



Cabinet

Tuesday, 23 April 2019 at 6.00 pm
Please note the 6pm start time

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 - 12*)

To approve the minutes of the Cabinet held on 19 March 2019.

4 Declarations of Interest

5 28-Day Notice (*Pages 13 - 14*)

Appendix: Cabinet 28 Day Notice (working draft) (Pages 15 - 18)

Appendix: Joint Committee 28 Day Notice (Pages 19 - 22)

6 Current Issues

7 Community Infrastructure Levy (CIL) Draft Charging Schedule (*Pages 23 - 26*)

Appendix 1 (Pages 27 - 34)

Appendix 2 (Pages 35 - 56)

8 Community Projects Reserve (*Pages 57 - 66*)

9 King George V Playing Fields (*Pages 67 - 68*)

Appendix: Location Plan (Pages 69 - 70)

10 Chiltern and South Bucks Leisure Advisory Board Terms of Reference (*Pages 71 - 72*)

Appendix 1 (Pages 73 - 76)

11 Minutes of Joint Executive Committees

There have been no Joint Executive Committee meetings held since the last meeting of Cabinet on 19 March 2019.

12 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).

13 Cabinet Reports from Policy Advisory Groups:

13.1 Planning and Economic Development Notes - 3 April 2019 (*Pages 77 - 80*)

13.2 Healthy Communities Notes - 8 April 2019 (*To Follow*)

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 (Leader)
M Stannard (Deputy Leader)
P Martin
M Smith
E Walsh
F Wilson

Date of next meeting – Tuesday, 9 July 2019

Audio/Visual Recording of Meetings

This meeting might be filmed, photographed, audio-recorded or reported by a party other than the Council for subsequent broadcast or publication. If you intend to film, photograph or audio record the proceedings, or if you have any questions please contact Democratic Services. Members of the press please contact the Communications Team.

If you would like this document in large print or an alternative format, please contact 01895 837236; email democraticservices@chilternandsouthbucks.gov.uk

Publication Date 5 April 2019
--

CHILTERN DISTRICT COUNCIL

**MINUTES of the CABINET
held on 19 MARCH 2019**

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

APOLOGIES FOR ABSENCE were received from Councillor F Wilson

ALSO IN ATTENDANCE: Councillor P Jones

178 MINUTES

The minutes of the Cabinet held on 5 February 2019 were approved and signed by the Chairman as a correct record.

179 DECLARATIONS OF INTEREST

There were no declarations of interest.

180 28-DAY NOTICE

The Cabinet received a report attaching the draft 28-Day Notices which provided a forward look at the Agendas for the next meetings of the Cabinet and Chiltern and South Bucks Joint Committee.

The items scheduled for the Cabinet meeting on 23 April were noted.

RESOLVED –

That the Cabinet and Joint Executive 28-Day Notices be noted.

181 CURRENT ISSUES**(i) Councillor P Martin -**

Councillor P Martin announced that the draft Local Plan documents were being presented to Members for discussion at meetings of the Joint Planning Policy Members Reference Group being held on 19 March at Chiltern District Council and 20 March at South Bucks District Council. Revised dates were being arranged for the Joint Overview and Scrutiny Committee and Joint Committee to present the draft Local Plan to be submitted for inspection and consultation, and it was anticipated that this would then be presented to full Council on 22 May 2019.

A reply had been received from the Minister for the Northern Powerhouse and Local Growth in response to permitted development rights and implications of changing use from office to flats, although the reply was a generalised reply which did not address the question in its entirety.

(ii) Councillor L Walsh -

Councillor L Walsh reported that the Community Youth Awards held on 14 March 2019 had been well attended and the event had been a success. All of the young people involved had their hard work recognised and it had been humbling to see how much many of the districts young people do for others in the community.

Further, the Community Cards Scheme was in its fifth year and would launch on 25 March 2019. The scheme encouraged Year 6 pupils to get involved with activities, care for their communities, be safe and engage with local community organisations. 23 schools had already agreed to take part in the scheme.

182 REFRESHED JOINT BUSINESS PLAN 2019/20

The Cabinet received a report which sought approval for the refreshed Joint Business Plan 2019-20 as set out in the appendix to the report. The Joint Business Plan was reviewed annually to reflect the changing needs of the locality and the communities that live and work within the district, as well as the service planning process.

There had not been a significant change from the previous year and the Cabinet was informed that figures included in the Joint Business Plan would be updated at the end of quarter 4 2018/19 prior to publication.

RECOMMENDED to Council that the refreshed Joint Business Plan 2019 - 20 be approved.

183 SERVICE PLANS 2019/20

The Cabinet considered a report which provided the service plans of all service areas within the Council. Service plans were an important part of the Council's performance management framework as detailed in the Joint Business Plan 2016 – 2020 and linked to the Council's policy objectives. The service plans had changed format from the previous years to be more concise and allow for easier reading.

The Service Plans had been considered by the Services Overview Committee and Resources Overview Committee. Amendments would be made to the service plans which reflected the recommendations of the Resources Overview Committee, these were to reduce wording on infographics, ensure figures were highlighted, remove some data only sections and add asterisks to certain sections to explain anomalies.

RESOLVED

That the services plans be noted.

184 PERFORMANCE INDICATOR REVIEW 2019/20

The Cabinet received a report which updated Members on the outcomes of the Performance Indicator (PI) review for 2019/20 and which sought approval for the proposed changes to reporting. Reviewing performance indicators allowed each service to adjust targets, add in more relevant indicators and remove those indicators which did not provide valuable information.

The changes to Performance Indicators were highlighted on pages 124 to 125 of the reports pack with the majority of Performance Indicators remaining the same from the previous year.

RESOLVED that the changes to the Performance Indicators for each service be approved.

185 PERFORMANCE REPORT QUARTER 3 2018/19

The Cabinet considered a report which outlined the annual performance of Council services against pre-agreed performance indicators and service objectives for Quarter 3 of 2018-19.

It was noted that performance indicator CdEH1 – Percentage of food hygiene inspections of category A – D food business achieved against the inspections due by quarter was back above target of 91% at 93% due to successful recruitment to vacant posts.

RESOLVED

That the performance reports be noted.

186 CCTV REVIEW

The Cabinet received a report which advised on the recommendations of the Healthy Communities Policy Advisory Group following a review of CCTV cameras in the district.

Following a detailed and well attended meeting of the Policy Advisory Group on 12 February 2019 it was recommended to Cabinet to:

- Retain the CCTV units in appendices 1 and 2 and bring forward expenditure from the allocated Capital budget 2019/20 to 2023/24 for the replacement of the 42 CCTV cameras with digital units.
- To use the planned mobile CCTV units in areas of crime and disorder hotspots.

The digital images captured from the upgrade of equipment, would assist identification of crime perpetrators and allow clear viewing of incidents. Mobile CCTV units which could be moved between crime hotspots had been supported by Members and had been included within the budgeted funds.

RESOLVED

- 1. That the recommendations from the Healthy Communities Policy Advisory Group following the review of CCTV in the district be noted**
- 2. That the bringing forward of expenditure up to £210,000 from the allocated Capital budget 2019/20 to 2023/24 for the replacement of the current 42 CCTV cameras with digital units be agreed.**
- 3. That authority be delegated to the Head of Healthy Communities to carry out the procurement and to make a decision on the final contract for the replacement of CCTV equipment in accordance with the Council's contract procedure rules.**
- 4. That authority be delegated to the Head of Healthy Communities in consultation with the Portfolio Holder for Healthy Communities to decide on the location of any relocated or new public realm CCTV cameras.**

187 BUCKS HOME CHOICE ALLOCATION POLICY

The Cabinet considered a Council report which sought authority to adopt and implement the revised Bucks Home Choice Allocations Policy. Following a report to Cabinet in October 2018 a consultation exercise had now taken place on the proposed revisions to the Policy with the majority of respondents being in favour of the revisions with the exception of the proposal that same sex siblings should be expected to share a bedroom until the older child reached the age of 21. This had been revised to the age of 18 following comments from consultees, particularly housing associations and this would regularly be reviewed.

A final draft of the proposed revised Bucks Home Choice Allocations Policy had now been prepared with minimal changes to the version that was previously reported to Members and issued for consultation. The four District Councils in Buckinghamshire were now seeking to adopt and implement this revised policy.

The revised draft was currently being reviewed by the Legal Services of the four District Councils and the final draft would include any amendments required to ensure that the policy met statutory and legal requirement.

RECOMMENDED to **Council** that

- 1 The revised Bucks Home Choice Allocations Policy be approved.
- 2 The Head of Healthy Communities be delegated authority to make any final amendments and to agree and adopt the final version of the revised Bucks Home Choice Allocations Policy in consultation with the Healthy Communities Portfolio Holder and subject to Aylesbury Vale, South Bucks and Wycombe District Councils also adopting the revised policy.

188 MINUTES OF JOINT EXECUTIVE COMMITTEES

RESOLVED:

That the minutes of the following Joint Executive Committees be noted:

1. **Chiltern and South Bucks Joint Committee 13 February 2019**
2. **Aylesbury Vale, Chiltern and Wycombe Districts Crematoria Joint Committee 23 January 2019**

189 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)

190 CABINET REPORTS FROM POLICY ADVISORY GROUPS:

RESOLVED:

That the confidential notes from the following PAG meetings be noted:

1. **Healthy Communities PAG 12 February 2019**

191 HS2 PROJECT REPORT

The Cabinet received a report which provided Members with an update on the work on the HS2 project, resources and expenditure and further provided summary information on the main issues for consideration and the budget for the resources of the HS2 Project Team working on the project.

It was noted that delays to the project had been frustrating for residents and the Council. There was continued concern from residents around lack of community engagement from HS2 and works falling behind schedule. Further, despite ecology assurances from HS2, it had been unsatisfactory that hedgerows and trees had been removed during nesting season. The local MP was aware of the wide range of issues and it was hoped these would be raised in Parliament in the coming weeks.

RESOLVED:

- 1. That the report and progress made on the project be noted.**
- 2. That the financial implications contained in the report that will be met in 2019/20 from the reserves of each authority for these purposes be noted.**

The meeting ended at 5.00 pm

SUBJECT:	<i>28 Day Notice</i>
RELEVANT MEMBER:	<i>Cabinet Portfolio Holder for Support Services (Deputy Leader)</i>
RESPONSIBLE OFFICER:	<i>Joanna Swift, Head of Legal & Democratic Services</i>
REPORT AUTHOR:	<i>Leslie Ashton, 01895 837227, leslie.ashton@chilternandsouthbucks.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
---------------------------	------



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)						
No items to be considered						
Support Services (Councillor Mike Stannard)						
No items to be considered						
Customer Services (Councillor Fred Wilson)						
No items to be considered						
Planning and Economic Development (Councillor Peter Martin)						
Y	Community Infrastructure Levy (CIL) To approve the Draft Charging Schedule for Consultation.	23 April 2019	Cabinet	Planning & Economic Development Policy Advisory Group 3 Apr 2019	Open	Mark Jaggard Mark.jaggard@Chilternandsouthbucks.gov.uk

Environment (Councillor Mike Smith)						
No items to be considered						
Healthy Communities (Councillor Liz Walsh)						
Y	Community Projects Reserve To consider a report on the options for expenditure of the Community Projects Reserve. <i>Item added 7 Mar</i>	23 April 2019	Cabinet	Healthy Communities Policy Advisory Group 8 April 2019	Open	Martin Holt martin.holt@chilternandsouthbucks.gov.uk
N	King George V Playing Fields To consider a report to undertake public consultation on the site. <i>Item added 4 April</i>	23 April 2019	Cabinet		Open	Martin Holt martin.holt@chilternandsouthbucks.gov.uk
Y	Community Grants To agree funding grant awards for the Council's 2019/2020 Community Grant Aid Scheme.	9 July 2019	Cabinet	Services Overview Committee 13 June 2019	Open	Martin Holt martin.holt@chilternandsouthbucks.gov.uk

1 The Council's Constitution defines a 'Key' Decision as any decision taken in relation to a function that is the responsibility of the Cabinet and which is likely to:-

- result in expenditure (or the making of savings) over £50,000 and / or
- have a significant impact on the community in two (or more) district wards.

and

- relates to the development and approval of the Budget; or
- relates to the development, approval and review of the Policy Framework, or
- is otherwise outside the Budget and Policy Framework.

As a matter of good practice, this Notice also includes other items – in addition to Key Decisions – that are to be considered by the Cabinet. This additional information is provided to inform local residents of all matters being considered.

2 Each item considered will have a report; appendices will be included (as appropriate). Regulation 9(1g) allows that other documents relevant to the item may be submitted to the decision-maker. Subject to prohibition or restriction on their disclosure, this information will be published on the Council website usually 5 working-days before the date of the meeting. Paper copies may be requested (charges will apply) using the contact details below.

3 In order to support the work of the Cabinet and to enhance decision-making, reports are often presented to other meetings for comment before going to the Cabinet. As such, this Notice also includes information on which meeting (if any) will also consider the report, and on what date.

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

Paragraph 1	Information relating to any individual
Paragraph 2	Information which is likely to reveal the identity of an individual
Paragraph 3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)
Paragraph 4	Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority
Paragraph 5	Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings
Paragraph 6	Information which reveals that the authority proposes: (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 name.surname@chilternandsouthbucks.gov.uk e.g. Bob Smith = bob.smith@chilternandsouthbucks.gov.uk

Democratic Services, Chiltern District Council, King George V House, King George V Road, Amersham, HP6 5AW; democraticservices@chilternandsouthbucks.gov.uk; 01895 837236

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 meeting and will be available at: [Chiltern District Council](#) & [South Bucks District Council](#)

CHILTERN & SOUTH BUCKS JOINT COMMITTEE (JC)
6pm, 1 May 2019, Council Chamber, Chiltern District Council

Key Decision (Y/N) ¹	Report Title & Summary ²	Consultation How/When ³	Decision Maker & Date	Private Report (Y/N) and Reason Private ⁴	Contact Officer and Telephone Number
Y	Joint Local Plan Submission To consider a report on the joint Local Plan submission to be submitted for inspection and consultation and to approve the Local Development Scheme for publication.	Joint Overview and Scrutiny Committee 29 April 19	JC 1 May 2019	N	Mark Jaggard Mark.jaggard@chilternandsouthbucks.gov.uk
N	Annual Report To report on the activity and achievements of joint working.	Joint Overview and Scrutiny Committee 29 April 19	JC 1 May 2019	N	Jim Burness Jim.burness@chilternandsouthbucks.gov.uk

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

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

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

A Key Decision is defined as:

Date Published: 1 April 2019

Classification: OFFICIAL

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

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

Chiltern District Council

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

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

South Bucks District Council

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

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

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

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

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

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

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

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

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

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

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

Contact

Democratic Services, Chiltern District Council, King George V House, King George V Road, Amersham, HP6 5AW; democraticservices@chilternandsouthbucks.gov.uk; 01895 837236

SUBJECT:	<i>Community Infrastructure Levy (CIL) Draft Charging Schedule</i>
RELEVANT MEMBER:	<i>Councillor Peter Martin, Portfolio Holder for Planning & Economic Development, Chiltern District Council</i>
RESPONSIBLE OFFICER	<i>Mark Jaggard, Head of Planning & Economic Development</i>
REPORT AUTHOR	<i>Simon Meecham, Lead Local Plan Consultant</i> E: simon.meecham@chilternandsouthbucks.gov.uk T: 01494 732175
WARD/S AFFECTED	<i>All</i>

1. Purpose of the Report

- 1.1. To recommend that the Community Infrastructure Levy (CIL) Draft Charging Schedule (DCS) is issued for consultation and submitted to an Examiner for an Examination in Public.

RECOMMENDATIONS

That Cabinet agrees:

1. To publish and consult on the Community Infrastructure Levy - Draft Charging Schedule;
2. To delegate authority to the Head of Planning and Economic Development, in consultation with the Portfolio Holder for Planning and Economic Development, to make minor editorial changes and corrections to the Community Infrastructure Levy – Draft Charging Schedule and supporting documents prior to consultation;
3. In light of the responses to the consultation, to delegate authority to the Head of Planning and Economic Development, in consultation with the Portfolio Holder for Planning and Economic Development, to make minor amendments to the Draft Charging Schedule and supporting documents prior to the submission for examination; and
4. To the submission of the Community Infrastructure Levy – Draft Charging Schedule consultation documents and any responses to an independent examiner for an Examination in Public.

2. Reasons for the Recommendations

- 2.1. Formal consultation is a prerequisite in the pathway to adopt the Community Infrastructure Levy.
- 2.2. The Draft Charging Schedule is independently examined and the findings determine if the Council can adopt the Community Infrastructure Levy.

3. Content of Report

- 3.1. CIL was introduced by the Planning Act 2008, and the CIL Regulations 2010 (as amended). It is a £ per square metre, tariff-based charge on some planning permissions and developments, applied to net new floor space resulting from a liable development.
- 3.2. CIL can apply to a wide range of developments (e.g. smaller scale residential), in contrast to S106 agreements, which must focus on site specific mitigation matters. This means that there is greater potential to capture infrastructure funding from liable developments.
- 3.3. The CIL proposals have been derived through a process which includes an economic assessment of their combined impact with all emerging Local Plan policies, including affordable housing and the viability of site allocations.

CIL Preliminary Draft Charging Schedule (PDCS)

- 3.4. Cabinet agreed to consult for six weeks on a preliminary (draft) CIL PDCS in October 2018, as the first stage in a two-stage process currently prescribed by the Government's CIL Regulations. The consultation took place from 2 November to 14 December 2018.
- 3.5. The Joint Planning Policy Member Reference Group received a report on the outcome of the consultation at its meeting of 15 January 2015. This highlighted that 56 Responses and 99 individual comments were received from a range of organisations and individuals, providing overall support for implementing CIL. Appendix 1 summarises the consultation results.

CIL Draft Charging Schedule (DCS)

- 3.6. The CIL DCS, attached as Appendix 2, largely reflects the format and content of the preliminary draft CIL. The proposed CIL rates for residential remains at £150 per square metre; retail developments at £150 per square metre; other commercial and business developments at £35 per square metre and public service and community facilities at £35 per square metre. The CIL DCS proposes that planning applications for 400 homes or more or sites of 10 hectares or more will be exempt from CIL so that the higher levels of on-site infrastructure can be better captured through the traditional S106 / S278 processes.

Timescales for CIL Adoption

3.7. Following the CIL DCS consultation and consideration of representations received, the Council's CIL proposals will be submitted to an independent examiner for an Examination in Public (EiP). The EiP can either be in the form of hearings or Independent Examination. Should this lead to a favourable and timely inspector's report, the Council will be able to consider adopting CIL by March 2020.

4. Consultation

4.1. Consultation on the CIL *preliminary* DCS, took place from 2 November to 14 December 2018. The findings of that consultation have been considered by Planning and Economic Development Policy Advisory Group and have informed the drafting of the CIL DCS. The CIL DCS will now be subject to a further round of six weeks consultation. This is anticipated to take place from 7 June 2019 to 19 July 2019.

5. Options

5.1. The adoption of CIL by the Council will enable developments that currently do not pay an infrastructure contribution to become subject to a CIL charge.

5.2. The alternative option is not to introduce CIL, which would forego this source of infrastructure funding.

6. Corporate Implications

6.1. Financial:

Once CIL is adopted and introduced by the Council it will lead to developments needing to pay a sum of money equivalent to their CIL liability, this can be used to support infrastructure investment across the area. The CIL Regulations allow 5% of CIL receipts to be used by the Council to recover CIL establishment costs and ongoing administrative costs, once implemented.

6.2 Legal:

The introduction of CIL is a prescribed statutory process, so must be developed and implemented in accordance with the Government's CIL Regulations.

6.3 Crime and Disorder, Environmental Issues, ICT, Partnership, Procurement, Social Inclusion, Sustainability:

After adoption and when enough funds have been collected, CIL receipts can be used to fund a wide range of infrastructure in accordance with the Council's priorities, including community cohesion, health and wellbeing, environmental improvements and sustainability.

7 Links to Council Policy Objectives

7.1 The introduction of CIL will contribute to the achievement of Chiltern and South Bucks Councils' priorities and goals 2017 to 2020, by providing resources to help conserve the environment and promote sustainability, through provision of appropriate infrastructure.

8. Next Steps

8.1 Following consideration by Cabinet, the CIL DCS will be issued for a 6-week period of consultation in alignment with the timescales associated with the development of the Joint Local Plan.

8.2 Representations received during the consultation will be considered further. If no major issues or concerns are raised, officers will submit the CIL documents and the results of the consultation to an Independent Examiner for an Examination in Public.

8.3 The evidence base, including the viability assessments, funding gap and infrastructure delivery plan, plus the consideration of which types of infrastructure will be funded through CIL or S106 will continue to be developed, both for the consultation and the Examination.

8.4 Following the examination, if the Examiners report endorses the Council's CIL proposals, then the Council will be able to adopt CIL and select an appropriate date from which all liable developments will be due to pay a CIL charge. The aim is for the Council to be able to adopt and charge CIL by March 2020.

Background Papers:	<p><u>Appendices</u></p> <ol style="list-style-type: none"> 1) CIL Preliminary Draft Charging Schedule Summary of Responses. 2) CIL Draft Charging Schedule (March 2019) <p><u>Background reports</u></p> <ul style="list-style-type: none"> • CIL Preliminary Draft Charging Schedule (PDCS) (November 2018) • Local Plan 2036 & CIL Viability Assessment (November 2018)
---------------------------	--

Joint Planning Policy Member Reference Group - 15 January 2019

Community Infrastructure Levy - Preliminary Draft Charging Schedule

1. Purpose of Report

1.1 The purpose of this report is to advise members of the outcome of the consultation on the Preliminary Draft Charging Schedule, which provides evidence to move to the next step in delivering the Community Infrastructure Levy for Chiltern and South Bucks Councils. In summary, the next steps are to publish and consult on the Councils' Draft Charging Schedule and submit it for independent examination.

2. Results of the Consultation

2.1 The Councils' Cabinets agreed to consult on the Community Infrastructure Levy - Preliminary Draft Charging Schedule in October 2018. This consultation took place from 2 November to 14 December 2018. This paper outlines the responses received, the findings of which establish that there is evidence to move forward to the next stage of public consultation, the Community Infrastructure Levy - Draft Charging Schedule.

2.2 The Councils have received 56 responses, containing 99 comments. A broadly similar number of comments were received on each question and a broadly similar number of comments came from each responder categorisation (excepting residents' groups).

Responder Categorisation	Number of Responses
Town and Parish Councils	11
Resident Groups	5
Agents/Landowners/ Developers	11
Duty to Cooperate Bodies and Organisations	14
Residents	15
Total	56

2.3 The number of responses is not untypical at this stage of consultation and normally increases at the next stage. The following tables provide summaries of responses received to the consultation questions.

Classification: OFFICIAL

Consultation Question 1

Do you agree with the key assumptions that underlie the Residential Viability Assessment for different land uses? If not, what alternatives would you suggest and why?

Responder Categorisation	Summary of Responses	Officer Response
Town and Parish Councils	Those that responded agreed with the assumptions	Noted
Resident Groups	One was concerned that there was too many TBCs in the Councils' infrastructure background paper	Noted, in regard to the TBCs - this not untypical at such an early stage and the Councils' background paper is not required by regulations.
Agents/Landowners/Developers	Some concern in relation to fees and costs in the viability assessments. Also, some concern over the number of home units used in appraisal as being 100 units. Suggestions included 150-1500 units and another suggested 300 units. Also concern that more understanding of park home viability was necessary.	Officers will discuss with their viability consultants in preparation for the next consultation.
Duty to Cooperate Bodies and Organisations	Those that responded agreed with the assumptions.	Noted
Residents	Those that responded agreed with the assumptions except one that considered certain use classes have greater infrastructure and environmental costs.	Noted, officers will raise the use class matter with their viability consultants in preparation for the next consultation.

Classification: OFFICIAL

Consultation Question 2

Do you agree with the residential development CIL rates proposed being the same across all areas within the districts? If not, please explain which ones you disagree with and why.

Responder Categorisation	Summary of Responses	Officer Response
Town and Parish Councils	Broadly those that responded agreed with rates being the same across the districts. However, one parish considered there was a need for differentiation.	Noted and officers will discuss the value differentiation issues raised by the parish council.
Resident Groups	There is a split between those groups that considered a single charge was best and the others arguing for differentiation.	Noted and officers will discuss the value differentiation issues raised by the resident groups.
Agents/Landowners/Developers	Of those that responded, concern was raised that the districts' development values are too diverse to have just one charging value zone.	Noted and officers will discuss the value differentiation issues raised by the agents, landowners and developers.
Duty to Cooperate Bodies and Organisations	Of those that responded, concern was raised that the districts' development values are too diverse to have just one charging value zone.	Noted and officers will discuss the value differentiation issues raised by the duty to cooperate bodies and organisations.
Residents	Of those that responded, the majority were concerned that the districts' development values are too diverse to have just one charging value zone.	Noted and officers will discuss the value differentiation issues raised by the residents.

Consultation Question 3

Do you agree with the key assumptions that underlie the non-Residential Viability Assessment? If not, what alternatives would you suggest and why?

Responder Categorisation	Summary of Responses	Officer Response
Town and Parish Councils	Those that responded agreed with the assumptions.	Noted and officers will discuss this issue with their viability consultants.
Resident Groups	A comment was received which stated than speculative non-residential development was unviable in the districts.	Noted and officers will discuss this issue with their viability consultants.
Agents/Landowners/Developers	A retail operator did not agree with assumptions but did not expand on this. A sports leisure provider disagreed with a CIL charge on D2 uses.	Noted and officers will discuss these issues with their viability consultants.
Duty to Cooperate Bodies and Organisations	One comment was received that CIL charges on D1 and C2 use classes was not justified by evidence and could harm healthcare provision and homes for the elderly.	Noted and officers will discuss this issue with their viability consultants.
Residents	One resident considered certain use classes have greater infrastructure and environmental costs.	Noted and officers will discuss this issue with their viability consultants.

Consultation Question 4

Do you agree with the non-residential development CIL rates proposed? If not, please explain which ones you disagree with and why.

Responder Categorisation	Summary of Responses	Officer Response
Town and Parish Councils	Of those that responded, concern was raised regarding differentiation for local needs, whether sufficient testing had been made on viability and that the rate for retail was too high.	Noted and officers will discuss this issue with their viability consultants.
Resident Groups	Of those that responded, concerns were raised regarding the threat of new retail development to the high street and that sui generis uses should also be captured.	Officers confirm that sui generis are payable at the same rate as retail.
Agents/Landowners/Developers	Of those that responded, clarity was sought that CIL would not be charged on strategic sites for D1, D2 and C1 uses. A sports leisure provider disagreed with a CIL charge on D2 uses	Noted and officers will discuss this issue with their viability consultants.
Duty to Cooperate Bodies and Organisations	Of those that responded, concern was raised on charging CIL on D1, D2 and C1 uses.	Noted and officers will discuss this issue with their viability consultants.
Residents	Of those that responded, some supported the charge whilst others raised concern about killing off growth in built form retail.	Noted and officers will discuss this issue with their viability consultants.

Consultation Question 5

Do you support the proposal to set the rate at £0 per square metre for all other types of chargeable development?

Responder Categorisation	Summary of Responses	Officer Response
Town and Parish Councils	Of those that responded, comments included the need for developments which are in use classes that are exempted to still pay for the impact of their development.	Noted, developments that are not proposed to be covered by CIL will still need to pay S106 contributions in order to make their development acceptable in planning terms.
Resident Groups	Of those that responded, comments included the need for more detailed / accurate viability assessment	Noted and officers will discuss this issue with their viability consultants.
Agents/Landowners/Developers	Of those that responded, comments included needing to set the threshold for strategic sites and stating if this meant all use classes would be except.	Noted and officers will discuss this issue with their viability consultants.
Duty to Cooperate Bodies and Organisations	Of those that responded, comments included not charging on single dwellings or extensions.	Noted, only developments less than 100 sq. m are excluded (in terms of size). Officers will discuss this issue with their viability consultants.
Residents	Of those that responded, comments included excepting charities and charging sue generis uses at 35 sq. m.	Noted and officers will discuss this issue with their viability consultants.

3. Next Steps

3.1 Officers will take these consultation responses into account when preparing the Community Infrastructure Levy - Draft Charging Schedule with the Councils' viability consultants. This paper will also be circulated with the Members' Bulletin Board, subject to any changes requested at this JMRG meeting.

3.2 Papers will be taken to Overview and Scrutiny Committee and Joint Committee regarding the Local Development Scheme in the next few months to establish the timetable for CIL and the Local Plan. Papers will also be taken to both Cabinets to seek to authorise the consultation and submission of CIL. In regards to CIL, Cabinets will be recommended to agree the following recommendations:

RECOMMENDATIONS to Chiltern and South Bucks Cabinets

1. To agree to publish and consult on the Community Infrastructure Levy - Draft Charging Schedule; and
2. To submit the Community Infrastructure Levy - Draft Charging Schedule consultation documents and any responses to an independent examiner for public examination.



CHILTERN
District Council



SOUTH BUCKS
District Council

Stronger in partnership



Community Infrastructure Levy (CIL)

Chiltern and South Bucks District Councils

Draft Charging Schedule

Consultation Document

7 June to July 19 2019

Background

Consultation on the Community Infrastructure Levy (CIL) Draft Charging Schedule

The Community Infrastructure Levy (CIL) Draft Charging Schedule (DCS) is the second of the consultations required as part of the process leading to the introduction of CIL in the area administered by Chiltern and South Bucks District Councils. This follows from an initial consultation on a CIL Preliminary Draft Charging Schedule (PDCS), which ran during November to December 2018.

This document sets out the Councils CIL rates that it will submit for independent examination, after the consultation.

The consultation period on the CIL DCS runs from **7 June 2019 to the 19 July 2019** (all representations and comments to be received by midnight).

For further information, please visit the Councils' websites at:

<https://www.chiltern.gov.uk/planning/cil>

<https://www.southbucks.gov.uk/planning/cil>

Or telephone: 01494 586678

NOTE:

During the consultation or the examination, the government may implement changes to the CIL Regulations. The government's consultation on Reforming Development Contributions (December 2018) proposes to amend the way in which CIL and S106 planning obligations operate, with draft CIL Regulations 2019 including proposals to:

- remove pooling restrictions on S106 contributions, so that a larger number can be used to support a specific infrastructure project, considered necessary to make developments acceptable in planning terms;
- allow CIL funding and S106 contributions to be used in support of the same infrastructure; and
- remove the need to publish a Regulation 123 list.

Table of Contents

The Community Infrastructure Levy	4
Charging Authorities and Charging Area	4
Purpose of Consultation	4
Statutory Compliance.....	4
About the Community Infrastructure Levy	4
CIL Geographic Charging Differentials	5
CIL Liable Developments	5
CIL Exemptions.....	6
CIL and Existing Planning Permissions	6
CIL Preliminary Charging Schedule (PDCS) Consultation.....	7
Infrastructure Delivery Plan & Funding Gap	7
CIL and Local Plan Viability Assessment	7
Proposed Charging Schedules	7
Annual Index linking of CIL Rates.....	9
Discretionary CIL Policies	9
Allocating CIL Receipts	10
CIL and Section 106 Planning Obligations	11
Indicative Regulation 123 List.....	Error! Bookmark not defined.
CIL Administration	11
Timescale for Adoption of a CIL Charging Schedule	11
Appendix 1: Chiltern District Council's CIL Charging Areas	12
Appendix 2: South Bucks District Council's CIL Charging Areas	13
Appendix 3: Guide to the Use Classes Order & Definitions	14
Appendix 4: CIL Payments Instalments Policy	16
Appendix 5: CIL Administration	17
Appendix 6: Measuring CIL liable floor space	19
Appendix 7: Liability for CIL	20

Charging Authorities and Charging Area

The Charging Authorities are Chiltern District Council and South Bucks District Council. The charging area covers the administrative areas of Chiltern and South Bucks District Councils.

Purpose of Consultation

This consultation document represents the second formal stage in Chiltern and South Bucks District Councils preparation of a Community Infrastructure Levy (CIL) charging schedule and follows on from the Consultation on the Councils' CIL Preliminary Draft Charging Schedule (PDCS) during November to December 2018. Representations are invited on the draft charging schedule. The councils will collate all representations and forward to an independent examiner who will conduct an examination of the charging schedule, the evidence underpinning it and your representations. The examiner may hold hearings in public and invite further written representations.

The CIL is a charge on development; it is tariff-based and enables local authorities to raise funds to pay for infrastructure. The CIL Draft Charging Schedule (DCS) sets out the CIL rates that the Councils propose to charge on development within their administrative areas. Charges are set out as '£s per square metre' and are only chargeable on developments set out in Tables 1 and 2 of this consultation document.

Statutory Compliance

The provisions for CIL are set out by Part 11 of the Planning Act 2008, the Localism Act 2011, and the CIL Regulations 2010 (as amended).

This CIL DCS is published for public consultation as the second stage in setting CIL charges for Chiltern and South Bucks District Councils and is published in accordance with Regulations 15 and 16 of the CIL Regulations.

The Government's guidance on CIL and the CIL Regulations can be accessed via the following web link:

<https://www.gov.uk/guidance/community-infrastructure-levy#introduction>

About the Community Infrastructure Levy

Most new development has an impact on infrastructure and therefore it is reasonable to expect developers to contribute to the cost of providing or improving that infrastructure. CIL in conjunction with S106 and S278 planning obligations provides a mechanism to collect funds to ensure this happens. Unlike S106 which focuses on affordable housing and site specific infrastructure, CIL charges can be collected on a wider range of developments and be spent on strategic infrastructure.

When setting rates, CIL Regulation 14 requires Councils to 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 geographical area in which CIL charges apply. When looking at infrastructure, the Councils also need to estimate the cost of the

infrastructure required to support development and consider sources of funding, including CIL that could be available.

Regulation 14 of the CIL Regulations 2010 (as amended) provides:

'14. - (1) In setting rates (including differential rates) in a charging schedule, a charging authority must strike an appropriate balance between:

- (a) the desirability of funding from CIL (in whole or in part) the actual and expected estimated total cost of infrastructure required to support the development of its area, taking account of other actual and expected sources of funding; and*
- (b) the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area.*

Local authorities must spend the levy on infrastructure needed to support the development of their area, and they will decide what infrastructure is needed. The levy is intended to focus on the provision of new infrastructure and should not be used to remedy pre-existing deficiencies in infrastructure provision unless those deficiencies will be made more severe by new development.

The levy can be used to fund a wide range of infrastructure, including transport, flood defences, schools, hospitals, and other health and social care facilities. This definition allows the levy to be used to fund a very broad range of facilities such as play areas, parks and green spaces, cultural and sports facilities, healthcare facilities, academies and free schools, district heating schemes and police stations and other community safety facilities. This flexibility gives local areas the opportunity to choose what infrastructure they need to deliver their relevant Plan (the Local Plan in England). Charging authorities may not use the levy to fund affordable housing.

The levy can be used to increase the capacity of existing infrastructure or to repair failing existing infrastructure, if that is necessary to support development.

CIL Regulation 13 makes provision, where relevant, for the setting of differential rates for different geographical areas, different development types/uses, and scale of development size; or a combination of these factors. Any differential rate needs to be justified by viability assessments and evidence.

CIL Geographic Charging Differentials

The viability assessment for both Chiltern District Council and South Bucks District Council has established a uniform charge across both administrative geographies. This means that the CIL liability in Tables 1 and 2 applies across both districts without any differentials in geography.

By contributing to investment in the infrastructure of the area and combining this with other funding sources, CIL is expected to have a positive effect on growth, development and the environment.

CIL Liable Developments

CIL is charged on a £s per square metre basis according to the rates set out in Tables 1 and 2. The charging schedule for Chiltern District Council and South Bucks District Council collects the levy based on:

- the net additional gross internal floor space of all new residential units, regardless of their size;
- the erection of, or extensions to, other buildings creating over 100 per square metre net new additional gross internal floor space; and

- the conversion of a building which is no longer in lawful use, and which hasn't been in use for a continuous 6 months over the last 3 years.

Liability to pay CIL on qualifying developments applies whether development requires planning permission or is enabled through permitted development orders (General Permitted Development Order, Local Development Orders, Neighbourhood Development Orders, and Enterprise Zones).

Once the charging schedule is adopted by Chiltern District Council and South Bucks District Council CIL, the levy is charged at is non-negotiable. CIL collection is triggered when the developer notifies the Council that the development due to commence.

CIL Exemptions

The Regulations exempt some development from CIL liability, including:

- Development of less than 100 per square metre. new build floor space measured as gross internal area (GIA), unless it results in the creation of one or more dwellings (Regulation 42);
- The conversion of any building previously used as a dwelling house to two or more dwellings, which doesn't create net additional new floor space, and which has been in use for 6 months continuous use in the last 3 years
- Development of buildings and structures into which people do not normally go into, or enter under limited circumstances (for example an electricity sub-station, or wind turbine, or for the purpose of inspecting or maintaining fixed plant or machinery) (Regulation 5(2));
- Buildings for which planning permission was granted for a limited period;
- Full relief is applied on all those parts of chargeable development that are to be used as social/affordable housing, subject to an application by a landowner for CIL relief (criteria set out in Regulation 49/49A);
- Development by charities for charitable purposes subject to an application by a charity landowner for CIL relief (CIL regulation 43-48) (mandatory charitable relief);
- Houses, flats, residential annexes and residential extensions, which are built by self-builders, subject to an application for exemption by homeowners (CIL regulations 42A, 42B, 54A and 54B).
- The conversion of or works to a building in lawful use that affects only the interior of the building;
- Mezzanine floors of less than 200 per square metre inserted into an existing building, unless they form part of a wider planning permission, which seeks to provide other works;
- Vacant buildings brought back into use (Regulation 40), where there is no net gain in floor space, provided a building has been in use for 6 continuous months out of the last 3 years.
- When a CIL charge is calculated as £50 or less, a CIL payment will not be charged by a Charging Authority.

CIL and Existing Planning Permissions

CIL only applies to developments in the relevant district when the charging schedule is adopted by Chiltern District Council or South Bucks District Council. Development proposals that already have planning permission when a CIL Charging Schedule comes into force are not liable for CIL. This includes any subsequent reserved matters applications following outline planning permission.

However, if proposed developments with planning permission are not started within the time limit stipulated on the decision notice, any subsequent application which in effect seeks a renewal may be liable to CIL where the Charging Schedule has been adopted.

Where an application is made under Section 73 of the Town and Country Planning Act 1990 for development without compliance with conditions which govern a planning permission, CIL is only chargeable on any additional floorspace over and above that approved by the original permission.

CIL Preliminary Charging Schedule (PDCS) Consultation

The Councils consulted on a CIL PDCS during November and December 2018. Comments and observations were invited on the Councils proposed CIL rates and its approach to zero rating CIL on large sites (to secure negotiated charges for infrastructure through S106 planning obligations).

Comments were received from Town & Parish Councils, residents' groups, agents, landowners, developers, statutory bodies and residents. Comments have been taken in to account for this consultation.

Infrastructure Delivery Plan & Funding Gap

A draft Infrastructure Delivery Plan has been prepared, this sets out the infrastructure likely to be required to support the delivery of housing and commercial growth to 2036. This will be finalised for the publication of the Proposed Submission stage of the Local Plan, expected in spring 2019. It has been informed by the Buckinghamshire Infrastructure Strategy.

An Infrastructure Funding Gap statement identifies that the likely CIL receipts from the anticipated new developments will be less than the costs of the infrastructure identified in the draft Infrastructure Delivery Plan. It confirms that CIL would contribute to, but not by itself, generate enough funds to pay for all the major infrastructure needs identified in the Infrastructure Delivery Plan.

CIL and Local Plan Viability Assessment

Chiltern District Council and South Bucks District Council commissioned consultants to undertake a CIL viability assessment for housing and commercial development in Chiltern and South Bucks. The findings have informed the residential and commercial CIL rates set out in Tables 1 and 2, the Councils charging schedule.

The viability assessment considers that large sites (400 homes or more or 10 hectares or more) should be exempt from CIL and should continue to rely on S106 planning obligations; this is due to the scale of site-specific development mitigation and infrastructure requirements on large site, such as new schools and roads.

The assessment also considers that uniform CIL charging rates across both Chiltern and South Bucks should be levied at £150 per square metre for residential; £150 per square metre for retail and related uses; and £35 per square metre for commercial and other specific development categories.

Proposed Charging Schedules

Tables 1 and 2 detail the proposed residential, commercial and other CIL rates for Chiltern District Council and South Bucks District Council.

The CIL rates are presented for each Council area in accordance with the Government's CIL Regulations, which requires rates to be attributed to an individual Charging Authority. The administrative areas of the districts can be viewed in appendices 1 and 2. For Tables 1 and 2 below, see appendix 3 for a guide to the Use Classes

Table 1: Chiltern District Council area CIL Rates	
Development type (Use Class)	CIL Rate/square metre
A1 Shops	£150
A2 Finance and professional services	£150
A3 Restaurants and cafés	£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 Institutions	£35
C3 Dwelling houses*	£150
C4 Houses in multiple occupation	£150
D1 Non-residential institutions	£35
D2 Assembly and leisure	£35
Sui Generis	£35
All development types unless stated otherwise in this table	£35
Large sites over 400 homes or 10 hectares in area	£0
Infrastructure contributions	
*C3 includes all self-contained accommodation, including elderly and sheltered accommodation and self-contained student accommodation	

Table 2: South Bucks District Council area CIL Rates	
Development type (Use Class)	CIL Rate/square metre
A1 Shops	£150
A2 Finance and professional services	£150
A3 Restaurants and cafés	£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 Institutions	£35
C3 Dwelling houses*	£150
C4 Houses in multiple occupation	£150
D1 Non-residential institutions	£35
D2 Assembly and leisure	£35
Sui Generis	£35
All development types unless stated otherwise in this table	£35

Local Plan sites with a capacity to provide 400 / 10 per ha or more dwellings Infrastructure contributions via S106	£0
*C3 includes all self-contained accommodation, including elderly and sheltered accommodation and self-contained student accommodation	

Annual Index linking of CIL Rates

CIL Regulation 40 enables charging authorities to make an annual index linked increase to their CIL rates at a set time of the year, which is normally from 1 January.

The CIL Regulations current method is to use the All-in Tender Price Index, published by the Building Cost Information Service (BCIS).

Discretionary CIL Policies

Discretionary Relief from CIL

A charging authority can choose to offer discretionary relief to a charity landowner where the greater part of the chargeable development will be held as an investment, from which the profits are applied for charitable purposes (CIL regulation 44).

It can choose to offer exceptional circumstances relief (CIL regulation 55) where the charging of CIL would have an unacceptable impact on the economic viability of a development, and where the exemption of a charitable institution from liability to pay CIL would constitute State Aid (CIL regulation 45) and would otherwise be exempt from liability under regulation 43.

Chiltern and South Bucks District Councils are not proposing to make available either discretionary charity relief or the exceptional circumstances relief (CIL regulations 44, 45 and 55).

Payments in kind

In circumstances where the liable party and the Councils agree, payment of the levy may be made by transferring land or conducting works to an equivalent value. The agreement cannot form part of a planning obligation, and must be agreed before the chargeable development is commenced and is subject to fulfilling the following:

- the acquired land or works, is used to provide or facilitate the provision of infrastructure within the Districts;
- the land is acquired, or works are conducted, by the Councils or a person nominated by the Councils;
- the transfer of the land, where relevant, must be from a person who has assumed liability to pay CIL;
- the land must be valued by an independent person agreed by the Councils and the party liable to pay CIL, whereby the party liable to pay CIL meets the cost of the land valuation; an
- 'Land' includes existing buildings and other structures, land covered with water, and any estate, interest, easement, servitude or right in or over the land.

The Councils intend to consider payments in kind on a discretionary basis within the terms set out above.

Payment of CIL and Instalments Policy

The CIL Regulations default position is that CIL payment is due within 60 days of the commencement of development. Charging Authorities can however set out an appropriate CIL payments instalments policy.

The Councils intend to operate a CIL Instalments policy according to the schedule set out by Appendix 4.

Allocating CIL Receipts

CIL Administration fee

The CIL Regulations allow the Councils to use up to 5% of total CIL receipts to refund and meet the costs associated with establishment and on-going administration of CIL.

Parish & Town Councils' Neighbourhood Portion

At least 15% of CIL receipts are allocated to Parish and Town Councils where CIL liable developments have taken place. This is known as the Neighbourhood Portion. If a Parish or Town Council area is covered by a 'made' Neighbourhood Plan, then the amount increases to 25% of CIL receipts from the area covered by the Neighbourhood Plan.

There is a cap of £100 (indexed) per council taxed dwelling within a Parish or Town Council area per financial year, in areas without a made Neighbourhood Plan, but no cap if one is in place.

All Councils must pass over the Neighbourhood Portion of levy receipts from development to Parish or Town Councils if they are the accountable body. As the Chiltern and South Bucks areas are fully covered by Parish or Town Councils, the money (subject to the cap) would be passed to the relevant Parish or Town Council. CIL guidance recommends however Charging Authorities and receiving Parish or Town Councils should engage and work closely to agree how best to spend these funds.

The CIL Regulations allow for the Neighbourhood Portion of levy receipts to be used for:

- 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.

Provisions for the recovery of CIL monies by a Charging Authority are available, if Parish or Town Councils do not spend the Neighbourhood Portion of CIL receipts within five years of receiving it.

Councils CIL Fund

The remaining funds, after administration and neighbourhood portion deductions will be allocated by the Councils on infrastructure projects. The Councils are required to publish a statement on their website, which lists the infrastructure projects or types of infrastructure that may be wholly or partially funded by CIL. This currently takes the form of a Regulation 123 list. The Government's proposed amendments to the CIL Regulations 2019 indicate however, that Regulation 123 Lists may be replaced by Infrastructure Funding Statements.

Monitoring and reporting how much CIL has been collected and allocated

The Councils will publish an annual report showing, for each financial year:

- how much has been collected in CIL;
- how much CIL has been allocated to administration, Town and Parish Councils;

- how much has been spent;
- the infrastructure on which it has been spent;
- any amount used to repay borrowed money; and the
- amount of CIL retained at the end of the reported year.

CIL, Section 106 Planning Obligations and the Regulation 123 list

CIL funds can be used to provide infrastructure to support the development of a whole area, whereas S106 obligations are used to make individual planning applications acceptable in planning terms. The CIL Regulations also currently impose a pooling restriction on S106 contributions, in that only five individual S106s can be used in support of a specific Infrastructure project.

Section 106 agreements and Section 278 highways agreements will continue to be used to secure site-specific mitigation and affordable housing. S106 agreements will also be used for larger development sites.

CIL Regulations 122 and 123 state that CIL cannot be used to fund infrastructure that will also be funded via S106 contributions. This is to avoid 'double dipping' whereby a developer could potentially be charged twice for the delivery of the same piece of Infrastructure. To ensure clarity, the Councils are required to publish a Regulation 123 list, which identifies the infrastructure projects and types to be funded by CIL, and the Infrastructure projects to be funded by S106 contributions.

There are advantages and disadvantages in both S106 and CIL regimes. On the plus side, S106 contributions can be used to support the timely delivery of essential infrastructure, in support of specific developments. CIL funds can on the other hand be deployed with a greater degree of flexibility in supporting delivery of infrastructure across a wider area.

The Council is setting a threshold whereby developments of 400 homes or more or on sites of 10 hectares or more will be exempt from CIL. On these developments, financial contributions will be negotiated and legally bound through S106 and S278 agreements

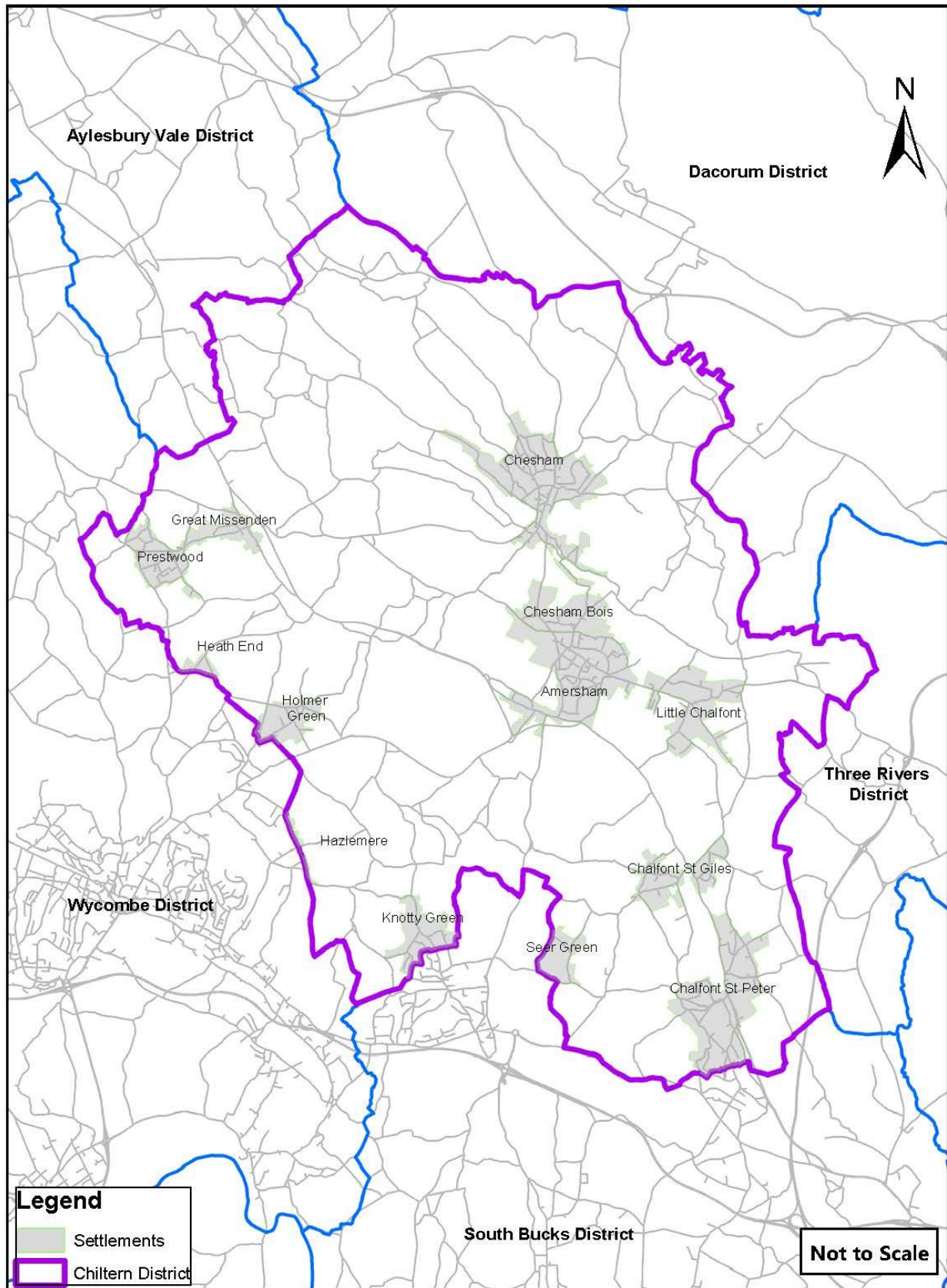
Below these thresholds CIL will apply to all relevant development and the financial contributions will be based on the Regulation 123 list. An exception to this is affordable housing which is legally required to be agreed through S106.

CIL Administration

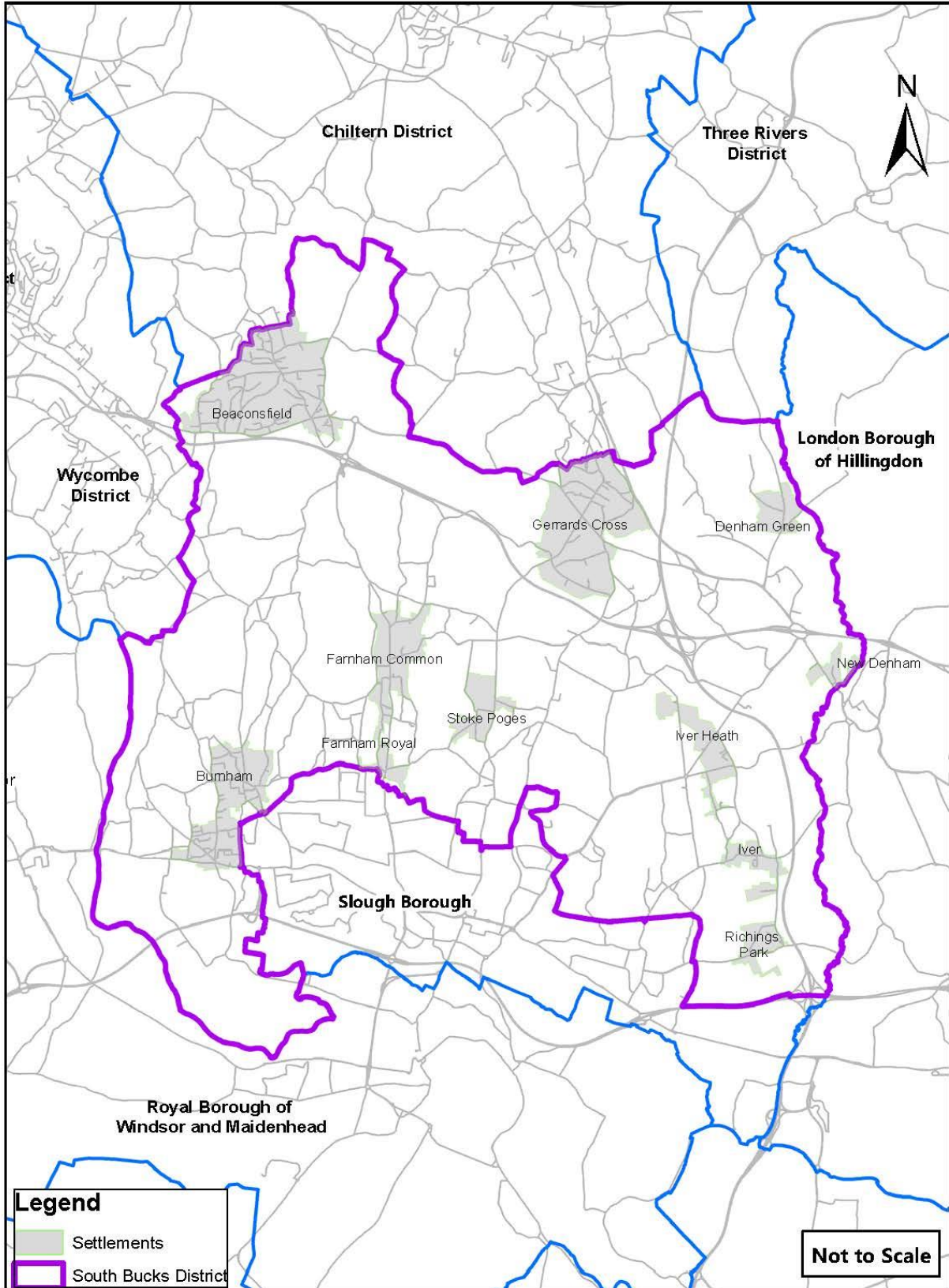
Appendix 5 provides further information on CIL administration and information for developers on some of the implementation issues that they will need to be aware of, in relation to CIL liable planning consents and permitted developments, once the Councils adopt a CIL Charging Schedule.

Timescale for Adoption of a CIL Charging Schedule

Following this consultation, all comments received along with all supporting information will be submitted for independent examination. If the Examination is held in a timely manner and the Inspector finds the Council's CIL DCS to be sound in their report, then the Councils anticipate being able to adopt a CIL Charging Schedule during the early part of 2020.



This map is reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright.
 Unauthorised reproduction infringes Crown Copyright and may lead to prosecution and civil proceedings.
 © Crown Copyright and database right 2019. Ordnance Survey 100023578.



This map is reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright.
 Unauthorised reproduction infringes Crown Copyright and may lead to prosecution and civil proceedings.
 © Crown Copyright and database right 2019. Ordnance Survey 100023578.

The Town and Country Planning (Use Classes) Order 1987 (as amended) puts uses of land and buildings into various categories known as 'Use Classes'. The following list is based on the Government's guide to Use Classes. It is not a definitive source of legal information. The list gives an indication of the types of use which may fall within each use class. Please note it is for local planning authorities to determine the use class a particular use falls into.

Part A

- **A1 Shops** - Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices, pet shops, sandwich bars, showrooms, domestic hire shops, dry cleaners, funeral directors and internet cafés.
- **A2 Financial and professional services** - Financial services such as banks and building societies, professional services (other than health and medical services) and including estate and employment agencies. It does not include betting offices or pay day loan shops - these are now classed as "sui generis" uses (see below).
- **A3 Restaurants and cafés** - For the sale of food and drink for consumption on the premises - restaurants, snack bars and cafes.
- **A4 Drinking establishments** - Public houses, wine bars or other drinking establishments (but not night clubs) including drinking establishments with expanded food provision.
- **A5 Hot food takeaways** - For the sale of hot food for consumption off the premises.

Part B

- **B1 Business** - Offices (other than those that fall within Class A2), research and development of products and processes, light industry appropriate in a residential area.
- **B2 General industrial** - Use for industrial processes other than those falling within Class B1 (excluding incineration purposes, chemical treatment or landfill or hazardous waste).
- **B8 Storage or distribution** - This class includes open air storage.

Part C

- **C1 Hotels** - Hotels, boarding & guest houses where no significant element of care is provided (excludes hostels).
- **C2 Residential institutions** - Residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres.
- **C2A Secure Residential Institution** - Use for a provision of secure residential accommodation, including use as a prison, young offenders' institution, detention centre, secure training centre, custody centre, short term holding centre, secure hospital, secure local authority accommodation or use as a military barracks.
- **C3 Dwelling houses** - this class is formed of three parts:
 - C3 (a) covers use by a single person or a family (a couple whether married or not, a person related to one another with members of the family of one of the couple to be treated as members of the family of the other), an employer and certain domestic employees (such as an au pair, nanny, nurse, governess, servant, chauffeur, gardener, secretary and personal assistant), a carer and the person receiving the care and a foster parent and foster child.
 - C3(b): up to six people living together as a single household and receiving care e.g. supported housing schemes such as those for people with learning disabilities or mental health problems.
 - C3(c) allows for groups of people (up to six) living together as a single household. This allows for those groupings that do not fall within the C4 HMO definition, but which fell within the previous C3 use class, to be provided for i.e. a small religious community may fall into this section as could a homeowner who is living with a lodger.
- **C4 Houses in multiple occupation** - small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as

a kitchen or bathroom.

Part D

- **D1 Non-residential institutions** - Clinics, health centres, crèches, day nurseries, day centres, schools, art galleries (other than for sale or hire), museums, libraries, halls, places of worship, church halls, law courts. Non-residential education and training centres.
- **D2 Assembly and leisure** - Cinemas, music and concert halls, bingo and dance halls (but not night clubs), swimming baths, skating rinks, gymnasiums or area for indoor or outdoor sports and recreations (except for motor sports, or where firearms are used).

Sui Generis

- Certain uses do not fall within any use class and are considered 'sui generis'. Such uses include betting offices/shops, pay day loan shops, theatres, larger houses in multiple occupation, hostels providing no significant element of care, scrap yards. Petrol filling stations and shops selling and/or displaying motor vehicles. Retail warehouse clubs, nightclubs, launderettes, taxi businesses and casinos.

This policy is made in line with Regulation 69B of the CIL (Amendment) Regulations 2011. The Councils will allow the payment of CIL as outlined in the points below:

1. Where the chargeable amount is less than £200,000, the chargeable amount will be required within 60 days of commencement.
2. Where the chargeable amount is between £200,000 and £2 million, the chargeable amount will be required as per the following four instalments:

1 st instalment	2 nd instalment	3 rd instalment	4 th instalment
25% within 60 days	25% within 160 days	25% within 260 days	25% within 360 days

3. Where the chargeable amount is over £2 million, the chargeable amount will be required as per the following four instalments:

1 st instalment	2 nd instalment	3 rd instalment	4 th instalment
25% within 60 days	25% By end of year 1	25% By end of year 2	25% By end of year 3

Commencement will be taken to be the date advised by the developer in the commencement notice under CIL Regulation 67.

Notes:

N1: When the Councils grant an outline planning permission which permits development to be implemented in phases, each phase of development is a separate chargeable development and the instalment policy will apply to each separate phase.

N2: This policy will not apply, and will be superseded by a default payment position allowed by the CIL Regulations, if:

- a) A commencement notice is not submitted prior to commencement of the chargeable development.
- b) Nobody has assumed liability to pay CIL in respect of the chargeable development prior to the intended day of commencement.
- c) Failure to notify the Council of a disqualifying event before the end of 14 days beginning with the day the disqualifying event occurs.
- d) An instalment payment has not been made in full after the end of the period of 30 days beginning with the day on which the instalment payment was due.

Calculating the chargeable amount

The Councils will calculate the amount of CIL chargeable using the locally set rates multiplied by the gross internal area of the new buildings and enlargements to existing buildings, taking demolished floor space into account. The formal calculation methodology is set out by CIL Regulation 40, as follows:

**PART 5
CHARGEABLE AMOUNT**

Calculation of chargeable amount

40.—(1) The collecting authority must calculate the amount of CIL payable (“chargeable amount”) in respect of a chargeable development in accordance with this regulation.

(2) The chargeable amount is an amount equal to the aggregate of the amounts of CIL chargeable at each of the relevant rates.

(3) But where that amount is less than £50 the chargeable amount is deemed to be zero.

(4) The relevant rates are the rates, taken from the relevant charging schedules, at which CIL is chargeable in respect of the chargeable development.

(5) The amount of CIL chargeable at a given relevant rate (R) must be calculated by applying the following formula—

$$\frac{R \times A \times I_p}{I_c}$$

where—

A = the deemed net area chargeable at rate R, calculated in accordance with paragraph (7);

I_p = the index figure for the year in which planning permission was granted; and

I_c = the index figure for the year in which the charging schedule containing rate R took effect.

(6) In this regulation the index figure for a given year is -

(a) the figure for 1st November for the preceding year in the national All-in Tender Price Index published from time to time by the Building Cost Information Service of the Royal Institution of Chartered Surveyors(1); or

(b) if the All-in Tender Price Index ceases to be published, the figure for 1st November for the preceding year in the retail prices index.

(7) The value of A must be calculated by applying the following formula—

$$G_R - K_R - \left(\frac{G_R \times E}{G} \right)$$

where—

G = the gross internal area of the chargeable development;

G_R = the gross internal area of the part of the chargeable development chargeable at rate R;

K_R = the aggregate of the gross internal areas of the following—

(i) retained parts of in-use buildings, and

(ii) for other relevant buildings, retained parts where the intended use following completion of the chargeable development is a use that is able to be carried on lawfully and permanently without further planning permission in that part on the day before planning permission first permits the chargeable development;

E = the aggregate of the following—

(i) the gross internal areas of parts of in-use buildings that are to be demolished before completion of the chargeable development, and

(ii) for the second and subsequent phases of a phased planning permission, the value E_x (as determined under paragraph (8)), unless E_x is negative, provided that no part of any building may be taken into account under both of paragraphs (i) and (ii) above.

(8) The value E_x must be calculated by applying the following formula—

$$E_P - (G_P - K_{PR})$$

where—

E_p = the value of E for the previously commenced phase of the planning permission;

G_p = the value of G for the previously commenced phase of the planning permission; and

K_{PR} = the total of the values of K_R for the previously commenced phase of the planning permission.

(9) Where a collecting authority does not have sufficient information, or information of sufficient quality, to enable it to establish that a relevant building is an in-use building, it may deem it not to be an in-use building.

(10) Where a collecting authority does not have sufficient information, or information of sufficient quality, to enable it to establish—

(a) whether part of a building falls within a description in the definitions of K_R and E in paragraph (7); or

(b) the gross internal area of any part of a building falling within such a description, it may deem the gross internal area of the part in question to be zero.

(11) In this regulation—

“building” does not include—

- (i) a building into which people do not normally go,
- (ii) a building into which people go only intermittently for the purpose of maintaining or inspecting machinery, or
- (iii) a building for which planning permission was granted for a limited period;

“in-use building” means a building which—

- (i) is a relevant building, and
- (ii) contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development;

“new build” means that part of the chargeable development which will comprise new buildings and enlargements to existing buildings;

“relevant building” means a building which is situated on the relevant land on the day planning permission first permits the chargeable development;

“relevant charging schedules” means the charging schedules which are in effect—

- (i) at the time planning permission first permits the chargeable development, and
- (ii) in the area in which the chargeable development will be situated;

“retained part” means part of a building which will be—

- (i) on the relevant land on completion of the chargeable development (excluding new build),
- (ii) part of the chargeable development on completion, and
- (iii) chargeable at rate R.”

Calculating CIL liability depends on the amount of CIL liable floor space that forms part of a proposal, using Gross Internal Area (GIA) measured in accordance with the Royal Institute of Chartered Surveyors (RICS) Code of Measuring Practice. The table below is based on RICS's Code of Measuring Practice (6th edition, with amendments). The full Code of Measuring Practice is available on the RICS website at www.rics.org

GIA is the area of a building measured to the internal face of the perimeter walls at each floor level.

Including:

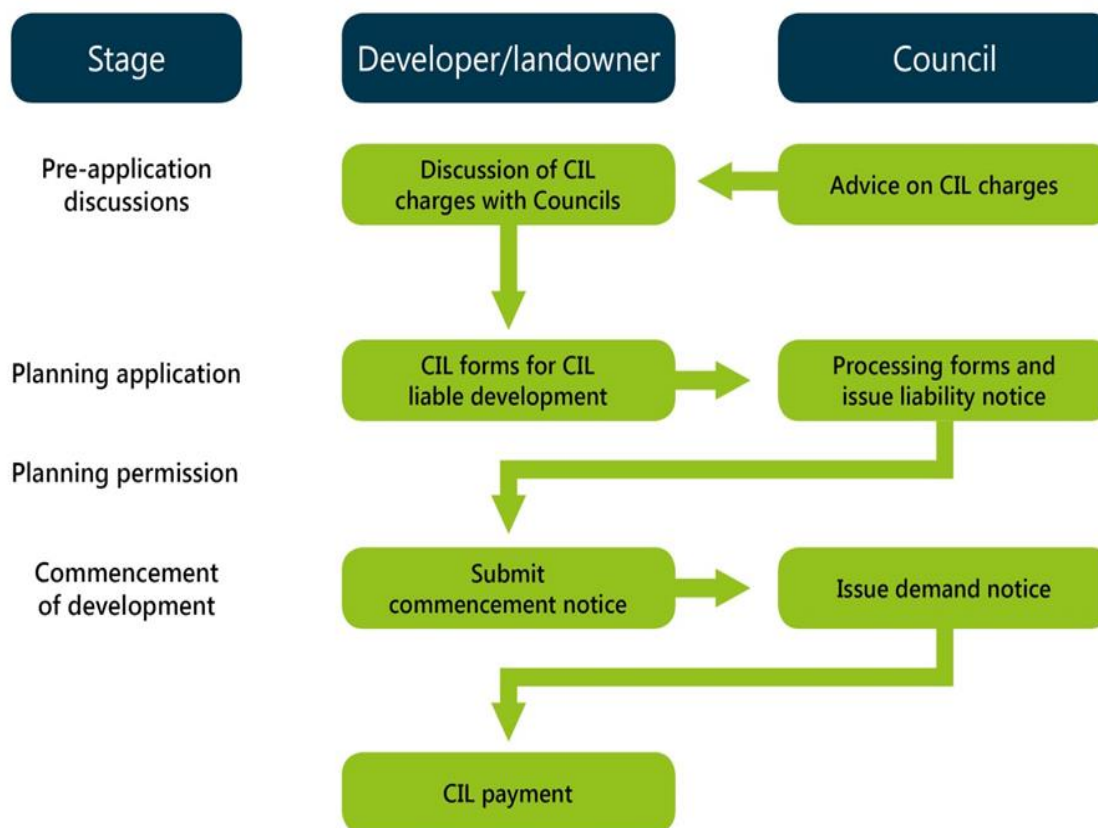
- Areas occupied by internal walls and partitions
- Columns, piers, chimney breasts, stairwells, lift-wells, other internal projections, vertical ducts, and the like
- Atria and entrance halls, with clear height above, measured at base level only
- Internal open-sided balconies, walkways, and the like
- Structural, raked or stepped floors are property to be treated as a level floor measured horizontally
- Horizontal floors, with permanent access, below structural, raked or stepped floors
- Corridors of a permanent essential nature (e.g. fire corridors, smoke lobbies)
- Mezzanine floor areas with permanent access
- Lift rooms, plant rooms, fuel stores, tank rooms which are housed in a covered structure of a permanent nature, whether or not above the main roof level
- Service accommodation such as toilets, toilet lobbies, bathrooms, showers, changing rooms, cleaners' rooms, and the like
- Projection rooms
- Voids over stairwells and lift shafts on upper floors
- Loading bays
- Areas with a headroom of less than 1.5m*
- Pavement vaults
- Garages
- Conservatories

Excluding:

- Perimeter wall thicknesses and external projections
- External open-sided balconies, covered ways and fire escapes
- Canopies
- Voids over or under structural, raked or stepped floors
- Greenhouses, garden stores, fuel stores, and the like in residential

GIA is the basis of measurement in England and Wales for the rating of industrial buildings, warehouses, retail warehouses, department stores, variety stores, food superstores and many specialist classes valued by reference to building cost (areas with headroom of less than 1.5m being excluded except under stairs).

Once planning permission is granted, the CIL Regulations encourage any party, (such as a developer submitting a planning application, or a landowner), to assume liability to pay the CIL charge. CIL liability runs with the land. If no party assumes liability to pay before development commences, land owners will be liable to pay the levy. The Councils will put in place procedures that relate to establishing CIL liability and making the relevant payments, modelled on the flow-chart diagram below.



Collection of CIL

The Councils are to be the collecting authority for the purpose of Part 11 of the Planning Act 2008 and the CIL Regulations 2010 (as amended).

When planning permission is granted, the Councils will issue a liability notice setting out the amount of CIL payable, and the payment procedure.

In the case of development enabled under permitted development orders, the person(s) liable to pay will need to consider whether their proposed development is chargeable, and to issue the Councils with a notice of chargeable development.

The diagram above provides a summary of the collection process. A key trigger for collection of CIL is commencement of a development on site, with payment due thereafter in accordance with the Council's CIL instalments policy.

Appeals

A liable person can request a review of the chargeable amount by the charging authority within 28 days from the issue of the liability notice. The CIL Regulations allow for appeals on:

- The calculation of the chargeable amount following a review of the calculation by the Councils.
- Disagreement with the Councils' apportioned liability to pay the charge.
- Any surcharges incurred on the basis that they were calculated incorrectly, that a liability notice was not served or the breach did not occur.
- A deemed commencement date if considered that the date has been determined incorrectly.
- Against a stop notice if a warning notice was not issued or the development has not yet commenced.

DOCUMENT END

SUBJECT:	<i>Community Projects Reserve</i>
RELEVANT MEMBER:	<i>Councillor Liz Walsh, Portfolio Holder for Healthy Communities</i>
RESPONSIBLE OFFICER	<i>Martin Holt, Head of Healthy Communities</i>
REPORT AUTHOR	<i>Martin Holt; martin.holt@chilternandsouthbucks.gov.uk</i>
WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

To advise Cabinet on the recommendations of the Healthy Communities Policy Advisory Group following a review of the expenditure options for the new Community Projects Reserve.

RECOMMENDATIONS

- 1. To note the recommendations from the Healthy Communities PAG following the review of the expenditure options for the new Community Projects Reserve.**
- 2. To bring forward expenditure of up to £250,000 from the Community Project Reserve for the following;**
 - To increase the community grant budget by £40,000 and to increase to £5,000 the maximum grant award available.**
 - To allocate £160,000 for a Large Projects Grant with a £40,000 maximum grant award available for individual schemes requesting funding.**
 - To allocate £50,000 for Social Prescribing to support the development of a database of local organisations that are able to work with the Social Prescribing referral mechanism to be established in partnership with BCC, the Chiltern CCG and Public Health.**
- 3. That the Head of Healthy Communities in consultation with the Portfolio Holder for Healthy Communities be authorised to finalise the procedure for the award of the Large Projects grants.**

2. Reasons for Recommendations

Members agreed at the Council meeting on 26th February 2019 to establish a Community Projects Reserve for expenditure in 2019/20. This report provides options for members to consider when deciding on the allocation of expenditure.

3. Content of Report

- 3.1. Chiltern District Council has adopted the [Community Wellbeing Plan](#), an asset based approach to community development with a proven track record of improving both local services and community resilience. The Community and Wellbeing Plan annual review reported to the Services Overview Committee on 20th February 2019 details of how the Council in partnership with a range of agencies (Thames Valley Police, Chiltern CCG, Housing Associations, Bucks County Council, CAB &, Buckinghamshire County Sports Partnership) and local voluntary groups had supported local communities during 2017/18.
- 3.2. The projects captured in the [annual review](#) are important because they provide good evidence as to how work undertaken by the Healthy Communities Department strengthens the local community sector infrastructure. This approach supports the Council to achieve its key strategic objectives in relation to improving health and wellbeing, reducing health inequalities, helping enable a vibrant local economy, protecting the local environment and improving community safety.
- 3.3. The Community and Wellbeing plan is the Chiltern District Council method of delivering the Buckinghamshire Shared Model of Prevention and the Healthy Communities Partnership plan. The priorities being 1) to keep people healthier for longer and reduce the impact of long term conditions and 2) support communities to enable people to achieve their potential and ensure Buckinghamshire is a great place to live. The work programme for 2019/20 seeks to develop a plan to address social isolation, assist persons to change behaviour and develop actions to reduce childhood obesity, increase physical activity, and improve wellbeing.
- 3.4. With the government's continued austerity programme and potential changes to local investment priorities arising from the move to a unitary Council for Buckinghamshire the voluntary and community sector working in partnership with towns and parishes, GP services and the new unitary Council will need to increase resilience and continue to develop and deliver services that support local communities.
- 3.5. The Community Projects Fund is intended to deliver a wellbeing legacy to enable the Chiltern community to build on the successes already achieved.

4. Consultation

- 4.1. In developing the options, Members of the Healthy Communities Policy Advisory Group considered the options referred to below before making recommendations to Cabinet. Officers have also consulted with the Clinical Commissioning Group and Public Health to align opportunities to build resilience in the local community.

5. Options

Recommended options from the Healthy Communities PAG

Social Prescribing

- 5.1. – is a way of linking people with sources of support within the community. It provides agencies with a non-medical referral option that can operate alongside existing GP treatments to improve health and wellbeing.
- 5.2. Social prescribing is a way for local agencies to refer people to a link worker. Link workers give people time, focusing on 'what matters to me' and taking a holistic approach to people's health and wellbeing.
- 5.3. They connect people to community groups and statutory services for practical and emotional support. Link workers also support existing community groups to be accessible and sustainable, and help people to start new groups, working collaboratively with all local partners.
- 5.4. Social prescribing schemes can involve a variety of activities which are typically provided by voluntary and community sector organisations. Examples include volunteering, arts activities, group learning, gardening, befriending, cookery, healthy eating advice and a range of sports.
- 5.5. When social prescribing works well, people can be easily referred to link workers from a wide range of local agencies, including local authorities, police, job centres, social care services, housing associations, GP's, pharmacies, hospital discharge teams, fire service and voluntary, community. Self-referral is also encouraged.
- 5.6. A standard model of social prescribing has been developed in partnership with stakeholders, which shows the key elements that need to be in place for effective social prescribing;



- 5.7. The recent Chiltern Youth Awards and the 2018 Chiltern Community Awards demonstrate the wealth of community involvement within Chiltern District and demonstrates the strong platform on which we can continue to build.
- 5.8. The current Live Well Stay Well (LWSW) initiative delivered by the Clinical Commissioning Group and partners is an example of a social prescribing initiative. Greenwich Leisure limited (GLL) are participants to the scheme through their HealthWise programme. Patients requiring support with cardiac rehabilitation, falls prevention and weight management are referred to GLL via the LWSW hub for a 12 week fitness course. Other providers of physical activity including simply walks are referred through this programme. During October to December 2018, 2042 referrals were signposted to physical activity services via the LWSW hub.
- 5.9. However, many of the districts community organisations and community activities such as U3A, are not yet connected in to the social prescribing network reducing the opportunity to maximise the benefits of connecting people, enabling increased activity, reducing social isolation and enabling the sharing of skills. There is a need to map, support and assist these organisations to become linked in to the social prescribing network enabling their activities to benefit those most in need. For example a recently widowed person being supported to join a club of their interest

enabling them to reduce the risk of social isolation and loneliness. Other examples could include Work aid supporting the retention of skills and enabling third world countries to benefit from refurbished tools.

- 5.10. The 10 year NHS plan seeks to build social prescribing capacity through the employment of link workers at GP surgeries. Similar to the Bucks Prevention Matters project these link workers will be required to identify and support patients into support mechanisms many of which will be delivered by growing capacity in the local community infrastructure. Linking existing and new community initiatives to the locality GP services will be key to ensuring the effectiveness of the network.
- 5.11. Strategically and locally the district council through the Community Wellbeing plan has invested resources in to growing community capacity, which may be at risk in future years. Investment in 2019/20 to support the development of social prescribing in the district and building local social prescriber networks would provide firm foundations that can be utilised in coming years.
- 5.12. The Healthy Community PAG recommended to support the local development of Social Prescribing in partnership with the community, Chiltern CCG, BCC Public Health. It is proposed that the authority invest £50k in 2019/20 to enable the social prescribing approach to be developed by undertaking the mapping and support required to develop a database linked to the evolving referral mechanism to be delivered through the NHS 10 year plan. This investment would require the employment of an officer for a maximum of 12 months.
- 5.13. Following the cessation of the 12 month project the aim is that the social prescribing project is embedded in the GP locality network and the continued development provided through the link workers employed by the GP's
- 5.14. The outcome is that CDC will have built a strong platform on which continued community delivery can proceed.

Increasing the 2019/20 Community Grant budget

- 5.15. This year's scheme attracted a record number of forty five applications that collectively requested funding totalling £67,738 against a budget of £32,240. 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.
- 5.16. To provide a fair and consistent approach, all applications were assessed and evaluated resulting in the Council awarding £32,240 to thirty eight different community organisations with either 70% or 50% awards of funding against the amount requested. The grant maximum being £2,000 per application.

- 5.17. Community grants are a significant method of investing in the local community and voluntary sector (CVS) to deliver initiatives which build resilience, improve local services and support the council's objectives. The development of a strong and vibrant CVS has been a key asset of Chiltern District Council in helping to build a cohesive and vibrant community. Awards of funding have supported health and wellbeing initiatives, reduced health inequalities, supported a vibrant local economy, protected the local environment and improved community safety.
- 5.18. The Healthy Communities PAG recommended to increase the total Community Grant budget for 2019/20 by £40,000 to £70,000 and to raise the maximum award of funding to £5,000 enabling organisations meeting the Councils criteria to receive the funding requested.

Large Projects Grant

- 5.19. The Open Spaces and Playing Pitches Strategies have identified a number of opportunities to improve the public realm and improve play areas, playing pitches, walks, nature trails etc. The revitalisation groups and Towns and Parish Council, schools and community associations are instrumental in bringing forward projects that will improve facilities in their areas. Members of the Healthy Communities PAG recommended that the Communities Project Fund could support the delivery of several large projects and sought to allocate funding. If agreed a process would be required to be established to award the funding to schemes. It is recommended that the Head of Healthy Communities in consultation with the Portfolio Holder for Healthy Communities be authorised to agree the final procedure for the award of the Large Projects grants. The key requirements being;

- A maximum grant of £40,000
- The scheme is open to Town and Parish Councils, Revitalisation Groups and Schools
- The benefit of the project must be open to all residents
- Projects must meet the aims of Chiltern District Council
- Project may support social, economic and environmental initiatives
- All funding awarded should be matched funded by resources allocated to the project.

Options not supported by the Healthy Communities PAG

Ward Based Grant

- 5.20. Chiltern District has previously enabled Councillors to directly fund community initiatives in their Ward. A proposal may be to award £1,000/member to enable activities to be supported without the need for an organisation to apply through the council's grants scheme. Funding directly could be awarded to youth clubs, sports clubs, arts, community associations, neighbourhood watch,

environmental groups, etc. without a formal application process. All funding would be allocated prior to January 2020 to enable schemes to be delivered in the 2019/20 financial year.

Working with the Revitalisation Groups and Visit Bucks to support the local visitor economy

- 5.21. The revitalisation groups are developing a visitor strategy to support local tourism and visits to their communities. This includes developing specific walks and activities that address the historical context of the area.
- 5.22. Examples being considered include; a Midsomer Murder trail building on the success of the Marlow project. Aiming to go live with this trail by 2020. Will take inspiration in terms of marketing/promotion from the Marlow and Hambleden valley trail leaflet. Midsomer Murders locations in the Misbourne Valley document: <http://midsomermurders.org/locationsindex.htm>. Based on the Thame/Marlow example, some of the benefits this trail could bring include:
- During peak times Thame has around 500 Midsomer tourists per week, with many local businesses producing Midsomer based products.
 - Across all Midsomer tourist areas, 60% of Midsomer visitors will stay the night.
 - UK visitors will spend around £100 per person per night and stay for 1-2 nights.
 - Overseas visitors will spend around £150 per person per night and stay for 2-4 nights.
 - A coach of UK day visitors will spend around £1600 per coach and Overseas around £2000 per coach.
 - Midsomer Murders is shown in 200 TV territories.
 - Just by having a Midsomer page on any tourism businesses website, they get thousands of views from around the world.
- 5.23. Other ideas include;
- Promoting the Chess Walk – ‘Chesham Walkers are Welcome’ Little Chalfont to Chesham 'Station to Station' is a 6 mile walk from Little Chalfont to Chesham. The route goes past Neptune Falls (the site of a medieval mill), the River Chess, the village of Latimer, the site of Canon's Mill, Chesham Moor and the restored Meades Water Gardens.
 - Developing historical and cultural trails (Churches, Milton Cottage, Quaker meeting house) with places of interest plaques
- 5.24. Allocating £30,000 to the Revitalisation Groups to bring forward opportunities to increase tourism and visitor days could assist the development of the visitor strategy.

Crowd Funding Initiative

- 5.25. Crowdfunding is the practice of funding a project by raising small amounts of money from a large number of people, typically via the internet. In recent years many local authorities have adopted this approach to help attract funding to support community projects. This involves community and voluntary groups identifying an idea and then promoting the funding opportunity to supporters. Projects to deliver children's activities, learning, environmental improvements, return to employment and homeless prevention are just a few of the examples.
- 5.26. Plymouth provided an initial £60,000 to a crowd funding pot to be used to provide support to community supported projects. That pot has seen a 650% return with over £450,000, allocated to 100 projects and has attract 4,550 project supporters
- 5.27. Cabinet agreed to support the development of a crowd funding initiative at its meeting 18th June 2018 in partnership with Heart of Bucks and South Bucks District Council. Initially the idea was to match fund with Heart of Bucks and the funding from the Chiltern and South Bucks lottery. With staff changes at the Heart of Bucks and limited funds available from the 'community pot' from the Chiltern and South Bucks lottery this project has not been able to develop.
- 5.28. With an allocation of funding from the Community Project Reserve to a solely Chiltern District Council crowd funding initiative such a project could be delivered within the 2019/20 financial year. It was recommended that £80,000 be allocated to a Chiltern District Council crowdfunding initiative

5.29. Other ideas

- 5.30. To develop a **2019/20 WWII grant** available to communities to commemorate the start of World War Two. It is envisaged that this could have a similar impact as the WWI initiative and enable community based activities or the restoration of memorials. The award of funding could be up to £1000 per parish.
- 5.31. To **transfer all the £250,000 to the Heart of Bucks** to enable a Chiltern District Community Trust to be developed allowing future applications for funds by communities in the Chiltern District current geographical administrative area.

6. Corporate Implications

- 6.1 Financial - Council on 26th February 2019 agreed to establish a Community Projects Reserve of £250,000 for expenditure in 2019/20.

6.2 Legal - Chiltern District Council has adopted the Community and Wellbeing Plan which promotes an asset based approach to community development enabling the allocation of resources to support community initiatives.

6.3 The Community and Wellbeing Plan supports the reduction of crime and disorder, improvement in environmental sustainability, partnership working and social inclusion and community resilience

8. Links to Council Policy Objectives

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

9. Next Steps

To implement the matters detailed in this report.

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

SUBJECT:	<i>King George V Playing Fields</i>
RELEVANT MEMBER:	<i>Councillor L Walsh, Portfolio Holder for Healthy Communities</i>
RESPONSIBLE OFFICER	<i>Head of Service, Healthy Communities</i>
REPORT AUTHOR	<i>Martin Holt 01494 732055 martin.holt@chilternandsouthbucks.gov.uk</i>
WARD/S AFFECTED	<i>Amersham on The Hill;</i>

1. Purpose of Report

To obtain Cabinet's permission to undertake a public consultation to appropriate the marked site at King George V Playing Fields and the site to the rear of the electricity substation on Chiltern Avenue from open space to a planning purpose, subject to the grant of planning permission and consideration by Cabinet of any representations made during the public consultation.

RECOMMENDATIONS

- 1. To undertake public consultation to appropriate the land marked on the plans appended to this report forming part of King George V Playing Fields and to the rear of the electricity substation on Chiltern Avenue from open space to a planning purpose, subject to the grant of planning permission and consideration by Cabinet of any representations made during the public consultation.**

2. Reasons for Recommendations

2.1. Planning Committee is to consider the revised application for the Chiltern Lifestyle Centre in May/June 2019. The land forming part of King George V Playing Fields and the land to the rear of the electricity substation on Chiltern Avenue are in the ownership of the Council and are designated as Public Open Space and will require appropriation as set out in section 122 of the Local Government Act 1972 to change the purpose of the land from Open Space to a planning purpose to enable the development to proceed. Appropriation will override any third party rights and easements over the land.

3. Content of Report

3.1. The Chiltern Lifestyle Centre planning application is due to be determined by the Planning Committee for recommendation to Full Council on 23rd July 2019. If approved it will be necessary to appropriate the land marked on the plans appended to this report currently designated as Public Open Space to a planning purpose to enable the development to proceed.

3.2. The procedure established in section 122 of the Local Government Act 1972 for appropriation of land from Open Space to a planning purpose requires the Council to advertise its intention to appropriate for two consecutive weeks. If any objections are made to the appropriation, Cabinet will need to consider these before a decision is made.

3.3. Cabinet is asked for permission to undertake the public consultation. The minimum public consultation period required is 21 days.

3.4. Following the public consultation a further report will be made to Cabinet to consider any objections made during the public consultation. After the further report, if a future decision is made by Cabinet to proceed with appropriation, then this will only be implemented on the grant of planning permission for the Chiltern Lifestyle Centre.

4. Consultation

Statutory consultation as determined by section 122 of the Local Government Act 1972.

5. Options (if any)

There are no alternative options that can be considered. Public consultation is a statutory requirement for appropriation of land from open space to a planning purpose pursuant to section 122 of the Local Government Act 1972.

6. Corporate Implications

6.1 Financial – the cost of the statutory consultation is within current budgetary provision.

6.2 Legal - Statutory consultation as determined by section 122 of the Local Government Act 1972

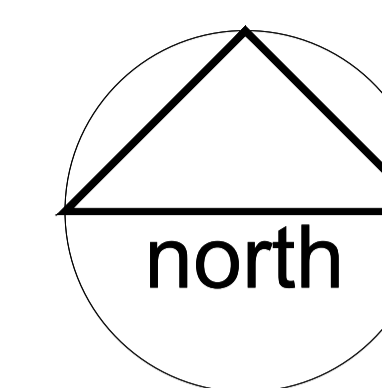
7. Links to Council Policy Objectives

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

8. Next Steps

Consultation will be undertaken following the recommendation as to the planning application by the Planning Committee.

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



- Site Boundary
- Existing outdoor playground
- Existing Building
- Existing parking replace with proposed development
- Existing Open Space replace with proposed development

Information taken from OS Map Data

Please note that this drawing is done for information purpose only. All dimensions and areas are to be checked and verified by Chiltern District Council Legal Department.

REVISION	DATE	DESCRIPTION	BY
P 02	09-11-18	Scale Amended	SJ
P 03	28-11-18	Amendments for Application	SJ
P 04	07-03-19	Updated	PJ

CLIENT
Chiltern District Council

LONDON MANCHESTER GLASGOW



SPACE+PLACE
52 PRINCESS STREET
MANCHESTER
M1 6AX
T +44 (0) 161 30 20 600
E info@space+place.com
W www.space+place.com

STATUS: Feasibility
PROJECT
Chiltern Lifestyle Centre

DRAWING
Existing Site
Public Open Space

SCALE: 1:500 SHEET SIZE: A1 DRAWN BY: PJ CHECKED BY: PC DATE: 10.04.2019
PROJECT NO.: DRAWING NO.: REVISION:
3615-ASP-S1-XX-DR-A-(08)90020- P01

This drawing must not be reproduced in whole or part without written consent. Do not scale this drawing. All dimensions in millimeters. Written dimensions to be checked on site. Electronic issue to be confirmed by paper copy only. ©2015 SPACE+PLACE. All Rights Reserved.



SUBJECT	<i>Joint Leisure Advisory Board Terms of Reference</i>
CABINET MEMBER	<i>Councillor Liz Walsh – Portfolio Holder for Healthy Communities</i>
RESPONSIBLE OFFICER	<i>Joanna Swift, Head of Legal and Democratic Services</i>
REPORT AUTHOR	<i>Charlie Griffin 01494 732011; charlie.griffin@chilternandsouthbucks.gov.uk</i>
WARD/S AFFECTED	<i>Not ward specific</i>

1. Purpose of Report

The Cabinet are asked to consider the proposal to change the name of the Joint Leisure Advisory Board (LAB) to the Active Life Advisory Board, and amend the group's Terms of Reference accordingly. Members of the Healthy Communities Policy Advisory Group (PAG) considered the proposal at the PAG meeting held on 8 April 2019.

RECOMMENDATION that Cabinet

Agree to change the name of the Joint Leisure Advisory Board to the Active Life Advisory Board and to amend the Terms of Reference accordingly.

2. Reasons for Recommendation

It is proposed that the name of the LAB be amended to the Active Life Advisory Board to reflect the current role of the LAB and ensure that the Council is in the best position to contribute effectively to the public health agenda. To ensure the Board's Terms of Reference remain relevant and fit for purpose.

3. Content of Report

The Leisure Advisory Board was established to oversee and monitor the leisure operator contract. In order to maximise the opportunities for partnership working across Chiltern and South Bucks District Councils, Cabinet agreed to amend the Board's Terms of Reference on 6 September 2016 to establish a Joint Leisure Advisory Board to work in partnership with South Bucks District Council, Greenwich Leisure Limited (GLL), the County Sport Partnership (LEAP), the Chiltern Clinical Group (CCG), Public Health and others to maximise physical activity across the districts.

The LAB supports the preventative public health agenda which is reflected in the wide range of members that attend meetings. As well as monitoring the leisure centre contract performance, projects now include social prescribing, community outreach to address social isolation, falls prevention, exercise referral, and the roll out of the 'Live Well, Stay Well' referral portal. It is therefore proposed that the name of the LAB be changed to the Active Life Advisory Board to better reflect the current role of the LAB and ensure that the Council positions itself to contribute effectively to the public

health agenda. The Cabinet are asked to agree to the group's change in name and amend the Terms of Reference accordingly. The proposed changes to the Terms of Reference are attached at Appendix 1.

4. Consultation

Not applicable

5. Corporate Implications

- Financial - there are no direct financial implications arising directly from this report.
- Legal - an effective decision-making process accords with best practice and good governance generally.
- Risks issues - none specific
- Equalities – none specific

6. Links to Council Policy Objectives

This report supports the Council's aim: we will work towards safe, healthy and cohesive communities.

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

ACTIVE LIFE ADVISORY BOARD TERMS OF REFERENCE

1. The purpose of the joint **Active Life Advisory Board (ALAB)** is to work in partnership with Chiltern District Council, South Bucks District Council, Greenwich Leisure Limited (GLL), Leap, Chiltern Clinical Group (CCG) and Public Health and others to maximise physical activity across the districts.
2. As part of a confidential meeting the **ALAB** will also monitor the performance of the Leisure Management Contract(s). The board will also ensure provision in one district is available to residents in the other district by marketing facilities to all residents. By taking opportunities to market all centres to residents in both areas, thereby enabling cross boarder membership.
3. Meeting will be split into 2 parts, the first part of the meeting to be open and in the presence of partners. The second part of the meeting to be closed with only members, officers and GLL present. The second part of the meeting will discuss the performance of the Leisure Management Contract. Financial and performance data will be made available at the meetings must not be shared with 3rd parties
4. Membership of the **ALAB** will consist of officers and members of Chiltern District Council and South Bucks District Council in partnership with GLL, Leap, CCG and Public Health. No more than

two members from each council to be on the board, one of which to be the respective Portfolio Holder.

5. The quorum of the ALAB will be a minimum of one member from each council and two representatives from GLL.
6. The ALAB will be supported by the Head of Healthy Communities and other key officers as required. It will act in an advisory capacity and as such the access to information and openness rules will not apply.
7. Members of the ALAB will serve for a maximum of 12 months, ending at the annual Council meeting but may be re-appointed by Cabinet.
8. The Chairman of the ALAB can be either council Portfolio Holder or a representative of GLL on rotation.
9. The ALAB will report to its respective Portfolio Holders and present annual reports to both Chiltern District Council and South Bucks District Council Policy Advisory Groups.
10. The ALAB will meet in the absence of the press and the public, but will be open to any elected member to attend to observe.
11. The ALAB will meet quarterly. The Chairman will agree with officers the agenda for the meetings. All papers will be confidential unless decided otherwise on a case by case basis.

12. The Democratic and Electoral Services Manager will be advised of the establishment, membership and chairman (and any mid-term changes) of the ALAB and shall maintain a record of such.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

