is being met with over play at Ballinger Waggoner’s CC (16 games per season), Chalfont St Peter’s CC (6 games per season), Chesham CC the Meadows (1 game per season), Chesham CC Chartridge Playing Fields (6 games per season), Chenies and Latimer CC(10 games per season) and The Lee CC (2 games per season)</p>	<p>Future demand can be met with current capacity. Additional non-turf pitches will assist with meeting demand from junior cricket teams.</p>
Hockey	<p>As Doctor Challoner Grammar School’s artificial grass hockey pitch is not the correct size for competitive matches. There is a current need for an additional hockey artificial pitch.</p>	<p>As Doctor Challoner Grammar School’s artificial grass hockey pitch is not the correct size for competitive matches. There is a current need for an additional hockey artificial pitch.</p>
Rugby Union	<p>Current short fall of 11.5 match and training equivalent sessions weekly.</p>	<p>Future shortfall of 20.25 match and training equivalent sessions weekly.</p>
Golf	<p>Current demand is being met.</p>	<p>Future demand is for adventure golf.</p>

4 Consultation

- 4.1 A Sports Playing Pitch Strategy forum was established to inform, support and verify the strategy including the relevant sport’s national governing bodies (football, hockey, cricket, rugby and golf), Sport England and Strategic Leisure.

- 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 There have been two rounds of public consultation with local Town and Parish Councils, schools, sport clubs and other community organisations. Collectively these have provided invaluable information in improving the accuracy of the strategy.
- 4.4 This has included updating and incorporating the correct site names of the sports facilities, capturing any recent improvements which had not been undertaken when the site audit was carried out, updating any inaccuracies in the strategy's findings for specific sites and ensuring the population data used to identify any shortfall and over supply was accurate.
- 4.5 Looking ahead given the ongoing changes to sports playing pitches, local schools, sport clubs and parish councils will be encouraged to provide information of any improvements so that the strategy can be regularly updated.

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 Playing Pitch Strategy 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 – The Council has a duty to consider the health and wellbeing of its community, enabling improving the quality and access to 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 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’s policies.

7.2 Once adopted following consultation the strategy will be presented to key stakeholders including Town and Parish Councils, schools, sports clubs and local community groups so that they are aware of its key findings and recommendations.

7.3 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.

Background Papers:	Agenda Supplement – Chiltern and South Bucks Playing Pitch Strategy
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SUBJECT:	<i>Chiltern Community Grant Awards 2018-2019</i>
REPORT OF:	<i>Councillor Elizabeth Walsh – Cabinet Member for Community, Health & Housing</i>
RESPONSIBLE OFFICER	<i>Martin Holt</i>
REPORT AUTHOR	<i>Joanne Fowler (01494) 732103 jfowler@chiltern.gov.uk</i>
WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

To agree funding grant awards for the Council's 2018/2019 Community Grant Aid Scheme.

RECOMMENDATION

Cabinet to agree the allocation of funding awards from the 2018/19 Community Grant Aid Scheme as detailed in Appendix 1.

2. Executive Summary

- 2.1 Chiltern District Council's Community Grant Aid Scheme plays an important role in supporting a diverse range of local voluntary organisations to improve services and facilities for local residents. The grant scheme has helped build and enhance Chiltern's already strong community infrastructure as well as raise the Council's standing as a supporter of the local voluntary sector.
- 2.2 The scheme also attracts additional external funding and supports local voluntary and community organisations to deliver a diverse range of services enabling local residents to;
- 2.2.1 Connect with others in the community
 - 2.2.2 Be Active by participating in sports or community activities
 - 2.2.3 Take Notice of what is going on in the community
 - 2.2.4 Learn new skills or pass on their skills to others
 - 2.2.5 Give through volunteering

3. Reasons for Recommendations

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

4. Content of Report

- 4.1 This year's scheme attracted a record number of forty five applications (Appendix 1) that collectively requested funding totalling £67,738. The cumulative value if all the applicants' schemes were delivered totalled £250,098 which would be achieved by applicants accessing funding from other grant awarding bodies, running internal fundraising events and utilising their own internal reserves.
- 4.2 To provide a fair and consistent approach, all applications were assessed and evaluated with their overall quality categorised as being Green, Amber or Red. Using this assessment approach resulted in the Council awarding £32,240 to thirty eight different community organisations.
- 4.3 All application forms were placed in the Members' Room (04.08.17) along with a summary report highlighting each applicant's key strengths and weaknesses along with associated Councillor comments.
- 4.4 The total grant fund available for Chiltern's Community Grant Aid scheme is £32,240 which includes a £2,000 contribution from the Community Safety and £240 from the Council's internal Communities budgets. The high volume and improved quality of applications has resulted in the decision making process being even more challenging.
- 4.5 All applications were arranged into three distinct categories. Those attaining the **Green** standard (Appendix 1, Table 1), strongly support four of the Council's key objectives, have support from their local ward councillor(s) and have successfully secured additional external funding. It is proposed that applicants achieving Green status receive 70% of their requested grant apart from those requesting £500 or less who will receive 100% funding. Applicants achieving **Amber** status (Appendix 1, Table 2), support three of the Council's objectives and have support from their local ward councillor(s) receive up to 50% of their grant request. Applicants classified as **Red** status (Appendix 1, Table 3) do not strongly support the Council's objectives, have limited or no match funding,

have limited/no councillor support and/or can secure funding from an alternative source, receive no funding.

5. Consultation

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

6. Options

6.1 Not to accept the report's recommendations and propose alternative options of grant awards to community groups.

6.2 Endorse the report's recommendations in accordance to the evaluation process agreed by Cabinet.

7. Corporate Implications

7.1 Financial – There is sufficient funding available within the community grant, community safety and general community budgets to fund the recommendations detailed in this report. Additionally collectively the proposed range of applications lever in a significant amount of external funds into the local voluntary sector.

7.2 Environmental – A range of the community grant applications have a positive impact in helping protect the local environment.

7.3 Equalities - Support to the voluntary sector and helps assists the Council in targeting disadvantaged communities.

8. Links to Council Objectives

Work towards safer, healthier and cohesive local communities

Improve Community Safety

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

Promote healthier communities

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

Promote cohesive communities

- Support the voluntary sector and promote volunteering

Strive to conserve the environment and promote sustainability

9 Recommendation

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

Appendix 1 Recommended Community Grant Aid Awards for Chiltern District Council 2018/2019

Table 1 – Community Grant Aid Applications Achieving Green Status

Receive 70% of requested grant. Strongly support four or more of the Council's key objectives, have support from local ward councillor(s) and have successfully secured additional external funding. Apart from those requesting £500 or less who receive 100% funding.

Organisation	Project	Requested Funding	Funding Recommended	Number of Beneficiaries
Amersham Museum	Mobile Museum	£2,000	£1,400	229
At The Edge	Youth Football and Cafe Club	£903	£633	90
Carers Bucks	Carers in Crisis Emergency Fund	£2,000	£1,400	185
Chalfont St Giles Youth Club	Increase service and facilities	£2,000	£1,400	445
Chalfont St Peter Youth Centre	Develop resources	£2,000	£1,400	300
Chesham Over 50's Positive Action Group	Continuation of annual activities	£400	£400	50
Chesham Photographic Club	Photographic competition	£250	£250	300
Chesham Station Garden Revival	Ongoing care and maintenance of station garden	£250	£250	000's'
Chesham Walkers are Welcome	Launch of app	£250	£250	4000

Little Chalfont Good Companions Club	Continuation of the club	£500	£500	30
Pond Park Community Association	Continuation of the group	£2,000	£1,400	3000
Relate MTB	Quality, professional counselling	£1,800	£1,260	220
Rennie Grove Hospice Care	Engaging and empowering volunteers to support patients with life-limiting illnesses	£2,000	£1,400	50
Voices and Choices	Community Advocacy Programme	£1,000	£700	40
Total		£17,353	£12,643	8,939

Table 2 - Community Grant Aid Applications Achieving Amber Status

Receive 50% of requested grant. Support three or more of the Council's key objectives and have support from local ward councillor(s).

Organisation	Project	Requested Funding	Funding Recommended	Number of Beneficiaries
Amersham Bowls Club	Purchase of a motorised Bowls Green Iron	£2,000	£1,000	150
Bellingdon and Ashridge Village Hall	Repair and Renovate the Village Hall floor	£2,000	£1,000	500
Chalfont Park Sports Association	Equipment replacement	£2,000	£1,000	500
Chalfont St. Peter Community Centre	Renovate warning systems	£2,000	£1,000	1260
Chalfont Wasps	Develop and improve services and facilities	£2,000	£1,000	500
Chartridge Sports Club	Refurbishment of Chartridge Sports Club Pavilion	£2,000	£1,000	500
Chesham Cricket Club	Equipment to support women's soft ball cricket team	£1,000	£500	30
Chesham Stags Netball Club	Sessions to encourage non-	£1,840.80	£920	100

Restore Hope	Christmas celebration event	£1,980	£990	130
Seer Green Baptist Church	Hall refurbishment	£2,000	£1,000	200
Wednesday Stretch and Flex Chesham	Gentle exercise for over 50's	£500	£250	25
Total		£39,135.8	£19,597	18,654

Table 3 - Community Grant Aid Applications Achieving Red Status

Do not strongly support the council's objectives, have limited or no match funding, have limited/no support and/or can secure funding from another source receive no funding.

Organisation	Project	Requested Funding	Funding Recommended	Number of Beneficiaries	Reason
Chalfont Otters Swim Club	Making swimming available to more people	£2,000	£0	100	Application does not demonstrate community benefit
Chiltern Youth Club (working as Amersham Youth Activities)	Youth workers to run summer programme	£2,000	£0	30	Duplicated application- will be directed to other funds
Great Missenden and Prestwood Revitalisation Group	Prestwood High Street car park improvements	£2,000	£0	200	Directed to Capital pot- incomplete application
Jordans Village	Installation of a Hearing Loop for Village Hall	£350	£0	5000	Contrary to policy- DDA compliance
Knotty Green Allotments	Equipment	£1,900	£0	100	Contrary to policy- Parish Council
Prestwood FC	Annual maintenance of the pitch	£1,500	£0	100	Ongoing operational costs- to be covered by subscription and other fundraising
Prestwood Sports and Leisure Association	Free classes for young people	£1,500	£0	12	Contract and lease requirement for GLL
Total		£11,250	£0	5542	

Chiltern District Council

Services Overview

9th October 2018

Cabinet

14th October 2018

SUBJECT:	<i>Service Level Agreement with Chiltern Citizens Advice Bureau</i>
REPORT OF:	<i>Cabinet Portfolio: Healthy Communities</i>
RESPONSIBLE OFFICER	<i>Head of Healthy Communities</i>
REPORT AUTHOR	<i>Martin Holt 01494732055 mholt@chiltern.gov.uk</i>
WARD/S AFFECTED	<i>(All Wards);</i>

1. Purpose of Report

To agree the award of funding to the Chiltern Citizens Advice Service (CAB) for the period 1st April 2019 to 31st March 2022

RECOMMENDATIONS

1. That Cabinet agrees to grant aid the Chiltern Citizens Advice Service with funding of £135,000/annum for the period 1st April 2019 to 31st March 2022
2. That authority be delegated to the Head of Healthy Communities to agree the terms of the Service Level Agreement with the Chilterns Citizens Advice Service, in consultation with the portfolio holder.

2. Reasons for Recommendations

- 2.1 The work of the CAB contributes directly to the delivery of the Council's Housing and Homelessness duties strategies. As a key partner in reducing the risk of homelessness, CAB dealt with nearly 300 enquiries during 2017/18 from clients who were specifically facing homelessness or the threat of it. CAB also provided wider advice and support to other clients on a range of other issues that impacted on housing. This included mediation with landlords, support in dealing with disrepair and help with benefits that helped clients to claim a total of approximately £600,000 of additional benefits in 2017/18 to help meet their day to day living and housing costs. This underpinned the specialist targeted money advice work that directly prevented at least 41 clients from being made homeless due to rent or mortgage arrears in 2017/18. These homelessness preventions saved an estimated minimum cost to the Council of approximately £122,000 if those clients had instead been made homeless and been placed in temporary accommodation (based on the average cost and length of time for clients in bed and breakfast in 2017/18). However, without CAB's wider interventions the temporary accommodation costs to the Council in 2017/18 would probably have been even higher than this as it is likely that other clients would also have become homeless without the mediation, benefits advice and other services delivered by CAB.
- 2.2 The CAB assists the Council's excellent delivery of council tax collection through the support and debt advice it provides to residents on council tax and housing benefit issues. Should the council tax collection performance fall below 98.5% there would be an adverse impact on the proposed council budget for 2019/2020, with a potential for deficit on the collection fund, which would require a negative adjustment in our overall budget. At Chiltern there is usually a surplus in the collection fund; for example in 2017/18 we had a positive adjustment of £195k

3. Content of Report

3.1 Citizens Advice Chiltern (CAC) is a local charity providing free, confidential, independent and high quality advice to anyone who lives or works in the community. It provides; a free, independent, confidential and impartial service to everyone, on their rights and responsibilities, and has developed a range of generalist and specialist services meeting the changing needs of the local community.

3.2 The advice is provided by 70+ trained volunteers and paid staff (including 13 specialist caseworkers) through offices in Amersham & Chesham as well as outreach services at Chalfont St Peter, and Prestwood. Clients are supported via drop-in and scheduled face to face appointments as well as telephone advice on a range of issues including employment, debt, housing, benefits and relationships. Most advice is given at the general level with specialist services in benefits, debt and employment.

3.3 Chiltern CAB is a valued partner and the SLA grant of £125,000 during 2017-18 financial year represented approx. one third of their total income with the remainder coming from donations, grants and specific project work.

3.4 The CDC grant enables the CAB to provide a quality, holistic advice service resulting in the Quality of Advice Assessment (QAA) rating for the quality of advice and customer experience for 2017/2018 being maintained at a high level.

3.5 The top four advice issues for 2017/18 were benefits and tax credits (31%), debt (28%), housing (17%) and employment (9%). The majority of clients - 64% - reported having a disability or a long term health condition.

3.6 The service in 20 17/18 supported 4,645 clients with 16,272 issues and provided £975,600 financial benefits to customers. This included supporting clients to access benefits and tax credits and other financial resolutions to a value of £687,742 which averaged £148 benefit per client. The value of Debts written off for clients with the support of the CAB was £287,858.

3.7 During 2017/18 the CAB's expended its energy advice project with the worker delivering group sessions in the community and individuals advising clients on minimizing their energy consumption and energy bills, directly supporting actions in the Councils Home Energy Conservation Act and Fuel Poverty action plans.

3.8 The Council also contracted the Chiltern CAB in partnership with South Bucks to support the Gypsy, Roma and Traveller outreach project address the impact of benefit changes following the sale of the County owned traveller sites to a private landlord.

3.8 Chiltern District Council also supported the development of a Consumer Empowerment Project funded by National Citizens Advice researching the mobile phone repair market locally and producing a Service Charter, endorsed by Trading Standards, Citizens Advice and the local councils, for shops to sign up to, giving customers confidence and best service.

3.10 Through partnership working the with the other Buckinghamshire CAB's the Chiltern CAB supports the delivery of the Money Advice Service and Pensionwise services as well as working closely with Food Banks, Credit Union and other charitable organisations.

3.11 Future challenges include;

- Increased demand for advice services – whilst more clients are accessing self-service support via the website, similar to the experience of housing more complex enquiries are being undertaken on a face to face basis. The changes to benefits may increase demand for CAB services.
- Challenging funding environment – The Council has traditionally encouraged the CAB to diversify its funding stream and the CAB has successfully accessed alternative funding. With the potential for continued cuts in public funding over the next three years, and potentially rising demand, any change to the service delivery can have significant negative consequences for homeless prevention and council tax collection, both of which could be a negative impact on the Council.
- Citizens Advice Chiltern continues to face funding challenges and during 2017/18 a number of projects finished due to end of funding. The trustee board is fully committed to providing a quality service in a cost effective manner and some of the actions include training of new volunteers, upgrade of IT infrastructure, improved internal communications and the recruitment of a fundraiser to assist in developing new funding opportunities as detailed in its Business Plan

3.12 To support the delivery of the business plan the Council is continuing to explore the opportunity to relocate the CAB office from the Barn Hall Annex in to the Council offices enabling improved customer service. Many of our customers are also customers of the CAB and a joint approach would assist to resolving complex issues swiftly and avoid additional costs incurred by the public sector as a whole.

3.13 Relocating to the Council offices could save the CAB approximately £10,000 in operating costs. The CAB is considering what data protection requirements would be required to enable co-location. In the meantime they are to continue to operate out of Barn Hall Annex on a rolling lease.

3.14. At the Cabinet 29TH September 2015 it was agreed to fund the CAB £125,000/annum with an additional £10,000 available for specific projects. This additional funding was used to support the gypsy and traveller project. With the costs arising from the CAB remaining in the Barn Hall Annex for the foreseeable future it is proposed that the Council increases its grant by the £10,000 to reduce the impact on the CAB. It is therefore proposed to award a grant of £135,000 for the period 1st April 2019 to 31st March 2022 in return for a service level agreement.

4 Consultation

Not Applicable

5 Options (if any)

- *To award funding for the period 1st April 2019 to 31st March 2022 in line with the Buckinghamshire Compact or award funding on an annual basis.*

- *To continue to fund CAB with and award of £125,000/annum*
- *To increase funding to the CAB to £135,000*

7. Corporate Implications

Reports must include specific comments addressing the following implications;

7.1 Finance: the provisional budget anticipates an award of £135,000; it is recommended that the agreement with the CAB should be subject to annual review and 6 month notification of any change in funding. Thus should this area of work be the subject of further savings or the demand for the service is not as great as current predictions indicate the council could renegotiate the funding agreement. Any change would take effect after 6 months and for the following year.

7.2 Legal: The support to the CAB assists the Council in ensuring that those with protected characteristics under the Equalities Act are supported with advice and assistance to access services

8. Links to Council Policy Objectives

This links to the 'We will work towards safe and healthier local communities' aim of the CDC Aims and Objectives 2017-20.

9. Next Step

Officers will agree the Service Level Agreement with the Chiltern CAB in consultation with the Head of Healthy Communities and the Portfolio Holder. Any changes to the lease arrangements for Barn Hall Annexe and the proposed occupation at King George V House will be dealt with under the Head of Environment's estate management powers under the Scheme of Delegation.

Background Papers:	Chiltern CAB Annual Review 2017/18 Report Appendix 1
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Citizens Advice Chiltern

Funded by our community,
for our community



Review of our work
April 2017 – March 2018



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Chair's introduction

The year April 2017 to March 2018 was another very busy one for Citizens Advice Chiltern. Through the year **4,645** clients accessed our services and we assisted with more than **16,272** problems. Our clients are often the most vulnerable people in our local communities: elderly people, families struggling to pay the most basic bills, people relying on welfare payments for housing or food, and those in unreliable work. Yet again, we have delivered significant financial benefits to our clients, with income gains of **£687,742** and debts written off of over **£287,858**.

The year also saw the development of our active and innovative research and campaigns function. Our expertise in this area was recognised by Citizens Advice nationally who awarded Consumer Empowerment Project funding to us, for researching the mobile phone repair market locally. The project proved highly successful, allowing us to build local partnerships and develop expertise in consumer issues.

As a local independent charity, Citizens Advice Chiltern relies on the huge amounts of time and energy donated by our team of highly skilled and dedicated volunteers to provide our much needed advice service to our local communities. However, even with this support, our organisation faces an annual struggle to fund the cost of our services. This is because Citizens Advice Chiltern continues to face a very challenging funding environment. A key focus for the year was therefore the development of our fundraising function, including a Trustee-led dedicated funding committee and the recruitment of a professional fundraiser. As always, we will continue to make sure that our resources are used in the most efficient way to offer the best possible service to our communities.

Making a difference

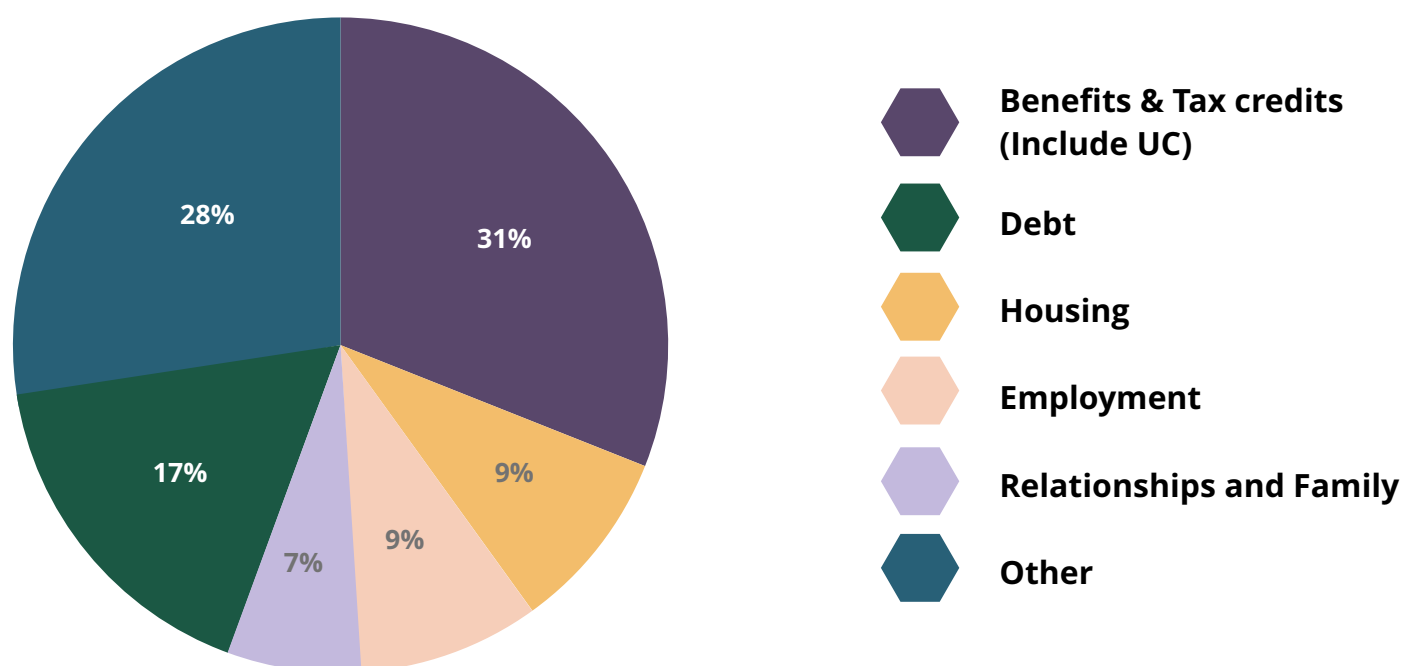
Last year we helped **4,645** clients with **16,272** problems. **58** advice volunteers provided general advice sessions at the Amersham and Chesham offices, working alongside paid supervisors. Drop in and scheduled advice interviews were offered.

“ Due to your help, we’re managing our finances much better. I only wish we’d done this years ago. ”

Telephone advice continued to be a large part of our work. Citizens Advice Chiltern volunteers answered calls on the Bucks Advice Line triage service. Full telephone advice was also provided to Chiltern and Slough residents.

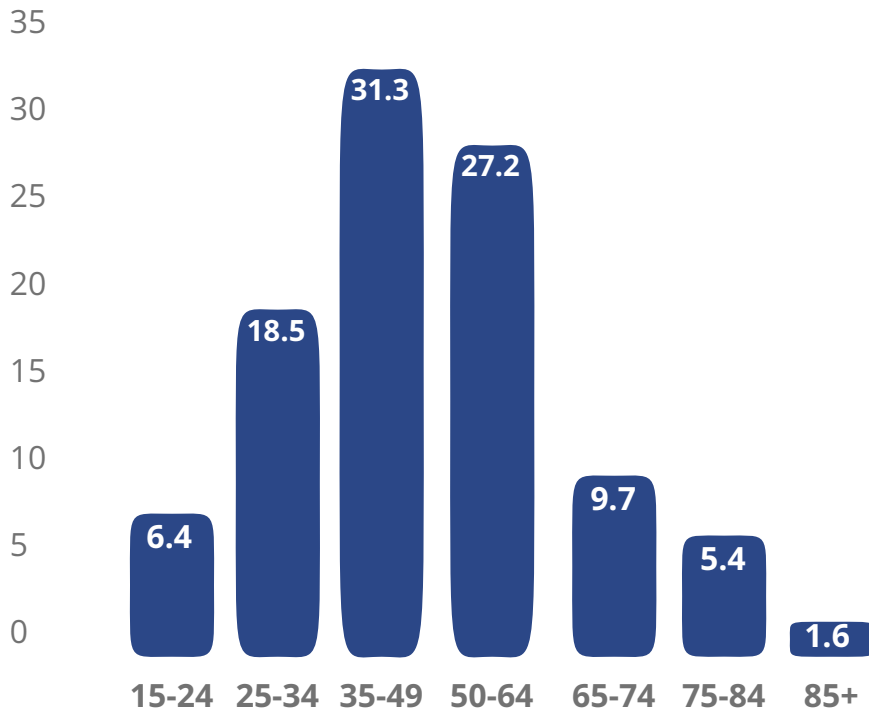
What were the main advice issues?

Our top four advice issues for 2017/18 were benefits and tax credits, debt, housing and employment. The pie chart below shows the proportion of issues in each category:

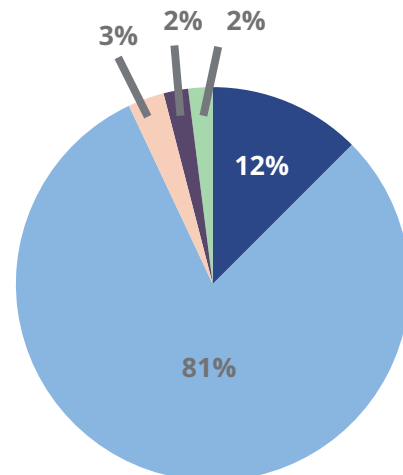
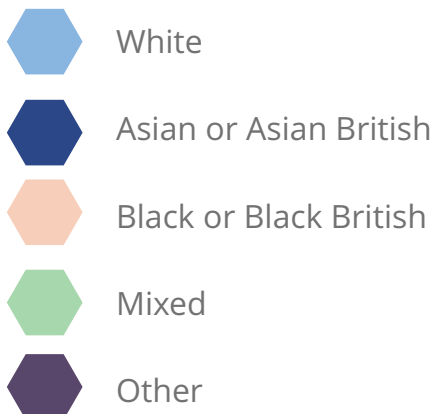
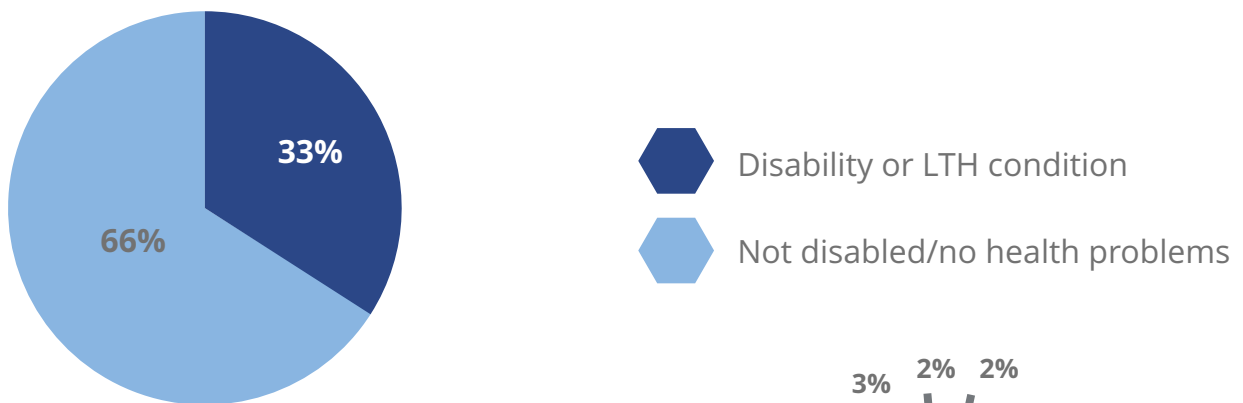


Who were our clients?

Clients were predominantly of working age, as shown in the chart below.



Over a third of our clients stated that they had a disability or long term health condition.



Advice Areas

Benefits

Benefits and tax credit issues are the most frequent area of advice, representing **31%** of all issues in 2017-18. We have helped people at every stage in the benefits process, from original applications through to Appeals with Tribunals. Our specialist advice for Tribunals includes case law. Tribunal wins mean that the client can get payment backdated for weeks and months, which can have a real impact on their lives.

The top three benefits issues in 2017/18

Issue	Number in 2017/18
Employment and support allowance	976
Housing Benefit	819
Personal Independence Payment	680

Assisting individuals with disability benefits was a large part of our work, reflecting the complexity of the Employment and Support Allowance (ESA) and Personal Independence Payment (PIP) application process. Appeals for ESA increased by **64%** when compared with 2016-17 activity in this area. Within Housing Benefit, Discretionary Housing Payments issues increased by **16%** and 'Making and managing a claim' issues for housing benefit increased by **40%**.

Future trends in our benefits work

The roll out of Universal Credit to more client groups in September in Chiltern LA area will increase our work providing advice in this area. In 2017-18 we assisted **87** clients with **143** UC related issues. We also expect to continue to see high demand for assistance with disability benefits, particularly relating to the appeals process which can be complex and time-consuming.

Impact of our benefits work



1,682 clients were helped with 5,091 benefit, Universal Credit or tax credit problems



A total of £560,749 in new and increased benefits was received by clients

Debt

Debt continues to be a significant advice area for our clients. **17%** of all issues presented by clients in 2017-18 related to debt. Each debt client that we helped had an average of **3** debt related issues. We have found that households are increasingly struggling to pay their essential bills, such as council tax. This has been highlighted in a recent Citizens Advice report. It has been estimated that household bill debt has increased from **£14 billion** in 2010/11 to nearly **£19 billion** in 2016/17—an increase of around **35%**. We have also continued to see high numbers of individuals with rent arrears, particularly through our two projects working with housing associations, Pound Advice, funded by L&Q housing and Bucks Money Advice Service funded by the Paradigm Foundation. A recent report by the Office for National Statistics (Making Ends Meet: are households living beyond their means 26/7/18) showed that households have become net borrowers for the first time since 1988. Consumer credit has risen by a third in the last five years (including, car finance, credit cards and payday loans). They also showed that it is lower earners who are more likely to be spending more than their income. This has implications for the need for debt advice.

The top three debt issues in 2017/18

Issue	Number in 2017/18
Rent arrears: Housing Association	414
Council Tax Arrears	379
Credit, Store and charge cards	353

There has been a **19%** increase in issues relating to rent arrears: housing associations since 2016-17. This is, in part, a reflection of the project work done with local housing associations by our Money Advice team.

Future trends in our debt work

We expect to see increasing numbers of clients struggling to meet their essential expenditure such as rent and council tax. A recent briefing by the National Housing Federation (Universal Credit and Rent accounts; Potential impacts 10/7/18) states that research suggests that UC claimants have higher average arrears than claimants on legacy benefits.

Impact of our debt work



837 clients were helped with 2,722 problems



A total of £287,858 in debt was written off.

Employment

Employment was the third highest problem area presented by clients, representing **9%** of all issues present in 17/18. In Chiltern and South Bucks, the low unemployment rate masks issues with low pay and insecure employment which have been highlighted nationally. A Joseph Rowntree Foundation mapping exercise showed that Chesham and Amersham ranked considerably higher for low pay than the national average.

The top three employment issues in 2017/18

Issue	Number in 2017/18
Pay and entitlements	312
Dismissal	240
Terms and conditions of employment	177

Future trends in our employment work

We continue to advise clients on how to resolve disputes with their employers without having to resort to legal action. When required, we assist clients with employment tribunal applications, the number of which has increased since the abolition of fees. Advising clients who are on “zero hours” contracts and helping to determine client employment status (employee, worker or self-employed) is an increasing part of our workload.

Impact of our employment work



625 clients were helped with 1,422 problems

Housing

Housing issues represented our fourth highest advice area, accounting for **9%** of all client issues.

The top three housing issues in 2017/18

Issue	Number in 2017/18
Private Sector rented property	280
Housing Association property	331
Threatened homelessness	182

Future trends in our housing work

We expect to deal with more issues relating to insecurity of tenure in both the private rented and social housing sectors. For example, this is a growing issue for social housing tenants due to increasing use of starter tenancies and fixed term tenancies for new tenants.

Impact of our housing work



818 clients were helped with 1,458 problems



My adviser and all the CAB staff have been brilliant and incredibly helpful in all the dealings I have had with them. Many thanks!



Supporting clients through casework

In addition to our general advice, Citizens Advice Chiltern offered casework in debt advice, welfare benefits' advice and employment.

The debt advice service, led by the Money Advice Supervisor, consists of a mix of paid and volunteer money advisers and admin support staff. The service is unusual in being able to offer comprehensive, holistic support, including debt relief orders.

The employment casework team continued to offer employment advice, taking on complex casework and supporting individuals at tribunal. The team, including the supervisor, are all volunteers.

“ The adviser has been a massive source of support and I have got the outcome I wanted. ”

Quality of advice

Chiltern's advisers and caseworkers continue to deliver advice of a very high quality. Our Quality of Advice Assessment (QAA) rating has been maintained at a high level receiving green classifications awarded by our national quality and in-house assessors. Part of our paid membership subscription to Citizens Advice gives advisers access to AdviserNet, a comprehensive web-based information system. Our advisers are supported on shift by a hugely experienced team of session supervisors and their work is continually case-checked. We ensure that the team are kept abreast of changes with regular updates and training and refresher sessions. They received detailed presentations at team meetings including the District Council on the Homelessness Reduction Act, Universal Credit from the Jobcentre and consumer issues from Bucks and Surrey Trading Standards. Our advice team have all been retrained in our new case recording system in December 2017.

Projects

In addition to our general advice service, Citizens Advice Chiltern delivered a number of projects during the year. Projects are important in targeting our advice so it reaches all those in need in our community. Projects also help us build specialism in different areas. The projects in 2017/18 were Bucks Money Advice, L&Q Pound Advice, Energy Advice and GP Outreach.

Bucks Money Advice Service

The Bucks Money Advice Service is being funded by the Paradigm Foundation. A joint project with Citizens Advice Wycombe and Aylesbury Vale since 1st April 2016, the project has enabled training of volunteer Money Advice caseworkers supporting tenants with rent arrears, benefit claims/issues and budgeting. There is a direct referral system which means clients are helped sooner and the target was met with over **350** clients being helped through the direct referral system with income gains of **£128,308** and debts of **£249,528** being written off.

“ Want to add that the service through money advice was exceptional and I was very pleased with the outcome ”

The project enables early intervention to manage clients' debts which reduces councils' expenditure on emergency remediation, improves Paradigm's planning with the help of data, provides access to a countywide point of contact and support structure, reduces the Paradigm need to invest in specialist staff or third party agencies, reduces the number of evictions, lowers the scale of rent arrears and builds financial security and resilience for residents which improves their well-being.



Case Study

Client, single, lived in Paradigm property for a number of years and in high rent arrears. The client had to claim Universal Credit (as Chiltern was in the 'live' area for single claimants at this time). No money for first 8 weeks of the claim, housing benefit and council tax reduction stopped and client was referred to BMAS by rent officer.

Success

The BMAS adviser helped client prepare a financial statement to make voluntary agreement with Paradigm for rent arrears

□ With UC, the housing element is paid directly to the client, so client liable to pay full rent to Paradigm.

□ Agreement reached with rent officer, to date the client has not defaulted. BMAS has prevented the client from being taken to court, saving further £325 court costs being added to the rent account

Adviser further supported client to successfully claim limited capability for work under UC, increasing monthly income by £328. Adviser also helped client with Personal Independent Payment application, discretionary Council Tax Reduction and writing off of some non- priority debts

The client has been able to stay in their home, knowing that the arrears are being cleared.

Paradigm have been able to keep the tenant, without the time or cost of having to apply to court for Possession, or worst case scenario having to evict. Client has been able to see debts cleared, which alleviates stress and anxiety. Client continues to be assisted with other welfare related issues and a utility issue.

L&Q Pound Advice

Citizens Advice Chiltern provides money and benefits advice to residents of London and Quadrant housing in Chiltern, South Bucks and Slough. Residents are referred directly by the housing association and are then helped by the money adviser to manage their debts, sustain their tenancies and set a sustainable budget. They are also helped to maximise their income e.g by claiming any benefits that they are entitled to and accessing national and local charitable funds. In addition, clients can self-refer to the project which may be via our existing services in Chesham, Amersham, Burnham and Langley or via publicity for the project throughout the area. Clients are offered holistic advice so may also be signposted internally to other Citizens Advice Specialists as well as externally, for example, to SSAFA for further assistance. There are close and long standing working relationships with South Bucks District Council and the L&Q Tenancy Sustainment Officer in order to achieve the best outcomes for L&Q tenants helped under the auspices of the project.

“ Both advisers were very knowledgeable and helpful. Their help ensured that I was able to successfully claim the benefits that I was entitled to. ”



Case Study

Client was referred to Pound Advice; with over £5k of rent arrears. Client was on a fixed term probationary tenancy following the death of his mother. Client needed assistance with a reconsideration request for backdate of housing benefit. There was vulnerability in the household; client had life limiting condition and his siblings had mental health and mental capacity issues.

Client referred to in-house Benefit Specialist for help with benefit related issues.

Success

- Risk of eviction from property averted.
- Backdating of housing benefit: £3,842.99 and weekly award of housing benefit £116.75.
- Weekly award of £28.67 a week Council Tax Support and backdated award of £946.11 Council Tax Support.
- Weekly award of £58.00 PIP Mobility Component and backdated award of £1,070 PIP.
- Client able to access other specialist support within Chiltern Citizens Advice; signposted to Benefits Specialist.
- Client has confidence in using Citizens Advice service and has our contact details to access us again if needed for any reason.

“ I would like to say the adviser was very lovely. Looked after me very well. I have nothing but high regard for her. Thank you. ”

Energy

With funding from Bucks Local Area Forums and Citizens Advice, during 2017/18 we continued to help local residents access the best value gas, electricity and water rates for their needs. We have achieved this through a combination of activities. All advisers are trained to give one to one energy advice to any client visiting us. Often as part of debt or benefit advice we discuss maximising income and reducing household bills including utility costs. This ensures our clients stay warm in winter for less and avoid the health risks associated with living in cold homes. Some clients visit us specifically to talk about their energy bills. They often come as a result of attending one of our group sessions. We have delivered more than **20** group advice sessions locally to existing community groups including MIND, Children's centres, church groups and elderly support groups. In addition, we have raised the profile of our energy work with local councillors and debt advisers across Buckinghamshire's district council areas.



Outreach Services

Outreach advice sessions continued to be provided at GP surgeries in Burnham, Langley and Prestwood and from the community centre in Chalfont St Peter. These outreach services remained very popular among older clients and those with disabilities who face more problems travelling to offices. Nearly **30%** of clients who accessed our outreach services were aged 65 and over, a much greater proportion than we see in our offices. We also undertook a Gypsy, Roma and Traveller outreach project in partnership with South Bucks.

Campaigns and research

Our Campaigns and Research Action Group (**CRAG**) continued to focus on assisting our national service with national campaigns and also identifying local trends. As part of our work, we produced over 160 bureau evidence forms, which were sent to Citizens Advice to provide evidence for local and national campaigns. Nearly half of these evidence forms concerned worrying trends with benefit issues. We also liaised with local organisations and partner agencies, communicating local issues which had been raised by our clients such as problems with online benefit forms and delays in accessing local services.

We also continued to focus on energy work, campaigning with National Citizens Advice to raise consumer awareness about switching energy supplies, and running events and market stalls to publicise this.

During the year, Chiltern was **one of only 3** Local Citizens Advice offices to be awarded funds for a Consumer Empowerment project by National Citizens Advice, and the CRAG team worked with the two project workers, helping them deliver outreach events and conduct mystery shopping surveys as part of a drive to improve mobile phone users' knowledge of their rights and also improve the service mobile repair shops were offering locally.



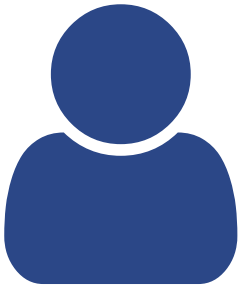
Future plans

The Board of Trustees agreed a new three-year business plan. Our key priorities are:

- To deploy our volunteers, our buildings and our information systems in ways in which maximise quality of advice delivered to clients
- To continue to develop innovative projects and services
- To promote Citizens Advice in the community to ensure our advice reaches the people who need it, when they need it
- To continue to enhance fundraising efforts and return to a position where breakeven budgets can be set on an annual basis

The Year at a Glance

2017-2018



About Us

58 volunteers

6 locations

13 specialist caseworkers



4,645 clients helped with 16,272 problems



Financial outcomes

**Income Gain £687,742 of which
£560,749 benefit/tax credit gain**

**Debts written off £287,858 of which
Debt Relief Orders were £249,528**

In 2017/18 we generated on average £148 income gain per client



99% of clients happy or very happy with the help they received

Free, confidential advice. Whoever you are.

We help people overcome their problems and campaign on big issues when their voices need to be heard.

We value diversity, champion equality, and challenge discrimination and harassment.

We're here for everyone.



www.chilterncab.org.uk

SUBJECT:	<i>CCTV review</i>
REPORT OF:	<i>Cabinet Portfolio: Healthy Communities</i>
RESPONSIBLE OFFICER	<i>Director of Services</i>
REPORT AUTHOR	<i>Martin Holt 01494732055 mholt@chiltern.gov.uk; Julie Rushton jrushton@chiltern.gov.uk</i>
WARD/S AFFECTED	<i>(All Wards);</i>

1. Purpose of Report

To consider the implications of the Privacy Impact Assessment review of the CCTV provision in Chiltern. To agree future CCTV monitoring arrangements and potential costs.

RECOMMENDATIONS

- 1. To note the recommendations of the CCTV review and continue to provide public area CCTV coverage in the recommended locations detailed in Appendix 2 of this report**
- 2. To disconnect and remove the CCTV provision in the recommended locations detailed in Appendix 3 of this report.**
- 3. To continue to participate in the CCTV TVP hub model and seek to achieve the economies of scale to enable re-investment in the existing CCTV network**
- 4. To delegate the final decision on the CCTV TVP hub model business plan to the Head of Healthy Communities and Head of Environment in consultation with the Portfolio Holders for Healthy Communities and Environment**
- 5. To allocate up to £80,000 in the Capital budget 2019/20 for the provision of mobile CCTV and for the capital costs arising from the relation of the CCTV hub**

2. Reasons for Recommendations

2.1 To ensure effective monitoring of the Council's CCTV network in accordance with the Information Commissioner Office guidance

3. Content of Report

3.1 CCTV supports the investigation of crime and disorder and can provide reassurance to communities; it can also be used to assist in the identification of persons helping reduce risk to vulnerable persons who may be missing or otherwise at risk. CCTV can also be used to support the Council's service delivery in the areas of parking reducing ASB and environmental crime.

3.2 The Council currently operates 42 fixed CCTV cameras across Amersham, Chesham, Chalfont St Peter and Little Chalfont with images sent to the Wycombe CCTV hub for monitoring and recording and release to Thames Valley Police for the investigation of crime. The main purpose for which the CCTV provision is used in Chiltern is to investigate crime through police officers accessing data from recorded events. Some active monitoring of the public realm occurs but this is at a very low level and is for the following reasons;

- To attempt to find missing persons
- Monitoring for stolen or suspect vehicle as part of a crime (however the current CCTV cameras are not directly linked to the ANPR network)
- Monitoring cash in transit movements
- Looking for suspect persons
- Routine monitoring car parks and high street locations

Location	Number of cameras
Chesham	13
Amersham on the Hill	22
Amersham Old Town	3
Chalfont St Peter	3
Little Chalfont	1
Total	42

3.3 All of the public area CCTV cameras are managed and operated at the High Wycombe Hub (CCTV control room). The Hub is operated 24/7 by two operators and a CCTV manager; the manager is also responsible for the repair of faults to the cameras and the control room equipment. The Hub is contractually required via Thames Valley Police to operate Chiltern cameras for fixed periods which total, for the Chesham cameras for 15 hours / week and those in Amersham for 10 hours / week. Whilst these are the contractual monitoring periods, the operators respond to all incidents that are brought to their attention by the Police and this can be at any time of the day or night

3.4 An independent CCTV review has assessed the purpose of the surveillance cameras, what issues they are trying to address, how effective they are, what benefits can be gained from surveillance, what other less intrusive methods could be used, how privacy is maintained and how the data is managed. The full report is detailed in Appendix 1

3.5 In summary, the greatest number of incidents recorded was in Chesham, with less than one fifth in Amersham. Incidents tended to be brought to the attention of the control room by the police, rather than the other way around, which suggests that pro-active surveillance was not the principal manner in which the systems are operated, reflecting the limited active monitoring funded by TVP. Operators monitored for missing persons and vehicles wanted by the police and cash-in-transit vehicles. In the three years analysed, the number of incidents recorded in 2017 reduced to half of the number in 2015. The condition of the cameras is considered poor and not all are used for the management of crime and disorder.

Future CCTV provision

- 3.6 The review recommends that the existing camera systems detailed in Appendix 2 are refurbished with new; digital cameras that will restore them to meet their operational requirement of producing high quality images suitable for investigating offences and for use in court. The refurbished town centre cameras in Amersham, Chesham and Chalfont St Peter are managed and operated at a CCTV Control Hub, available for live view and access to recorded images 24 hours per day
- 3.7 Based on current crime levels, usage in the detection of crime and disorder the review further recommends that the existing camera systems detailed in Appendix 3 are decommissioned
- 3.8 The review also recommends that a re-locatable CCTV system (4G) is procured to allow monitoring of temporary crime and disorder hotspots not covered by CCTV. The system to consist of 3 or 4 cameras recording high quality images (31 days) within the body of the unit. Review of the images would be via an authorised user able to dial into the camera to review and download recorded images and view live, as required. The re-locatable system can be used for short-term deployments should a need arise in the future.
- 3.9 The recommendations in the report identified for the new multi-storey have been addressed within that project.

CCTV monitoring

- 3.10 To achieve revenue savings Aylesbury and Wycombe Districts currently hosting CCTV control centres are working with TVP to explore the opportunities to reduce long term costs by relocating the CCTV monitoring to the Milton Keynes hub. CDC currently works with Thames Valley Police who supports the cost of monitoring the CCTV images at the Wycombe CCTV control room.
- 3.11 Any change to CCTV monitoring by Wycombe will require Thames Valley Police and Chiltern District Council to identify alternative CCTV monitoring arrangements. TVP are seeking to relocate all monitoring to Milton Keynes. It would be for the Council to agree to this proposal or find an alternative monitoring provider or disconnect and remove all its CCTV cameras. WDC has given notice that it will no longer monitor the CDC CCTV images when the TVP hub project goes live.
- 3.12 The proposals currently suggested by TVP is that all users of the proposed MK CCTV control hub are charged a share of the Capital costs based on a per camera rate. For CDC and based on the current 42 CCTV cameras this would incur a one off cost estimated at £60,000 and an annual revenue contribution of approximately £30,000.
- 3.13 Should CDC reduce the numbers of CCTV cameras to the levels detailed in Appendix 2 the capital cost is estimated at £40,000 and a revenue cost of £30,000
- 3.14 CDC has expressed a view that whilst it may be willing to share the capital investment, there are no revenue savings to CDC from transferring the image monitoring to the MK hub. Further discussions are being undertaken in relation to the business case.

- 3.15 It is recommended that in principle approval be made to participating in the MK Hub subject to final approval of the business case being agreed by the Head of Healthy Communities and Head of Environment in consultation with the Portfolio Holders for Healthy Communities and Environment.

4 Consultation

The Local Police Commander has indicated that he would support the upgrade to digital CCTV cameras and the introduction of mobile units as part of an overall reduction in fixed CCTV cameras.

5 Options (if any)

- 5.1 To discontinue the CCTV network
 5.2 To reduce the CCTV network and monitor via TVP Hub
 5.3 To consider alternative approaches to monitoring the CCTV network

6 Corporate Implications

Reports must include specific comments addressing the following implications;

7.1 Financial – the current CCTV budget is £68,298 which includes cost of CCTV camera repair and maintenance, and transmission to WDC Hub. The monitoring costs are currently met by TVP. The business case being proposed by TVP would have to be met from within existing revenue budgets which would require a reduction in CCTV cameras. However a capital investment of £10,000 per mobile camera will be required. Additionally capital cost of £40,000 may be required to relocate to the TVP CCTV hub

7.2 Legal – the ICO requires local authorities providing CCTV surveillance to annually consider the impact of monitoring and the benefits to the local community. The CCTV review has identified cameras which are of limited impact in detecting crime and disorder and consideration should be given to removing these.

7 Links to Council Policy Objectives

<http://www.chiltern.gov.uk/Aims-and-Objectives>

<http://www.southbucks.gov.uk/prioritiesandperformance>

8. Next Step

The Council will continue to work with TVP on the business case for the TVP CCTV Hub

Background Papers:	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 background papers for executive decisions must be provided to Democratic Services)
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Chiltern District Council and South Bucks District Council

Review of CCTV systems

September 2018

Chiltern District Council and South Bucks District Council

Review of CCTV systems

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1 Introduction

1.1 Eclipse Research was commissioned by Chiltern DC to carry out a review of CCTV systems including current equipment and connections.

1.2 The review consisted of, inter alia:-

- An assessment of the cameras and whether or not they are fit for purpose and might be reduced in number or replaced with a re-deployable system and which are the principal areas for CCTV surveillance;
- Identify the options for the future management and operation of the systems;
- Carry out operational requirements and privacy impact assessments on the existing systems and identify which locations would benefit from enhanced surveillance;
- Design the CCTV system for the extension of Amersham multi-storey car park.

1.3 This will report on the two points above: an assessment of the cameras and the options for their future management and operation of the systems.

1.4 First, what is the scope of the CCTV systems and how are they managed and operated, currently?

2 Audit of CCTV systems

2.1 Chiltern DC owns and operates public area CCTV systems in the following areas:-

Table 1 Summary of public area CCTV systems in Chiltern and South Bucks

Location	Number of cameras
Chesham	13
Amersham on the Hill	22
Amersham Old Town	3
Chalfont St Peter	3
Little Chalfont	1
Total	42

2.2 In addition to these, there are several security and facilities management CCTV cameras installed at leisure centres, the council depot and other premises but these systems are not to be addressed in this part of the review.

2.3 All of the public area CCTV cameras are managed and operated at the High Wycombe Hub (CCTV control room). The Hub is operated 24/7 by two operators and a CCTV manager; the manager is also responsible for the repair of faults to the cameras and the control room equipment. The Hub is contractually required to operate Chiltern DC cameras for fixed periods which total, for the Chesham cameras for 15 hours / week and those in Amersham for 10 hours / week. Whilst these are the contractual monitoring periods, the operators respond to all incidents that are brought to their attention by the Police and this can be at any time of the day or night.

2.4 The cameras are recorded on Geutebruck Reporter digital recorders (Windows XP operating system), which are high-quality machines but the limited capacity of the hard disks (4TB) installed restricts the frame rate to about 2 images s⁻¹; which is very low for public area CCTV where a minimum of 6.25i s⁻¹ and 12.5i s⁻¹ or 25i s⁻¹ is more typical. The cameras connect to the recorders either via a digital wireless network or leased fibre camera circuits (BT RS1000). A Virgin Media point-to-point Ethernet circuit connects the remote recorders in Amersham Police Station and Chesham Civic Centre to the Hub.

Table 2 Summary of recording and transmission

Location	Recorded where	Transmission type
Amersham Old and New towns	Amersham Police Station	Digital wireless network (5.8GHz)
Chesham	Chesham Town Hall	Digital wireless network (5.8GHz)
Chalfont St Peter and Little Chalfont	Amersham Police Station	Digital wireless network (5.8GHz) and BT leased fibre circuits (RS1000)

2.5 The Hub uses a free-issue Geutebruck video management system that is fine for the current purpose but is limited in scope and will not be able to view and operate images recorded on Geutebruck NVRs available on the market now.

2.6 Drawings illustrating the transmission networks are available. The network connects linearly hopping from camera to camera so, if any cameras are removed from a system, the camera column and transmission is likely to need to be left in place to maintain the network itself; unless the entire system is removed, of course. The network was designed for analogue cameras and with a maximum capacity for each link of 5Mbs^{-1} , which is only just about sufficient for a digital camera network. Replacing the links with a higher quality and more reliable alternative would cost about £500 per link (between one camera and the next).

2.7 A couple of observations should be made about the security of the recording equipment off-site, which relates to the Authority's responsibility to ensure the security of an individual's personal data, of course.

2.8 The CCTV equipment at Amersham Police Station is housed in two cabinets in the maintenance section, an unlocked office off the police station's secure car park. The equipment consists of a couple of Geutebruck NVRs that records all of the cameras in Amersham, switches, wireless and VM optical fibre transmission. The equipment cabinets are not locked, so the NVRs and personal data that they hold are insecure. The (D-Link) switches have limited security features, only, which includes basic MAC-address security but not the function to switch off unused ports; whether or not the basic MAC-address security feature has been configured is not known.

2.9 The CCTV cameras in Chesham are recorded on a Geutebruck NVR in the district council offices. The equipment is in a locked storage room which is also used by the cleaners and various other members of staff. Again, the cabinet is not locked so the NVR and personal data that they hold may be considered insecure. The HP switches can be configured to have a high level of security, which will prevent unauthorised access to the data on the network but it is not known whether or not these features, that include MAC address port security have configured.

2.10 The cameras at Amersham multi-storey car park are routed through an equipment room in its ground floor. Although locked, it is used by various services to store equipment so access to the CCTV equipment is difficult to control. This equipment includes a monitor, quad-image units, a small switch and transmission equipment but no images are recorded at the car park so personal data is not at risk at that point.

2.11 An extension to the multi-storey car park is under construction and the cameras to be installed there will be recorded on a Geutebruck NVR installed in a secure equipment room in those premises. As paragraph 2.5, the Wycombe Hub does not have a technical capacity to operate this machine at present, so the CCTV system will be a stand-alone one for the present time. In view of this and because the incidents at the car park relate more to the Council as landlord and operator than the Police, it would make sense if the cameras in the existing car park were also recorded on this machine at a higher frame rate than at

present. There is a current project to install three digital cameras in the existing car park, which are unlikely to be recordable on the Amersham Police Station Geutebruck machines; also, other digital cameras can be installed to replace the worn out analogue ones.

2.12 Noting the general description of the systems, what is the condition of the cameras themselves? Are they or are they not fit-for-purpose? Second, to what extent are the cameras used to detect and gain evidence of crime and disorder?

3 Condition of the cameras and transmission networks

3.1 First, an assessment was made of the quality of the image from each of cameras as received at the Hub and, second, a sub-set of camera images were examined at the camera column before transmission to ensure that one was not merely observing image degradation during transmission.

3.2 The quality of the camera images was categorised from 1 to 3, where 1 was acceptable and 3 very poor; the assessment of the images is appended at Annex 1, below.

3.3 As a general observation, none of the cameras were very good and equivalent in quality to when they were installed. Although faults to the cameras are repaired, their output (1v peak-to-peak) is not checked and adjusted, annually, so the images might be improved slightly but not to a significant degree, one must say.

3.4 As above, several of the cameras images were checked on an analogue monitor at the base of the column; that is before the images were encoded and transmitted. The camera images were remarkably similar to those at the control room, which demonstrates that there was little or no loss of quality, degradation, of the images across the wireless and optical fibre transmission.

3.5 The options for the future of the systems are clear. Either the cameras are renewed and the systems restored to their previous performance; or some of the cameras are renewed, which will give a reduced system that performed satisfactorily in the locations where it surveils; or the system is replaced with a small number of relocatable cameras, which surveil hotspots and can be relocated to wherever video camera surveillance is required, whether in the town centre or elsewhere. A combination of the latter two options is possible, as well.

3.6 Before we consider the future configuration of the systems, one should ask to what extent are the cameras used for the management of crime and disorder in the various town centres? How frequently are the cameras used to surveil incidents and which cameras are used most often?

4 Incidents surveilled by the CCTV systems

4.1 The Wycombe Hub maintains an incident log that records all events that it deals with, this shows: a description of the event, in which town centre, who reported it to the control room and which cameras were used to surveil the incident.

4.2 Looking at incidents over the three years from January 2015 to December 2017, the incident report illustrates how often each of the cameras were used, see below.

Chart 1 Incidents recorded by camera number and location 2015 - 2017

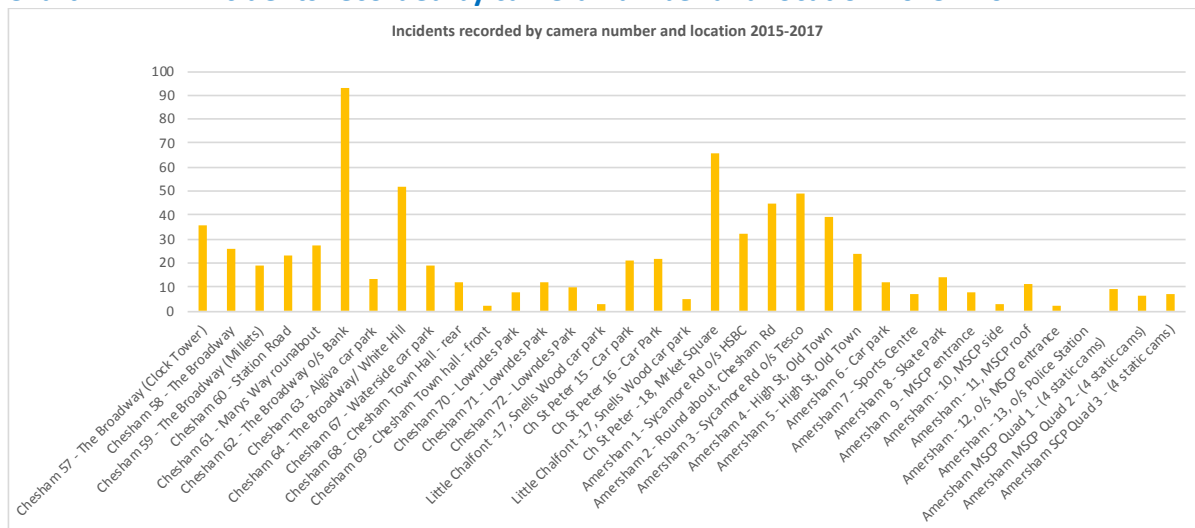
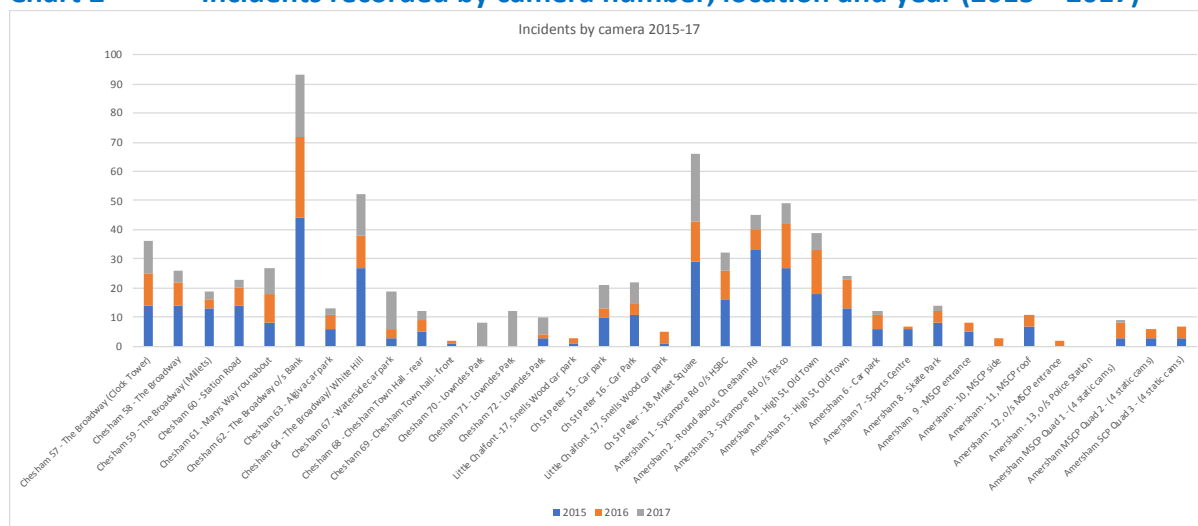


Chart 2 Incidents recorded by camera number, location and year (2015 – 2017)



4.3 The charts above show how frequently each of the cameras was used for the management of crime and disorder in the town centres. There does appear to have been a decline in the use of the cameras with the aggregate number of incidents recorded halved between 2015 and 2017. The cameras that had the greatest use, where the most incidents were recorded were: for Chesham, those cameras in the Broadway (cameras 62, 64, 57, 58), Station Road (60) and St Mary’s roundabout (61); the two cameras in Chalfont St Peter car park (cameras 15 and 16) had frequent use but that was mostly in 2015; incidents in

Chalfont St Peter Market Square (camera 18) were found to be consistently high across all years; and incidents in Amersham were focused in Sycamore Road (camera 3), the Chesham Road roundabout (camera 2) and in the Old Town High Street (cameras 4 and 5) and . Also, and although few incidents were recorded for the cameras in Amersham multi-storey car park, the purpose of the system is different from those elsewhere as the cameras are used for revenue protection as well as the management of antisocial behaviour.

4.4 A detailed analysis of police recorded crime and anti-social behaviour in the town centres would assist here but that is not available at this time, unfortunately. Nevertheless, the incident reports allow us to see what types of incidents were recorded as occurring in each of the town centres.

4.5 The incident log for the whole of 2017 was examined, for which a total of 321 incidents were recorded. First, what incidents type of were recorded and where did they occur?

Table 3 Summary of incidents by town centre (2017)

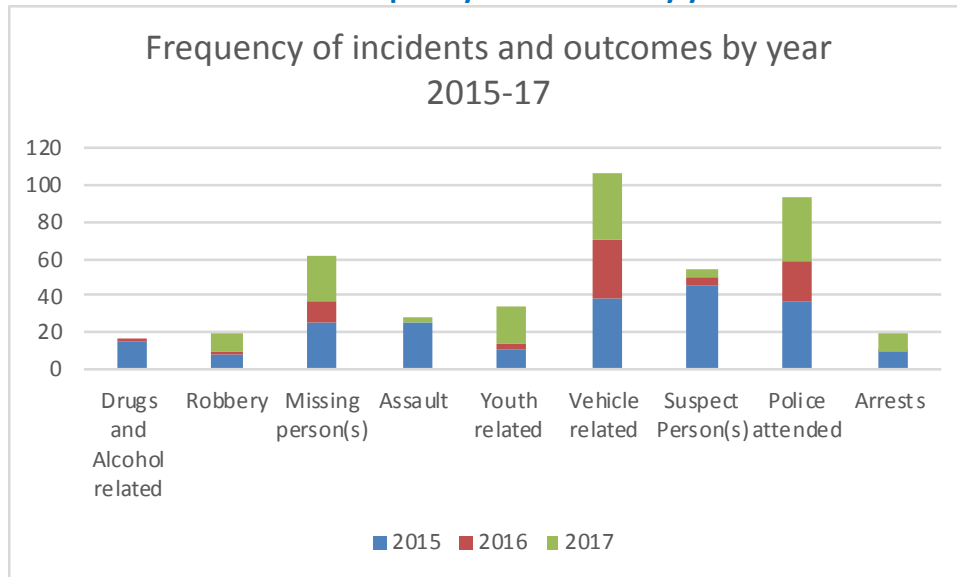
	Alarms	Public nuisance	Cash in transit	Missing person	Observation suspect	Search for vehicle	Search suspect	Traffic	(blank)	Grand Total
All Areas		1		3	1	19				24
Amersham	1	6	5	13	1	6	4			36
Amersham/Beaconsfield						1				1
Amersham/Chalfont St Peter				1						1
Amersham/Chesham	1	4	1	2	1	4				13
Amersham/High Wycombe				2	1	3				6
Chalfont St Peter		9	3	6		5	10	1		34
Chesham	2	50	29	23	32	24	42	1	3	206
Total	4	70	38	50	36	62	56	2	3	321

4.6 The summary illustrates that over two thirds of all incidents occurred in Chesham and just under one fifth in and around Amersham. Interestingly, fewer than 20% of all incidents were initiated by the control room operators, themselves. Two thirds (37) of those initiated by operators monitoring security vehicles collecting cash from or delivering to premises and 20% were loosely coded for this report as public nuisance, the remaining were observations of persons acting suspiciously. The majority of incidents recorded (over 80%) were initiated by the police calling the control room, which accounted for almost all criminal events recorded.

4.7 The ways in which incidents were recorded varied over time so it's a little difficult to compare year-on-year in great detail but the following observations can be made.

Chesham town centre

Chart 3 Chesham: Frequency of incidents by year 2015-17



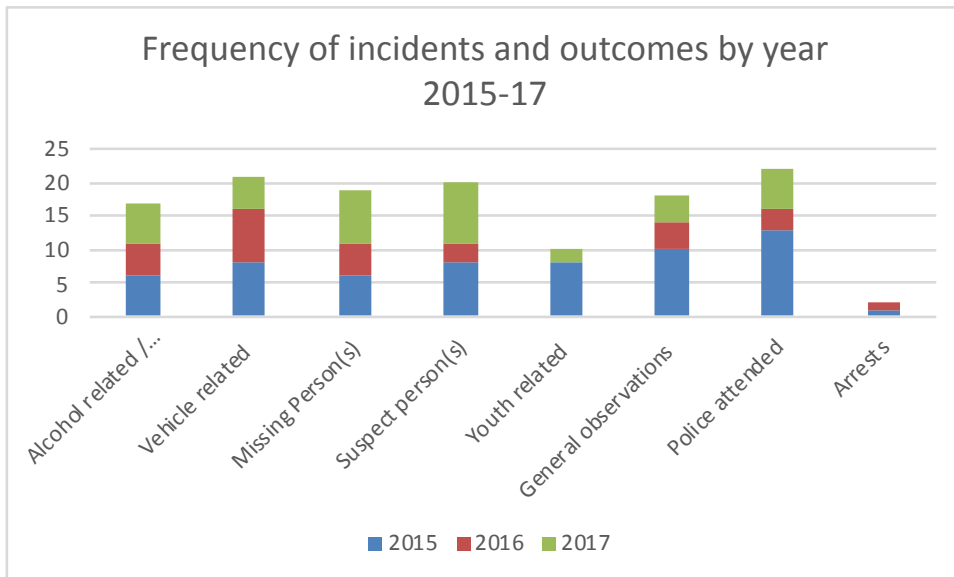
4.8 The chart above illustrates how the greatest use of the cameras was to search for missing persons and to observe suspects and vehicles. The police attended 20% of the 489 incidents recorded over the three years and 19 arrests were made. For reasons of scale, only, not shown on the chart are the 169 general observations made in 2015, 78 in 2016 and 43 in 2017.

Little Chalfont

4.9 In Little Chalfont, two drugs-related incidents were recorded in 2016 and a missing person was searched for in 2015; on none of the occasions did the police attend.

Chalfont St Peter

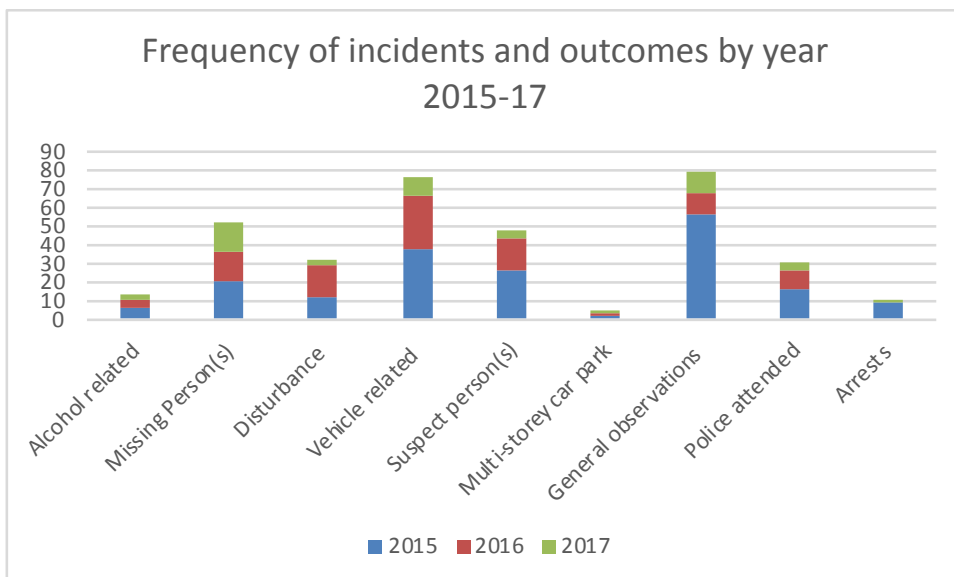
Chart 4 Chalfont St Peter: Frequency of incidents by year 2015-17



4.10 Incidents recorded in Chalfont St Peter tended to involve the general surveillance of public areas, monitoring young people and general observations looking for missing persons, suspects and alcohol-related incidents. The police attended a fifth of all instances and two arrests were recorded as having been made in the three years.

Amersham

Chart 5 Amersham: Frequency of incidents by year 2015-17



4.11 In Amersham, the majority of incidents recorded related to searching for missing persons, vehicles and observing suspects. The police attended just 10% of all incidents and 10 arrests were made, 9 of which were in 2015.

4.12 In summary, by far the greatest number of incidents recorded were in Chesham, with fewer than one fifth in Amersham. Incidents tended to be brought to the attention of the control room by the police, rather than the other way around, which suggests that proactive surveillance was not the principal manner in which the systems were operated here. That said, the operators did look for missing persons and vehicles wanted by the police and surveil cash-in-transit vehicles, when observed. One final point, from the three years analysed, the number of incidents recorded in 2017 reduced to half of the number in 2015; see chart 2, above, which illustrates the number of incidents recorded at each camera.

4.13 Noting what has been said about the condition of the cameras and the extent to which some but not all are used for the management of crime and disorder, what are the options for the future?

5 Options for the future of the systems

Town centre and relocatable cameras

Option A Decommission all of the camera systems

5.1 The CCTV systems are decommissioned and all camera surveillance ceases.

Benefits

- The cameras are no longer fit for purpose and a large capital spend will be required to refurbish the systems.

Risks

- There are political difficulties associated with removing all public area CCTV surveillance, albeit that the majority of the cameras are not used a great deal.

Option B Refurbish the camera systems with analogue cameras

5.2 This replaces the analogue cameras on a like-for-like basis, which restores the systems to meet their operational requirements. The cost for each camera would be in the region of between £1,200 and £1,500 for a Pelco Spectre IV dome, which would be a suitable replacement. This assumes that the encoders at the cameras are still working well and compatible with Pelco, which cannot be confirmed at present. It is fair to assume that an engineer would install and replace up to six cameras per day. The existing Geutebruck recorders would still be used but their capacity increased from 1TB to 2TB, which would allow for an increase in the frame rate to 4images s⁻¹; the cost for which would be around £1,000.

Benefits

- This is the cheapest way to restore the existing systems to full working order.
- The cameras would be recorded on existing Geutebruck Reporter machines that can be operated via the existing VMS at the Hub.

Risks

- Analogue cameras are old technology and at some unknown time in the future, the Pelco analogue cameras will no longer be supported by their manufacturer.
- The Authority will not benefit from the better low-light performance and higher resolution images of modern, digital cameras.
- At some point in the future, the Geutebruck recorders will themselves need to be replaced.

Option C Refurbish the systems with digital cameras

5.3 As 5.2 but replace the cameras with digital ones. Cameras that have little or no use can be decommissioned.

Benefits

- Keeps pace with the changes in technology and installs modern, high-resolution cameras.
- Replaces the Geutebruck Reporter NVRs with modern items, which will record the cameras at a higher quality and frame rate giving far clearer images for the investigation and prosecution of offences.
- Decommissioning cameras that are no longer used meets the Data Protection Act and Information Commission requirements that the Authority should review its cameras annually and decommission unused ones so as not to collect and process personal information unnecessarily.

Risks

- Replacing the cameras with digital items is more expensive than a simple analogue refurbishment with analogue ones; the Geutebruck NVRs and video management system would have to be replaced as well.
- The wireless network was designed for analogue images, which require a lower bit-rate than the higher quality digital ones so may need to be replaced also.

Option D Develop a relocatable camera system

5.4 A relocatable camera system using the 4G network is procured that can both support and enhance the existing public space surveillance strategy, allowing the Authority to respond to changing surveillance requirements, which frequently lie outside of the current systems. If the relocatable cameras are used in the town centres, the then existing columns will prove ideal because they are secure and have suitable power supplies already. If a 4G network is not available at the camera, then the camera can still be installed because it records images within the unit but an officer will have to visit site to connect to the camera, to review and download the images, which can be done wirelessly.

The cameras can be hosted at Chiltern DC offices so long as a PC or mobile phone or tablet has the manufacturer's software is installed, say, Vemotion or WCCTV, and it is connected to a reliable broadband service. Thus, an environmental enforcement officer can operate the system and download recorded images to support the investigation of an offence without relying on support from the central CCTV Hub.

Benefits

- Flexible, relocatable cameras that transmit via the third party 4G network.
- The cameras can be installed wherever there is a suitable 240V power supply and mounting.

- The cameras record locally and images of incidents can be downloaded as required.
- Cameras can also live-stream images at a lower resolution than those recorded at the camera.
- Camera images can live-stream and recorded images interrogated over the 4G network and downloaded or reviewed and downloaded locally, if no 4G connection is available.
- Assuming the availability of a 4G connection at the camera-end, the system can be operated, camera images reviewed and downloaded, anywhere that there is a broadband connection.
- Suitable for the investigation of ASB and environmental offences as well as town centre crime.

Risks

- Although the system can be operated anywhere, remote operation is only possible if there is a 4G connection.
- Suitable to be operated from a battery for short periods of time, only.

Option E Procure a relocatable camera system to support the Council's CCTV surveillance strategy

5.5 There is no need to selected either a relocatable camera system or a fixed camera system, a combination of both is perfectly possible.

Benefits

- A mixed system will allow for the surveillance of hotspots as illustrated on charts above and a flexible response to changing patterns of crime and disorder and environmental offences like fly tipping in areas not previously surveilled by CCTV.

Risks

- There is the outstanding matter of the relocation of the Hub and whether or not the Authority wishes to continue to house its recording system on Thames Valley Police property.

Management and operation of the systems

The following will consider the options for the management and operation of the Amersham MSCP and the town centre camera systems.

Amersham multi-storey car park

The cameras in the existing car park are recorded at Amersham Police Station and viewed and downloaded at the Hub. The review found that there were few recent incidents recorded at the car park by the Hub but its management reported that it receives several complaints of youth congregation during the winter months. The cameras installed in the extension are to be recorded on a new Geutebruck NVR, which cannot be operated at the Hub, currently.

Operating the existing car park system and extension as two separate systems is not considered to be a viable option because of the unnecessary confusion that would cause.

The simplest and cheapest means to connect the car park system for remote operation is via broadband service, albeit that would not allow live images to be viewed at any reasonable quality; to do so would require a wireless or optical fibre link to the Civic Centre (F) or Amersham Police Station (G).

There are two options to consider:

Option F To record all MSCP cameras on the Geutebruck NVR and operate it as a separate system not connected to the Hub.

F.1 This operates the car park system, the cameras in both the existing car park and its extension as a single stand-alone system. The Geutebruck 3000+ NVR has the capacity to record up to 32 IP cameras, which is sufficient for both the existing car park and its extension. There would no access to the CCTV images off-site; if and when incidents are notified to the car park management, an officer would have to visit site to review and download recorded images, as necessary.

Benefits

- Incidents at the car park are infrequent and tend to be the responsibility of its operator, the Council.
- Reduces the operating costs by not being subject to the Hub's per camera charges.
- The system can be operated remotely if the system is connected to a broadband service.

Risks

- Without the Hub's CCTV operators, one or more members of the Council's staff will have to be trained in the operation of the systems.
- No live monitoring of the car park cameras will be carried out.
- Review and download will take place during working hours, only.

Option G To record at the car park but operate the systems at the Hub, as present.

G.1 The cameras are to be recorded on the single Geutebruck 3000+ NVR installed at the car park but connected to the Hub via a broadband service or other connection, which will allow remote operation; the review and download of recorded images, in the main.

Benefits

- The camera images can be reviewed and downloaded at any time.
- The cameras can be viewed live, as necessary

Risks

- Higher cost than if the system is operated by the Council.

Amersham, Chesham and Chalfont town centre camera systems

The town centre cameras are recorded at Chesham Town Hall and Amersham Police Station and operated at the Wycombe Hub. Noting that the Hub is to be closed and the operation moved to Milton Keynes, should the systems be operated 24/7 or might they be record-only with incidents reviewed as and when required?

Option I Operation at Hub, as present**Benefits**

- Services operated much as at present.
- Live monitoring of incidents notified to the control room by the Police or identified by operators in the course of their work.
- Recorded images available to the Police and other agencies 24/7.
- Faults identified and repairs organised as and when they occur.
- Police access to recorded images from one source and location.

Risks

- Revenue costs based on a per camera basis that is set by a body external to the Council.
- Access to camera images requires
- Access to data for Council operations is likely to require officers to visit the new Hub in Milton Keynes.

Option J Standalone system with no live monitoring. A review suite might be installed at the Civic Centre for access to recorded images.

Benefits

- Low cost.
- Council officers might access recorded images from a review suite in the Civic Centre, perhaps.

Risks

- No dedicated officer(s) available who is qualified to operate the cameras, conduct subject access requests, secondary requests for data, and so forth.
- No live view to assist the Police in its response to incidents.
- No 24/7 access for the Police to investigate serious offences.
- Unlikely that faults will be identified and repaired in a timely fashion.

6 Financial

6.1 Each of the options is costed individually in the tables below.

Town centre and relocatable cameras

Option A Decommission all of the camera systems

Item	Number	Unit cost	Capital	Revenue
Engineer	7	360	2520	
Cherry picker hire	6	500	3000	
Note, leave columns and unmetered power supplies in place; remove under a streetworks project, perhaps	0	0	0	
WEEE disposal	1	1000	1000	
Total Option A			6520	0

Option B Refurbish the camera systems with analogue cameras

Item	Number	Unit cost	Capital	Revenue
Cameras (Pelco Spectre IV)	14	1400	19600	
Encoders*	0	0	0	
Transmission*	0	0	0	
Installation (14)	4	360	1440	
NVR (upgrade Geutebruck Reporter HDD & configure)	1	1000	1000	
Decommission cameras (12)	2	360	720	
Cherry picker hire	5	500	2500	
WEEE disposal	1	1000	1000	
Total Option B			26260	0

Notes:-

* Assumes all encoders and transmission equipment working correctly

Option C Refurbish the systems with digital cameras

Item	Number	Unit cost	Capital	Revenue
Cameras (14*PTZ, IR)HIK Vision DS-2DF8225IX-AELW 2MP Darkfighter PTZ Dome cameras	14	1050	14700	
Transmission*	0	0	0	
Installation (14)	4	360	1440	
Guetebruck NVR 3000+ (32 channels IP, only)	1	3000	3000	
Decommission cameras (12)	2	360	720	
Cherry picker hire	5	500	2500	
HIK Vision Swan Neck Pole Mount Bracket	14	25	350	
POE switch	14	110	1540	
External Grade CAT5 Patch Cables	1	300	300	
Cables and Connectors	1	300	300	
WEE disposal	1	300	300	
HP Aruba 24-port switch	2	500	1000	
PC i-7 & monitor (@ Hub or where operated)	1	1000	1000	
HP Aruba 24-port switch @ Hub	1	500	500	
Geutebruck installation and commissioning	1	1000	1000	
Total Option C			28650	0

Notes:-

*Assumes all transmission equipment is operating correctly and thus can cope with the greater bandwidth requirements of IP cameras or the capital cost is a further £7,000

Option D Develop a relocatable camera system

Item	Number	Unit cost	Capital	Revenue
Vemotion or WCCTV pole camera, 31 days' recording onboard	1	5850	5850	
Bracket	1	88	88	
SIM 24mths @25GB/mth, annual cost Shown	12	60		720
PC to view and download recorded images	1	450	450	
Support and maintenance, annual fee	1	320		320
Hosting by Vemotion, annual fee	1	360		360
Hosted by CDC, year 1 cost only	1	1000	1000	
Total per camera, Vemotion hosting			6388	1400
Total per camera, CDC hosting			7388	1040

Notes:-

CDC hosting saves £360pa for each camera unit but increases the year 1 total by £1,000, no matter how many cameras are installed;

Prices above do not include installation / relocation, for which £250 each should be budgeted;

If camera to be used a great deal then a contract of 50GB pcm @ £1400, required.

Management and operation of the systems

Amersham multi-storey car park

Option F To record all MSCP cameras on the Geutebruck NVR and operate it as a separate system not connected to the Hub

Item	Number	Unit cost	Capital	Revenue
Geutebruck NVR 3000+, as installed	0	3000	0	
HIK POE switches	12	60	720	
HIK fixed cameras	12	260	3120	
Cables	1	1000	1000	
Installation	7	360	2520	
Annual maintenance (estimate)	12	200		2400
Total Option F			7360	2400

Option G To record at the car park but operate the systems at the Hub, as present

Item	Number	Unit cost	Capital	Revenue
Hub annual fee (includes camera maintenance)	12	TBA		TBA
i7 PC & monitor and, HIK4200 operating system (FoC)	1	1000	1000	
Router	2	120	240	
HP 24-port Aruba switch	2	200	400	
Installation	2	360	720	
BT Infinity	2	440		880
Annual maintenance (estimate)	12	200		2400
Total Option G			2360	3280

Amersham, Chesham and Chalfont town centre camera systems

Option I Operation at Hub, as present

Item	Number	Unit cost	Capital	Revenue
Hub annual fee (includes camera maintenance)	1	TBA		TBA
HP Aruba 12-port switch	3	200	600	
Installation	2	360	720	
VM connection between Chesham TH, Amersham Police Station and the Hub	1	4000		4000
Hub capital cost	1	30000	30000	
BT Infinity	2	440		880
Geutebruck installation and commissioning	1	1000	1000	
i7 PC & 4 monitors & GSIM	1	3300		
Total (plus Hub annual fee)			31320	4880

Option J Standalone system with no live monitoring. A review suite might be installed at the Civic Centre for access to recorded images

Item	Number	Unit cost	Capital	Revenue
HP Aruba 12-port switch	2	200	400	
i7 PC & 4 monitors	1	2500	2500	
Installation	5	360	1800	
Geutebruck installation and commissioning	1	1000	1000	
Wi-Fi between CDC and Amersham Police	1	3000	3000	
BT Infinity	2	440		880
Cables	1	1000	1000	
Virgin Media connection between Chesham TH and Amersham Police Station	1	2000		2000
Geutebruck GSIM (Gview FOC)	1	800		
Amersham MSCP PC, Switch, routers,	1	1740		
Camera maintenance (estimate)	1	5000		5000
Total			9700	7880

7 Conclusion

7.1 Section 2 of the report gives an overview of the systems describing the equipment installed and how they are configured and operated. Section 3 reports on the condition of the cameras and whether or not they are fit for purpose and Section 4, the operation of the in the management of crime and disorder.

7.2 Section 3 audit of the cameras and equipment found that almost all of the cameras were performing poorly and the images were far below that which would have been the case when they were installed. The wireless transmission network appeared to be transmitting the camera images very well, with little loss of quality. But the Geutebruck recorders are limited by their age and generation and record images at a frame rate far below what one would expect today. This image rate can be increased by the installation of new hard disks but the machines were not designed for modern digital cameras and will not cope with the larger amount of data produced by high resolution, digital cameras as and, even if there is recording space available, a maximum of three or four digital cameras can be connected to them.

7.3 Section 4 reviews incidents recorded at Wycombe Hub revealed that the aggregate number reduced by about half over the three years analysed. About two thirds of incidents were recorded in Chesham town centre and, of all incidents, about four fifths were initiated by the police calling the control room. Unsurprisingly, several of the cameras recorded higher numbers of incidents than others, see paragraph 4.3, which points to the future configuration of the systems.

7.4 Section 5 considers the options for the systems, from decommissioning to simple refurbishment to supplementing the operation with a relocatable system. The options for the cameras can be summarised as to refurbish the systems either by replacing the analogue cameras with like items or to do so with digital cameras; the latter will both bring the system back into full working order but also improve the quality of the images considerably. Cameras that are no longer used might be decommissioned, which will meet the Information Commissioner's and Surveillance Camera Commissioner's guidelines for the management of CCTV systems.

7.5 To supplement the Authority's CCTV surveillance strategy, a small number of re-locatable CCTV cameras might be procured, which will allow remote surveillance of areas not covered previously and increase the scope of offences investigated to include environmental offences in non-town centre locations.

7.6 The relocation of the Wycombe Hub to Milton Keynes creates the possibility for managing and operating the public area CCTV service in different ways. Options include: to continue to manage and operate cameras at the Hub, who would remain responsible for the monitoring the cameras live and the review and download of recorded images; or operating the systems as record-only, where systems are not viewed live but incidents reviewed after the event only; or a combination of both where, say, the town centre cameras are operated at the Hub, the re-locatable system by Council officers at the Civic Centre and, the Amersham multi-storey car park cameras, which stand-alone at present are connected to

the Civic or the Hub depending upon costs proposed. The primary function of the MSCP cameras is to be revenue protection and assisting in the Council's management of the premises may well be the determining factor here. Since the principal use of the cameras is to be by the car park operator, the Council, which suggests that it should be the one to be responsible for the operation of the system.

7.7 The costs for the various options considered at section 5 are shown at section 6, which is followed by the recommendations at section 8, see below.

8 Recommendations

Town Centre cameras

8.1 It is recommended that:-

- a) The existing camera systems are refurbished with new, digital cameras that will bring restore them to meet their operational requirement of producing high quality images suitable for investigating offences and for use in court.
- b) Section 4 of the report examined the use of the cameras by the police and partner agencies, identifying which cameras were used and those where few or no incidents had occurred during the previous three years. It is recommended that the following cameras are retained and refurbished.
- c) The cameras to be refurbished are as follows:-

Cameras to be refurbished

Chesham

- The Broadway (57)
- The Broadway (58)
- The Broadway (59)
- Station Road (60)
- Mary's Way roundabout (61)
- The Broadway (62)
- The Broadway/ White Hill (64)

Chalfont St Peter

- Market Square (18)

Amersham

- Sycamore Road (1)
- Chesham Road roundabout (2)
- Sycamore Road (3)
- High Street, Old Town (4)
- High Street, Old Town (5)
- Skate Park (8)

d) The cameras to be decommissioned are as follows:-

Cameras to be decommissioned

Chesham

- Algiva car park (63)
- Waterside car park (67)

- Chesham Town Hall – rear (68)
- Chesham Town hall – front (69)
- Chesham 70 - Lowndes Park (70)
- Chesham 71 - Lowndes Park (71)
- Chesham 72 - Lowndes Park (72)

Chalfont St Peter

- Car park (15 and 16)

Little Chalfont

- Snells Wood car park (17)

Amersham

- Sports Centre (7)
- o/s Police Station (13)

Relocatable camera system

8.2 It is recommended that:-

a) The Council procures a re-locatable CCTV system (4G) to allow it to surveil temporary crime and disorder hotspots both with the town centres and elsewhere, that have not been covered by CCTV, previously. The camera system consisting of three or four units, perhaps, will record high quality images (31 days, typically) within the body of the unit and any authorised user will be able to dial into the camera to review and download recorded images and view live, as required. The re-locatable system can be used for short-term deployments should a need arise in the future.

Amersham multi-storey car park

8.3 It is recommended that:-

a) The existing Amersham multi-storey car park cameras should be combined into one system with those that are being installed in the extension. In order to restore the system to its operational requirements, the existing analogue cameras should be replaced with digital items. The 12 cameras that are combined and recorded as three quad images should be disaggregated into 12 individual images.

Management and operation of the systems

8.4 It is recommended that:-

- a) The refurbished town centre cameras in Amersham, Chesham and Chalfont St Peter are managed and operated at the Hub, where they will be available for live view and access to recorded images 24 hours per day.
- b) The re-locatable camera system is operated by the Council at the Civic Centre or elsewhere via broadband services and requests for use are managed by the Community Safety team. The principal use of the cameras is assumed to be environmental offences and antisocial behaviour in locations outside of the town centres where permanent cameras are installed.
- c) The MSCP cameras are to be recorded on-site with a fibre or wireless or broadband service allowing remote access to camera images by its management (Council). The Council should arrange for sufficient staff to be trained in the operation of the systems for its management in the future.

Annex 1
Assessment of the camera images

Camera number	Quality Day 1=Good, 2=Poor, 3=Very Poor	Quality night	Recording rate images /s	Transmission	Comments
Beaconsfield			Recorded at Wycombe Hub		
97	3	3	5	BT RS1000	Noisy and shakey image, no lighting at night
98	2.5	2.5	5	BT RS1000	At roundabout, cannot capture VRN
99	2.5	2.5	5	BT RS1000	Poor lighting
100	2	2	5	BT RS1000	Car park
101	2	2	5	BT RS1000	Dome dirty interference when pan camera
102	2	3	12.5	BT RS1000	Revolution Night Club, premises' sign obscures surveillance of entrance to club
103	0	0	5	BT RS1000	Camera failed
104	0	0	5	BT RS1000	Camera failed, can see very feint camera image
105	3	3	5	BT RS1000	Image washed out and dark at night
106	3	3	5	BT RS1000	Image grainy and very dark at night

107	2.25	3	5	BT RS1000	Image dark at night
108	0	0	5	BT RS1000	Power at camera but no image
109	2	3	5	BT RS1000	Image washed put, data to camera fails frequently, image useless at night
Amersham Old Town			Recorded at Amersham Police Station	Virgin Media Ethernet to High Wycombe Hub	
249	2	2.5	2	5GHz wireless to Amersham Police Station	Low resolution camera, general point for all
250	2	2	2	5GHz wireless to Amersham Police Station	
251	2	2.5	2	5GHz wireless to Amersham Police Station	Grainy image
252	3	3	2	5GHz wireless to Amersham Police Station	Very poor image, noisy and grainy
253	2.5	2.5	2	5GHz wireless to Amersham Police Station	
254	2.5	2.5	2	5GHz wireless to Amersham Police Station	Low light and poor at night
255	2.5	2.5	2	5GHz wireless to Amersham Police Station	Grainy image
256	3	2	2	5GHz wireless to Amersham Police Station	IR at night
257				5GHz wireless to Amersham Police Station	Removed
258	2	3	4	5GHz wireless to Amersham Police Station	

259		2	2.5	4	5GHz wireless to Amersham Police Station	
260		2	3	4	5GHz wireless to Amersham Police Station	
265		2	3	4	BT RS1000	
266		2	2.5	2	Coax to Civic	
267	Out of service			2	5GHz wireless to Amersham Police Station	Redevelopment works
268	Out of service			2	5GHz wireless to Amersham Police Station	Redevelopment works
269		2.5	3	2	5GHz wireless to Amersham Police Station	
270		3	3	2	5GHz wireless to Amersham Police Station	Relocate camera to capture VRN on exit and entry
271		2.5	2.5	2	5GHz wireless to Amersham Police Station	Lighting same day and night save for top storey outside
272		2.5	3	2	5GHz wireless to Amersham Police Station	Top storey too dark at night
Chesham					Recorded at Chesham Town Hall	VM to Amersham for onward transmission to High Wycombe Hub
233		2.5	2	2	5GHz wireless to Town Hall	Low resolution
234		2.5	2.5	2	5GHz wireless to Town Hall	Low resolution
235		2.5	2.5	2	5GHz wireless to Town Hall	Low resolution
236	Power failure			2	5GHz wireless to Town Hall	
237	Power failure			2	5GHz wireless to Town Hall	

238	Power failure			2	5GHz wireless to Town Hall	
239	Power failure			2	5GHz wireless to Town Hall	
240	Power failure			2	5GHz wireless to Town Hall	
241	Removed from station car park					
242	Removed from station car park					
243		2.5	2.5	2	5GHz wireless to Town Hall	
244		2	2	2	Coax to DVR	
245		2	2	2	Coax to DVR	
246		3	3	2	5GHz wireless to Town Hall	Lens dirty, low resolution and poor image at night in spite of IR
247		2.5	3	2	5GHz wireless to Town Hall	Lens dirty
248		2.5	2.5	2	5GHz wireless to Town Hall	

Appendix 2

It is recommended that the following cameras are retained and refurbished.

Chesham

- The Broadway (57)
- The Broadway (58)
- The Broadway (59)
- Station Road (60)
- Mary's Way roundabout (61)
- The Broadway (62)
- The Broadway/ White Hill (64)

Chalfont St Peter

- Market Square (18)

Amersham

- Sycamore Road (1)
- Chesham Road roundabout (2)
- Sycamore Road (3)
- High Street, Old Town (4)
- High Street, Old Town (5)
- Skate Park (8)

- [Amersham multi-storey car park - to be combined into one system with those being installed in the extension.](#)

Appendix 3

It is recommended that the following cameras are decommissioned.

Chesham

- Algiva car park (63)
- Waterside car park (67)
- Chesham Town Hall – rear (68)
- Chesham Town hall – front (69)
- Chesham 70 - Lowndes Park (70)
- Chesham 71 - Lowndes Park (71)
- Chesham 72 - Lowndes Park (72)

Chalfont St Peter

- Car park (15 and 16)

Little Chalfont

- Snells Wood car park (17)

Amersham

- Sports Centre (7)
- o/s Police Station (13)

SUBJECT:	<i>Update on the Chiltern Pools replacement project</i>
REPORT OF:	<i>Cabinet Portfolio: Healthy Communities</i>
RESPONSIBLE OFFICER	<i>Head of Healthy Communities</i>
REPORT AUTHOR	<i>Martin Holt mholt@chiltern.gov.uk 01494 732055</i>
WARD/S AFFECTED	

1. Purpose of Report

To report to provide an update of progress regarding the Chiltern Pools redevelopment project.

RECOMMENDATIONS

The following recommendations are to be agreed by Cabinet:

1. To note the decision of the Director of Services to appoint a main contractor for the construction of the new centre under the Southern Construction Framework.
2. To agree to name the community and leisure development 'Chiltern Lifestyle Centre'.
3. To agree that Chiltern District Council would be responsible for the installation of all play facilities as part of the main construction contract
4. To note the replacement costs of the play equipment will be met by Chiltern District Council as part of the development costs of the Chiltern Lifestyle Centre.
5. To agree that Chiltern District Council would be responsible for the management and maintenance of all play facilities on its land.
6. Members to note that Amersham Town Council will be responsible for the management and maintenance of all play facilities on its land.
7. To delegate authority to the Head of Healthy Communities, in consultation with the Portfolio Holder for Support Services, to agree with Amersham Town Council the design and construction of any play areas or development facilities to be located on the Town Council's land, including the provision of play equipment, soakaways and surface water drainage systems and works access arrangements through the land swap contract.
8. Should any management and maintenance responsibilities fall upon Chiltern District Council as a result of any agreement with Amersham Town Council because it is necessary to facilitate the location of play equipment and facilities development, it is agreed those responsibilities shall be

passed on to the leisure centre operator.

9. To agree to make budgetary provision for the Pre-Construction Services Agreement (PCSA) fee from the leisure reserve.

10. That the Head of Healthy Communities, in consultation with the Portfolio Holder for Support Services, be authorised to draw down up to £250,000 of capital funding to enable the project to progress to the next key decision stage which is the Stage 4a refinement of the design prior to Cabinet approval to proceed

2. Reasons for Recommendations

- 2.1 To inform Members on the current project outcomes to manage the proposed redevelopment of the Chiltern Pools.
- 2.2 To note the decision by the Director of Services to appoint a main contractor for the Pre-Construction Services Agreement (PCSA) under the Southern Construction Framework.

3. Content of Report

- 3.1 Members of the Leisure Working Group have made the recommendation that the proposed development is named Chiltern Lifestyle Centre reflecting the wider recreational, learning, community and wellbeing facilities that will be offered through the operation of the centre. Cabinet is asked to confirm the name of the centre.
- 3.2 Heads of Terms have been agreed with Amersham Town Council in relation to the Land Swap. Access arrangements will allow the district council to manage services passing through the land.
- 3.3 Subject to planning and third party approvals it is proposed to undertake enabling works to relocate the play facilities, install the surface water attenuation tanks, demolish structures as necessary, ahead of the proposed development. A further report to Cabinet will be brought in relation to this matter.
- 3.4 The play facilities are to be re-located as detailed in appendix 1. The replacement costs of the play equipment will be met by Chiltern District Council as part of the development costs of the Chiltern Lifestyle Centre.
- 3.5 Where possible existing equipment will be reused and any new play provision will seek to utilise materials from site e.g. the woodland play facilities may use materials from trees felled on the site. The maintenance of the play facilities situated on Amersham Town Councils land will remain the responsibility of the Town Council.
- 3.6 The younger children's play area adjacent to the proposed entrance to the Chiltern Lifestyle Centre and the MUGA adjacent to the centre will be on Chiltern District Council land. To ensure the maintenance of equipment is managed sympathetically with reference to the high quality Chiltern Lifestyle Centre it is proposed that Chiltern District Council owns and manages these facilities. However the responsibility for management and maintenance of

these facilities will be transferred to the leisure operator as part of the leisure operator contract. This also avoids the complexity of leasing the land to Amersham Town Council.

- 3.7 A third round of district wide public information as to the facility mix and design, is being undertaken August through October 2018 with the last event 20th October 2018 at Chalfont Community College. Additionally the centre has been subject to design discussions and assessments by Sport England and CABE. The comments from these rounds of consultation will be considered ahead of any planning application. A full planning application is due to be submitted in October 2018 with an anticipated committee meeting January 2019.
- 3.8 The leisure operator update is the subject of a further report however the preliminary operator management fee should be available for consideration in June 2019.
- 3.9 To maximise the future opportunities to access Sport England funding for either capital or revenue funding to support increased participation in physical activity targeting the hard to reach and non-active communities a leisure activity assessment and health impact assessment should be undertaken. Once available this would assist the Councils bid for project funding from Sport England in one or more of the opportunity funding projects which may bring up to £2M funding to the district to promote physical activity.

Southern Construction Framework SCF

- 3.10 The project board considered the options for the procurement of the construction contractor. This followed an update on the previously discussed hybrid competitive two stage design and build approach which had been considered the most appropriate procurement route.
- 3.11 The Project Manager, Richard Thompson from Hadron Consulting outlined that this approach was no longer suitable for the Chiltern Lifestyle Centre scheme and advised on various procurement routes and options. This was with a view to the Council making a decision on the most appropriate procurement route to deliver the Councils objectives for the delivery of the project and the use of a framework or OJEU to procure a contractor.
- 3.12 The key criteria in coming to the conclusion that the hybrid competitive two stage design and build approach was no longer feasible considered the
- Current market and competition
 - Access to the most suitable contractors
 - Price and value
 - Cost certainty
 - Risk transfer
 - Programme
 - Procurement costs
- 3.13 The overall requirement is to ensure the procurement of the operator contract is concurrent to the procurement of the construction contract, to enable the transfer of the risk of the construction costs to the operator from the Council and maintain

control over the scheme design. The Council therefore require the construction costs to be known when deciding to appoint both contracts.

3.14 Hadrons soft market testing with wet leisure construction contractors, of the hybrid competitive two stage design and build approach identified limited interest in this model with contractors unlikely to bid reducing the competitive approach required for managing the build costs.

3.15 The recommendations from Hadron to enable the major wet leisure contractors to competitively bid was a two stage Competitive Develop and Construct procurement route, with only one contractor taken to the detailed design stage.

3.16 Hadron considered the various frameworks and summarised their findings that the Southern Construction Framework (SCF) framework enabled the following major construction companies to bid;

- BAM
- Kier
- Morgan Sindall
- Galliford Try
- Mace
- Wates
- Willmott Dixon
- Midas

3.17 SCF is a two stage procurement process; Stage 1 involves a two-part mini competition and with shortlisting and cost bidding process.

3.18 At Stage 1 the contractors are advised of the current QS cost plan and budget. The contractors are procured through the process in full knowledge that the budget cannot be exceeded. Three contractors are shortlisted to submit their overheads and profit, and Pre-Construction Services Agreement (PCSA) fee for consideration. At the end of Stage 1 one contractor would be chosen. At this point profit and overhead, design fees would be known.

3.19 At Stage 2 the contractor is appointed under a Pre-Construction Services Agreement to competitively procure the construction packages through an open book approach allowing the Councils QS full sight of the costs. If the Council QS budget figure is not achieved or bettered the project would not proceed and the PCSA fee is not payable.

3.20 The design team are still appointed by the Council until the end of Stage 2 after which they would be novated to the contractor. The Project manager and QS remain

within the employment of the Council and act for the Council through the remainder of the project.

3.21 SCF fees are within the 'not to exceed' rates of 0.2% of the construction costs. SCF would provide monthly performance reporting data which they would use to inform the Council throughout the process. The framework allows for gateway reviews and support as required by the procuring organisation.

3.22 Hadron advised that Dover District Council were currently building a leisure centre through the SCF with BAM and that Wycombe District Council had used Willmott Dixon to build their leisure centre also through this framework.

3.23 The decision to appoint the contractor is delegated to the Director of Services, who has agreed to pursue a two stage process through the SCF framework. Budgetary provision for the Pre-Construction Services Agreement (PCSA) fee is to be made from the leisure reserve.

4. Consultation

Not Applicable

5. Options (if any)

5.1 The options considered in deciding on a framework included;

- The interest in contractors willing to bid against
 - a competitive two stage negotiation route
 - a single stage competitive route
- Reduced programme and management costs
- Appointment of a contractor is much quicker which will support the detailed design and buildability aspects of the tender. The site is very constrained and a number of facilities will need to be kept open during construction.
- A framework can be selected that includes contractors with a track record of delivering similar projects
- A framework includes KPIs that a contractor are assessed against, which incentivises them to perform well.
- SCF framework would enable the majority of contractors to bid on a two stage approach.
- PAGABO framework would only allow three major wet contractors to bid, which is more restrictive than the SCF framework

7. Corporate Implications

Reports must include specific comments addressing the following implications;

7.1 Financial - the estimated costs of the progressing the leisure centre through the development phase to completion are forecast at £3M. Currently have drawn down £1.5M (£1m from the leisure reserve and £0.5m from general capital resources) to deliver the application to the planning application stage. To enable the develop the to continue to be

designed to enable the fixed design to be progressed by the contractor it is recommended that the Head of Healthy Communities, in consultation with the Portfolio Holder for Support Services, be authorised to draw down up to £250,000 of funding from the approved capital programme to enable the project to progress to the next key decision stage which is the Stage 4a refinement of the design prior to Cabinet approval to proceed.

7.2 £150k – Pre Construction Services Agreement (PCSA) fee payable to the successful tenderer to work with the client team to develop the detailed cost plan. The relationship between Contractor and Client is formalised under the Southern Construction Contract using a pre-construction services agreement (a PCSA). This commits the Council to a level of fee (PCSA Fee) to be paid to the Contractor to cover design costs. This ensures the Council that the project is able to be built within the fixed price for the project. However, if the Council decides to walk away from the project for whatever reason, the council is not financially committed to any more than the agreed PCSA fee.

7.3 The remaining £100k is a contingency required to undertake the additional surveys and works required to discharge planning consents and to support the detailed design phase and the expenditure committed below.

7.□.1.1 Chesham and Chalfont mitigation and the costs of identifying the potential possibilities to reconfigure the existing Chiltern pools - £20,000 -£30,000

7.□.1.2 Additional Highway survey requirements £5,000

7.□.1.3 BREEAM assessment £10,000

7.□.1.4 CABE review and additional costs to the design team £11,000

7.□.1.5 Design costs arising from the land swap requirements estimated at £40,000

7.4 Legal - The Council has a legal duty to be compliant with public procurement rules and regulations. The tender for the leisure operator must be OJEU compliant

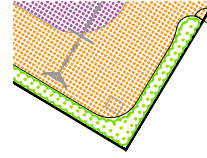
8. Links to Council Policy Objectives

This links to the 'We will work towards safe and healthier local communities' aim of the CDC Aims and Objectives 2017-20.

Next Step

The Stage 4a detailed design project for the development of the Chiltern Lifestyle Centre will be undertaken with a further report in 2019

Background Papers:	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 background papers for executive decisions must be provided to Democratic Services)
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The use of drawings by the Customer acts as an agreement to the following statements. The Customer must not use the drawings if it does not agree with any of the following statements:

All drawings are based upon site information supplied by third parties and as such their accuracy cannot be guaranteed. All features are approximate and subject to clarification by a detailed topographical survey, statutory service enquiries and confirmation of the legal boundaries. Do not scale the drawings. Figured dimensions must be used in all cases. All dimensions must be checked on site. Any discrepancies must be reported in writing to Colour-UDL before proceeding. All drawings are copyright protected. Refer to full Terms & Conditions at www.colour-udl.com

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01	First Issue	20.08.18	KK	CT
Rev	Amendments	Date	Drwn	Chkd

Project
Chiltern Lifestyle Centre
 Drawing Title
Dimensioned Facilities - KGV Playing Fields

Project No. 1886	Scale @ A3 1:500	Project Status For Information
Drawing No. L-1886-PRP-010		Revision

London **0207 38 78 560**
 Newcastle **0191 24 24 224**
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Appendix 1

colo

SUBJECT:	<i>Leisure Operator Contract</i>
REPORT OF:	<i>Cabinet Portfolio: Healthy Communities</i>
RESPONSIBLE OFFICER	<i>Head of Healthy Communities</i>
REPORT AUTHOR	<i>Martin Holt mholt@chiltern.gov.uk 01494 732055</i>
WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

To seek approval on the next steps to be taken in respect of the current contract with the existing leisure operator for the Councils three current leisure centres which comes to an end on 31st March 2020.

RECOMMENDATIONS

- 1. To commence the procurement of a Leisure Operator contract to commence in April 2020**
- 2. To delegate authority to the Head of Healthy Communities, in consultation with the Head of Legal and Democratic Services, Head of Finance and the relevant Portfolio Holder, to take the steps necessary to progress the Leisure Operator tender.**
- 3. To delegate authority to the Head of Healthy Communities in consultation with the Portfolio Holder to finalise the specification of the services to be delivered.**
- 4. To delegate authority to the Head of Healthy Communities in consultation with the Head of Legal and Democratic Services and the relevant Portfolio Holder to determine the procurement method under the Public Contract Regulations 2015.**
- 5. To approve the release of earmarked funds set aside in the Leisure Reserve to fund the activity set out in (6) below. The amount to be delegated to the Head of Healthy Communities and Head of Finance in consultation with the relevant Portfolio Holder.**
- 6. That authority be delegated to the Head of Healthy Communities to procure sufficient professional and technical resources to enter into initial discussions and to prepare for and support the procurement project**

2. Reasons for Recommendations

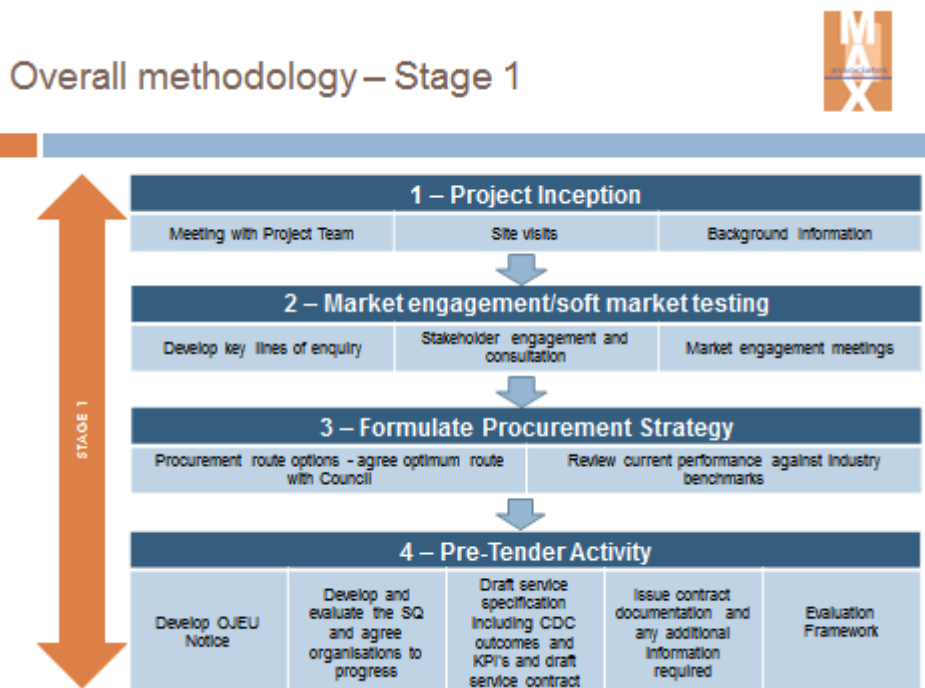
2.1 The current contract with the existing leisure operator for the Councils three current leisure centres comes to an end 31st March 2020. A new contract will have to be place as there is no legal scope to extend the current contract further. The appointment of the future leisure operator must be in accordance with the Public Contracts Regulations 2015

3. Content of Report

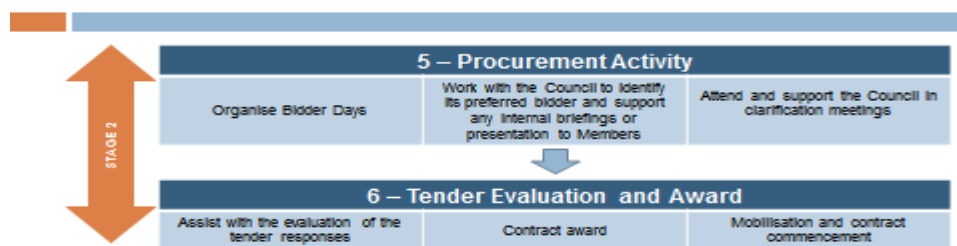
3.1 The current contract with the existing leisure operator for the Councils three current leisure centres comes to an end 31st March 2020. A new contract will have to be place as there is no legal scope to extend the current contract further.

3.2 Cabinet agreed at its meeting 20th February 2018 to delegate authority to the Director of Services, in consultation with the relevant Portfolio Holder, the procurement and appointment of a specialist leisure consultant to advise on the new leisure operator contract. Max Associates have been appointed to undertake this work.

3.3 Max Associates held a workshop with the Leisure Members Working Group. The workshop outlined the steps to be taken in the procurement. Advice was also provided on the current state of the market and the overall methodology for developing the two stage procurement approach detailed in stage 1 and 2 of Table 1 below.



Overall methodology – Stage 2



- 3.4** During Stage 1 the process would involve soft market testing to assess the level of interest in tendering for the Chiltern contract followed by the development of the Procurement Strategy to enable officers to select the procurement procedure in accordance with Regulation 26 (Choice of Procedures) of the Public Contracts Regulations 2015.
- 3.5** The workshop detailed the range of operators in the current market and identified the operators serving the adjacent authorities, which may indicate an opportunity to attract significant competition.
- 3.6** The procurement options are being considered as part of developing the Procurement Strategy. This procurement is above the EU threshold and some negotiation with bidders is likely to be required, so the procurement route is most likely to be the Competitive Procedure with Negotiation.
- 3.7** There will be close links with the procurement for the redevelopment of the Chiltern Pools to achieve the highest quality outcome possible.
- 3.8** The procurement approach will seek to appoint an operator able to manage the risk of delivering high quality services against a low cost of operation.

Budgetary Provision

- 3.9** The estimated costs of professional fees for the procurement of the operator including; Max Associates fees (already approved), specialist legal support, leisure activity assessment and health impact assessment, are £100,000.
- 3.10 It is recommended to approve the release of earmarked funds set aside in the Leisure Reserve to procure sufficient professional and technical resources to enter into initial discussions and to prepare for and support the procurement project. The amount to be delegated to the Head of Healthy Communities and Head of Finance in consultation with the relevant Portfolio Holder

4. Consultation

Not Applicable

5. Options (if any)

5.1 The Council is required to procure a leisure operator to manage the leisure contract from 1st April 2020 or decide to operate the centres itself. The latter option is not recommended as Council does not have the capacity to run the services in-house and the potential financial risk could be significant.

6. Corporate Implications

Reports must include specific comments addressing the following implications;

7.1 Financial – the estimated costs of the leisure operator tender are budgeted within the £1M leisure reserve

7.2 Legal - The Council has a legal duty to be compliant with public procurement rules and regulations. The tender for the leisure operator must be OJEU compliant

7. Links to Council Policy Objectives

This links to the 'We will work towards safe and healthier local communities' aim of the CDC Aims and Objectives 2017-20.

Next Step

The leisure operator procurement strategy will be developed and approved prior to issue of the OJEU notice and procurement activity being undertaken

Background Papers:	None other than those referred to in the report.
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SUBJECT	Proposal to Revise the Joint Committee Constitution
REPORT OF	Cllr Mike Smith
RESPONSIBLE OFFICER	Clerk to the Chilterns Crematorium Joint Committee – Bob Smith
REPORT AUTHOR	Sue Markham – Principal Solicitor sue.markham@southbucks.gov.uk
WARD/S AFFECTED	All

1. Purpose of Report

To consider the recommendation of the Chilterns Crematorium Joint Committee to agree the proposed revisions to the constitution of the Joint Committee:

- a. to extend the powers of the joint committee to operate more than one crematorium;
- b. to incorporate provisions in relation to disposal of assets.

RECOMMENDATIONS:

1. **That the revised constitution is agreed and adopted, subject to the agreement of the other constituent Authorities;**
2. **To recommend to Council that any consequential changes be made to the Council's Constitution; and**
3. **That authority is delegated to the Head of Legal and Democratic Services to make any necessary minor amendments prior to final adoption.**

2. Reasons for Recommendations

- 2.1. The Chilterns Crematorium Joint Committee was established to operate and administer the crematorium built in Amersham. Now that the new crematorium at Bierton is under construction and is planned to open in Spring 2019 it is necessary to ensure that the Joint Committee's powers are extended to include Bierton (and any other crematoria that the Councils may develop in the future.)
- 2.2. The opportunity has also been taken to incorporate provisions in relation to disposal of assets and sharing of surpluses on dissolution, which are not addressed in the current version of the constitution.
- 2.3. The Chilterns Crematorium Joint Committee considered the draft attached as Appendix 1 at its meeting on 18 September and recommends that the Cabinets of each constituent authority agrees to adopt the revised constitution.

3. Content of Report

- 3.1. The revised Constitution is attached as **Appendix 1**.
- 3.2. The proposed changes reflect the extension of the JC's powers to enable it to manage and operate more than one crematorium, update legislative references where necessary and incorporate additional provisions to deal with the treatment of assets on withdrawal or dissolution.

4. Options

It is essential that the Joint Committee has the necessary authority to operate and administer the new crematorium at Bierton as well as the existing one at Amersham, so there is no alternative option to revising the Constitution.

7. Corporate Implications

Reports must include specific comments addressing the following implications:

- 7.1 Financial – the financial arrangements that currently apply will be extended to include the new crematorium
- 7.2 Legal – the scope and powers of the Joint Committee need to be extended to ensure that decisions taken in respect of the new (and any future crematorium) are lawful.

8. Links to Council Policy Objectives

Joint working to provide sufficient crematorium services within the Council's contributes to the first headline objective - Delivering cost- effective, customer-focused services.

9. Next Steps

Once approved by the Cabinets of each of the constituent authorities the revised constitution will be brought into operation before the new crematorium at Bierton is opened.

Background Papers:	None
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Classification: OFFICIAL

Dated.....2018

**CONSTITUTION OF
THE AYLESBURY VALE, CHILTERN AND
WYCOMBE DISTRICTS
CREMATORIA JOINT COMMITTEE**

Classification: OFFICIAL

(Arrangements for the Discharge of Functions) (England) Regulations 2012 (as amended) and all other powers in that behalf to enter into this Supplemental Agreement to vary the terms of the Joint Committee and the extent of the functions delegated to it.

NOW THIS DEED WITNESSETH as follows:-

- (1) **1. IN CONSIDERATION** of all the statutory powers vested in the Participating Councils in this behalf it is hereby **AGREED AND DECLARED** that as from the date of this Supplemental Agreement the Constitution and Terms of Reference of the Joint Committee shall operate and be regulated by the Articles and Schedule hereof.

THE ARTICLES

1. Title of Joint Committee

With effect from the date of this Supplemental Agreement, the Joint Committee shall be known as the Aylesbury Vale, Chiltern and Wycombe Districts Crematoria Joint Committee.

2. Membership and Terms of Reference

The Membership and Terms of Reference of the Joint Committee shall be in accordance with the provisions set out in the Schedule hereto.

3. Term of Office

The term of office of any member of the Joint Committee shall commence on the date of their appointment to the Joint Committee by the Executive or Cabinet of which they are a member to the date that they cease to hold office as a member of the Executive or Cabinet that appointed them.

4. Casual Vacancies

As soon as is practicable after a casual vacancy arises the Executive or Cabinet of the relevant participating Council shall appoint a replacement who shall hold office for the remainder of the term of office of the member replaced.

5. Substitutes

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Classification: OFFICIAL

Any member who is unable to attend a meeting of the Joint Committee for any reason may appoint another member of the Executive or Cabinet of which he is a member as a substitute member provided notification of appointment is given to the Clerk or Deputy Clerk in writing (including by electronic means) before four o'clock on the date of the meeting in question and thereon the substitute member shall be entitled to attend that meeting only and (subject to the requirements relating to the declaration of interests contained in the Code of Conduct of the Council of which he is a member) shall be entitled to speak and vote on all items of business.

6. Powers of Joint Committee

The Joint Committee shall exercise all the functions and powers of the participating Councils in relation to the provision and maintenance of the crematoria pursuant to the Cremation Acts 1902 and 1952 other than the power to levy a precept, borrow money, acquire or dispose of land or employ staff.

7. Lead Authority

(1) Chiltern District Council has lead authority responsibility in that it shall:-

- (i) Acquire and hold land and buildings at the direction and for the use of the Joint Committee;
- (ii) Insure and keep insured the crematoria and any additions and extensions thereto in full re-instatement value with an insurer of good repute
- (iii) Put and keep in place such other insurances including public and employers liability insurance covering such insured risks, levels of cover and excesses as Chiltern District Council acting reasonably consider prudent ;
- (iv) Appoint, employ and remunerate staff at the direction and for the use of the Joint Committee, including the following Office Holders :-
 - (a) The Clerk;
 - (b) The Treasurer;

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- (c) The Deputy Clerk; and
 - (d) The Deputy Treasurer.
 - (v) Provide legal, financial, personnel, technical and administrative support to the Joint Committee and without prejudice to the generality of the foregoing, provide or secure the provision of banking accountancy and audit facilities for the Joint Committee in accordance with best practice for the public sector;
 - (vi) At the direction and for the use of the Joint Committee enter into contracts and agreements for works goods and services; and
 - (vii) Compile and publish any statistics or local or national performance indicators as Chiltern District Council may be required by law to compile or publish in connection with the operation of the crematoria.
- (2) For the avoidance of doubt the insurance employment and other necessary and incidental costs and expenses directly or indirectly incurred by Chiltern District Council in the performance of the lead authority responsibilities shall be treated as an expense of the business and met out of the gross revenues of the crematoria.
- (3) Where Chiltern District Council enters into agreements or contracts for works goods and services at the direction and for the use of the Joint Committee it shall utilise and comply with its own procurement and audit procedures, including its adopted Contract and Financial Procedure Rules, subject only to any reference therein requiring officers to report to or obtain the approval or consent of the Council or the Executive being construed as if it were a reference to the Joint Committee.

7. Minutes and Annual Report

The Joint Committee shall meet on not fewer than two occasions in any Council year and as soon as is practicable thereafter a copy of the minutes of the meeting shall be given to the Executive or Cabinet of each of the

participating Councils. The Joint Committee shall also prepare and send an Annual Report on the discharge of its functions and powers to the Executive or Cabinet of each of the participating Councils as soon as practicable after the end of each financial year such report to include a copy of the final accounts for that year.

8. Procedural Rules

Meetings of the Joint Committee shall be conducted according to the rules of debate applicable for the time being to meetings of ordinary committees of Chiltern District Council as the same are set out in its Council Procedure Rules but subject to such minor modifications or amendments as are desirable or appropriate to facilitate the proper conduct of the business of the Joint Committee.

9. Members Codes of Conduct

In the conduct of the business of the Joint Committee Members shall comply with the Code of Conduct for Elected and Co-opted Members adopted by the participating Council of which they are a Member.

10. Access to Information

Notwithstanding the provisions of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, or any statutory modification or re-enactment thereof, the rights of the public to agendas, reports, background papers, meetings and the minutes of meetings of the Joint Committee shall be not less than that prescribed for meetings of Principal Councils by Sections 100A to E of the Local Government Act 1972 (as amended).

11. Scheme of Delegation to Officers

Pursuant to Section 101(5) of the Local Government Act 1972 the Joint Committee may from time to time make and publish a Scheme of Delegation to Officers to facilitate the efficient and effective management of the Crematorium. For the avoidance of doubt and subject only to any express limitation to the contrary in any Scheme of Delegation to Officers for the time being in force, Office Holders and the Crematorium Manager shall be deemed

to have delegated authority to carry out such duties and responsibilities as are set out in their contracts of employment.

12 Capital Expenditure

Wherever possible, capital expenditure will be defrayed out of revenue. Any such expenditure in excess of £250,000 in any financial year will require the consent of the Executive or Cabinet of each of the Participating Councils. If it is impractical to defray capital expenditure out of revenue, the Executive or Cabinets of each of the Participating Councils will hold a joint meeting to consider the options for funding the capital expenditure proposed.

13 Surpluses and Losses

(1) Net surpluses may be retained by the Joint Committee to finance capital expenditure, redeem debt or maintain prudent contingency and/or repair and renewal funds. Any net surplus not so applied can be returned to the Participating Councils at the end of the financial year, following a decision of the Joint Committee when setting its budget, and shall take into account the advice of the Treasurer.

(2) Net losses (after expenditure of all available contingency and or repair and renewal funds) in any financial year shall be borne by the Participating Councils in the proportion which the number of cremations from the area of each participating Council bears to the total number of cremations from all the participating Councils in that year.

14 Withdrawal and Dissolution

(1) Any of the participating Councils may withdraw from the Joint Committee on giving to the other participating Councils not less than 12 months prior notice in writing, such notice to expire on 31 March in any year;

(2) The Joint Committee may be dissolved by any two of the participating Councils giving not less than 12 months prior notice in writing to the other participating Council, such notice to expire on 31 March in any financial year.

15 Financial Adjustment on Withdrawal or Dissolution

- (1) Should any of the Participating Councils withdraw from the new Joint Committee, the following provisions shall apply:-
- a. The Joint Committee will pay to a withdrawing Council its share of unapplied net surpluses for the year of withdrawal or the withdrawing Council will pay to the Joint Committee the agreed proportion of net losses as at the date of withdrawal (as the case may be).
 - b. Subject to sub-paragraph (a) above the withdrawing Council will have no liability for future losses or entitlement to share in future surpluses.
 - c. If the withdrawing Council is Chiltern District Council it will cease to act as lead authority and all staff employed at the direction of the Joint Committee in connection with the operation of the Chilterns Crematorium will transfer to one of the remaining participating Councils on their then current terms and conditions of employment including Pension Rights (the transferee Council to be determined by agreement between the remaining participating Councils and in default of agreement by Arbitration in accordance with Article 16 hereof).
 - d. Unless otherwise agreed, if the withdrawing Council is Chiltern District Council and provided one of the remaining participating Councils has taken a transfer of staff in accordance with sub-clause (c) above, Chiltern District Council will continue to hold any land or buildings acquired for the purposes of the provision of Crematorium services, for the use of the joint Committee subject to the remaining Participating Councils indemnifying it against all costs losses, expenses, actions, claims and/or demands arising out of or in connection with the use of such land in connection with such services.
 - e. The remaining participating Councils will be entitled to share in future net surpluses or contribute to future net losses as set out in Article 13 above.
- (2) On any disposal of assets, any surplus after deduction of disposal costs and any other outstanding liabilities relating to the asset in question

shall be divided between current and past Participating Councils in the same ratio as would have applied had the Joint Committee incurred a net loss in the financial year of the said disposal but adjusted to reflect the period during which each Participating Council was a member of the Joint Committee whilst the asset was held on the Joint Committee's behalf.

- (3) Should the Joint Committee be dissolved:
- a. The assets held by the Lead Authority on behalf of the Joint Committee will be disposed of and any surplus after deduction of disposal costs and any other outstanding liabilities relating to the asset in question together with any accrued and retained surpluses from previous years held by the Lead Authority on behalf of the Joint Committee will be and distributed as set out in (2) above; and
 - b. the Participating Councils or the remaining Participating Councils (as the case may be) will be entitled to their respective share of the net surpluses as shown in the final accounts for the year of dissolution or will contribute the agreed proportion of net losses (including redundancy costs) for that year (as the case may be);

16 Arbitration

All disputes or differences between the Participating Councils concerning the interpretation or application of these Articles that cannot be resolved by mutual agreement shall be referred to an independent Arbitrator appointed by the parties or in default of agreement by the President for the time being of the Law Society. The Arbitration will be conducted in accordance with the Arbitration Act 1996 and the arbitrator will act as an expert whose award shall be binding on the parties.

17 Variations

Any variations to these Articles or the Terms of Reference set out in the Schedule shall be agreed by the Executive or Cabinet of each of the Participating Councils and be recorded in writing.

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IN WITNESS whereof the Participating Councils have caused this Agreement to be executed as a Deed the day and year first before written

The Schedule

(Terms of Reference)

THE AYLESBURY VALE, CHILTERN AND WYCOMBE DISTRICTS CREMATORIA JOINT COMMITTEE

General

A joint committee established by Aylesbury Vale District Council, Chiltern District Council and Wycombe District Council ("the Participating Councils") to jointly manage the crematoria situate within their joint administrative area boundaries.

Membership, Chairmanship and Quorum

Number of Members	Six – two from each of the participating Councils
Substitute Members Permitted	Yes - but must be a member of the same Executive/Cabinet as the Substituted Member
Political Balance Rules apply	No
Appointments/Removals from Office	By a resolution of the Executive/Cabinet of the participating Councils
Term of Appointment	From the date of appointment to the date that they cease to hold office as a member of the Executive/Cabinet.
Casual Vacancies	To be filled by the Appointing Council's Executive/Cabinet (or by a member or committee of the Executive/Cabinet as each participating Council's executive arrangements may provide) for the remainder of the term of office of the member replaced
Restrictions on Membership	Appointees must be a member of the Executive/Cabinet of the participating Councils.

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Restrictions on Chairmanship/Vice-Chairmanship	None
Quorum	Three, one from each authority
Number of ordinary meetings per Council Year	Minimum of two
Extraordinary Meetings	The Chairman of the Joint Committee may call an extraordinary meeting at any time

Terms of Reference

Pursuant to the Cremation Act 1902 as amended by the Cremation Act 1952, Section 101(5) and 102(1) of the Local Government Act 1972, Section 9EB of the Local Government Act 2000 and Regulations 9 and 11 of the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 (as amended) and all other powers in this behalf, to exercise all the functions duties and powers of the participating Councils in connection with the provision and maintenance of crematoria, other than the power to appoint and remunerate staff, levy or issue a precept, borrow money or hold land.

Delegations

The matters referred to in the Terms of Reference are fully delegated subject to the terms, restrictions and reservations set out in the Constitution of the Joint Committee.

The Common Seal of Aylesbury Vale

District Council was hereunto affixed
in the presence of

Chairman of the Council

Head of Legal Services

Classification: OFFICIAL

The Common Seal of Chiltern

District Council was hereunto affixed
in the presence of

Director of Resources

The Common Seal of Wycombe

District Council was hereunto affixed
in the presence of:

Chairman

District Solicitor

**CHILTERN DISTRICT COUNCIL
SOUTH BUCKS DISTRICT COUNCIL**

MINUTES of the Meeting of the
CHILTERN & SOUTH BUCKS JOINT COMMITTEE
held on **28 JUNE 2018**

PRESENT: Councillor I Darby - Chairman

Councillors: N Naylor
L Sullivan
M Smith
M Stannard
F Wilson
E Walsh
D Smith
J Read
P Hogan

APOLOGIES FOR ABSENCE were received from Councillors P Martin and B Gibbs

10 MINUTES

The minutes of the meeting of the Joint Committee held on 4 April 2018 were agreed by the Committee and signed by the Chairman as a correct record.

11 DECLARATIONS OF INTEREST

There were no declarations of interest.

12 CUSTOMER EXPERIENCE STRATEGY - FULL BUSINESS CASE

The Joint Committee considered the full business case (FBC) for transformational change to be delivered by the Customer Experience Strategy programme. The Committee was asked to approve expenditure to secure procurement and implement the programme.

The detailed report and business case could be seen on pages 7 to 86 of the reports pack and the Head of Customer Services gave a presentation to the Committee. The presentation took the Committee through the details of the strategy, making clear that the customer was always being placed at the centre of what the Councils do. The presentation also detailed the process completed to reach the Full Business Case; the key outputs; Target Operating Model with organisational structure; programme plan; benefits analysis; functional analysis; benefits through centralisation, transformation and

channel shift; breakdown of implementation costs and ongoing costs by year; cost benefit model; procurement; implementation; staff restructuring and service level restructuring.

The Committee was advised that each service area had engaged positively with the process to develop service catalogues and establish where customer involvement was present and where hand-offs were required. This work had identified a robust set of requirements to be assessed during the procurement process. Following a tendering process, and shortlisting having been completed, there were now two suppliers being considered and the procurement was expected to be completed in early July 2018.

It was suggested that the equivalent of 12.4 FTE transfer into the contact Centre. Management had agreed that all services with a customer facing role would have a 6% cut in salary budget, which would be transferred to the Customer Services budget to fund the workload transferring. This would either be accompanied by the transfer of staff or a reduction in posts in the service area and posts created in Customer Services. As channel shift is achieved, and greater efficiencies through integrations evidenced, the effort in service areas would decrease. Therefore, Management had also set a transformation target for each service area, which equated to 3.75% of the salary budget. It was explained that savings and transformations targets would be reviewed and adjusted if actual data contradicted the analysis completed.

The annual savings from 2020/21 onwards would be £481k after allowing for costs of the new arrangements. The gross savings including the transformation and predicted channel shift are forecast to be £768k per annum.

It was clarified that the aim was to avoid redundancies and explore job matching and ring-fencing to relevant vacancies for those individuals who would be affected. Natural staff turnover and the use of temporary staff was also possible and would assist in avoiding redundancies.

During discussion, key issues raised by Members included:

- The use of separate telephone numbers for service areas – it was clarified that a number of approaches would be considered including having one centralised number where callers select a service. Due to the commercial nature of the service area, Building Control had requested keeping customer contact within the team. This service area would be part of the third phase of the programme and it would be assessed how this would best work moving forward.
- The Committee was advised that there would be a Members portal created using the requirements suggested through meetings of the Members Working Group.

- Differences between proposed suppliers systems – The Committee was advised that the majority of suppliers offered a similar customer contact system with broadly similar price ranges.
- The effect on the Planning service – Key members of the planning service had engaged with the process to identify specific requirements. Planning would be included in the third phase of the rollout which would allow the incoming Head of Service to understand the service requirements and provide additional input. The Customer Experience work would represent the element of the shared service business case that addressed improving services to customers.
- Similar systems used by other Local Authorities – Members were advised that the majority of Local Councils had or were looking to implement a similar system although not many had worked as extensively to look at all service areas in such a short timeframe. Discussions had been held with other Councils who had successfully implemented something similar and the importance of making the customer journey as simple as possible was key throughout.
- A significant amount of customers were already self-serving with licensing and housing benefit applications being examples of where this had worked well.
- A Member suggested that officers seek an alternative term to 'centralisation' which would appear more positive for staff and customers.
- Redundancy provision costs – these were estimated figures which ideally would not need to be used and had been calculated based on the experience of the shared service implementation programme. The Committee was keen that staff continued to be kept informed through briefings and newsletters.
- There would not be an app, however all software would be compatible with mobile/tablet technology.
- Chiltern, South Bucks and Wycombe District Councils waste service would all be moving to the new software and officers had been involved to ensure providers were aware that this was part of the waste contract re-tendering process.
- The project board would monitor progress and regular updates would be provided to Members.

RESOLVED:

- 1. To approve the full business case and the potential benefits and costs.**
- 2. To delegate the award for the contract for systems and implementation at the conclusion of the current procurement process to the Head of Customer Services, in consultation with the respective Portfolio Holders for Customer Services.**

3. To note that Management Team had agreed an exemption to the Contract Procedure Rules to enable 4OC to be commissioned to support the procurement and the implementation and delivery of the programme.
4. For the Councils to approve the commitment of the resources, £703,770, in the Capital Programmes in order to deliver the programme, covering implementation and system procurement, costs to be apportioned in accordance to the cost sharing arrangements.

13 ICT STRATEGY UPDATE

The Joint Committee considered a report which sought Members agreement to the proposal to develop a shared ICT strategy based on moving the joint ICT estate into the cloud.

The detailed report and supporting appendices could be seen on pages 87 to 122 of the reports pack and the Head of Business Support gave a presentation to the Committee.

The presentation detailed the current position; drivers for change; other factors; the target for 2024; Governance; Risks and Issues; and Financials and Assumptions.

Progress had been made on mobile, agile working and with the exception of Revenues and Benefits all service teams were now joined up and used a single version of their core application and database. The Strategy would link in with the Customer Experience Programme.

The current infrastructure had an expected life to 2021 and the target by 2024 was to move away from fixed desktop PC's to laptops or similar and enable "bring your own devices" and to move desktop services after Windows 10 upgrade to a cloud model delivering Software as a Service (SaaS). Unstructured data would also be targeted to be removed from within file structures.

At the present time it was difficult to quantify costs as a number of projects and procurements would be undertaken. Staff with specialist knowledge would need to be in place to oversee the move to cloud/software as a service.

Members requested an update be brought to the Joint Committee every six months given the financial costs, compliance risks and complexity of projects. Members were also in agreement that as part of the external consultants work, knowledge should be shared with internal staff to assist with future change and projects.

It was confirmed that as part of any contract the Councils would always seek to have full control and access to its own data.

RESOLVED:

- 1. To agree the proposed ICT Strategy, including as a key element the recommended approach to move the joint ICT estate into a cloud delivery model.**
- 2. To authorise expenditure of £30,000 from the reserves to cover the cost of employing external expertise to help develop the financial and technical business case for a move to a cloud delivery model.**

Note 1: Councillor L Sullivan left the meeting at 19.16

14 JOINT E-MAILS

The Joint Committee discussed the report which considered the set-up of joint email addresses for staff. In November 2017 the Local Government Association (LGA) visited both Chiltern District Council and South Bucks District Council to carry out a Corporate Peer Challenge. The LGA Corporate Peer Challenge team recognised that the 'partnership' had its own sense of identity and one of the suggestions from the LGA team was that it would be good practice to apply for a third shared domain name to underpin the set up of joint email addresses, rather than staff having two email addresses.

Cabinet Office guidelines would need to be adhered to in order to maintain a '.gov.uk' domain and work would be required by business support to reconfigure systems and by communications to publicise the change and the programme of making the appropriate changes to forms, webpages etc. The general preference amongst members was @chilternandsouthbucks.gov.uk.

This change would apply to staff only and would not affect Members who would retain their respective email addresses.

RESOLVED:

- 1. To agree that the Business Support and Communications teams can progress the move towards joint email addresses for staff.**
- 2. To agree the third domain name for the joint email addresses as @chilternandsouthbucks.gov.uk.**

15 JOINT COMMITTEE PROGRAMME UPDATE

The Committee was advised that following completion of the shared service implementation, the Joint Committee programme now focuses on

transforming the Councils into an organisation that fully meets the aspirations of the 'stronger in partnership' programme by the end of 2019.

RESOLVED:

That the Joint Working Programme Update be noted.

The meeting ended at 7.20 pm



MINUTES of the Meeting of the
**CHILTERN, SOUTH BUCKS & WYCOMBE JOINT WASTE COLLECTION
 COMMITTEE**

held on **23 APRIL 2018**
 at **WYCOMBE DISTRICT COUNCIL**

PRESENT

Councillors	M Smith (Chiltern District Council)	- Chairman
	L Sullivan (South Bucks District Council)	- Vice Chairman

Councillor: J Adey (Wycombe District Council)

**APOLOGIES
 FOR
 ABSENCE**

Councillor: C Jones (Chiltern District Council)

Officers: Steve Bambrick (CDC/ SBDC), Chris Marchant (CDC/ SBDC), Sally Gordon (CDC/ SBDC), Sue Markham (CDC/ SBDC), Steve Middleton (WDC), Jacqueline Ing (CDC/ SBDC), Elaine Jewell (CDC/ SBDC), Caroline Hughes (CDC/ SBDC), and Sue Bolter (CDC/ SBDC).

88 MINUTES

The Minutes of the meeting held on the 22 January 2018 were agreed as a correct record.

89 DECLARATIONS OF INTEREST

There were no declarations of interest.

90 WASTE SERVICES HIGHLIGHT REPORT

The Committee considered a report providing an overview of the waste services for the period October to December 2017; this included but was not limited to, budgets, key targets, formal complaints and key risks. During the discussion, the following key points were made:

- there had been a slight growth in the number of clinical collections for Chiltern and Wycombe, and a slight decrease for South Bucks;
- there had been an increase in chargeable garden waste subscriptions;
- recruitments had been made to two posts within the joint waste team;
- the team were monitoring the potential implications the Customer Experience Programme may have on the services going forward;
- an audit was currently taking place focussing on public engagement;
- regarding national spring cleaning activities, it was noted that 25 local groups had asked the Councils for varying levels of assistance with these activities;
- both services were above target for recycling rates in quarter 3. Members noted that this over performance could have been due to the Fighting Food Waste Project;
- missed collections were performing above than the monthly aspiration, however there was a need to focus on missed assisted collections for the joint waste contract specifically;
- formal complaints received related to missed collections for the joint waste contract, and missed garden waste collections for the South Bucks contract. It was noted that there had been no stage 2 complaints in the last year, and that residents had been satisfied with how their complaints had been handled from the first point of contact;
- figures relating to the number of compliments for the services had been added to the report; and
- it was noted that health and safety statistics were provided at monthly meetings with the contractors.

A question was raised as to whether the online renewal function had increased the demand on the team, and it was advised that this was not the case.

It was noted that for the budget estimates (page 13) the year for both services should read 2017/18.

The Head of Environment asked that the number of web hits and figures showing use of online forms be included under the Customer Contact Statistics in future highlight reports.

The risk register was at Appendix 1 to the report.

RESOLVED:

That the report be noted.

91 INCLEMENT WEATHER RECOVERY PLANS

The Committee considered a report detailing potential recovery options in the event of service disruption caused by inclement weather. It was noted that, since December 2017, there had been 2 to 3 periods of inclement weather that had affected service delivery. The options were set out in the table at section 4 of the report.

It was noted that the recommended approach was a mix of options that enabled the quickest and safest recovery.

Members were concerned over the potential for garden waste suspensions, and advised that terms of reference for the service be updated to make clear to the customers when exactly suspensions could occur. A further question was raised as to how much garden waste was collected during this period, and Members were advised the figure was lower than usual due to reduced use of the garden waste service during winter months.

The Committee agreed with the options presented and stressed the need to ensure effective communication with residents throughout periods of inclement weather, and specifically in the event that garden waste collections are suspended.

RESOLVED:

The Joint Waste Collection Committee agreed in principle with the recommended recovery options in the report.

92 HEALTH AND SAFETY AUDIT UPDATE

Members received a verbal update on the health and safety audit. It was reported that, in general, the auditor was satisfied that recommendations had been implemented at the Clay Lane Depot.

93 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.

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

94 IMPLICATION OF CHINA'S RECENT IMPORT BAN ON WASTE SERVICES

It was noted that items 10 and 11 on the agenda had been duplicated. The Committee agreed to discuss item 10 in the first instance.

Members received a report detailing potential implications of China's recent import ban on solid waste that came into force 1 January 2018.

RESOLVED:

That the report for information be noted.

95 WASTE CONTRACT OPTIONS

Members received a report which set out options for procuring the delivery of waste collection, recycling and street cleansing services at the expiry of the current contracts with Serco and Biffa. A draft Inter District Authority Agreement (IDAA) was at Appendix 1 to the report.

The Committee agreed that options 1 and 2a were the best options going forward, and Members were asked to advise the respective Cabinets on the approach going forward. It was then

RESOLVED:

(i) that authority be delegated to the Head of Environment to procure sufficient professional and technical resources to enter into initial discussions and to prepare for and support the procurement project/s; and

(ii) that an initial budget of up to £200,000 be approved to fund the resources referred to in (i) above, to be funded by the Authorities in proportion to the number of households in each district, with sums to be released in accordance with each Council's internal approval process.

The Joint Waste Collection Committee resolved to **RECOMMEND** that the Cabinet of each constituent Authority:

- (i) Agrees that the longer term strategy is to procure a three way single joint contract for the three authorities.**
- (ii) Agrees that the option that should be pursued for the provision of waste etc. services post March 2020 is for Chiltern and Wycombe to agree a contract extension with Serco until the end of October 2021 to align the termination date with the South Bucks/Biffa contract, provided that such extension is compliant with the Public Contract Regulations 2015, and to commence the procurement of a single joint three-way contract to commence in November 2021. However, if the said negotiations are unsuccessful, to commence the procurement of a single joint three-way contract with a staggered commencement of March 2020 in Chiltern and Wycombe and November 2021 in South Bucks.**
- (iii) Delegates authority to the Head of Environment, in consultation with the Head of Legal and Democratic Services, Head of Finance and the relevant Portfolio Holder, to take the steps necessary to progress the option selected under Recommendation (ii) above.**
- (iv) Delegates authority to the Head of Environment in consultation with the Portfolio Holder to finalise the specification of the services to be delivered.**
- (v) Delegates authority to the Head of Environment in consultation with the Head of Legal and Democratic Services and the relevant Portfolio Holder to determine the procurement method under the Public Contract Regulations 2015.**
- (vi) Agrees to enter into an Inter District Authority Agreement (IDAA) reflecting the Heads of Terms at Appendix 1.**
- (vii) 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.**

The meeting ended at 12.30 pm

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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