



Cabinet

Tuesday, 15 October 2019 at 4.30 pm

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

A G E N D A

Item

1 Evacuation Procedure

2 Apologies for Absence

3 Minutes (*Pages 5 - 14*)

To approve the minutes of the Cabinet held on 20 and 27 August 2019.

4 Declarations of Interest

5 28-Day Notice (*Pages 15 - 16*)

Appendix (Pages 17 - 22)

6 Current Issues

7 Performance Report - Q1 2019/20 (*Pages 23 - 24*)

Appendix A: Priority PIs (Pages 25 - 26)

Appendix B: Corporate PIs (Pages 27 - 28)

8 Treasury Management Quarterly Report Quarter 2 2019/20 (*Pages 29 - 32*)

- 9 Review of Alcohol Restrictions Public Spaces Protection Orders (*Pages 33 - 38*)
- Appendix 1 - Proposed Public Spaces Protection Order (Pages 39 - 60)*
- Appendix 2 - Original Designated Public Place Orders (Pages 61 - 82)*
- Appendix 3 - Consultation responses (Pages 83 - 90)*
- Appendix 4 - Equalities Impact Assessment (Pages 91 - 94)*
- 10 Food and Health and Safety Business Plans (*Pages 95 - 98*)
- Appendix A - Joint Food and Safety Service Plan (Pages 99 - 126)*
- Appendix B - Food Policy (Pages 127 - 156)*
- Appendix C - Health and Safety Enforcement Policy (Pages 157 - 178)*
- 11 Chiltern Dial a Ride report (*Pages 179 - 182*)
- Appendix (Pages 183 - 184)*
- 12 Chiltern Community Grant Awards 2019-20 (*Pages 185 - 188*)
- Appendix 1 (Pages 189 - 192)*
- 13 Chiltern Large Projects Fund 2019-2020 (*Pages 193 - 196*)
- Appendix 1 (Pages 197 - 200)*
- Appendix 2 (Pages 201 - 202)*
- Appendix 3 (Pages 203 - 204)*
- 14 Proposal for the former St Johns Ambulance site, Amersham (*Pages 205 - 208*)
- 15 Minutes of Joint Executive Committees
- Members are asked to note the Minutes of the following meetings of Joint Executive Committees:
- Appendix 1: Chiltern, South Bucks & Wycombe Joint Waste Collection Committee - 22 July 2019 (Pages 209 - 214)*

*Appendix 2: Aylesbury Vale, Chiltern & Wycombe Districts Crematoria
Joint Committee - 5 September 2019 (Pages 215 - 218)*

16 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).

17 Cabinet Reports from Policy Advisory Groups:

.1 Healthy Communities Notes - 16 September 2019 (*Pages 219 - 224*)

.2 Planning and Economic Development Notes - 11 September 2019 (*Pages 225 - 230*)

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)
C Jones
P Martin
J Rush
E Walsh
F Wilson

Date of next meeting – Tuesday, 10 December 2019

Audio/Visual Recording of Meetings

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

19 CURRENT ISSUES**(i) Councillor I Darby -**

Councillor I Darby reported that the nominated representatives on the Shadow Executive of the Shadow Buckinghamshire Council had continued to meet informally on a weekly basis, with formal meetings taking place every three weeks. Councillor Darby advised that formal meetings of the Shadow Executive were webcast online for those who were interested. There remained a large range of tasks to be addressed as part of the transition to Buckinghamshire Council and continued thanks were given to all staff that were engaged with the various unitary projects and who continued to offer their time willingly and engage positively with the transition.

20 INTER AUTHORITY AGREEMENT FOR BUCKS COUNTY COUNCIL LEGAL SERVICES

The Cabinet were asked to consider a report on the Chiltern and South Bucks joint Legal Service carrying out legal work for Buckinghamshire County Council from 1 October 2019 to 31 March 2020 together with Wycombe District Council. This would facilitate the re-establishment of an in-house legal service for Buckinghamshire County Council following termination of their external legal services contract with HB Public Law on 30 September 2019 and minimise redundancies across all organisations during the transition to a unitary council.

RESOLVED

- 1. That Chiltern District Council enters into an Inter Authority Agreement with South Bucks District Council and Wycombe District Council for the provision of legal services to Buckinghamshire County Council from 1 October 2019 to 31 March 2020.**
- 2. That the Head of Legal and Democratic Services be authorised to agree the final terms and conditions of the IAA.**

21 CHILTERN LIFESTYLE CENTRE SCRUTINY SUB-COMMITTEE COMMENTS AND RECOMMENDATIONS

Cabinet received a report from the Chiltern Lifestyle Centre Scrutiny Sub-committee which detailed comments and recommendations following a series of meetings held between February and August 2019 where the business case and associated reports on the proposed Chiltern Lifestyle Centre were scrutinised.

Cabinet noted the report which summarised the sub-committee's findings that the existing Chiltern pools were no longer fit for purpose and recognised that the Chiltern Lifestyle Centre was the best possible solution whilst being of no additional cost to the taxpayer. Further, the sub-committee had acknowledged that benefits would spread wider than the proposed new centre with planned upgrade works to the existing centres at Chalfont St Peter and Chesham being an integral part of the project. Cabinet thanked the sub-committee members for their time and valuable input.

RESOLVED

- 1. That Cabinet's thanks to the sub-committee be noted.**
- 2. That the report and recommendations be noted.**

22 CABINET REPORTS FROM POLICY ADVISORY GROUPS:

There were no reports to consider from Policy Advisory Groups since the last meeting of Cabinet on 9 July 2019.

23 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)

24 CHILTERN LIFESTYLE CENTRE BUSINESS CASE

Cabinet considered a report which contained the final business case for the proposed Chiltern Lifestyle Centre and associated car park redevelopment. The key points of the report were highlighted and detailed breakdowns of the figures that form the business case were included in the appendices.

The final fixed project cost of the Chiltern Lifestyle Centre was c£36m. It was proposed that this would be financed by way of loan from the Public Works Loan Board.

Cabinet noted that there would be a cost to the Council during 2020/21 to continue the operation of the existing facility during the construction phase, following which the Council would then receive an income generated from the proposed centre. As the years progressed this income would increase. On the assumption that bids of a similar level were received to operate the centres at the time the leisure operator contract was up for renewal from year 16 onwards, over the 40 year period a significant profit for Buckinghamshire Council was predicted and deemed realistic.

Factored in to the business case was an annualised capital cost of £100k to deal with any structural repairs or external maintenance. Rental income would continue at the existing rate for the nursery and community centre to ensure that they were in no worse position, these lease agreements would be subject to a five yearly review.

It was proposed that an agreement be entered into with Sport England to draw down the Strategic Facilities grant of £1.5m and to use this funding in addition to the current capital programme.

Councillor M Stannard advised of the significant amount of time and work that had gone into the project over the past five years and spoke positively of the effect the proposed new lifestyle centre and proposed improvements at the centres at Chesham and Chalfont would have on residents of not only the Chilterns, but the whole county. The proposals before Cabinet would deliver a first class facility which would have something inside for every resident. The proposed lifestyle centre would deliver revenue to Buckinghamshire Council and could improve many residents' health and wellbeing.

Cabinet recorded its thanks to Councillor Stannard for his dedication, determination and time committed in supporting the project to reach this stage. Further, officers were thanked for their time and commitment given to the project with each stage having been carried out meticulously and professionally, and hundreds of hours work having been put in. Cabinet agreed that this would be a flagship centre for the entire county and residents would be delighted to use the new facilities in the knowledge that they were cost effective.

The Leader welcomed comments from non-cabinet members. Councillor P Jones emphasised that it was key that designs of the proposed centre were not changed as this could significantly increase costs to the Council. In addition, whilst recognising that this risk would lie with the operator, Councillor P Jones said that the estimated number of visits remained optimistic and should be treated with caution and queried the evidence behind it. Councillor P Jones added that at each of the Chiltern Lifestyle Centre Scrutiny Sub-committee meetings he had attended, members had been very thorough in their questioning and officers had answered questions in detail and in honesty which instilled confidence that building a top class facility was the best option.

Councillor N Shepherd agreed that the proposal before Cabinet was the best option for Buckinghamshire Council, he emphasised the importance of marketing and promoting the project which would excite so many residents and was such a good reflection of the work the Council does.

In response to Councillor P Jones concern, Councillor Stannard explained that experienced leisure operators who had carried out extensive research had guaranteed their number of visitors to the proposed centre as part of their bid for the operator contract, so if this number was not met, the risk was theirs rather than the Council's. If the operator was to outperform its targets, the Council would receive 50% of the extra funds generated.

The Leader acknowledged that whilst the project had been initiated by this Council, at the time of the proposed centre being opened, Buckinghamshire Council would be the responsible authority. The proposed centre was described as a facility which residents of the Chilterns and Buckinghamshire could be proud of. The Leader re-iterated that this would be a flagship project for the new Council and further thanks to Councillor Stannard and the team of officers behind the project were noted.

With Cabinet support, the business case would be considered by the Shadow Executive of the Shadow Buckinghamshire Council on 10 September 2019.

RESOLVED

- 1. That the current position be noted.**
- 2. That Cabinet agree the final business case and proposals for the Chiltern Lifestyle Centre project.**
- 3. That Cabinet agrees to utilise the £33m in capital programme for the construction of this project and allocate £500,000 from reserves to the project to cover the contingency sum.**
- 4. To authorise the Head of Healthy Communities, in consultation with the Portfolio Holder and Director of Services, to conclude the delivery agreement between BAM and the Council for the construction phase.**
- 5. That the Head of Finance be authorised to carry out the necessary arrangements to obtain the loan finance.**
- 6. That the Head of Healthy Communities be authorised to negotiate and conclude any necessary agreements including with Sport England to allow the development to proceed through to completion.**
- 7. That Cabinet note the loss in revenue income arising from the discontinuation of the Library car park from October 2019.**
- 8. To note and agree the re-phasing of the pre-construction costs of this project from £1,750,000 to £2,421,381 to avoid future costs arising from a delay to the build programme.**
- 9. To agree to set aside reserves to cover the three year initial revenue costs, these to be replenished during the 15 year contract period, ensuring the Chiltern Lifestyle Centre is delivered at no cost to the Council Tax payer.**

25 APPOINTMENT OF LEISURE OPERATOR

Cabinet considered a report which detailed the outcome of the procurement exercise to appoint a leisure operator to operate the proposed Chiltern Lifestyle Centre, Chesham and Chalfont leisure centres and interim operation of the Chiltern Pools. The report requested that Cabinet consider amending the capital programme 2020/21 to undertake the capital investment in the Chesham and Chalfont leisure centres; to enter in to leases with the chosen

leisure operator to occupy the Chiltern Lifestyle Centre, Chesham and Chalfont leisure centres and the Chiltern Pools and; for the new leisure operator contract for the operation of the centres to be signed.

The procurement of the Chiltern Leisure Operator contract had reached a satisfactory conclusion with bidders having exceeded the threshold income target of providing the Council with an average guaranteed net income of £1.2m/annum over a 15 year contract to operate the Chiltern Lifestyle Centre, and Chesham and Chalfont Leisure Centres. If the highest scoring tender was accepted, the management fee to be paid by the leisure operator to the Council would fully fund the cost of borrowing, and lifecycle repairs to external structural elements of the building, an area which the Council would retain responsibility for.

Cabinet was taken through the key proposals of the highest bid received, and a detailed presentation was provided in the reports pack which contained the proposed design and layout to each of the centres at Chalfont and Chesham.

The positive environmental impact was also recognised with planned reductions to energy consumption and carbon emissions.

Cabinet recognised the importance of the proposed improvements to the leisure centres at Chesham and Chalfont, having been acutely aware of the risk that customers would migrate from these centres to the proposed new centre in Amersham when the build had completed. The proposals for these centres were described as exciting and having exceeded expectations. Young people of the Chilterns would be particularly encouraged to use the centres, although each of the centres included activities for all age groups.

The Leader noted that the bids received had been strong and had met all of the desired needs for a new leisure facility; in addition impressive improvements to the leisure centres at Chesham and Chalfont would further excite residents. The Leader recognised that each centre would encourage a significant number of residents to visit, particularly those who were not currently using any leisure facility, or even engaging in no exercise at all. This vastly improved leisure provision would promote residents to lead healthier, more fulfilled lives and would greatly benefit Buckinghamshire Council.

RESOLVED

1. That Cabinet notes the current position regarding the procurement of the Chiltern leisure operator contract.
2. That Cabinet agrees that the leisure operator contract for the operation of the Chiltern Lifestyle Centre, Chesham and Chalfont leisure centres and interim operation of the Chiltern Pools can be awarded to the most economically advantageous tender.
3. That Cabinet agrees to enter in to leases with the leisure operator to occupy the Chiltern Lifestyle Centre, Chesham and Chalfont leisure centres and the Chiltern Pools.
4. That delegated authority is given to the Head of Healthy Communities to agree the final terms of the leisure operator contract and leases.

And RESOLVED to recommend to Council

That a sum to be agreed be added to the capital programme to enable capital investment in the Chiltern Lifestyle Centre, Chesham and Chalfont leisure centres to be made by the leisure operator.

The meeting ended at 7.33 pm

**Publication
Date
1 October
2019**

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the
CABINET
held on **27 AUGUST 2019**

PRESENT: Councillor I Darby - Leader
M Stannard - Deputy Leader

Councillors: M Stannard
C Jones
P Martin
J Rush
E Walsh

APOLOGIES FOR ABSENCE were received from Councillors F Wilson

ALSO IN ATTENDANCE: Councillor J Gladwin

26 DECLARATIONS OF INTEREST

There were no declarations of interest.

27 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 persons

Paragraph 5 – Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings

28 JOINT WASTE PROCUREMENT

The Cabinet decision is required to be implemented as a matter of urgency in order to ensure continuity of service provision and comply with procurement timescales. A delay in implementation would prejudice the Council's interests. For this reason the Chairman of Services Overview Committee has agreed to the following:

- to the urgent implementation of the Cabinet's Decision without the call-in procedure in Rule 11 applying, under Rule 12.2 of the Council's Overview and Scrutiny Procedure Rules; and,
- that the Cabinet's decision is urgent and it is therefore impractical to provide the required 28 day notice of the decision as required under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

The Cabinet was given an update on the current situation with the procurement project and the view expressed by the Shadow Executive, and was asked to consider how the waste and recycling collection and cleansing services should be procured and delivered to ensure continuity of service provision after the expiry of the current contract with Serco. The risks and issues were set out in the officers' report and the supplemental appendices.

RESOLVED that:-

1 the Shadow Executive of Buckinghamshire Council's preferred option for the delivery of the relevant services was noted.

2 authority be delegated to the Acting Chief Executive and Director of Services to decide whether to implement the Shadow Executive's preferred option in consultation with the Leader and the Portfolio Holder for Environment.

3 that authority be delegated to the Head of Environment to progress the decision of the Acting Chief Executive and Director of Services, including negotiating and concluding the final terms of any necessary documentation.

The meeting ended at 8.30 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
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CHILTERN

District Council

28 DAY NOTICE

LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS) (MEETINGS AND ACCESS TO INFORMATION (ENGLAND) REGULATIONS 2012)

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

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

Key Decision (Y/N) ¹	Report Title & Summary ²	Date Decision to be taken	Decision to be taken by	Consultation ³	Private Report ⁴	Lead Officer ⁵
Leader (Councillor Isobel Darby)						
N	Performance Report - Q1 2019/20 Performance Report - Q1 2019/20	15 October 2019	Cabinet	Resources Overview Committee 25 Sep 2019 Services Overview Committee 19 Sep 2019	Open	Aniqah Sultan Aniqah.Sultan@Chilternandsouthbucks.gov.uk
Support Services (Councillor Mike Stannard)						
N	Treasury Management Quarterly Report Quarter 2 2019/20 To report on Treasury Management for Quarter 2.	15 October 2019	Cabinet		Open	Jim Burness jim.burness@chilternandsouthbucks.gov.uk
Customer Services (Councillor Jonathan Rush)						
No items to be considered						

Planning and Economic Development (Councillor Peter Martin)

Y	Adoption of Community Infrastructure Levy Charging Schedule To adopt the CIL Charging Schedule.	TBC	Cabinet/ Council	Planning and Economic Development Policy Advisory Group TBC	Open	Mark Jaggard Mark.Jaggard@Chilternand southbucks.gov.uk
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Environment (Councillor Caroline Jones)

Y	Extension to Council owned cemetery To consider a report on extension options to the cemetery at Great Missenden cemetery.	10 December 2019	Cabinet	Environment Policy Advisory Group 14 Nov 2019	Open	Simon Gray Simon.Gray@Chilternand southbucks.gov.uk
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Y	Review of remaining recycling centres To consider a report on the future of the remaining recycling centres in the district, following on from the Cabinet decision taken in July 2019.	10 December 2019	Cabinet	Services Overview Committee 26 Nov 2019	Open	Chris Marchant chris.marchant@chilternandsouth bucks.gov.uk
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Healthy Communities (Councillor Liz Walsh)

Y	Community Grants To agree funding grant awards for the Council's 2019/2020 Community Grant Aid Scheme.	15 October 2019	Cabinet	Healthy Communities Policy Advisory Group 16 Sep 2019	Open	Joanne Fowler joanne.fowler@chilternandsouth bucks.gov.uk
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Y	Food and Health and Safety Service Plan To consider and approve the Joint food Safety and Health and Safety Service Plans for 2019/20.	15 October 2019	Cabinet	Services Overview Committee 19 Sep 2019	Open	Ian Snudden ian.snudden@chiltern andsouthbucks.gov.uk
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Y	Large Projects Fund To consider a report on the options for allocation of the Large Projects Fund.	15 October 2019	Cabinet	Healthy Communities Policy Advisory Group 16 Sep 2019	Open	Martin Holt martin.holt@chilternandsouth bucks.gov.uk
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Y	Public Spaces Protection Orders For Cabinet to approve the Public Spaces Protection Orders for alcohol restrictions in areas of Chiltern.	15 October 2019	Cabinet	Services Overview Committee 19 Sep 2019	Open	Ian Snudden ian.snudden@chilternandsouthbucks.gov.uk
Y	Proposed Options for the St Johns Ambulance site To consider proposed options for the St Johns Ambulance site in Amersham.	15 October 2019	Cabinet	Services Overview Committee 19 Sep 2019	Open	Martin Holt martin.holt@chilternandsouthbucks.gov.uk
N	Chiltern Dial a Ride report To consider a report on granting for the Chiltern Dial a Ride service.	15 October 2019	Cabinet	Services Overview Committee 19 Sep 2019	Open	Martin Holt martin.holt@chilternandsouthbucks.gov.uk
Y	Capital Grants To consider Capital Grant awards following receipt of applications.	10 December 2019	Cabinet	Services Overview Committee 26 Nov 2019 Healthy Communities PAG 28 Nov 2019	Open	Martin Holt martin.holt@chilternandsouthbucks.gov.uk
Unitary Transition (Councillor Fred Wilson)						
No items to be considered						

- 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. Steve Bambrick = steve.bambrick@chilternandsouthbucks.gov.uk

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

Item 7

CDC Cabinet 15 October 2019

Via Services Overview Committee 19 September 2019

Resources Overview Committee 25 September 2019

REPORT SUBJECT:	<i>Chiltern District Council Performance Quarter 1 2019-20</i>
REPORT OF:	<i>Leader of the Council – Councillor Isobel Darby</i>
RESPONSIBLE OFFICER	<i>Director of Resources – Jim Burness</i>
REPORT AUTHOR	<i>Ani Sultan (01494 586 800)</i>
WARD(S) AFFECTED	<i>Report applies to whole district</i>

1. Purpose of Report

This report outlines the annual performance of Council services against pre-agreed performance indicators and service objectives for Quarter 1 of 2019-20.

RECOMMENDATION

Cabinet is asked to note the performance reports.

2. Executive Summary

Overview of Quarter 1 of 2019-20 performance indicators (PIs) against targets across the Council:

Portfolio	No of PIs	PI on target ■	PI slightly below target ■	PI off target ■	Not reported this quarter/ not used	Awaiting data	Data Only
Leader	3	3	0	0	0	0	0
Healthy Communities	12	5	1	1	4	0	0
Planning & Economic development	18	12	1	0	1	0	4
Environment	5	2	0	1	2	0	0
Support services	6	4	0	0	2	0	0
Customer services	6	3	0	1	2	0	0
Total PIs	50	29	2	3	11	0	4

3. Reasons for Recommendations

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

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

3.3 Two detailed performance tables accompany this report:

- **Appendix A – Priority PIs Quarter 1 of 2019-20**
- **Appendix B – Corporate PIs Quarter 1 of 2019-20**

4. Key points to note:

4.1 There are no PIs marked as awaiting data.

Item 7

CDC Cabinet 15 October 2019

Via Services Overview Committee 19 September 2019

Resources Overview Committee 25 September 2019

4.2 Of the Priority PIs, one was off target – CdRB1 (details in 4.2.5).

4.2.1 **Leaders:** All PIs within the Leader’s portfolio are on target.

4.2.2 **Healthy Communities:** CdHS2 – number of affordable homes delivered – is under target of 8.25 per quarter, but this has a tendency to change through the quarters and meet the annual target.

4.2.3 **Planning and Economic Development:** All PIs for this portfolio are on target..

4.2.4 **Environment:** CdWR4 – number of missed assisted containers – is over target of 170 at 316 at the end of quarter 1. The waste team have stated that missed assisted collections continue to be an area of operational focus. They are closely working with Serco to identify efficiencies and improvements, and the Service Improvement Plan will help support efforts and raise standards in the coming months. Improvements are expected to be achieved by the end of August and through September.

4.2.5 **Customer Services:** CdRB1 – Speed of processing new HB/CTB claims – is over target of 20, at 20.8 as further to the rollout of Universal Credit, only the more difficult claims are left. The team are looking into the process in order to overcome these issues.

4.2.6 **Support Services:** All PIs are on target, which is a marked improvement on the previous quarters.

5. Consultation

Not applicable.

6. Options

Not applicable.

7. Corporate Implications

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

7.2 Legal – None specific to this report.

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

8. Links to Council Policy Objectives

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

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

Objective 1 - Efficient and effective customer focused services

Objective 2 - Safe, healthy and cohesive communities

Objective 3 - Conserve the environment and promote sustainability

9. Next Step

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

Background Papers:	N/A
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Appendix A - Priority PIs 2019-20 - CDC

Code	Title	Target 2018/19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	2019/20	Traffic Light	Target 2019/20	Comments
Leader's																		
JtHR1	Working days lost due to sickness absence	10	10.7	9.4	7.4											✓	10	83.5 working days lost for June + 469.50 (working days lost for April & May) = 553 553 / 297.74 (average FTE figure) = 1.86 / 3 x 12 = 7.44 average working days lost to sickness absence (cumulative).
JtHR12	Working days lost due to short term sickness absence (upto 20 working days)	5	5.5	4.3	3.3											✓	5	These figures relate to absence days from 21 employees 32.5 working days lost for June + 212.50 (working days lost for April & May) = 245 245 / 297.74 (average FTE figure) = 0.82 / 3 x 12 = 3.28 average working days lost to short term sickness absence (cumulative).
JtHR13	Working days lost due to long term sickness absence (more than 20 working days)	5	4.9	5.2	4.1											✓	5	The figures related to absence from 17 employees 51 working days lost in June + 257 (working days lost for April & May) = 308 308 / 297.74 (average FTE figure) = 1.03 / 3 x 12 = 4.12 average working days lost to long term sickness absence (cumulative). This absence relates to 4 employees
Healthy Communities																		
CdHS1	Number of applicants with/expecting children who have been in B & B accommodation for longer than 6 weeks (snapshot figure at end of month)	0	0.0	0.0	0.0											✓	0	No applicants with/expecting children had been in B&B for over 6 weeks as at 30/6/19
CdHS2	Number of households living in temporary accommodation (snapshot at the end of the month)	38	32.0	33.0	33.0											✓	38	Total of 33 comprises Tom Scott House (16)/ B&B (10) / Other nightly booked (4) / Other (3)
Planning and Economic Development																		
CdPE11	Major planning applications decision performance - within 13 weeks or other agreed period (cumulative monthly)	90%	100.0	100.0	87.5											⚠	90%	7 of 8 determined within target - cumulative figure 2 of 3 determined within target - this month's figure
CdPE10	Minor planning applications decision performance - within 8 weeks or other agreed period (cumulative monthly)	75%	88.9	93.5	94.4											✓	75%	67 of 71 determined within target - cumulative figure 24 of 25 determined within target - this month's figure
CdPE11	Other planning applications decision performance - within 8 weeks or other agreed period (cumulative monthly)	85%	98.0	98.5	97.1											✓	85%	272 of 280 determined within target - cumulative figure 73 of 78 determined within target - this month's figure
Environment																		
CdWR2	Percentage of household waste sent for reuse, recycling and composting (cumulative)	53%			55.1											✓	53%	Target achieved.
Customer Services																		
CdRB1	Speed of processing - new HB/CTB claims (cumulative)	18	15.9	19.9	20.8											✗	20	Difficult claims are now left with the rollout UC. We are reviewing the process to overcome the blockers.
CdRB2	Speed of processing - changes of circumstances for HB/CTB claims (cumulative)	5	3.6	3.3	3.4											✓	5	Target achieved.
CdRB3	Percentage of Council Tax collected (cumulative)	99.1%	5.5	15.4	25.0											✓	99.1%	Target achieved.
CdRB4	Percentage of Non-domestic Rates Collected (cumulative)	98.5%	11.9	19.2	28.0											✓	98.5%	Target achieved.

Appendix B - Corporate PIs 2019-20 - CDC

Code	Title	Target 2018/19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	2019/20	Traffic Light	Target 2019/20	Comments	
Leader's portfolio																			
Healthy Communities																			
CdCL1a (C)	Customer satisfaction rating at Chalfont Leisure Centre	75%														NA	77%	Annual PI	
CdCL1b (C)	Customer satisfaction rating at Chesham Leisure Centre	68%														NA	70%	Annual PI	
CdCL1c (C)	Customer satisfaction rating at the Chiltern Pools Leisure Centre	50%														NA	57%	Annual PI	
CdCL2 (C)	Total participation in physical activities delivered through the GLL community engagement plan (by period)	5000 per annum			1,825											✓	5,250	Awaiting third party data.	
CdHS2 (C)	Number of affordable homes delivered by (i) new build (ii) vacancies generated by local authority scheme (iii) acquisition of existing properties for social housing (cumulative)	33 (8.25/qtr)			0											✗	33 (8.25/qtr)	0 affordable homes delivered in first quarter of 2019/20	
CdHS3 (C)	Average Length of stay in B & B temporary accommodation for all households (snapshot at end of quarter)	12			12											✓	12	4 B&B placements ended during the quarter with an average stay of 12 weeks	
CdHS4 (C)	Number of private sector dwellings vacant for more than 6 months and returned to occupation following local authority intervention	28														NA	28	Annual PI	
CdEH1 (C)	Percentage of food hygiene inspections of category A – D food businesses achieved against the inspections due by quarter (cumulative)	91%			96%											✓	96% annually	Target achieved.	
NEW PI CdEH2	Percentage of food premises improving their Food Hygiene Rating from 0-2 rating to achieve rating of 3 and above (quarterly)	NEW PI			10%											□	50% annual target / 12.5% per quarter	Total number of premises at beginning of financial year = 24, total number closed = 2, total number improved = 2. Hasn't reached target, but is a cumulative indicator.	
JtLI1 (C)	Percentages of licences received and issued/renewed within statutory or policy deadlines (cumulative).	97%			99.1%											✓	97%	Target achieved.	
Planning and Economic Development																			
JtBC1 (C)	Applications checked within 10 working days (cumulative)	92%	100%	95.3%	98.2%											✓	92%	Target achieved.	
JtBC2 (C)	Customer satisfaction with the building control service. (cumulative)	92%	100%	100%	100%											✓	92%	Target achieved.	
JtENF1(C)	Number of new enforcement cases received (monthly)	DATA ONLY	52	62	65											DATA ONLY	DATA ONLY	DATA ONLY	
JtENF2 (C)	Number of closed cases (monthly)	DATA ONLY	53	64	66											DATA ONLY	DATA ONLY	DATA ONLY	
JtENF3 (C)	Number of PCNs (or S330s) issued (monthly)	DATA ONLY	0	0	0											DATA ONLY	DATA ONLY	DATA ONLY	
JtENF4 (C)	Number of notices served (monthly)	DATA ONLY	0	1	1											DATA ONLY	DATA ONLY	DATA ONLY	
CdPED1 (C)	Percentage of planning applicants who are satisfied or very satisfied with the planning service (cumulative, quarterly)	82%	NA	NA	NA											NA	82%	Service working on how to carry out the surveys.	
CdPED2 (C)	Planning appeals allowed (cumulative)	35%			26.9%											✓	35%	Target achieved.	
CdPED45	2020 Majors speed of planning decisions – special measures 2 year assessment period ending Sep 19 (cumulative, monthly)	60%	88.4%	88.4%	87.0%											✓	60%	40 of 46 Applications determined: Major Decision period: Oct 2017 - Sep 2019 SPEED Target: 60% or more	
CdPED46	2020 Non-Majors speed of planning decisions – special measures 2 year assessment ending September 2019 (cumulative, monthly)	70%	95.7%	95.9%	95.9%											✓	70%	2308 of 2408 Applications determined: Non-Major Decision period: Oct 2017 - Sep 2019 SPEED Target: 70% or more	
CdPED47	2020 Majors quality of planning decisions – special measures 2 year and 9 month assessment period ending December 2019 (cumulative, monthly)	9.99%	7.7%	7.7%	7.7%											✓	9.99%	4 of 52 Application allowed/part allowed on appeal: Major Decision period: Apr 2017 – Mar 2019 Appeal period: Apr 2017 – Dec 2019 QUALITY Target: less than 10%	
CdPED48	2020 Non-Majors quality of planning decisions – special measures 2 year and 9 month assessment period ending December 2019 (cumulative, monthly)	9.99%	1.1%	1.3%	1.2%											✓	9.99%	35 of 2881 Application allowed/part allowed on appeal: Non-Major Decision period: Apr 2017 – Mar 2019 Appeal period: Apr 2017 – Dec 2019 QUALITY Target: less than 10%	

Code	Title	Target 2018/19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	2019/20	Traffic Light	Target 2019/20	Comments	
CdPED49	2021 Majors speed of planning decisions - special measures 2 year assessment period ending Sep 2020 (cumulative monthly)	60%	90.5%	90.5%	87.5%											☑	60%	21 of 24 speed Applications determined: Major Decision period: Oct 2018 - Sep 2020 SPEED Target: 60% or more	
CdPED50	2021 Non-Majors speed of planning decisions - special measures 2 year assessment period ending Sep 2020 (cumulative monthly)	70%	95.0%	95.5%	95.4%											☑	70%	975 of 1022 speed Applications determined: Non-Major Decision period: Oct 2018 - Sep 2020 SPEED Target: 70% or more	
CdPED51	2021 Majors quality of planning decisions - special measures 2 year & 9 month assessment period ending Dec 2020 (cumulative monthly)	9.99%	3.1%	3.1%	2.9%											☑	9.99%	1 of 35 Application allowed/part allowed on appeal: Major Decision period: Apr 2018 - Mar 2020 Appeal period: Apr 2018 - Dec 2020	
Environment																			
CdSE1 (C)	Cumulative CO2 reduction from local authority operations from base year of 2008/09 (annual)	12%														NA	12%	Annual PI	
CdWR1 (C)	Number of Household collections missed per month	1650	1,314	1,742	1,511											☑	1600	Target achieved.	
CdWR3 (C)	Waste customer satisfaction survey	86%			NA											NA	86%	Not reported this quarter	
CdWR4 (C)	No of missed assisted containers (monthly)	170	279	324	316											☒	170	Missed assisted collections continue to be an area of operational focus. Closely working with partners Serco to identify efficiencies and improvements, the Service Improvement Plan will help support efforts and raise standards in the coming months. We would expect to see improvements achieved by the end of August and through September.	
Support services																			
JtBS1 (C)	Availability of ICT systems to staff from 8am to 6pm (by period)	99.5%			98.9%											☑	99.5%	Target achieved.	
JtBS2 (C)	Percentage of calls to ICT helpdesk resolved within agreed timescales (by period)	95%			94.9%											☑	95%	Target achieved.	
CdBS3 (C)	Percentage of responses to FOI requests sent within 20 working days (by month)	90%	100.0%	92.7%	89.7%											☑	90%	Just under target, but within threshold.	
JtLD1 (C)	Client satisfaction with the shared service. Percentage satisfied or very satisfied.	98%			NA											NA	98%	Not reported this quarter	
CdLD1 (C)	The percentage response to the annual canvass	94%														NA	94%	Annual PI	
CdLD2 (C)	Percentage of standard searches carried out within five working days (by period quarterly)	100%	100%	100%	100%											☑	100%	Target achieved.	
Customer services																			
CdCS1 (C)	New measure for complaints - t.b.a.	TBA	NA	NA	NA											NA	TBA	NA	
CdCS2 (C)	New measure for compliments - t.b.a.	TBA	NA	NA	NA											NA	TBA	NA	

SUBJECT:	<i>Treasury Management – Quarterly Report Quarter 2 2019/20</i>
REPORT OF:	<i>Jim Burness, Director of Resources</i>
RESPONSIBLE OFFICER	<i>Sarah Ball, Capital & Treasury Manager</i>
REPORT AUTHOR	<i>Sarah Ball, sarah.ball@chilternandsouthbucks.gov.uk 01494 732781</i>
WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

- 1.1 To report on the Treasury Management operation of the Council for July – September 2019.

RECOMMENDATION

The Cabinet is requested to note the Treasury Management performance for Quarter 2 2019/20.

2. Background

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

3. Quarterly Report on Treasury Management Quarter to September 2019

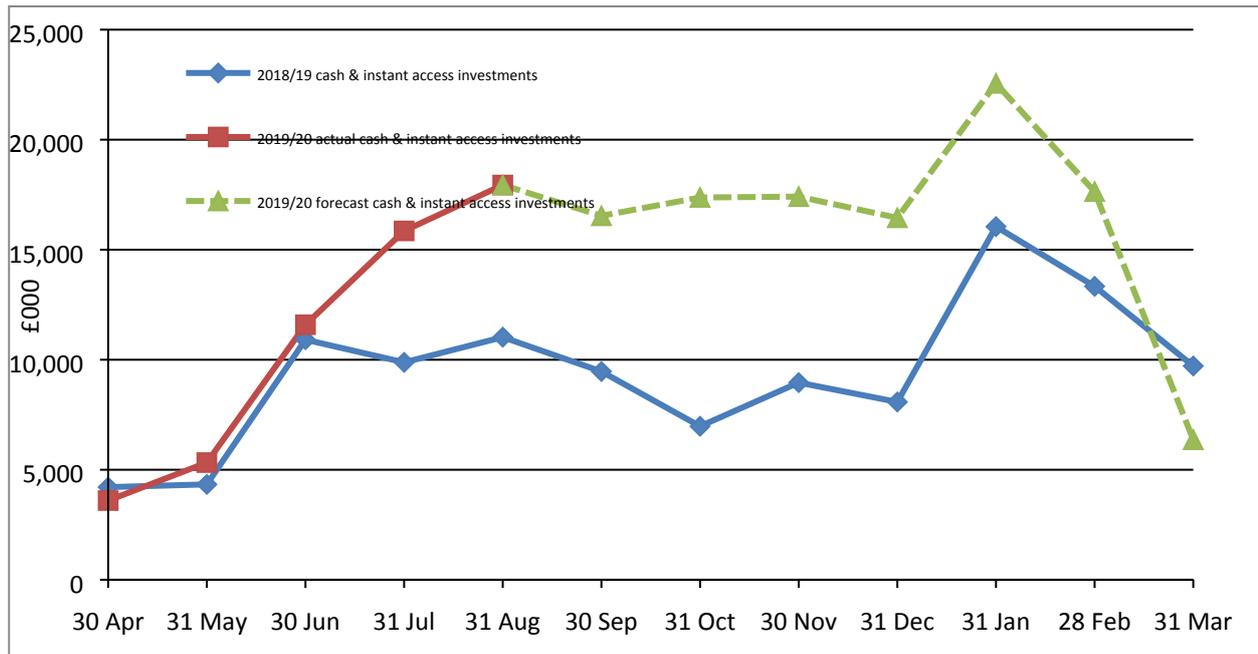
- 3.1 In July 2017 the Council took out a loan from the PWLB to finance the construction of the new Amersham Multi Storey car park following the approval of the business

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

- 3.2 The base rate was decreased from 0.5% to 0.25% in August 2016, with the rate having remained at 0.5% since March 2009. The base rate was increased to 0.5% in November 2017 with a further increase to 0.75% in August 2018.
- 3.3 The total of loans outstanding at the end of the quarter was £8,000,000 detailed in the table below.

UK Institutions	Fitch Credit Rating	Principal £	Interest Rate	Invested	Matures	Length in days
Aberdeen Standard MMF		1,000,000	0.74% variable	immediate	access	
Invesco MMF		2,000,000	0.71% variable	immediate	access	
Lloyds Banking Group	A+					
Fixed Deposit		1,000,000	1.00%	26/07/19	27/01/20	185
Fixed Deposit		2,000,000	1.00%	26/07/19	27/01/20	185
Close Brothers	A					
Fixed Deposit		1,000,000	1.20%	15/10/18	15/10/19	365
Fixed Deposit		1,000,000	1.20%	20/11/18	20/11/19	365
Total Deposits		8,000,000				

- 3.4 The weighted average interest rate earned on fixed rate investments in the quarter was 1.12%. As at the end of September, £13.185m was held in instant access funds for everyday cashflow purposes compared to £8.59m at the end of June.
- 3.5 The following graph shows how the level of cash and instant access investments fluctuated in 2018/19, and the forecast levels of cash and instant access investments in 2019/20. The purpose of the graph is to illustrate that we always have a sufficient level of cash reserves to meet our immediate short term cash requirements. The current cash flow assumes that the Council will not borrow funds during 2019/20 to fund the Chiltern Lifestyle Centre Development which is reflected in the decrease in forecast cash by year end in the graph.



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

4. The Prudential Capital Code – Prudential Indicators

4.1 In accordance with the Prudential Capital Code the Council reviews its Prudential Indicators on a quarterly basis. Prudential Indicators are set annually as part of the Treasury Management Strategy review. Movements in the Prudential Indicators for the year 2019/20 to date are as follows:

4.2 Interest rate exposures

The interest rate exposure on investments has moved as follows:

Date	Investments as a % of total	
	Fixed	Variable
31/03/19	56%	44%
30/06/19	75%	25%
30/09/19	63%	37%

This Prudential Indicator sets an upper limit on fixed interest rate exposures of 100% and variable interest rate exposures of 90% of net outstanding principal sums.

- 4.3 Principal sums invested for periods longer than 365 days (previously this indicator was longer than 364 days).

The upper limit for sums invested for periods longer than 365 days is £10m. As at the end of September the figures are as follows:

Date	Total investments	Sums invested for greater than 365 days	% of total investments
31/03/19	£18m	£0m	0%
30/06/19	£12m	£0m	0%
30/09/19	£8m	£0m	0%

The time periods over which sums have been invested reflect the current level of rates that do not incentivise long term cash investments.

- 4.4 Fixed term and money market fund investments have decreased from £12m to £8m between June and September.

5 Corporate Implications

The budgeted income from investments for 2019/20 has been set at £40,000. Investment income earned in the year to September is £84k which exceeds the annual budget. The budget assumed that any maturing loans would not be reinvested as funds would be needed for the development of the Chiltern Lifestyle Centre which is intended to be funded from internal borrowing in this financial year. The budgeted interest rates were assumed at a prudent level owing to general uncertainty around interest rates pending the outcome of Brexit.

Background Papers:	None
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SUBJECT:	<i>Review of alcohol restrictions Public Spaces Protection Orders (PSPOs)</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>Ian Snudden, Principal Environmental Health Officer, 01494 732057</i>
WARD/S AFFECTED:	<i>All</i>

1. Purpose of Report

To review the current Public Spaces Protection Orders (PSPO) relating to alcohol restriction within Chiltern DC and to consider the responses to the consultation.

RECOMMENDATIONS

1. **To consider the outcome of the consultation on the existing PSPOs which provide the Police with powers to require any person to stop drinking and surrender alcohol if they are causing or likely to cause anti-social behaviour (ASB) in the following areas:**
 - a- Chesham Cemetery
 - b- Chesham Town Centre High Street and The Meades Water Garden
 - c- Amersham-on-the-Hill and Old Amersham
 - d- Seer Green
 - e- Land at Roundwood Road and Station Forecourt, Amersham
2. **Where there is supporting evidence for restrictions to be in place in a specific area, to approve the addition of this within a single PSPO.**
3. **Where there is no supporting evidence for restrictions to be in place in a specific area, to approve the discharge of that PSPO and instruct the Head of Healthy Communities to remove any associated signage.**

2. Executive Summary

Public Spaces Protection Orders (PSPOs) are one of a number of powers introduced by the Anti-Social Behaviour, Crime and Policing Act 2014. They are designed to stop individuals or groups committing anti-social behaviour in a public space which is having or is likely to have a detrimental effect on the quality of life of people in the area.

There are currently five PSPOs with alcohol restrictions. It is proposed that these PSPOs are discharged and where there is sufficient evidence to support alcohol restrictions in

an area, for that area to be included in a new, single PSPO which will be easier to review and, where necessary and appropriate, to update, in the future. A copy of the new single PSPO is appended to this report as "Appendix 1".

3. Reasons for Recommendations

The introduction of a Public Spaces Protection Order in targeted areas provides an effective tool for the police to manage alcohol related anti-social behaviour whilst still allowing those who do behave responsibly to enjoy themselves.

4. Content of Report

Public Spaces Protection Orders (PSPOs) are one of a number of powers introduced by the Anti-Social Behaviour, Crime and Policing Act 2014 ("The Act"). They are designed to stop individuals or groups committing anti-social behaviour in a public space which is having or is likely to have a detrimental effect on the quality of life of people in the community. The behaviour must be persistent or continuing in nature and must be unreasonable. The Order will last up to a maximum of 3 years before being reviewed again.

The previous Designated Public Place Orders (DPPOs) which were transitioned into PSPOs when the Act came into force provide Police and other authorised persons with powers to require any person to stop drinking and surrender alcohol if they are causing or likely to cause anti-social behaviour.

Currently there are five PSPOs which provide for the restriction of alcohol consumption. These are in the areas of:

- Chesham Cemetery
- Chesham Town Centre High Street and The Meades Water Garden
- Amersham-on-the-Hill and Old Amersham
- Seer Green
- Land at Roundwood Road and Station Forecourt, Amersham

The original Designated Public Place Orders and maps of the areas are appended to this Report as "Appendix 2".

The five PSPOs are now due for review, having continued for three years and so a six week consultation exercise has taken place with the necessary parties to receive their comments on the use of the PSPOs and the supporting evidence for their continued use. The parties involved were Amersham and Chesham Town Councils, Seer Green Parish Council, Thames Valley Police, British Transport Police, Chiltern Railways and

Transport for London, Transport for Bucks, Buckinghamshire County Council, Paradigm Housing, any owners or occupiers of the land covered by/to be included within the PSPO and internally, the Estates Section. The proposal has also been subject to the necessary publicity in accordance with the Act by being published on the Council's website and the accompanying plans were made available for public inspection.

A local authority, in deciding whether to make a Public Spaces Protection Order must have particular regard to the rights of freedom of expression and freedom of assembly set out in articles 10 and 11 of the Convention of Human Rights. The PSPO attempts to only manage anti-social behaviour for the protection of the public and does not intend to prevent or impact upon the legitimate use of the public land in question or infringe rights of freedom of expression and assembly.

The proposal is for the five separate PSPOs to be discharged and a new single PSPO published which incorporates the areas where it is considered that alcohol restrictions should still apply. A PSPO can only be made by the council if satisfied on reasonable grounds that the activities carried out, or likely to be carried out, in a public space:

- have had, or are likely to have, a detrimental effect on the quality of life of those in the locality;
- is, or is likely to be, persistent or continuing in nature;
- is, or is likely to be, unreasonable; and
- justifies the restrictions imposed.

Therefore, for a PSPO to be put in place, there must be clear supporting evidence to justify its need.

5. Consultation Responses

The consultation ends on 20th September and the responses to the consultation to date are appended to this report marked "Appendix 3".

On first review, there does not to be any evidence to support the inclusion of Seer Green within the new PSPO. Similarly, there is insufficient evidence to support the inclusion of Parsonage Wood, Amersham. However, analysis of ASB reports and particularly those related to alcohol would support the inclusion of all other areas covered by the proposed Order. This is further supported by responses from Amersham Town Council and Chesham Town Council. There would seem to be contradicting evidence in relation to Amersham Station Forecourt but since ASB has been reported in this and adjacent areas, albeit not directly associated with alcohol, it is recommended that this is included too.

A verbal update on the consultation responses to date will be presented at the meeting.

6. Options

A local authority can only make a PSPO if it is satisfied on reasonable grounds that the following conditions have been met:

- The activities carried on in the public place have or are likely to have a detrimental effect on the quality of life of those in the locality or it is likely that activities will be carried on in a public place in that area and that they will have such an effect.
- The effect of the activities is, or are likely, to be of a persistent or continuing nature, such as to make them unreasonable and justifying any restrictions or requirements imposed in the PSPO. Government guidance focuses on proportionality and suggests that local authority's consider whether any restrictions are required all the time, for example, it may be that a particular restriction does not need to be imposed all year round.

A PSPO can only impose a prohibition or requirement to:

- Prevent the detrimental effect of any anti-social behaviour from continuing, occurring or recurring in a restricted area. However, a PSPO should not be used to restrict "everyday sociability" in public places.
- Reduce the detrimental effect of the behaviour or reduce the risk of its continuance, occurrence or recurrence.

Where clear supporting evidence has been presented by relevant bodies which supports the continuation of alcohol restrictions in a particular area, then this area will be included within a single PSPO. The new PSPO and area maps will be published on the website and the relevant bodies notified. Appropriate signage is already present in the current areas. Anyone who lives in, or regularly works in or visits the area can appeal a PSPO in the High Court within six weeks of issue.

Where no supporting evidence for alcohol restrictions is provided, then these areas will be excluded from the new, single PSPO, and the existing ones will be discharged.

7. Corporate Implications

- 3.1 Financial: The cost of the consultation process has been met within existing budgets. Failure to comply with the conditions of a PSPO can result in a fixed penalty notice of a £100 being issued. On prosecution a maximum fine of £500 can be given on conviction.
- 3.2 Legal: It is a statutory requirement under the Act that local authorities review their PSPOs every three years. If a new PSPO is made, anyone who lives in, or regularly works in or visits the affected area can appeal in the High Court within six weeks of the PSPO being issued.

- 3.3 Crime and Disorder: The PSPO should deter anti-social behaviour from taking place and will enable us to enforce the restrictions.
- 3.4 Environmental Issues: none
- 3.5 Partnership: We have consulted with our partners and the recommendations have been supported and/or come from suggestions from our partners.
- 3.6 Equality Act 2010 – An Equalities Impact Assessment (EIA), in accordance with the requirements of the Equalities Act 2010 has been undertaken in connection with the review of the PSPOs, appended to this report as “Appendix 4”. The EIA undertaken did not identify any adverse quality issues and as a result no further action or mitigation is considered appropriate.

8. Links to Council Policy Objectives

We will deliver cost effective, customer focused services

Listen to our customers

- Consult with you on key issues and respond to results

We will work towards safe, healthy and cohesive communities

Improve community safety

- Work with partners to reduce crime and antisocial behaviour and to improve community safety

We will strive to conserve the environment and promote sustainability

Promote sustainability

- Promote a healthy, sustainable and safe built environment

9. Next Step

If approval is given then the new PSPO and maps will be published, the existing PSPOs will be discharged and the relevant parties notified. Anyone who lives in, or regularly works in or visits the area can appeal a PSPO in the High Court within six weeks of issue.

10. Appendices

Appendix 1 – Proposed PSPO and maps of public places to be covered by it, as consulted upon.

Appendix 2 – Consultation results

Appendix 3 – Current Designated Public Place Orders (DPPOs) orders and map

Appendix 4 – Equalities Impact Assessment

CHILTERN DISTRICT COUNCIL
ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

THE CHILTERN DISTRICT COUNCIL (ALCOHOL CONSUMPTION)
PUBLIC SPACES PROTECTION ORDER 2019

- 1 THIS ORDER** is made by Chiltern District Council (“the Council”) in exercise of its power under section 59 in Chapter 2 of Part 4 of the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”) because it is satisfied on reasonable grounds, having carried out a consultation in accordance with section 72 of the Act and considered the matters set out therein, that:
- 1.1 activities carried out, or likely to be carried out, in the public places set out in paragraph 2 below (which are within the Council’s area) either have had a detrimental effect on the quality of life of those in the locality or will have such an effect; and
- 1.2 the effect, or likely effect, of the activities –
- a. is, or is likely to be, of a persistent or continuing nature,
 - b. is, or is likely to be, such as to make the activities unreasonable, and
 - c. justifies the restrictions imposed by this Order
- 2** The public places within which the activities set out in paragraph 3 below are prohibited (“**the Restricted Area**”) are respectively shown edged and hatched in red on the plans in the Appendix to this Order and comprise:
- Chesham Cemetery, Berkhamstead Road, Chesham, Bucks, HP5 3ET
 - Chesham Town Centre:
 - Blucher Street,
 - The Broadway,
 - High Street,
 - Market Square, and
 - Meades Water Garden, Red Lion Road,
 - Amersham-on-the-Hill:
 - Chiltern Avenue
 - Hill Avenue
 - Oakfield Corner
 - Hervines Road
 - Hervines Park
 - Chesham Road from Oakfield Corner to junction with South Road
 - Chiltern Parade
 - Rickmansworth Road
 - Surface car park, Rickmansworth Road
 - Sycamore Road
 - Woodside Close
 - Woodside Road to junction with Green Lane

- King George's Field
- King George V Road
- Council Offices car park, King George V Road
- Hyrons Lane
- Darlington Close
- Tylsworth Close
- Access road to Tudor Court and Windsor Court, King George V Road
- Multi-storey car park, Chiltern Avenue
- Parsonage Wood

- Old Amersham:
 - Whielden Street to junction with Haleacre Hospital entrance
 - High Street to junction with Mill Lane
 - Mill Lane
 - School Lane from junction with Church Street to junction with Mill Lane
 - Barn Meadow Recreation Ground
 - Church Street
 - St Mary's Church graveyard
 - Church Mead
 - Garden of Remembrance
 - Market Square
 - The Broadway
 - Council surface car park, The Broadway
 - Footpath between Misbourne Court and Station Road
 - London Road West to junction with Stanley Hill

- Seer Green
 - Driveway to Jubilee Hall, School Lane
 - Playground, School Lane
 - Cemetery, School Lane
 - Green Wood, School Lane
 - School Lane,
 - Chalfont Road to opposite no. 42
 - Church Road
 - Holy Trinity Church graveyard
 - Moss Court
 - Orchard Road to junction with Long Grove

- Land at Roundwood Road and Station Forecourt, Amersham
 - Amersham Station forecourt, Chiltern Avenue
 - White Lion Road from junction with Stanley Hill to The Pomeroy public house
 - Raans Road from junction with Woodside Road to junction with Quill Hall Lane
 - Brudenell Close including Drakes Court

- Park Place
- Plantation Road from junction with Park Place (south junction) and junction with Mitchell Walk
- Roundwood Road
- Playground, Roundwood Road
- Wooded areas adjacent to and adjoining Roundwood Road
- Grove Road
- Eagle Close
- Quill Hall Lane from junction with Eagle Close to Springett Place
- Side road off Quill Hall Lane leading to Ridge House
- Park Road
- Land between Quill Hall Lane and Park Road
- Deans Close
- Middle Close
- Popes Close

3 The activities which are to be prohibited are:

3.1 the consumption of alcohol in breach of an authorised officer's request to cease its consumption; and

3.2 having an unsealed container of alcohol in breach of an authorised officer's request to surrender the alcohol or container.

4 Therefore the following **Restrictions** apply in the **Restricted Area**:

A police constable, community support officer or person duly authorised by the Council (each hereafter called an "authorised officer") shall be entitled to require any person who is or has been consuming alcohol in the Restricted Area, or intends to consume alcohol in the Restricted Area, to not consume in the Restricted Area anything which is, or which an authorised officer reasonably believes to be, alcohol and to surrender anything in his or her possession which is, or which the authorised officer reasonably believes to be, alcohol or a container for alcohol.

5 **Period for which this Order Has Effect**

This Order will come into force on 20th October 2019 and will continue in force for three years expiring on 19th October 2022

6 **Consequences of Failure to Comply with Restrictions Contained in this Order**

It is an offence under section 63 of the Act for a person, without reasonable excuse, to fail to comply with a requirement imposed on him or her as set out in paragraph 4 above and a person guilty of such an offence is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

An authorised officer may issue a Fixed Penalty Notice to anyone that officer believes has committed an offence and provided that fixed penalty, in the sum of £100, is paid within 14 days, a prosecution will not be brought for that offence.

7 Appeals

Any challenge to the validity of this Order must be made in the High Court by an interested person within six weeks of the Order being made. The right to challenge also exists where an order is varied by the Council. An interested person is an individual who lives in, or regularly works in or visits, the Restricted Area and they may only challenge the validity of the Order on two grounds; that the Council did not have power to make the order or variation, or to include particular prohibitions or requirements imposed by it, or that a requirement under Chapter 2 of Part 4 of the Act was not complied with.

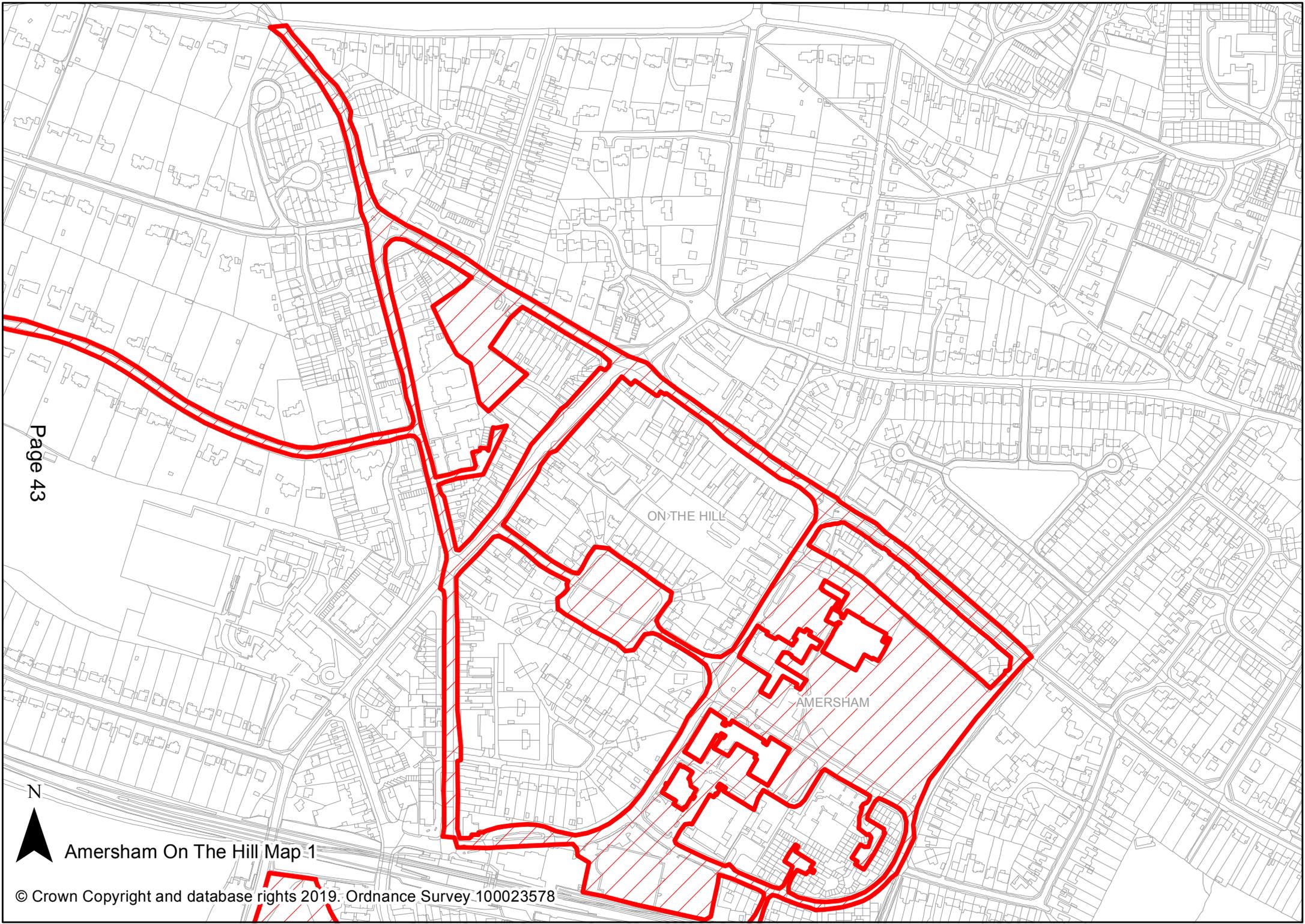
Where a challenge is made the High Court can decide to suspend the operation of the Order, pending its decision, in part or in totality and the High Court has the power to uphold, quash or vary the Order.

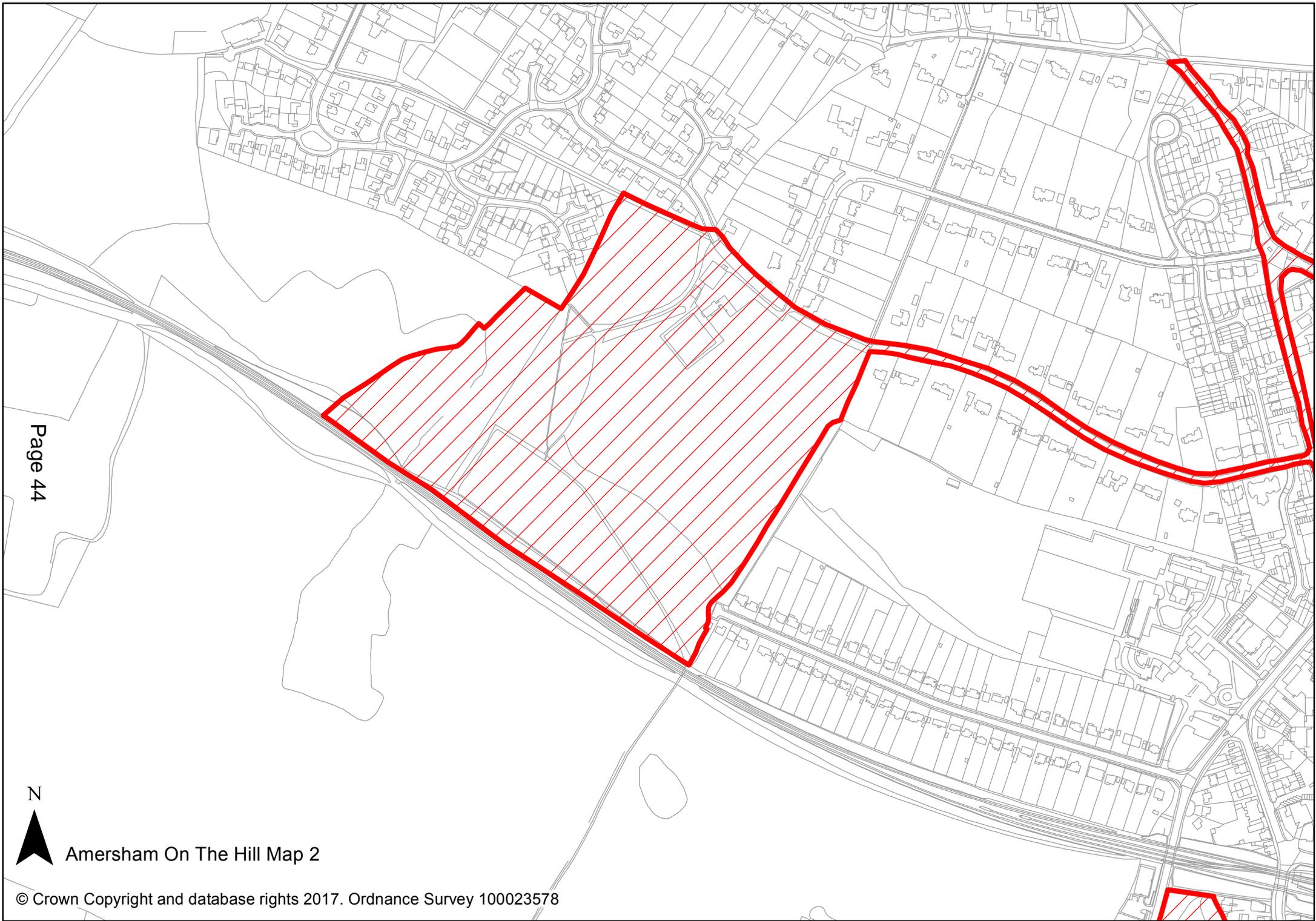
Dated: **2019**

Signed:

Joanna Swift
Head of Legal and Democratic Services

On behalf of **Chiltern District Council**
King George V House, King George V Road, Amersham, Buckinghamshire,
HP6 5AW

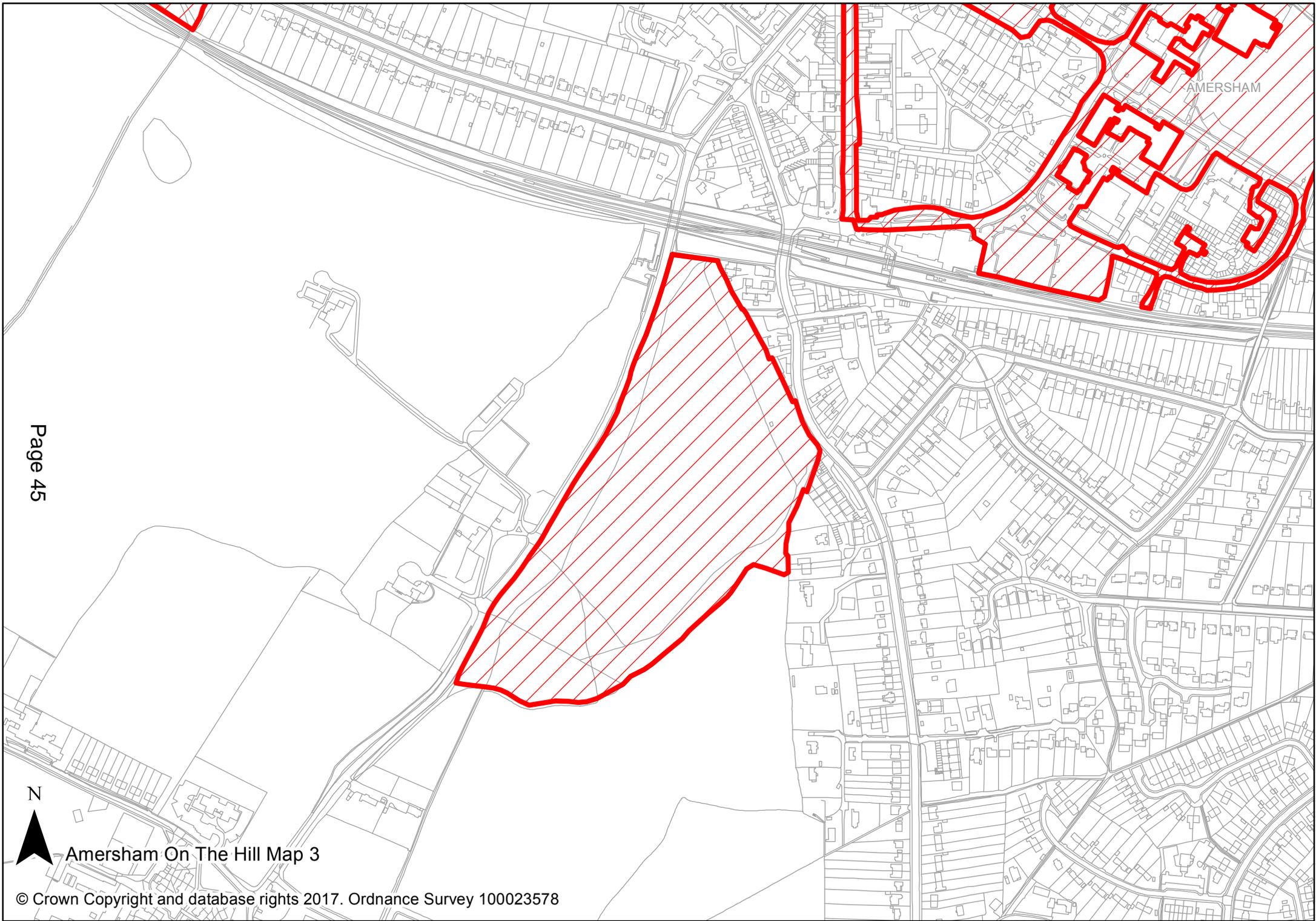




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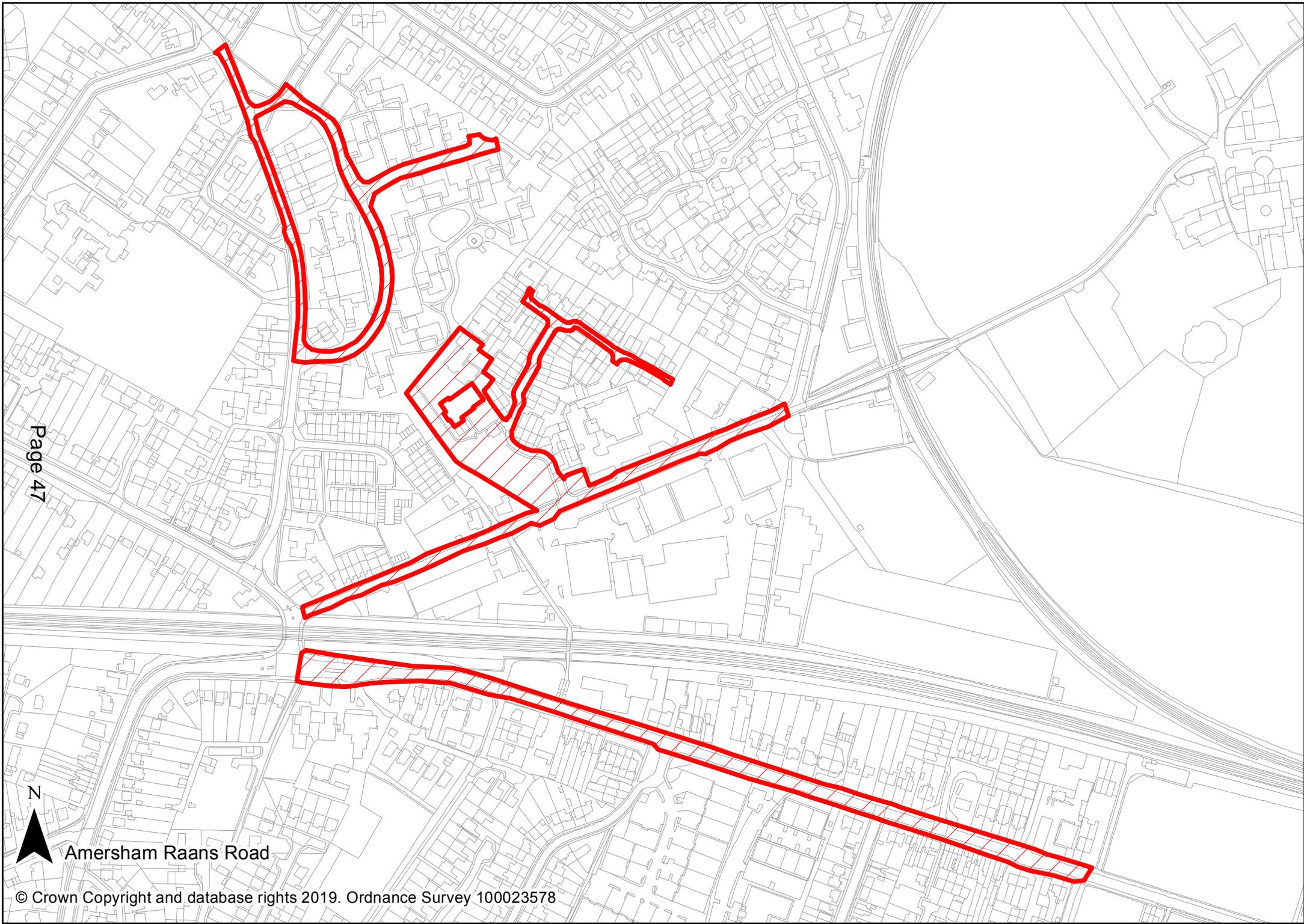
Amersham On The Hill Map 2



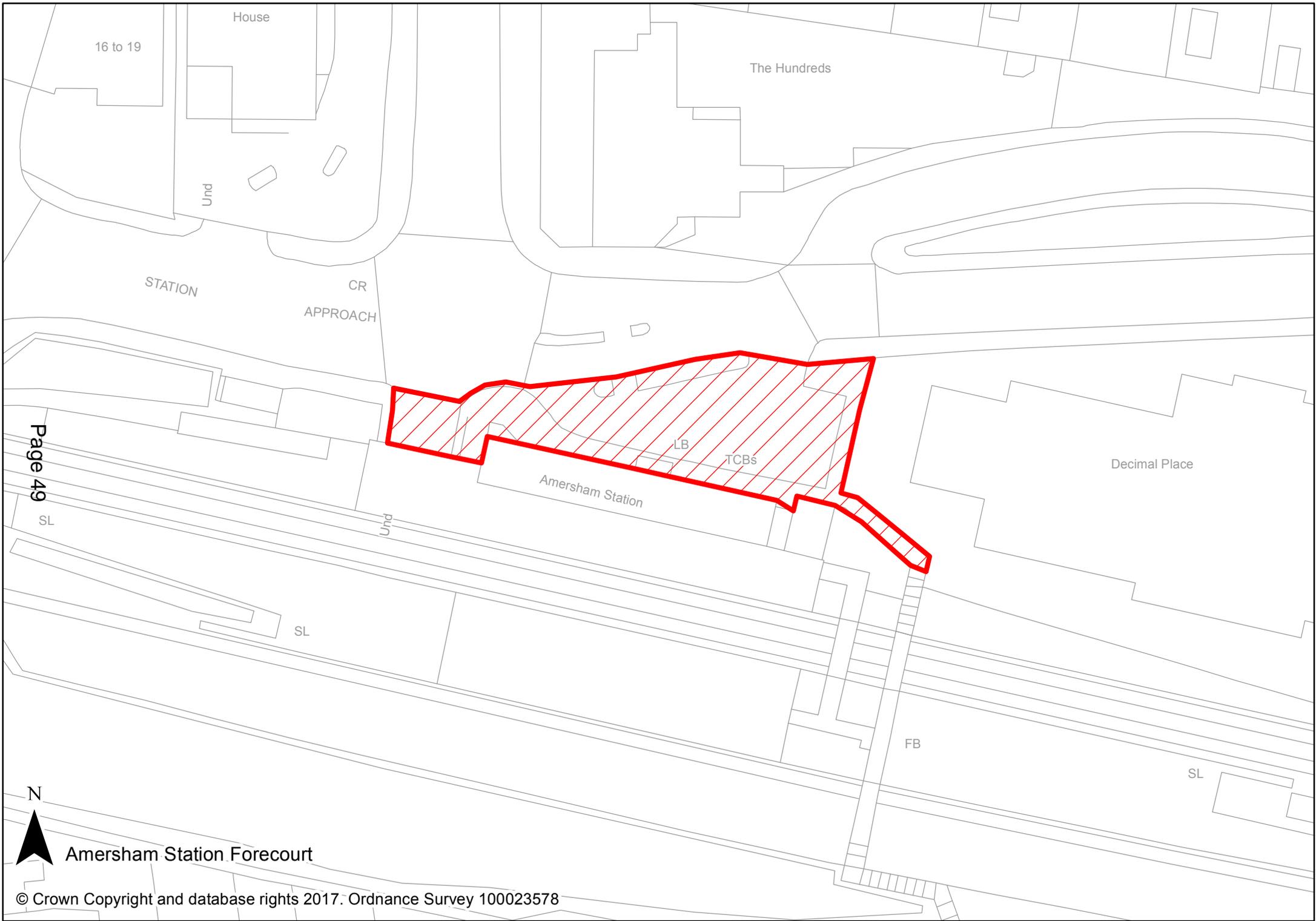
AMERSHAM

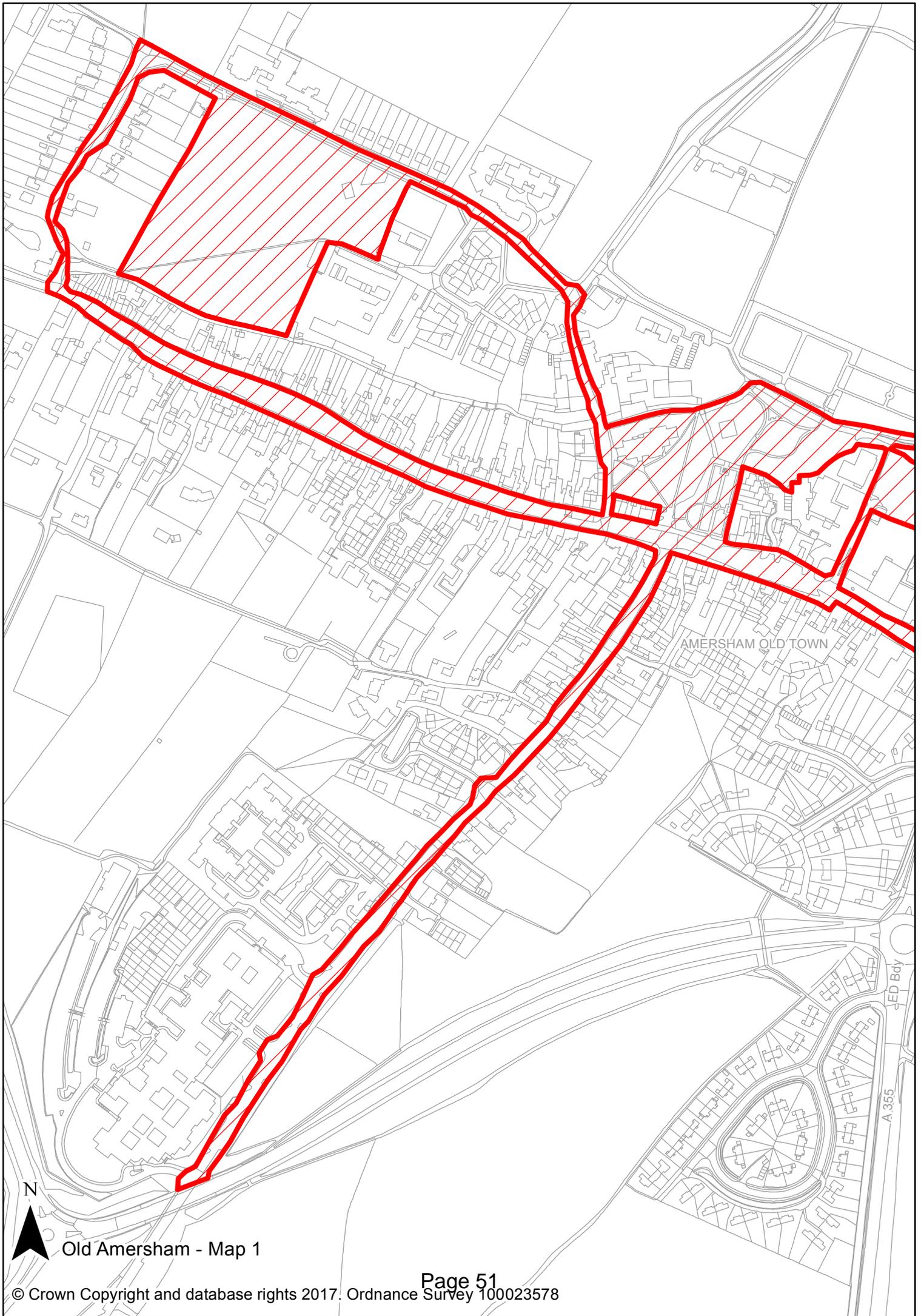
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Amersham Raans Road





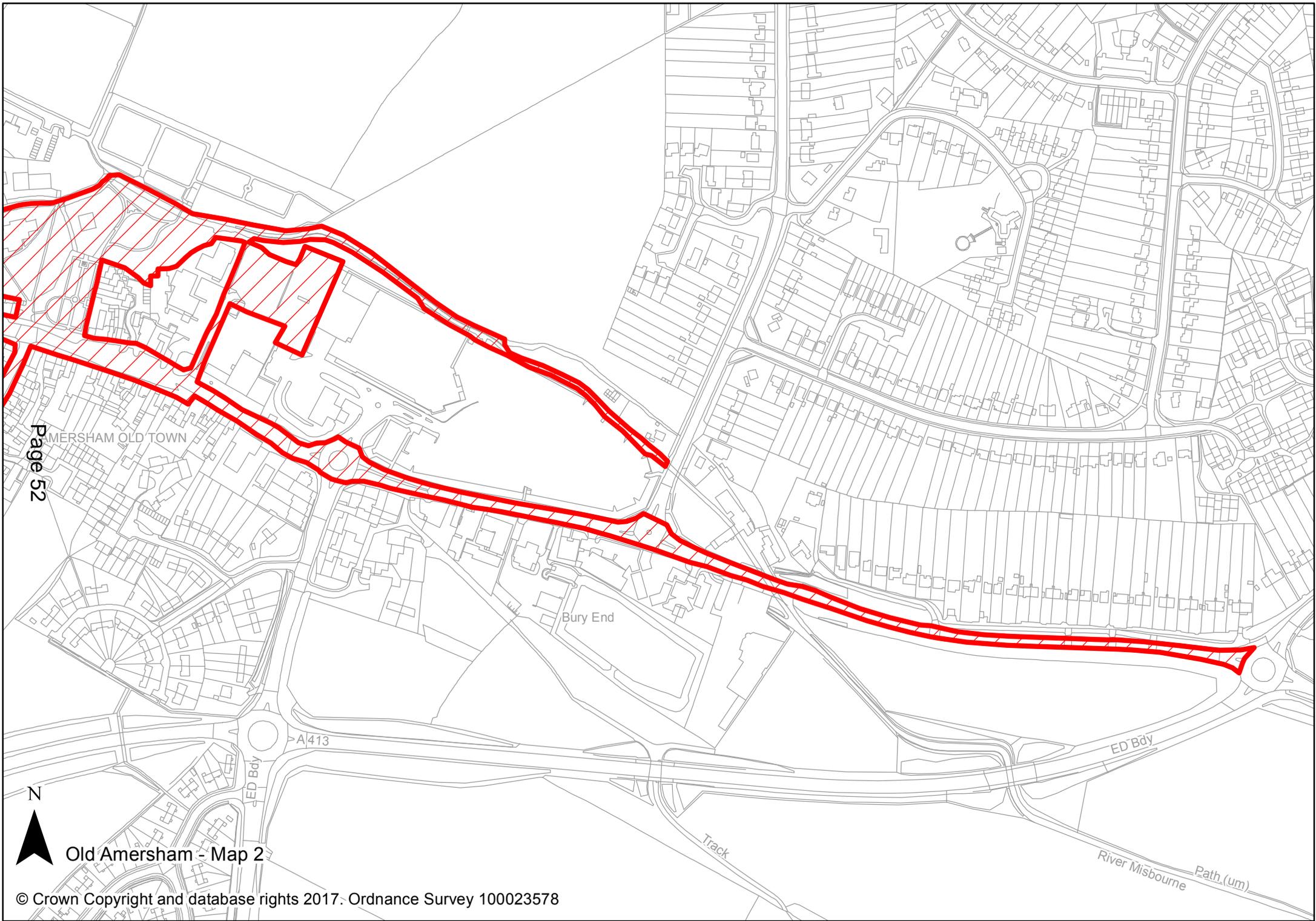
AMERSHAM OLD TOWN

ED Boy
A 355

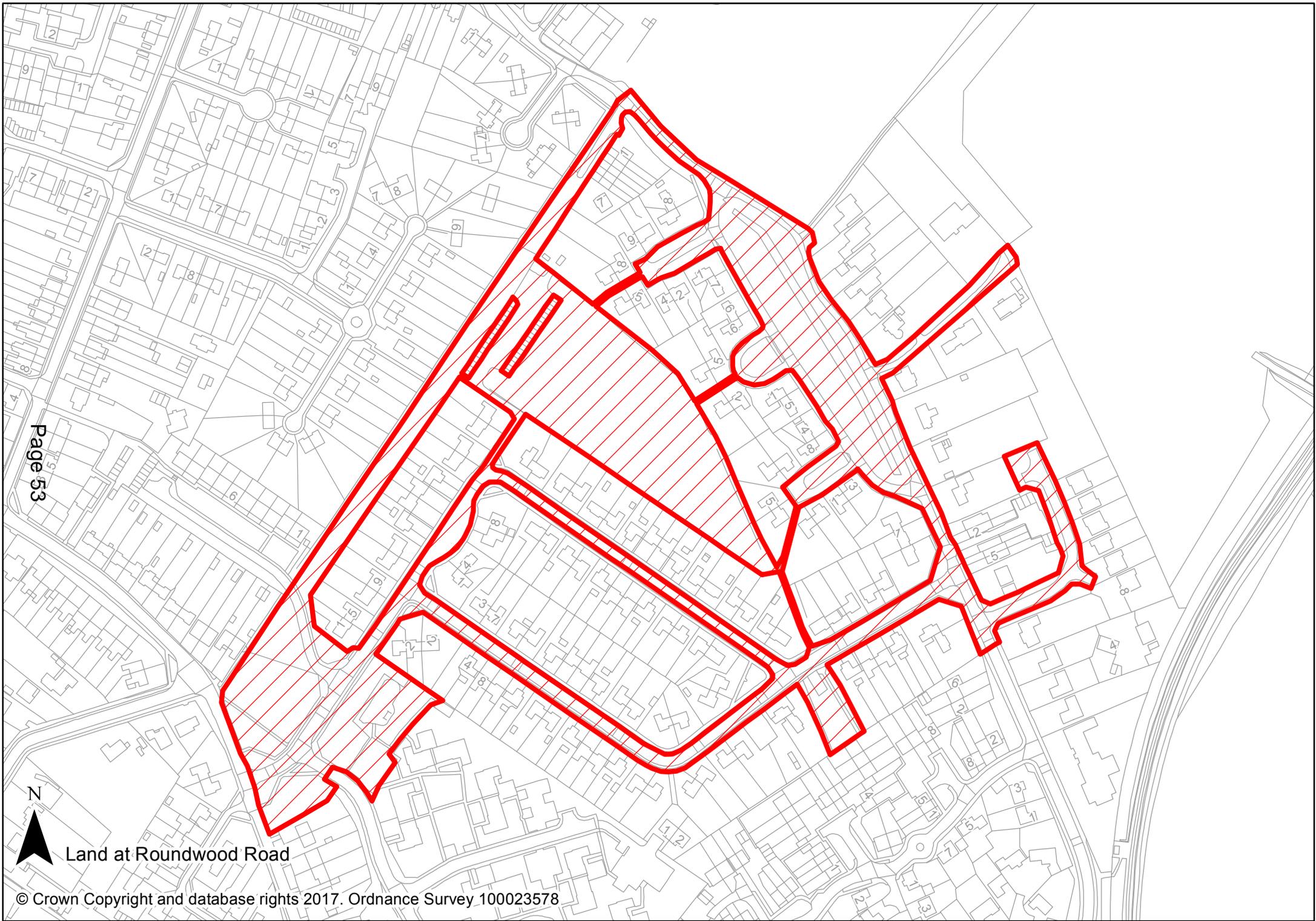
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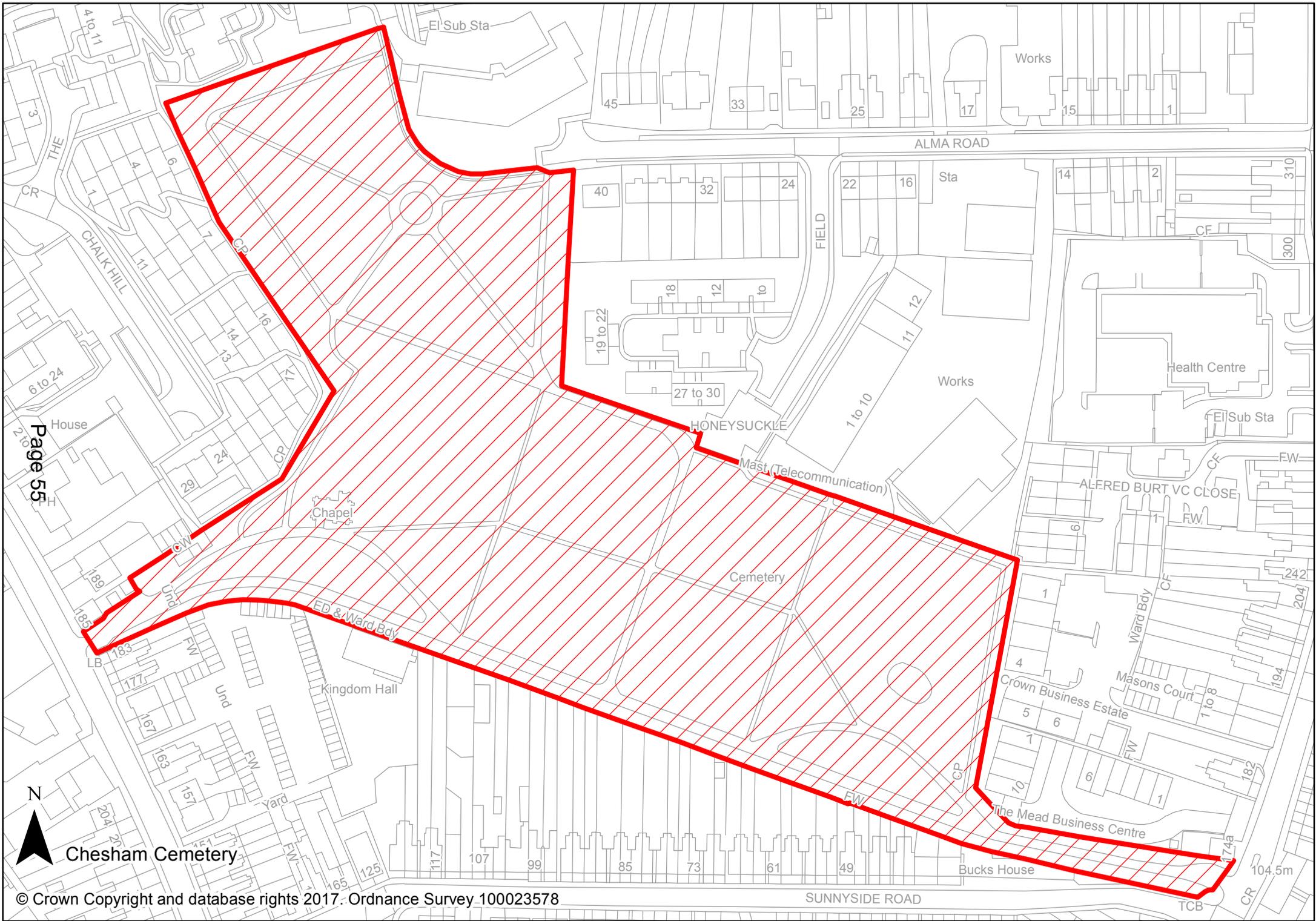
Old Amersham - Map 1



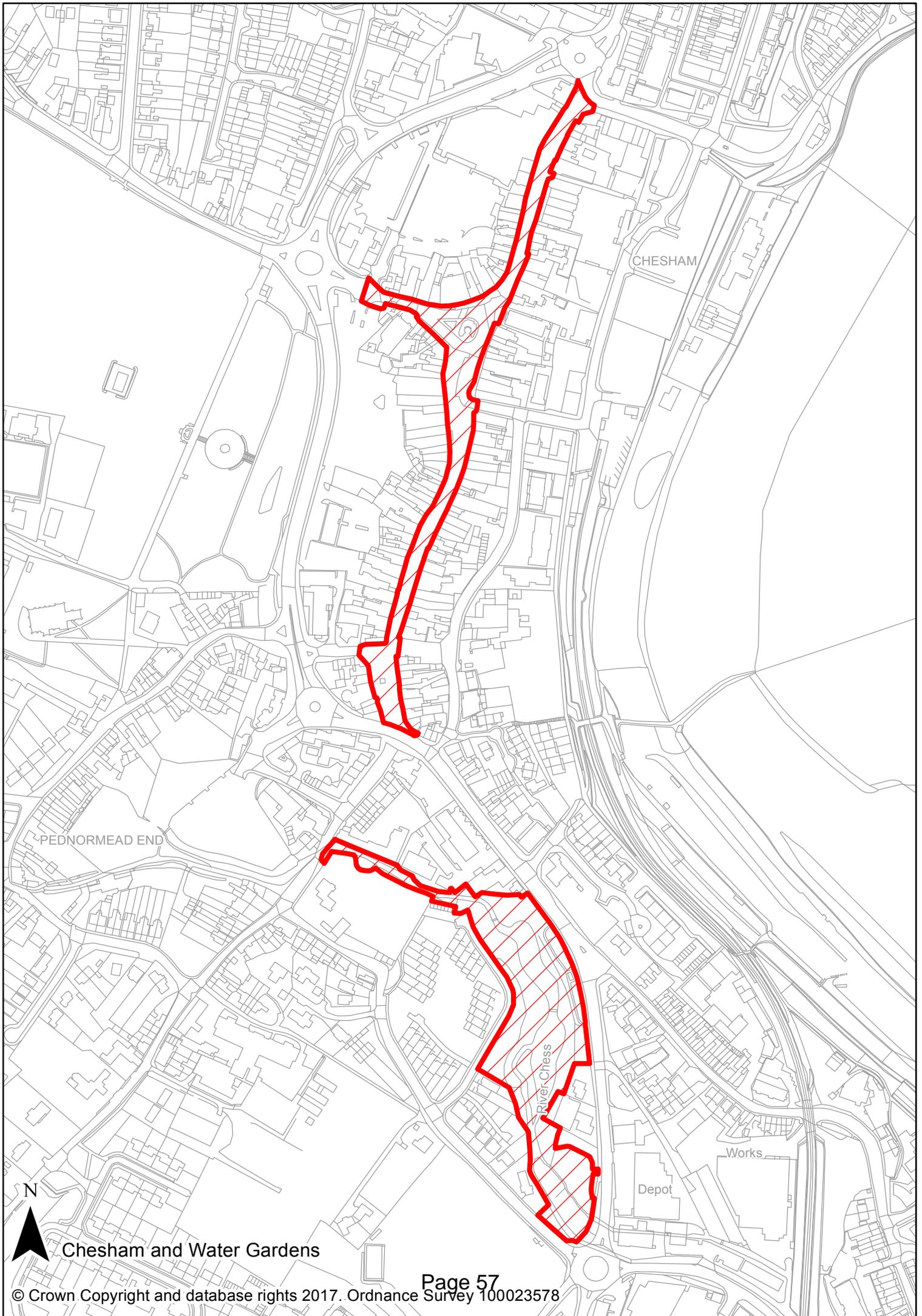
Old Amersham - Map 2



Land at Roundwood Road



Chesham Cemetery



CHESHAM

PEDNORMEAD END

River Chesham

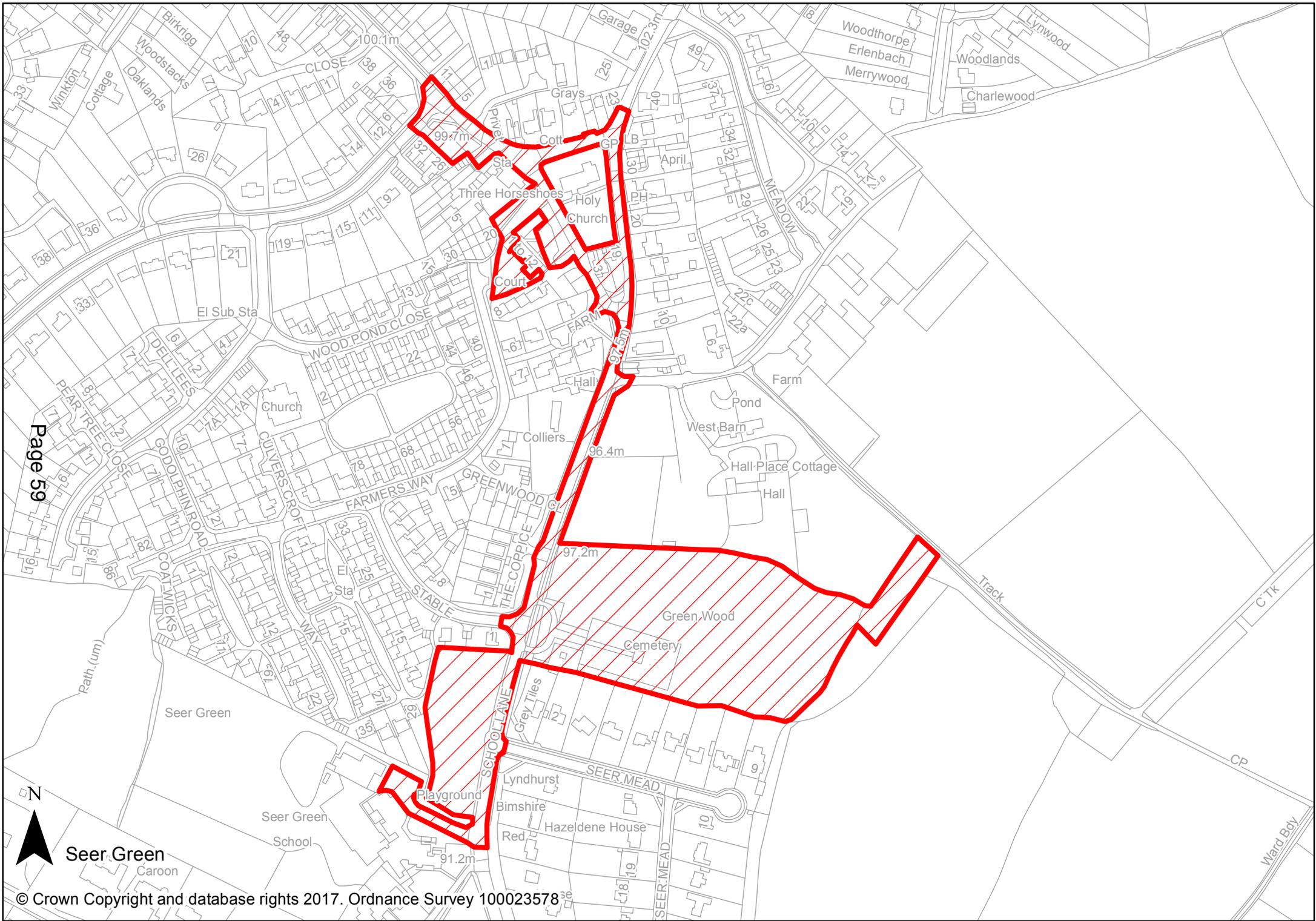
Depot

Works

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Chesham and Water Gardens



Seer Green
Caroon

Appendix 2

CHILTERN DISTRICT COUNCIL
CORPORATE SERVICES
MEMORANDUM

FROM:	DCS Legal Section	TO:	Head of Health and Housing Martin Holt
REF:	DCS/L/HK/EN11/3, EN11/4 and EN11/5	CC:	
		DATE:	25 June 2008

RE: The following Orders:

**The Chiltern District Council (Alcohol) (Consumption in a Designated Public Place)
(Amersham-on-the-Hill and Old Amersham) Order 2007**

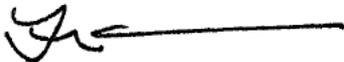
**The Chiltern District Council (Alcohol) (Consumption in a Designated Public Place)
(Seer Green) Order 2007**

**The Chiltern District Council (Alcohol) (Consumption in a Designated Public Place)
(Land at Roundwood Road and Station Forecourt, Amersham) Order 2007**

Please find attached a copy of the above Orders for your retention.

An original sealed copy of each of the above Orders has been placed in the Strong Room for safe keeping.

Also in accordance with Regulation 9 of the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2001 I have today sent an original sealed copy to the Secretary of State.



Mrs Helen Koo
Legal Assistant to Head of Legal Services

Enc.

Chiltern District Council
Criminal Justice and Police Act 2001 (as amended)



The Chiltern District Council (Alcohol) (Consumption in a Designated Public Place) (Amersham-on-the-Hill and Old Amersham) Order 2007

The Chiltern District Council (in this Order called "the Council") hereby make the following Order:

1. Pursuant to Section 13(2) of the Criminal Justice and Police Act 2001 the land more particularly described in the Schedule hereto being land in the administrative area of the Council to which members of the public have access, is from the date of commencement of this Order, a designated public place where the consumption of alcohol is subject to the restrictions imposed by Section 12 of the said Criminal Justice and Public Order Act 2001.
2. The effect of this Order is to restrict the consumption of alcohol anywhere in or on the land described in the Schedule hereto on any day of the week and at any time of the day or night **IN THAT** a police constable or duly authorised community support officer shall be entitled to require any person who is or has been consuming alcohol in such place, or intends to consume alcohol in such place, to not consume in such place anything which is, or which the said police constable or duly authorised community support officer reasonably believes to be, alcohol and to surrender anything in his possession which is, or which the said police constable or community support officer reasonably believes to be, alcohol or a container for alcohol.
3. Any person who fails without reasonable excuse to comply with any such requirement imposed on him by a police constable or community support officer will be liable on summary conviction to a fine not exceeding Level 2 on the Standard Scale.
4. This Order shall commence and come onto force on 1st day of December 2007.
5. This Order shall be cited as the Chiltern District Council (Alcohol) (Consumption in a Designated Public Place) (Amersham-on-the-Hill and Old Amersham) Order 2007.

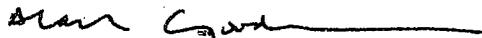
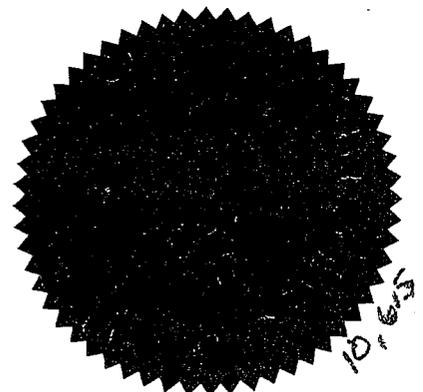
THE SCHEDULE

The parcels of land at Amersham-on-the-Hill and Old Amersham in the County of Buckinghamshire shown for identification purposes shaded in red on the Maps numbered 1 to 6 attached to this Order.

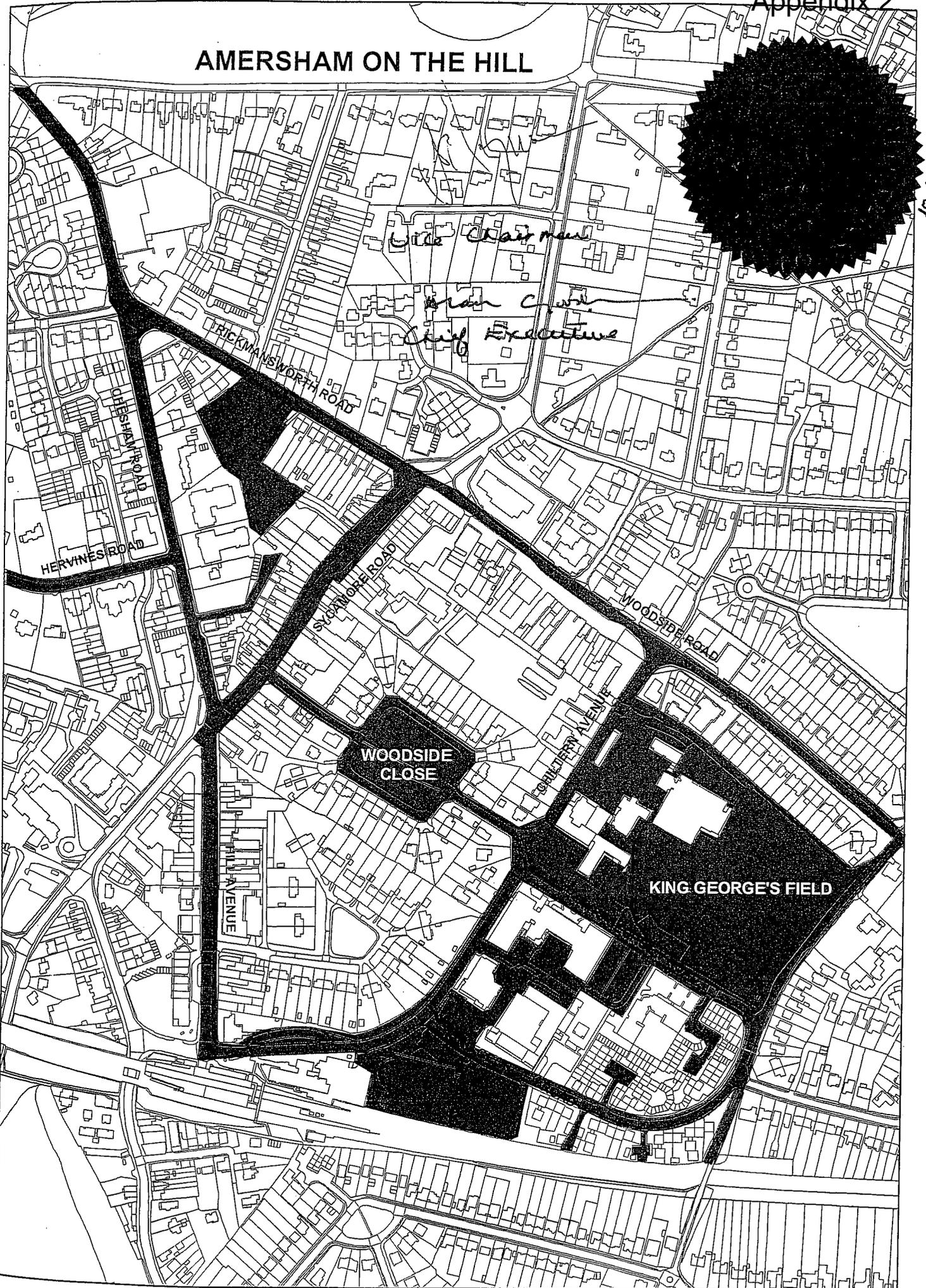
THE COMMON SEAL OF
CHILTERN DISTRICT COUNCIL)
was hereunto affixed this)
14th day of November 2007)

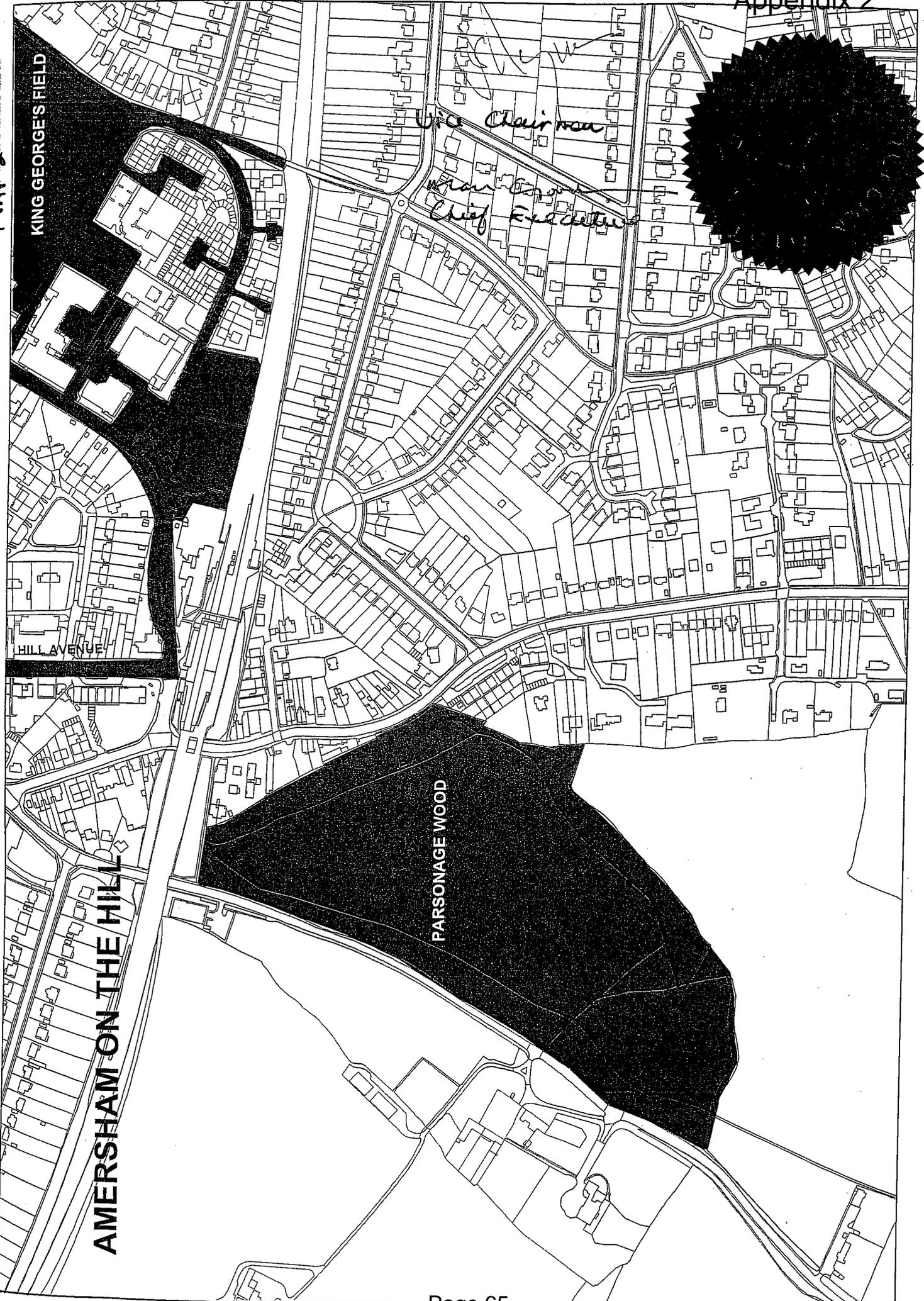


Vice Chairman


Chief Executive

AMERSHAM ON THE HILL





KING GEORGE'S FIELD

HILL AVENUE

AMERSHAM ON THE HILL

PARSONAGE WOOD

Vice Chairman

Chairman
Chief Executive

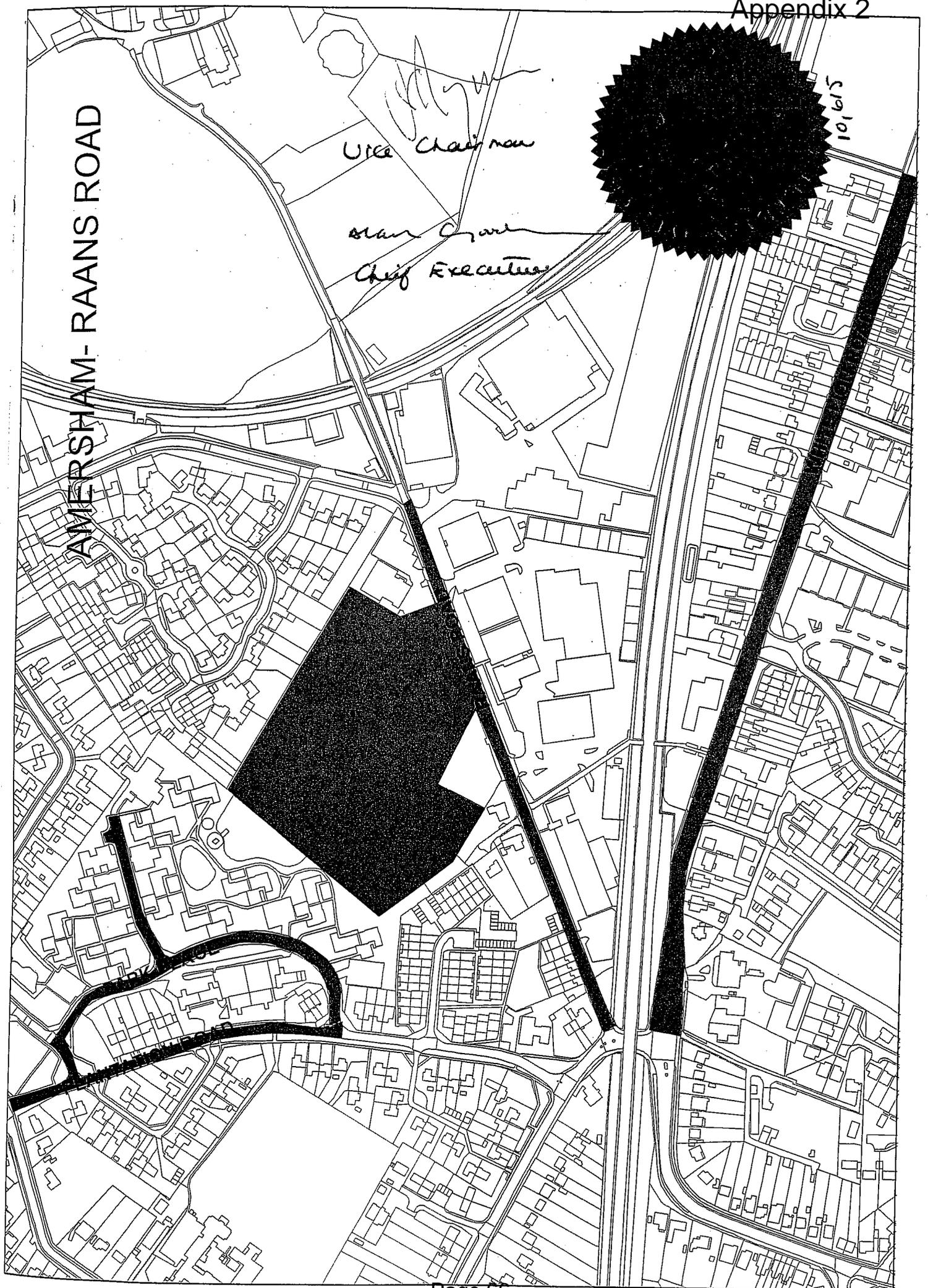
10, 615

AMERSHAM-RAANS ROAD

Use Chairman

Stan Grant
Chief Executive

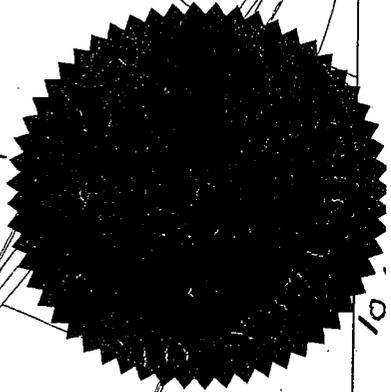
10/6/15



OLD AMERSHAM

Vice Chairman

Man. Comm. Chief Executive



RECREATION
GROUND

WELL LANE

SCHOOL LANE

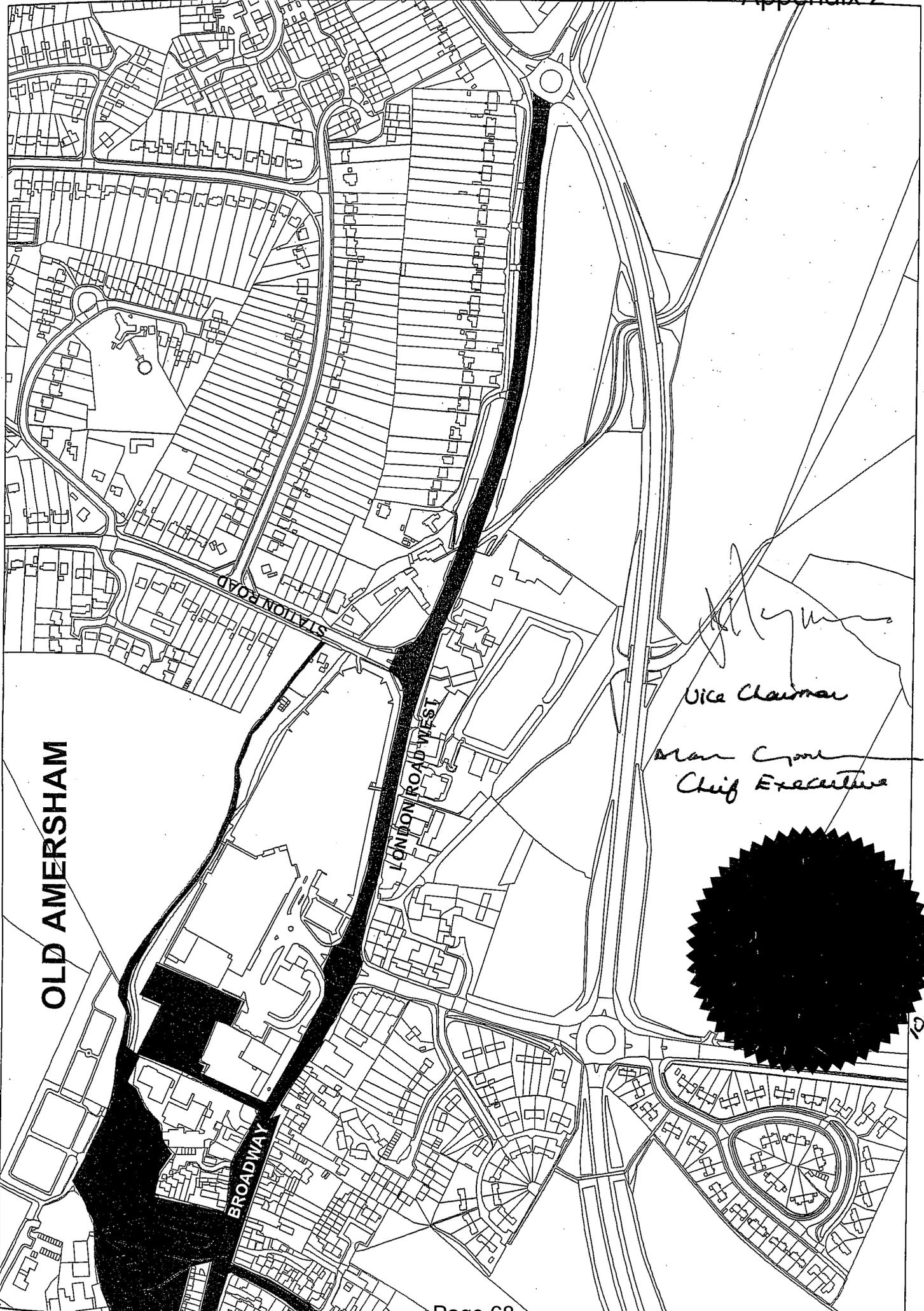
CHURCH STREET

HIGH STREET

MARKET SQUARE

BROADWAY

WHELDEN STREET



OLD AMERSHAM

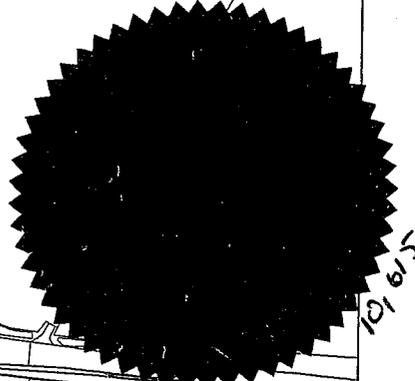
STATION ROAD

LONDON ROAD WEST

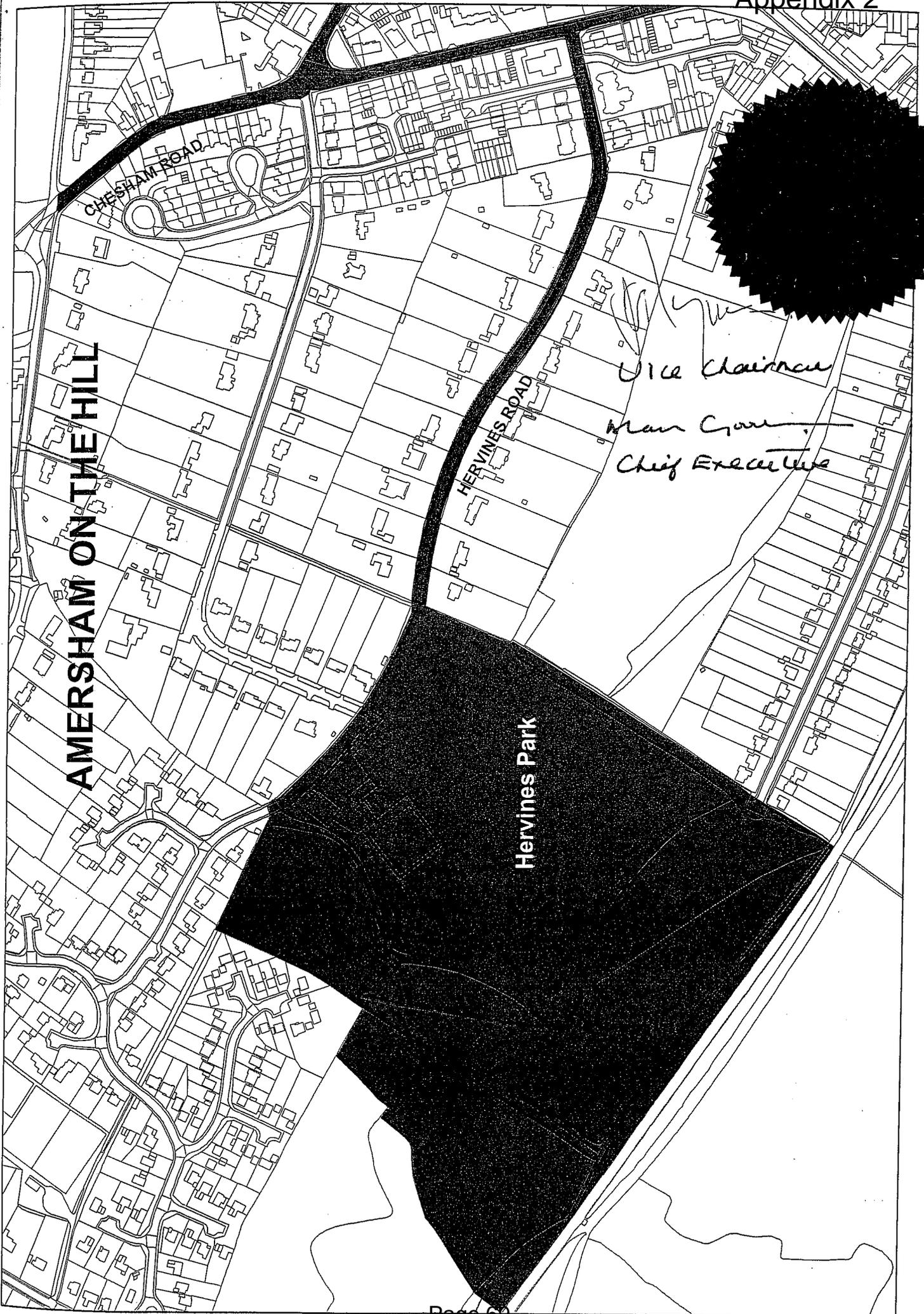
BROADWAY

[Signature]
Vice Chairman

[Signature]
Chief Executive



10/6/15



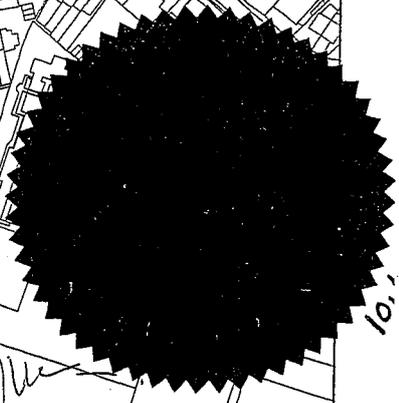
AMERSHAM ON THE HILL

CHESHAM ROAD

HERVINES ROAD

Hervines Park

Vice Chairman
Man Gove
Chief Executive



10.

Chiltern District Council
Criminal Justice and Police Act 2001 (as amended)
The Local Authorities (Alcohol Consumption in a Designated
Public Place) Regulations 2001
Order 2005

The Chiltern District Council (in this Order called "the Council") hereby make the following Order:

1. The Land known as Chesham Cemetery delineated on the map attached to this Order, being land within the area of the Council which is a public place, and to which the Criminal Justice and Police Act 2001 applies.
2. This order shall be cited as the Chiltern District Council (Alcohol Consumption in a Designated Public Place) Order 2005 and shall come into effect on 1st August 2005.

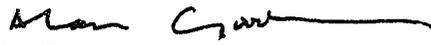
On the 19th day of July 2005, in partnership with Chesham Town Council, Chiltern District Council made an Order pursuant to Section 13 of the Criminal Justice and Police Act 2001 designating the land known as Chesham Cemetery, Berkhamstead Road, Chesham, Bucks as a public place where the consumption of alcohol is prohibited. A plan of Chesham Cemetery showing the extent of the Designation Order, edged in black, is annexed to the Order.

The effect of the proposed Designation Order is to prohibit the consumption of alcohol anywhere in or on Chesham Cemetery on any day of the week and at any time of the day or night and a police constable or duly authorised police community support officer shall be entitled to require any person consuming alcohol in breach of these restrictions to desist and to surrender anything in his possession which the said police constable or police community support officer reasonably considers to be alcohol or a container for alcohol (other than a sealed container). Any person who fails without reasonable excuse to comply with any such requirement imposed on him by a police constable or police community support officer will be liable on summary conviction to a fine of up to £500.

A copy of the Order and relevant map can be inspected free of charge and copies obtained during normal office hours at the Council Offices, King George V Road Amersham Buckinghamshire HP6 5AW.

The COMMON SEAL of
 CHILTERN DISTRICT COUNCIL
 Was hereunto affixed
 This 19th day of July 2005


 Chairman


 Chief Executive

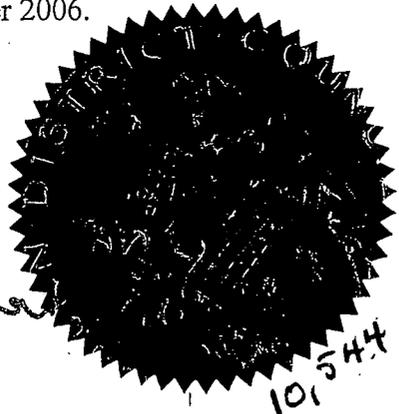
**Chiltern District Council
Criminal Justice and Police Act 2001 (as amended)
The Local Authorities (Alcohol Consumption in a Designated
Public Place) Regulation 2001**

The Chiltern District Council (in this Order called "the Council") hereby make the following Order:

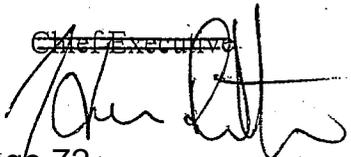
1. Pursuant to Section 13(2) of the Criminal Justice and Police Act 2001 (amended) the land known as Chesham Town Centre, High Street and Meades Water Gardens, Bucks, delineated on the map attached to this Order, being land within the area of the Council, is from the date of commencement of this Order, a designated public place where the consumption of alcohol is subject to the restrictions imposed by Section 12 of the said Criminal Justice and Public Order Act 2001 (as amended).
2. The effect of this Order is to restrict the consumption of alcohol anywhere in or on the designated public place on any day of the week and at any time of the day or night **IN THAT** a police constable or duly authorised community support officer shall be entitled to require any person who is or has been consuming alcohol in such place, or intends to consume alcohol in such place, to not consume in such place anything which is, or which the said police constable or duly authorised community support officer, reasonably believes to be, alcohol and to surrender anything in his possession which is, or which the said police constable or community support officer reasonably believes to be, alcohol or a container for alcohol.
3. Any person who fails without reasonable excuse to comply with any such requirement imposed on him by a police constable or community support officer will be liable on summary conviction to a fine not exceeding Level 2 on the Standard Scale (£500)
4. This Order shall commence and come onto force on 9th day of June 2006.
5. This Order shall be cited as the Chiltern District Council (Alcohol Consumption in a Designated Public Place) Order 2006.

THE COMMON SEAL OF)
CHILTERN DISTRICT COUNCIL)
was hereunto affixed this
30th day of May 2006

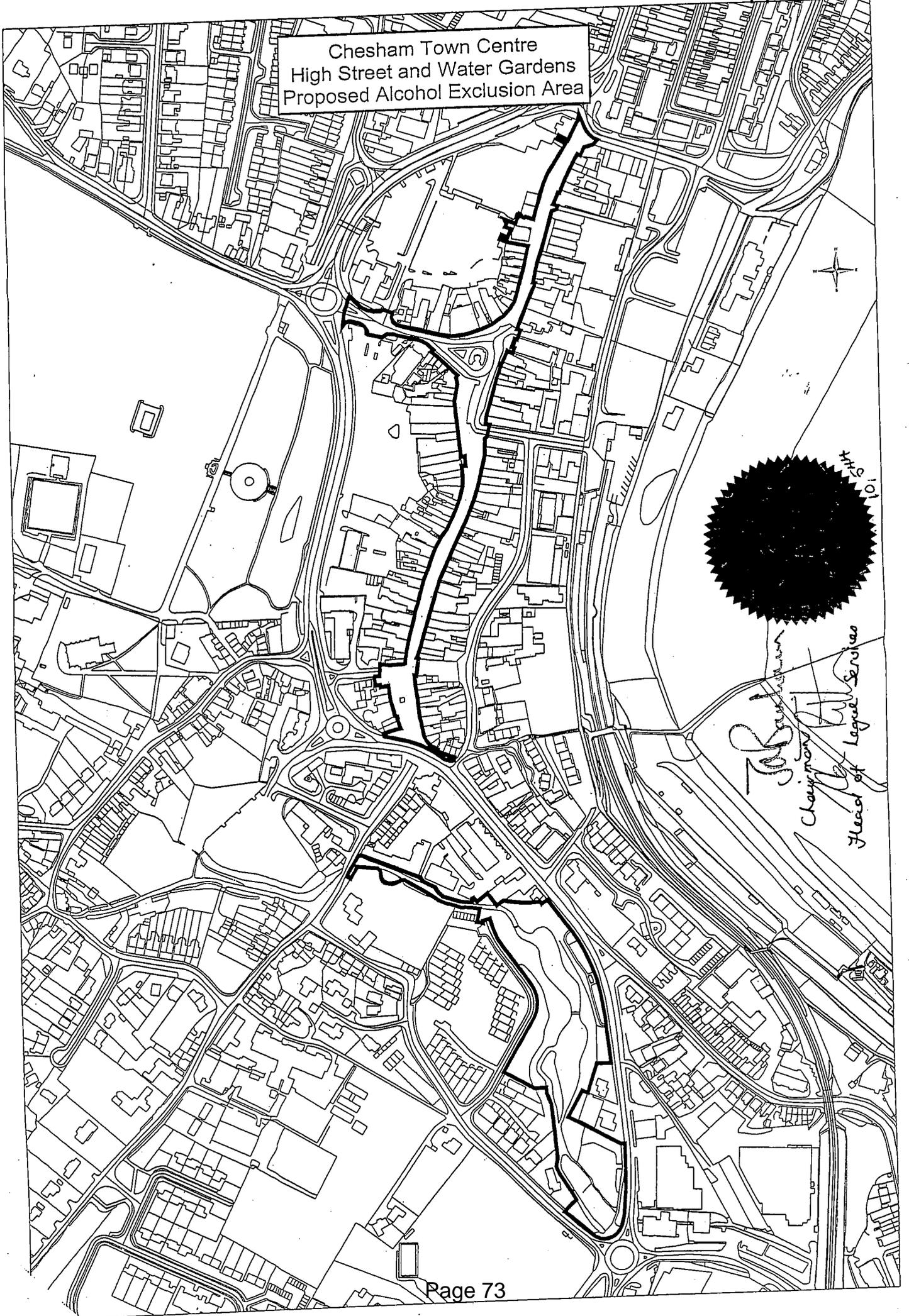

Chairman



Head of Legal
Services

~~Chief Executive~~


Chesham Town Centre
High Street and Water Gardens
Proposed Alcohol Exclusion Area



Appendix 2

CHILTERN DISTRICT COUNCIL
CORPORATE SERVICES
MEMORANDUM

FROM:	DCS Legal Section	TO:	Head of Health and Housing Martin Holt
REF:	DCS/L/HK/EN11/3, EN11/4 and EN11/5	CC:	
		DATE:	25 June 2008

RE: The following Orders:

**The Chiltern District Council (Alcohol) (Consumption in a Designated Public Place)
(Amersham-on-the-Hill and Old Amersham) Order 2007**

**The Chiltern District Council (Alcohol) (Consumption in a Designated Public Place)
(Seer Green) Order 2007**

**The Chiltern District Council (Alcohol) (Consumption in a Designated Public Place)
(Land at Roundwood Road and Station Forecourt, Amersham) Order 2007**

Please find attached a copy of the above Orders for your retention.

An original sealed copy of each of the above Orders has been placed in the Strong Room for safe keeping.

Also in accordance with Regulation 9 of the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2001 I have today sent an original sealed copy to the Secretary of State.



Mrs Helen Koo
Legal Assistant to Head of Legal Services

Enc.

File

known as

Chiltern District Council
Criminal Justice and Police Act 2001 (as amended)



The Chiltern District Council (Alcohol) (Consumption in a Designated Public Place) (Land at Roundwood Road and Station Forecourt, Amersham) Order 2008

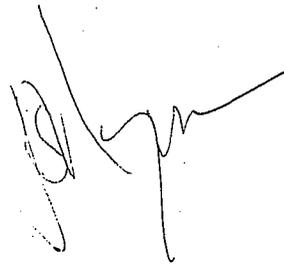
The Chiltern District Council (in this Order called "the Council") hereby make the following Order:

1. Pursuant to Section 13(2) of the Criminal Justice and Police Act 2001 the land more particularly described in the Schedule hereto being land in the administrative area of the Council to which members of the public have access, is from the date of commencement of this Order, a designated public place where the consumption of alcohol is subject to the restrictions imposed by Section 12 of the said Criminal Justice and Public Order Act 2001.
2. The effect of this Order is to restrict the consumption of alcohol anywhere in or on the land described in the Schedule hereto on any day of the week and at any time of the day or night **IN THAT** a police constable or duly authorised community support officer shall be entitled to require any person who is or has been consuming alcohol in such place, or intends to consume alcohol in such place, to not consume in such place anything which is, or which the said police constable or duly authorised community support officer reasonably believes to be, alcohol and to surrender anything in his possession which is, or which the said police constable or community support officer reasonably believes to be, alcohol or a container for alcohol.
3. Any person who fails without reasonable excuse to comply with any such requirement imposed on him by a police constable or community support officer will be liable on summary conviction to a fine not exceeding Level 2 on the Standard Scale.
4. This Order shall commence and come onto force on 17th day of March 2008.
5. This Order shall be cited as the Chiltern District Council (Alcohol) (Consumption in a Designated Public Place) (Land at Roundwood Road and Station Forecourt, Amersham) Order 2008.

THE SCHEDULE

The land at Roundwood Road and Station Forecourt, Amersham in the County of Buckinghamshire shown for identification purposes shaded in red on the Maps numbered 1 and 2 attached to this Order.

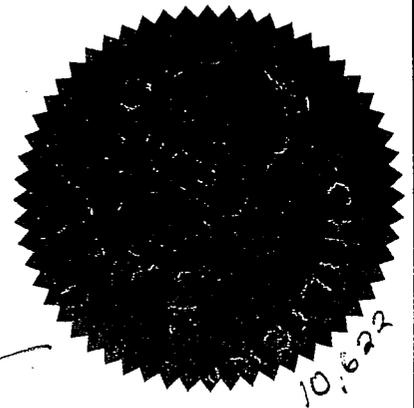
THE COMMON SEAL OF)
CHILTERN DISTRICT COUNCIL)
was hereunto affixed this)
14th day of February 2008)

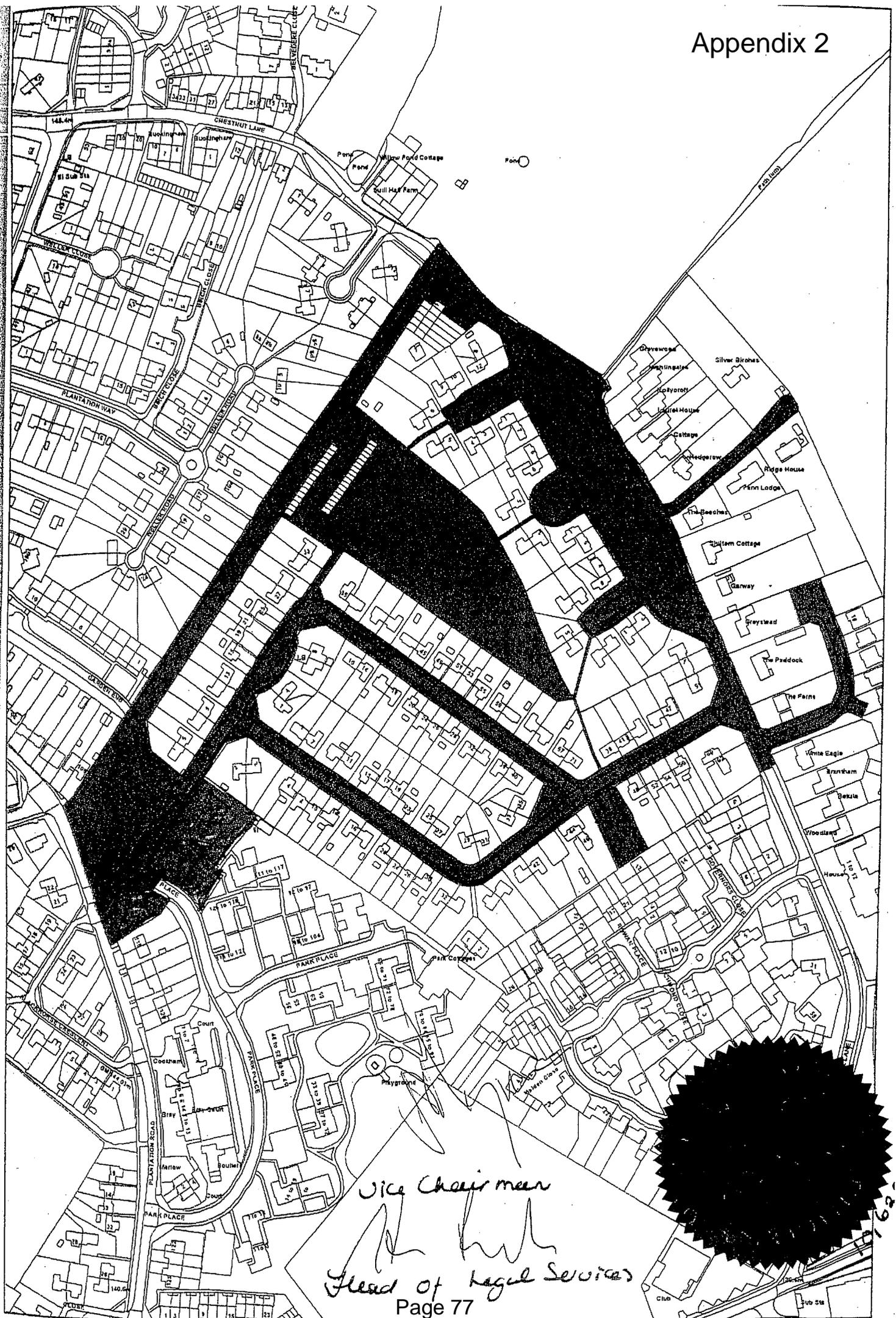


Vice Chairman



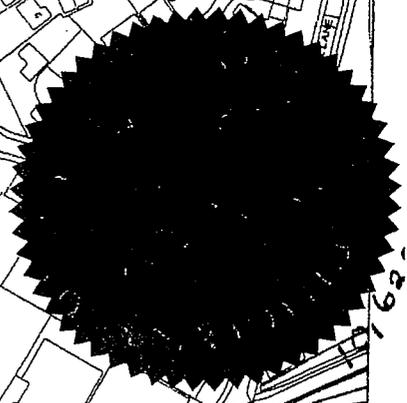
Head of Legal Services



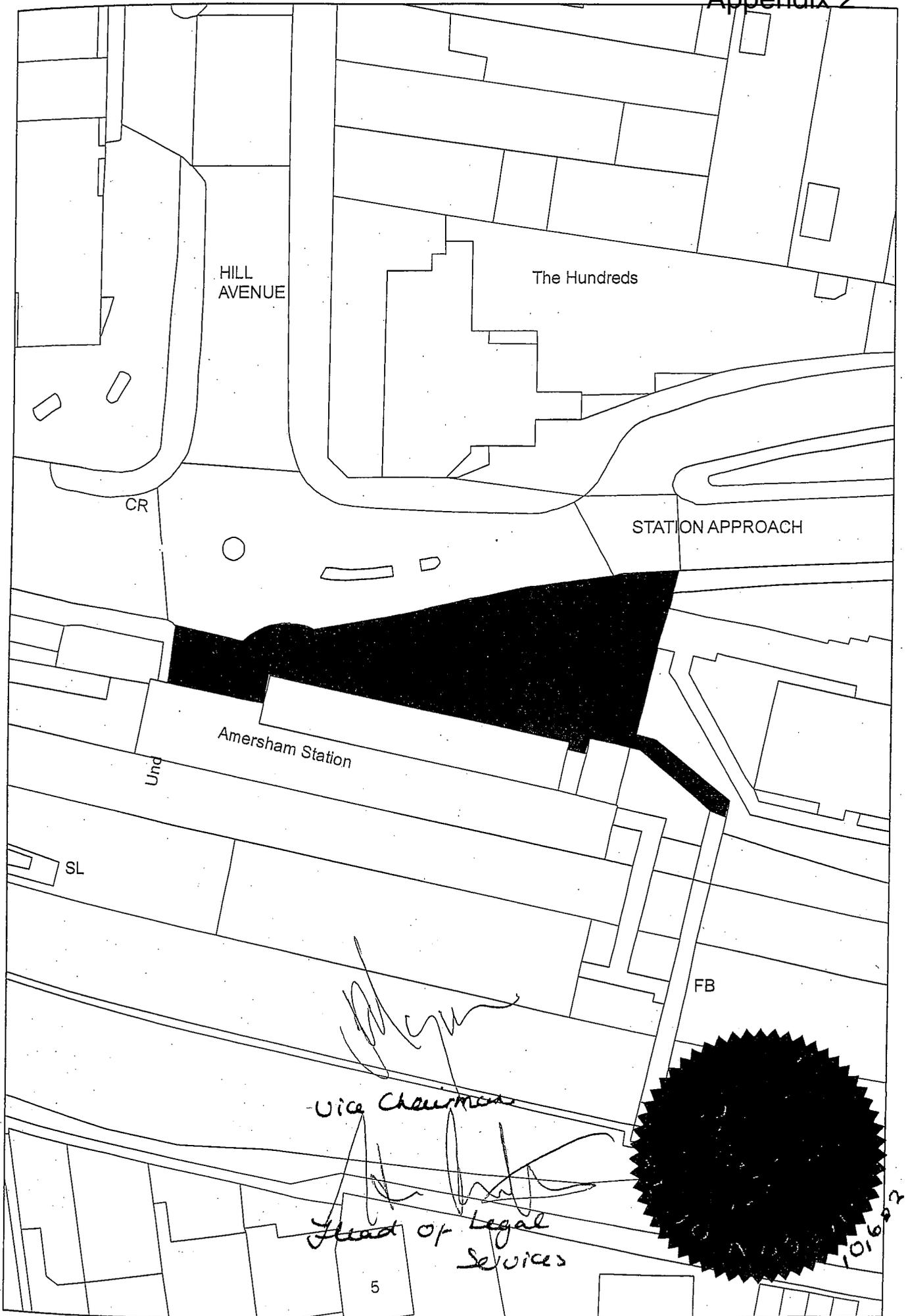


Vice Chairman

[Handwritten Signature]
 Head of Legal Services
 Page 77



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Appendix 2

CHILTERN DISTRICT COUNCIL
CORPORATE SERVICES
MEMORANDUM

FROM:	DCS Legal Section	TO:	Head of Health and Housing Martin Holt
REF:	DCS/L/HK/EN11/3, EN11/4 and EN11/5	CC:	
		DATE:	25 June 2008

RE: The following Orders:

The Chiltern District Council (Alcohol) (Consumption in a Designated Public Place) (Amersham-on-the-Hill and Old Amersham) Order 2007

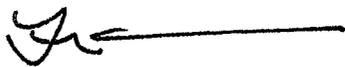
The Chiltern District Council (Alcohol) (Consumption in a Designated Public Place) (Seer Green) Order 2007

The Chiltern District Council (Alcohol) (Consumption in a Designated Public Place) (Land at Roundwood Road and Station Forecourt, Amersham) Order 2007

Please find attached a copy of the above Orders for your retention.

An original sealed copy of each of the above Orders has been placed in the Strong Room for safe keeping.

Also in accordance with Regulation 9 of the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2001 I have today sent an original sealed copy to the Secretary of State.



Mrs Helen Koo
Legal Assistant to Head of Legal Services

Enc.

Chiltern District Council
Criminal Justice and Police Act 2001 (as amended)



The Chiltern District Council (Alcohol) (Consumption in a Designated Public Place) (Seer Green) Order 2007

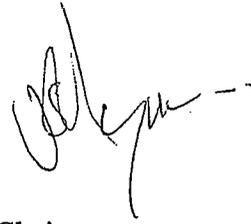
The Chiltern District Council (in this Order called "the Council") hereby make the following Order:

1. Pursuant to Section 13(2) of the Criminal Justice and Police Act 2001 the land more particularly described in the Schedule hereto being land in the administrative area of the Council to which members of the public have access, is from the date of commencement of this Order, a designated public place where the consumption of alcohol is subject to the restrictions imposed by Section 12 of the said Criminal Justice and Public Order Act 2001.
2. The effect of this Order is to restrict the consumption of alcohol anywhere in or on the land described in the Schedule hereto on any day of the week and at any time of the day or night **IN THAT** a police constable or duly authorised community support officer shall be entitled to require any person who is or has been consuming alcohol in such place, or intends to consume alcohol in such place, to not consume in such place anything which is, or which the said police constable or duly authorised community support officer reasonably believes to be, alcohol and to surrender anything in his possession which is, or which the said police constable or community support officer reasonably believes to be, alcohol or a container for alcohol.
3. Any person who fails without reasonable excuse to comply with any such requirement imposed on him by a police constable or community support officer will be liable on summary conviction to a fine not exceeding Level 2 on the Standard Scale.
4. This Order shall commence and come onto force on 1st day of December 2007.
5. This Order shall be cited as the Chiltern District Council (Alcohol) (Consumption in a Designated Public Place) (Seer Green) Order 2007.

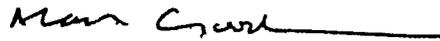
THE SCHEDULE

The parcels of land at Seer Green in the County of Buckinghamshire shown for identification purposes shaded in red on the Map attached to this Order.

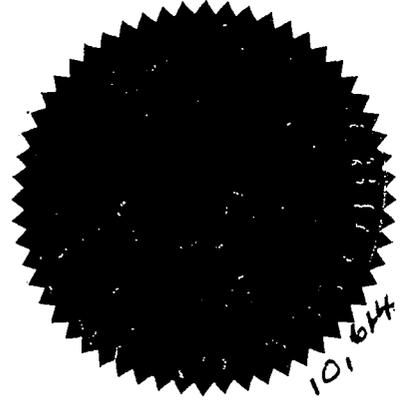
THE COMMON SEAL OF)
CHILTERN DISTRICT COUNCIL)
was hereunto affixed this)
14th day of November 2007)



Vice Chairman



Chief Executive



SEER GREEN



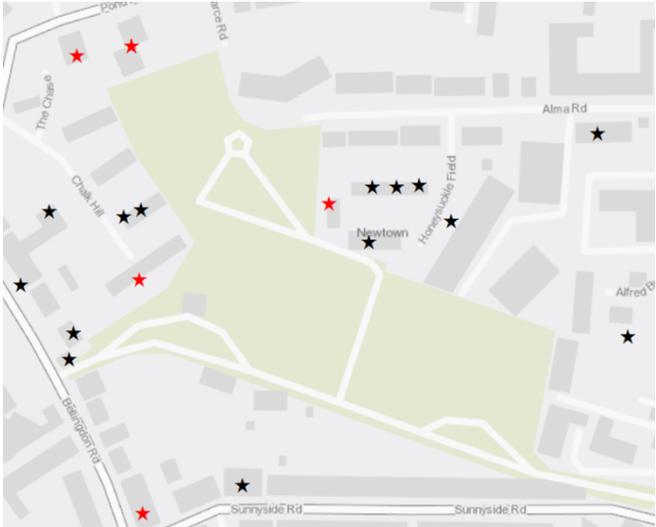
Uke Chairman

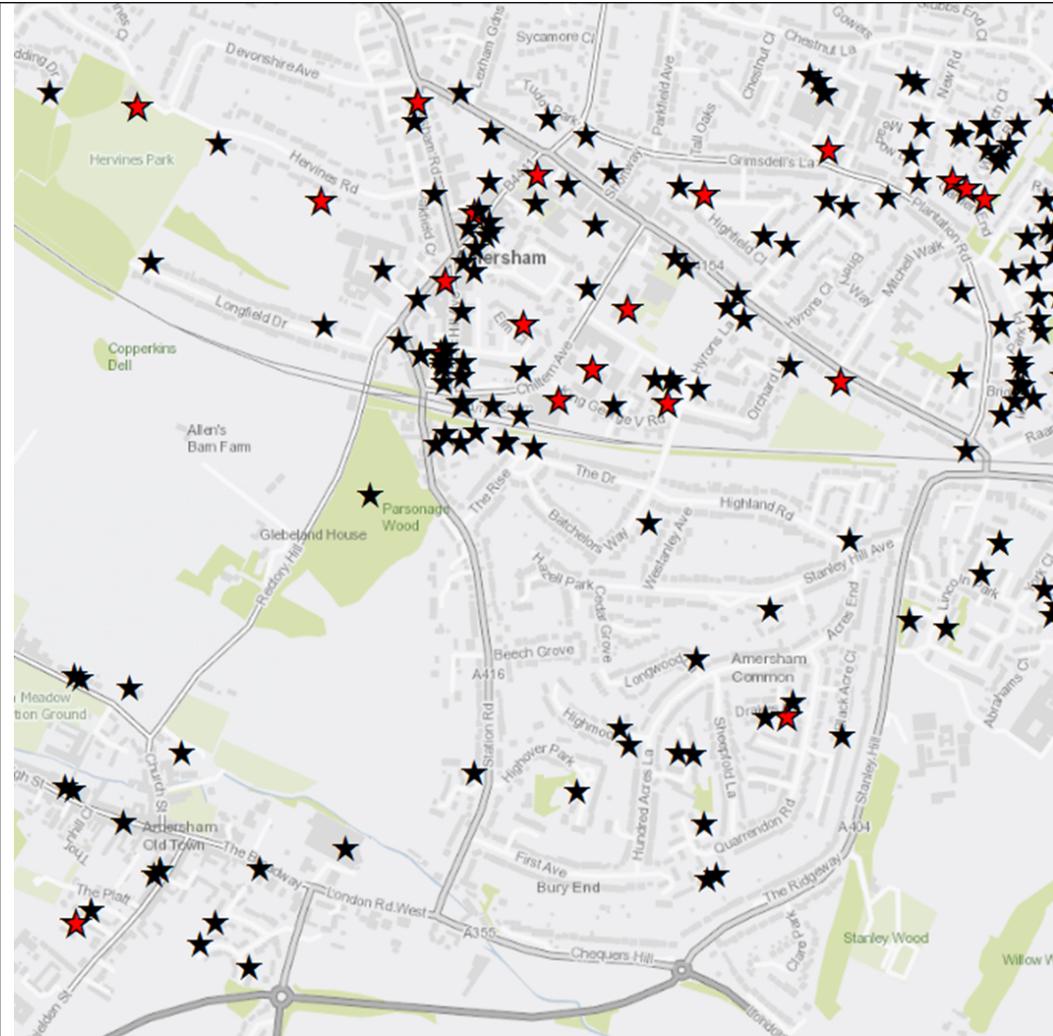
*Alan Gynn
Chief Executive*



	Date	Content of Email	Type of User	Comments regarding the PSPO
1.	09/08/19	<p>Thank you for taking the time to speak to me on the phone regarding the PSPO review.</p> <p>Whilst Amersham Station, like many others does see instances of alcohol related anti-social behaviour, this would be confined to inside the station. Often due to customers falling asleep after having a drink and missing their stop.</p> <p>In those instances BTP would be called in the event that the customer refused to leave or became aggressive. BTP would then remove the customer from the area or put in a taxi home depending on the customers reaction.</p> <p>In terms of anti-social behaviour on the forecourt, we don't really have an issue such as youths gathering and drinking on the forecourt. It isn't something we see, although if it did become an issue we would be able to gather evidence. In that instance perhaps, we could then liaise re a PSPO.</p>	Transport for London	Does not support the requirement for a PSPO for Amersham Station forecourt
2a.	20/08/19	<p>Good Morning,</p> <p>I have run searches for all incidents classified as anti-social behaviour in the specified locations, in addition I have filtered these down to those which mention 'drunk', 'alcohol' or 'drinking' in the log.</p> <p>In relation to the highlighted Seer Green area there have been 17 incidents of anti-social behaviour in the past three years (01/08/2016-01/08/2019), with only one of these being alcohol-related – the data <u>would not</u> suggest that the requirements to extend are met.</p> <p>I hope this is what you were looking for, please do let me know if there is anything else I can do.</p>	Thames Valley Police	Does not support the need for a PSPO for Seer Green .

2b		<p>In relation to Chesham Town Centre area there have been 118 reported incidents of anti-social behaviour in the past three years (01/08/2016-01/08/2019), with 16 (13.5%) explicitly mentioning alcohol-related behaviour (red stars).</p> 	Thames Valley Police	The evidence would support the inclusion of Chesham Town Centre and Meades Water Gardens in the new PSPO
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<p>2c.</p>		<p>In relation to the Chesham Cemetery area, there have been 64 reported incidents of anti-social behaviour reported in the past three years (01/08/2016-01/08/2019), with 12 (18.8%) explicitly mentioning alcohol-related behaviour.</p>  <p>The map shows a green-shaded area representing the Chesham Cemetery. Surrounding streets include The Chase, Chalk Hill, Newtown, Horseshoe Field, Alma Rd, Alfred St, Sunnyside Rd, and Brampton Rd. Red stars indicate 12 alcohol-related incidents, and black stars indicate other incidents.</p>	<p>Thames Valley Police</p>	<p>The evidence would support the inclusion of Chesham Cemetery in the new PSPO</p>
<p>2d</p>		<p>Finally, in relation to the Amersham areas (which were grouped and searched as one extended area), there have been 428 reported incidents of anti-social behaviour reported in the past three years (01/08/2016-01/08/2019), with 31 (7.2%) explicitly mentioning alcohol-related behaviour (red stars).</p>	<p>Thames Valley Police</p>	<p>The evidence would support the inclusion of Amersham on the Hill and Old Amersham in the new PSPO</p> <p>The level of incidents of ASB in the areas of Raans Road, Roundwood Road and Plantation Road could suggest that there is a likelihood of alcohol related ASB and therefore this would support the inclusion of these areas</p>



within the new PSPO.

There does not appear to be sufficient evidence to include **Parsonage Wood**.

However, contrary to the response (see response 1) Thames Valley Police have received reports of ASB associated with **Amersham station** but these do not appear to be linked to alcohol.

<p>3.</p>	<p>29/08/19</p>	<p>Good afternoon</p> <p>In response to Mr Snudden’s e-mail of 7 August regarding the review of PSPO’s, this is to confirm that Amersham Town Council considers that the current Orders should remain in place in Amersham Old Town and Amersham-on-the-Hill. The reasons are:</p> <p>Amersham-on-the-Hill - Regular incidents of anti-social behaviour on King George V Field and Hervines Park including frequent incidents of youths gathering in both venues, mainly in the evenings, causing noise disturbance as well as damage to the bowling green at Hervines Park, with litter being left in the areas (drinks bottles and items associated with drugs use). These issues have been discussed with the local PCSO.</p> <p>Amersham Old Town – regular incidents of anti-social behaviour on Barn Meadow Recreation ground with people gathering for BBQ’s causing noise disturbance and leaving litter, including drinks bottles on the field.</p> <p>We would be grateful if this evidence could be taken into account during the review.</p> <p>Many thanks.</p>	<p>Amersham Town Council</p>	<p>Whilst litter is more appropriately enforced using other legislation evidence of alcoholic drinks bottles and associated noise disturbance and damage to property would suggest that a PSPO could be used to control such behaviour</p>
<p>4.</p>	<p>29/08/19</p>	<p>I don’t have any specific dates for the issues at Barn Meadow – the ‘evidence’ mostly involves our depot team collecting litter from the field in the mornings including broken drinks bottles , needles etc. The same goes for King George V Field. I believe there is a CCTV on the CDC building pointing towards King George V Field, but it is generally too far away to offer any valuable footage.</p> <p>I do have some recent dates for Hervines Park, as the Members of the Bowls club are on site in the evenings during the summer and so have been able to identify times etc and report incidents to the police. Though we have been advised by our PCSO that as the damage to the bowling green is not regarded</p>	<p>Amersham Town Council</p>	<p>The evidence would support the inclusion of Hervines Park and King George V Field in the new PSPO</p>

		<p>as permanent, (ie the grass will recover), this is not regarded as criminal damage. Anyway dates are as follows:</p> <p>01.08.19. Youths spotted playing football on bowling green causing damage to the green and leaving evidence of drinks bottles.</p> <p>12.08.19. Portaloo installed that day at Hervines Park was upturned. Youths also spotted in the Hervines Park car park, drinking, driving recklessly, playing loud music and leaving litter and drinks bottles.</p> <p>27.08.19. Youths playing cricket on bowling green but disappeared when challenged by member of the club. More litter including drinks bottles left in car park.</p> <p>I hope this helps and apologies I cannot give you more specific information.</p>		
5.	03/09/19	<p>Hi ,</p> <p>We have looked at this and would support the whole town being included, however if not then the following places-</p> <p>Lowndes Park.</p> <p>White Hill from the White Hill centre towards the roundabout.</p> <p>The Cemetery,</p> <p>Higham Road as we had reports alcohol being purchased from shop and then drinking outside,</p> <p>Broad Street.</p> <p>Town Centre.</p> <p>This is all through local knowledge and having engaged with the public who inform us.</p> <p>Hope this helps.</p>	Chesham Town Council	<p>The response provides only anecdotal evidence of alcohol related anti-social behaviour. Therefore there is insufficient evidence to include, at this time, the additional areas other than the town centre. Thames valley Police analytics would support the inclusion of Chesham Town Centre in a new PSPO (see response 2b).</p>

		<p>Visibility/Engagement/Community resilience/Problem solving.</p> <p> Neighbourhood Officer Chesham Neighbourhood Policing Team ☐Phone: 101 ☐Address: Chesham Police Station, Chesham Bucks.</p> <p>Hi Ian</p> <p>As Gavin says, unfortunately it has been mostly anecdotal but I would suggest that the lack of alcohol related ASB is a sign of its continued success.</p> <p>Hopefully police would concur(?)</p> <p>Regards</p> <p>Town Clerk</p>		
6.	13/09/19	<p>Committee Minutes</p> <p>42. <u>CONSULTATION ON PUBLIC SPACES PROTECTION ORDERS</u></p> <p>Members were asked whether they wished to respond to the current consultation being undertaken by Chiltern District Council on Public Spaces Protection Orders (PSPOs) in respect to the restriction of alcohol. The Clerk’s report advised that the Council currently has PSPOs pertaining to the restriction of alcohol in place in the Cemetery; the town centre covering Market Square, the High Street and the Broadway</p>	Chesham TC	Council support for continuation for the Chesham PSPOs

		<p>and Meades Water Gardens. The report further advised that there was a danger that the PSPOs would be withdrawn if no evidence on their effectiveness was forthcoming even though the Neighbourhood Police team had offered its support.</p> <p>The council was unanimous in its view that these should be maintained and it was</p> <p style="text-align: center;"><u>RESOLVED</u></p> <p>that the Clerk respond to the consultation expressing the Council's wish to see the PSPOs in Chesham being continued.</p>		
7.	20/09/19	<p>Dear Ian</p> <p>As far as I am aware we have no ongoing issues at this present time in Seer Green. If the situation changes I will contact you for advice.</p> <p>Kind Regards</p> <p>Clerk to Seer Green Parish Council</p>	Seer Green PC	Does not support the need for a PSPO for Seer Green .

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Chiltern
District Council



South Bucks
District Council

Equality Impact Assessment Screening Tool – Step 1

To be completed for all policy, strategy or new service proposals to determine whether a full impact assessment is required, where the item has already been identified as not requiring an integrated impact assessment. (See IIA guidance)

Document/Policy Title	Public Spaces Protection Order – Alcohol Restrictions		
Author or Lead Officer	Ian Snudden	Date	7th August 2019
1.	Does the policy/proposal have any negative effect on the basis of:	Yes/No	Reason
	<ul style="list-style-type: none"> Age 	Yes	<p>The PSPO attempts to only manage anti-social behaviour and does not intend to prevent or impact upon the legitimate use of the public land in question.</p> <p>Whilst the majority of complaints received may relate to youths gathering, drinking alcohol and causing anti-social behaviour, the PSPO is not targeted at young people but the behaviour that is being demonstrated.</p> <p>However it is recognised that there is an unintentional impact on young people but this adverse impact is objectively justified by the fact that it only seeks to prevent anti-social behaviour, to the benefit of the safety and well-being of all.</p>
	<ul style="list-style-type: none"> Disability 	No	<p>The PSPO attempts to only manage anti-social behaviour and does not intend to prevent or impact upon the legitimate use of the public land in question. Where there is potential for misunderstanding due to learning difficulties or inability to read/understand the signage, officers will explain the nature of the PSPO and the</p>

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			consequences of breaching it.
	<ul style="list-style-type: none"> Gender reassignment 	No	The PSPO attempts to only manage anti-social behaviour and does not intend to prevent or impact upon the legitimate use of the public land in question.
	<ul style="list-style-type: none"> Marriage or civil partnership 	No	The PSPO attempts to only manage anti-social behaviour and does not intend to prevent or impact upon the legitimate use of the public land in question.
	<ul style="list-style-type: none"> Pregnancy or maternity status 	No	The PSPO attempts to only manage anti-social behaviour and does not intend to prevent or impact upon the legitimate use of the public land in question.
	<ul style="list-style-type: none"> Race 	No	The PSPO attempts to only manage anti-social behaviour and does not intend to prevent or impact upon the legitimate use of the public land in question.
	<ul style="list-style-type: none"> Religion or belief 	No	The PSPO attempts to only manage anti-social behaviour and does not intend to prevent or impact upon the legitimate use of the public land in question.
	<ul style="list-style-type: none"> Sex 	No	The PSPO attempts to only manage anti-social behaviour and does not intend to prevent or impact upon the legitimate use of the public land in question.
	<ul style="list-style-type: none"> Sexual orientation 	No	The PSPO attempts to only manage anti-social behaviour and does not intend to prevent or impact upon the legitimate use of the public land in question.

If all responses to Section 1 are No, a full Impact Assessment is not required. If you have answered yes to any question, proceed to Section 2.

2.	In respect of any particular group, is the negative effect:	Unintentional?	High impact?	
		Yes/No	Yes/No	Reason
	<ul style="list-style-type: none"> Age 	Yes	No	This adverse impact is objectively justified by the fact that it only seeks to prevent anti-social behaviour, to the benefit of the

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				safety and well-being of all rather than targeting any specific group of people
	• Disability			
	• Gender reassignment			
	• Marriage or civil partnership			
	• Pregnancy or maternity status			
	• Race			
	• Religion or belief			
	• Sex			
	• Sexual orientation			

If all responses to Section 2 are No, a full Impact Assessment is not required. If you have answered yes to any question in Section 2, proceed to Section 3.

3.	Are any negative effects listed in Section 2 illegal or potentially illegal?*	*i.e. contrary to anti-discriminatory legislation	
		Yes/No	Reason
	• Age	No	The adverse impact is objectively justified by the fact that it only seeks to prevent anti-social behaviour, to the benefit of the safety and well-being of all rather than targeting or being discriminatory against any specific group of people
	• Disability		
	• Gender reassignment		
	• Marriage or civil partnership		
	• Pregnancy or maternity status		
	• Race		
	• Religion or belief		
	• Sex		
	• Sexual orientation		

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If all responses to Sections 1, 2 and 3 are No, a full Impact Assessment is not required.

If you have answered yes to any question in Section 3, or if any negative effect has a high impact on a particular equalities group, consider the following:

4.	Can any negative effect be avoided?	Yes/No	How?
5.	Can we reduce the impact by taking different action?	Yes/No	How?

Now repeat this rapid assessment in the light of any new information.

If the outcome is the same, then you have identified a potential discriminatory impact of this policy/proposal, and you will need to complete a full Equalities Impact Assessment before it can be submitted for approval to the relevant committee or PAG.

Full EIA to be now undertaken? **No** (delete as applicable)

Lead Officer	<i>Ian Snudden</i>	Date Reviewed by Director	
Date of decision		Outcome of Director Review	Agree/Not agree (delete as applicable)

Please submit this completed form to Democratic Services along with your PAG or Committee papers for formal approval or, where a report is not involved, to the Chief Executive's office.

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SUBJECT:	FOOD AND HEALTH AND SAFETY BUSINESS PLANS
RELEVANT MEMBER:	<i>Councillor L Walsh – Portfolio Holder for Healthy Communities</i>
RESPONSIBLE OFFICER	<i>Steve Bambrick, Acting Chief Executive Martin Holt, Head of Healthy Communities</i>
REPORT AUTHOR	<i>Ian Snudden, Principal Environmental Health Officer, 01494 732057,</i>
WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

To obtain Members' approval for the adoption of the joint Food and Health and Safety Service Plan and Food and Health and Safety Enforcement Policies for the year 2019/2020.

RECOMMENDATION to Cabinet

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

2. Reasons for Recommendations

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

3. Report

The Food and Health and Safety Service Business Plan details how the food and health and safety enforcement services are to be delivered within both Chiltern District Council and South Bucks District Council areas for the year 2019/20.

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

Food Safety Service 2019/20

Since the introduction of the national Food Hygiene Rating Scheme, the percentage of all eligible rated food premises (rating of 3 or better) continues to increase and is currently 96% for Chiltern and 97% for South Bucks District Councils, higher than the national average of 95.3%. Whilst the main approach to inspections is supportive, where businesses persistently fail to engage or improve standards, then more formal enforcement action will continue to be taken. Officers will continue to focus on the highest risk businesses and those that have a rating of 0-2. In 2018/19, significant enforcement activity took place and four food businesses were successfully prosecuted with fines being issued in the Crown Court of up to £33,000 and substantial costs being awarded.

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

Health and Safety Service 2018/19

Whilst health and safety remains a key priority for the Government, it aims to reduce the inspection burden on businesses. The consequence of this is that officers will only inspect businesses where there is a specific need, either due to local or national intelligence and the national strategic priorities. These priorities cover a range of sector specific interventions and cross-cutting themes. In 2018/19 enforcement action was taken against a number of animal petting establishments for poor hygiene and safety arrangements.

Food Policy and Health and Safety Enforcement Policy

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

4. Consultation

Not Applicable

5. Options

Not Applicable

6. Corporate Implications

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

7. Links to Council Policy Objectives

The plan stems from the Healthy Communities Service Plan and makes a positive contribution towards the Chiltern District and South Bucks Councils' *Joint Business Plan 2015 – 2020* and

Sustainable Community Strategy 2009 – 2026. The plan links into the Councils' Performance Management Framework.

8. Next Step

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

Background Papers:	None other than referred to in this report
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**CHILTERN DISTRICT COUNCIL
and
SOUTH BUCKS DISTRICT COUNCIL**

Environmental Health Section

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

2019-2020



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1.0 INTRODUCTION

The joint Food and Health and Safety Service Business Plan outlines the nature, objectives and influences on the services and the statutory and policy framework within which the services are delivered. It sets out the key service priorities and objectives for 2019/20 and identifies the main issues planned to be addressed during the period. It also fulfils the requirements set down by the Food Standards Agency (FSA) in its 'Framework Agreement on Local Authority Food Law Enforcement' and the Health and Safety Executive (HSE) in its 'Section 18 Guidance to Local Authorities'.

2.0 SERVICE AIMS AND OBJECTIVES

2.1 Links to Corporate Objectives and Plans

The service contributes towards the Chiltern District and South Bucks Councils' *Joint Business Plan 2015 – 2020 and Sustainable Community Strategy, 2016-2026*, performance measures and key objectives:

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

2.2 Healthy Communities Service Plan

The key objectives within the Healthy Communities Service Plan that specifically relate to the food and health and safety service for 2019/20 are:

- Working to improve the worst performing food businesses

The Division has found substantial cost savings over the past few years, achieved by:

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

2.3 Service Aims and Objectives

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

Our aim is to:

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

We will achieve this by:

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

2.4 Key Service Standards and Performance

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

Services are prioritised and resources targeted at issues of greatest concern in terms of food and health and safety. The service covers inspections of businesses, complaint and accident investigation and developing schemes to assist and motivate businesses to achieve compliance and good practice. The key corporate performance measures used are: *'Percentage of food hygiene inspections of food businesses category A – D*

achieved against inspections due' and 'Percentage of food premises improving their food hygiene rating from 0-2 rating to achieve a rating of 3 and above'.

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

Food safety carries a high priority for the authorities and the targets set for 2019/20 (96% broadly compliant businesses within both Chiltern District and South Bucks District) reflect that priority and ensures that the authorities comply with current government guidance in measuring outcomes rather than inputs.

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

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

3.0 BACKGROUND

3.1 Profile

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

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

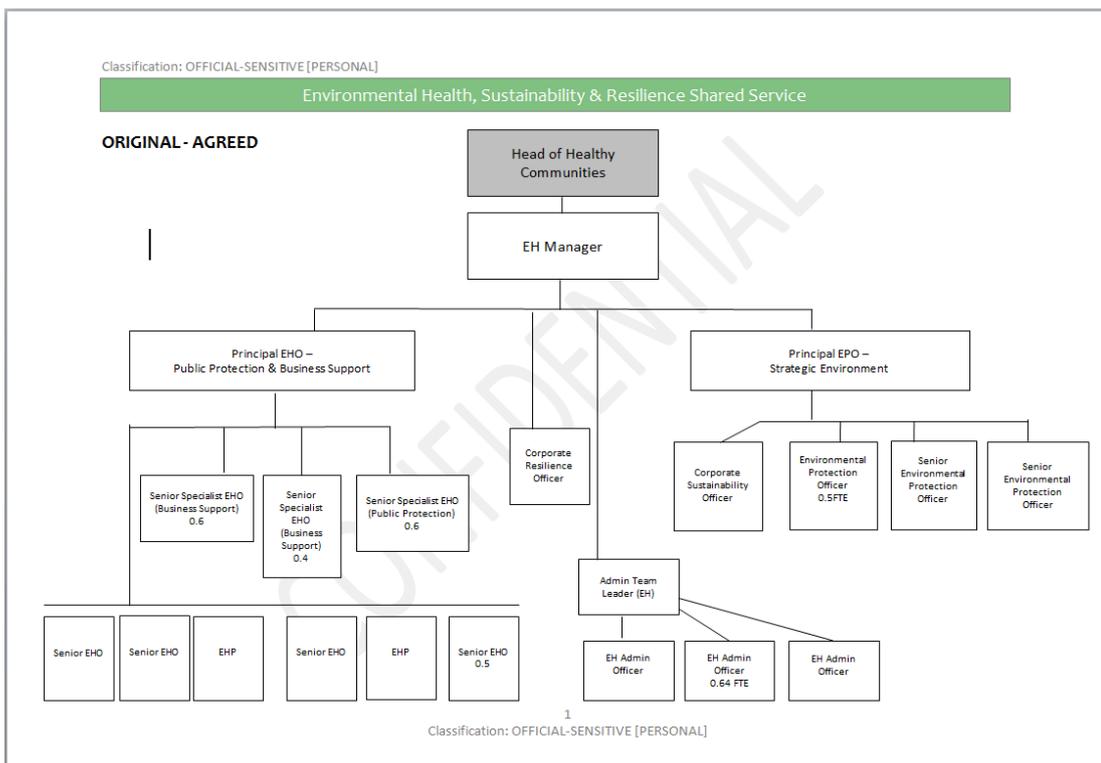
Both Districts have good transport links with adjoining areas. Both areas are served by good national and motorway networks. Direct rail-links to central London or Northwest to Aylesbury or High Wycombe and the Midlands are provided by Chiltern Railways, Great Western Railways and London Underground Ltd.

During 2019/20, Buckinghamshire local authorities will undergo both political and structural changes following the Government's decision to create a unitary authority for Buckinghamshire. This will have significant implications on the way in which all services will be delivered and the incorporation of District and County functions into a single service. This will take effect from 1st April 2020.

3.2 Organisational Structure

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

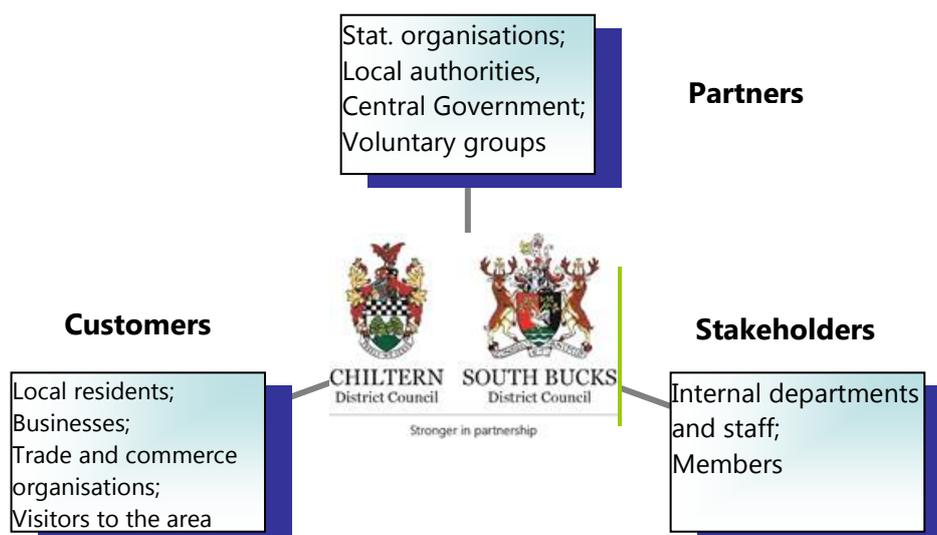
As of the March 2019, the Healthy Communities Division (inclusive of housing and licensing) comprised of 35.1 full time equivalents. The Division also employs specialist officers for Housing, Environmental Protection, Licensing, Emergency Planning and Business Continuity and Corporate Health and Safety, supported by a central administration team. In addition, the pest control service is provided on a contracted basis.



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

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

3.3 Customers, Stakeholders and Partners



3.4 Scope of the Service

3.4.1 The scope of the service is:

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

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

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

In addition, officers also enforce the smoke-free provisions, undertake inspections of businesses registered for skin piercing and contribute to the Safety Advisory Group.

3.5 Demands on the Food Service

As at 1st April 2019 there are 856 food premises requiring inspection in the Chiltern District and 630 in the South Bucks District. The premises profile is given in Table 1, whilst the number of premises falling into each risk category is given in Table 2. Classification of premises is in compliance with Food Standards Agency Code of Practice. Category A businesses, either because of the nature of their operation or poor standards of hygiene, pose a greater risk than category E. Those premises within category E are subject to an alternative enforcement strategy which takes the form of a self-assessment questionnaire. Similarly, a category D premise will alternate every 24 months between an inspection and self-assessment questionnaire. Category C premises that are broadly compliant will have a monitoring visit every other visit. Non-rated businesses are those whose risk rating has not yet been assessed.

Table 1 Number of establishments by premise type

Premises Type	Primary producers	Manufacturers and packers	Importer Exporter	Distributor	Retailer	Caterers
Number (Chiltern DC)	2	18	2	25	145	623
Number (South Bucks DC)	1	11	1	7	127	467

Table 2 Number of premises falling into risk categories

	A	B	C	D	E	Non - rated	Outside programme	Total
Number of premises (Chiltern DC)	1	25	157	197	380	38	17	815
Number of premises (South Bucks DC)	1	20	126	225	219	13	10	614
Interval between inspections (months)	6	12	18	24	AES			

- AES – Alternative Enforcement Strategy

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

One of the strengths of the service is that of promoting and educating food businesses. This tends to be targeted at new businesses and those businesses that have got a history of poor hygiene standards and has proved effective in raising and

maintaining standards. Those with a food hygiene rating of 0-2 are particularly targeted.

3.6 Demands on the Health and Safety Service

As at 1st April 2019 there were 2359 premises within the Chiltern District and South Bucks District areas which are eligible for health and safety enforcement. Classification of premises is in compliance with Health and Safety Executive/Local Authorities Enforcement Liaison Committee (HELA) Local Authority circular (LAC) 67/2 (rev8).

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

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

3.7 Enforcement Policy

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

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

4.0 SERVICE DELIVERY and REVIEW

4.1 Delivery and Priorities – 2019/20

The service will be delivered through:

- i) routine programmed inspection of food businesses, with a frequency determined by a risk assessment, with appropriate follow-up action;
- ii) proactive targeted inspections of businesses and service sectors where there is likely to be a greater risk of injury from those activities identified by national accident statistics and local intelligence with appropriate follow-up action.

- iii) assessment of relevant food hygiene premises to determine their food hygiene score in terms of the national Food Hygiene Rating Scheme and which will be published on the Food Standards Agency website;
- iv) routine self-assessment questionnaires to low risk premises;
- v) investigation of complaints with appropriate follow-up action;
- vi) investigation of accidents with appropriate follow-up action
- vii) participation in national and local sampling programmes;
- viii) appropriate training, development and monitoring of officers;
- ix) provision of information, coaching and advice to businesses about legal requirements and good practices;
- x) provision of relevant food safety courses for food handlers and a chargeable advice service to businesses;
- xi) promotional activities to inform and encourage high standards in businesses;
- xii) promotional activities to educate the consumer in food hygiene and safety.

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

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

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

4.2 Food Safety Interventions

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

The number of premises programmed for inspection in 2019/20 has the following profile:

Risk category	A	B	C	D	E (AES)	Unrated	TOTAL
Number (Chiltern DC)	1	25	103	98	82	38	347
Number (South Bucks DC)	1	21	92	113	52	30	309

Currently 96% (Chiltern DC) and 97% (South Bucks DC) are broadly compliant with legislation. Those that are not broadly compliant will be subject to full inspections and included within the food sampling programme.

A self-assessment scheme is undertaken for the lower risk premises whereby a questionnaire is sent to the business and on return an assessment is made as to its continued business use and risk. Dependent upon the outcome, the business will either be inspected or re-assessed when due for another inspection. In creating more efficient, customer focused services, these questionnaires are sent out by email and an online form has been produced which enables easy completion and submission.

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

During 2018/19, the focus has been on the continued implementation of the shared service. To this end, policies and procedures of both authorities continue to be reviewed and developed, taking the best practice from each.

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

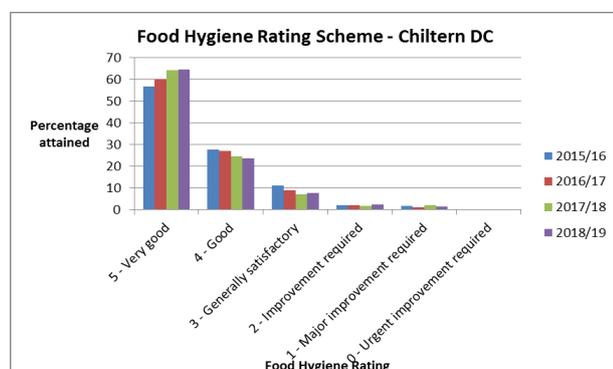
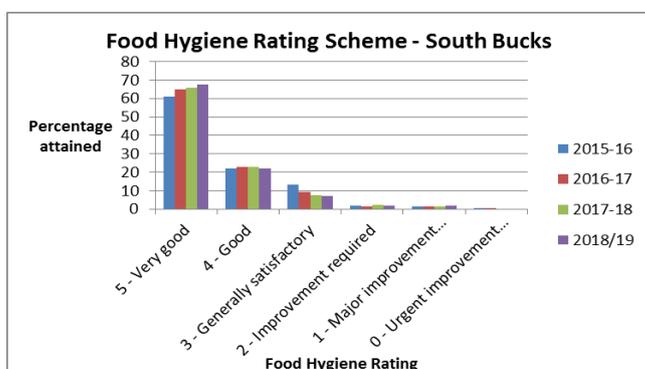
Adequate separation between raw and ready-to-eat food being stored?	Yes	
Food protected from contamination in storage?	N/A	
Adequate stock rotation of food being stored?	No	<p>A number of items found past their use by date on display for sale: 2 packets of pepperoni use by 30.04.18. 6 chicken in roast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

Officers trialled an app that connected with our back-office IT systems so that they would be able to view records and documents remotely. Unfortunately, due to various software issues, the trials did not demonstrate any additional benefits and so this aspect of our work has been put on hold. As part of the corporate customer

experience strategy, work has been undertaken in developing a suite of online forms to improve access to our services.

The national Food Hygiene Rating Scheme (FHRS) continues to be well received by both the public and businesses. Businesses wishing to improve their rating following an inspection can apply for a re-inspection. From the 1st April 2017, local authorities have been able to charge for re-inspection requests to cover their costs; this is currently set at £150. Just Eat have recently changed the criteria by which food businesses can be on their database and as a consequence, we have seen an increase in the number of applications for re-inspections.

The graphs below show the percentage breakdown of food hygiene rating distribution across all rated food businesses within each authority. The aim is to increase those businesses that achieve a 5 rating to above the national average, currently at 70.81%. Both authorities have a greater overall percentage of broadly compliant food businesses than the national average of 95.31%.



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

Where businesses attain a 0-2 rating, a revisit is always undertaken to gain compliance. If at this visit it is found that the business would improve their rating, they are encouraged to apply for a re-inspection. Whilst our performance indicator is to move businesses to be broadly compliant, this is reliant on them applying for a re-inspection which doesn't always happen, although, as mentioned previously, this is improving. Therefore a survey will be carried out this year of those poorer performing businesses to identify what blocks there are to applying. We will then endeavour to remove these blocks so that more businesses will apply and subsequently improve ratings.

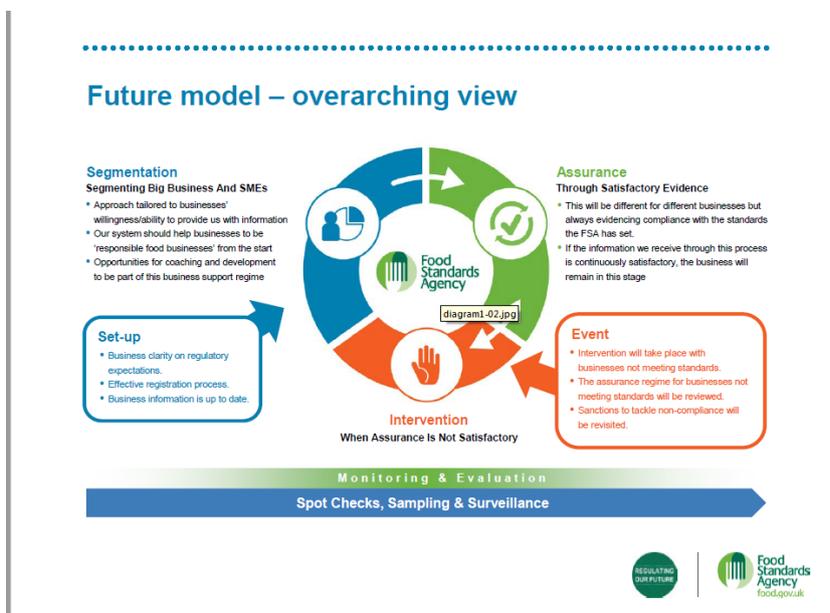
Officers inspected 100% of food businesses category A-D that were due an inspection during 2018/19. In addition, four businesses were successfully prosecuted for an infestation of rats, poor food hygiene practices and management. In all cases

enforcement action was taken including, in two cases, the emergency closure of the business and in another, the food business operator being prohibited from running any food business. In another case, a significant quantity of apple juice was seized and condemned by a Magistrate and disposed of.

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

As mentioned previously, there are four food businesses that are approved, two of which could particularly be impacted by the UK leaving the EU and so officers have been in communication with them in relation to their preparedness. We will also be assessing the implications for the service in relation to imported foods and regulation. No doubt all businesses will be effected in one way or another.

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



4.3 Health and Safety Interventions

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

Helping Great Britain work well

A new strategy for health and safety
The six key areas

- Acting together**
Promoting broader ownership of health and safety in Great Britain
- Supporting small employers**
Giving SMEs simple advice so they know what they have to do
- Tackling ill health**
Highlighting and tackling the costs of work-related ill health
- Keeping pace with change**
Anticipating and tackling new health and safety challenges
- Managing risk well**
Simplifying risk management and helping business to grow
- Sharing our success**
Promoting the benefits of Great Britain's world-class health and safety system

To support the strategy, guidance has been published for local authorities (LAC 67/2 (rev 8)) to aid the prioritisation of health and safety interventions. This identifies the national priorities based upon accident statistics and the associated high risk activities and business sectors. These will form the focus of our work during 2019/20. The guidance is clear however, that there should not be an inspection without a reason and that other alternative interventions may be more suitable, for example advisory visits, publicity campaigns and seminars.

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

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

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

4.4 Service Requests

The Food and Health and Safety Enforcement Policies detail the policy relating to the investigation of complaints, whether they are about hygiene standards at premises, complaints about food purchased within the Districts, safety standards at premises or welfare issues. In 2018/19 across both authorities, 48 food related service requests were received, 34 concerning the hygiene of premises and 14 in relation to food itself. Of the 34 health and safety related service requests, 10 were requesting advice whilst 14 concerned standards at premises. Both Chiltern and South Bucks Councils have established Safety Advisory Groups, the purpose of which is to collate information about an event to enable the emergency services to gauge its potential impact upon the local community, to identify beforehand any issues or concerns which may potentially arise and to give advice to event organisers. In 2018/19 111 consultations were held for a variety of events.

4.5 Accident Notifications

Under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013, employers and self-employed are required to notify the enforcing authority of any notifiable injury etc. The table below indicates the level of accident notifications for 2018/19. The policy for the investigation of accidents is detailed in the Health and Safety Enforcement Policy and accidents are investigated according to the criteria within it.

Number of accidents 2018/19

Type of Accident	2018/19 Chiltern DC	2018/19 South Bucks DC
Fatal Injuries	0	0
Non-fatal major injuries	0	0
Over 7 day injuries	25	16
Public injuries	30	23
Dangerous Occurrence	1	0
Total	45	35

4.6 Primary Authority Scheme

In July 2009, the Regulatory Enforcement and Sanctions Act introduced the concept of a 'Primary Authority' for the majority of regulatory functions. At the request of a business, a local authority is compelled to act as that company's Primary Authority. The role of the Primary Authority is to act as a point of contact for other local authorities on policy issues, inspection programmes and when considering taking any

enforcement action. The Primary Authority is able to prohibit that local authority from taking their enforcement action subject to an appeal process to the Office for Product Safety and Standards against the decision of the Primary Authority. The Business Support Team will actively pursue primary authority partnerships with local businesses and trade associations.

4.7 Advice to Businesses

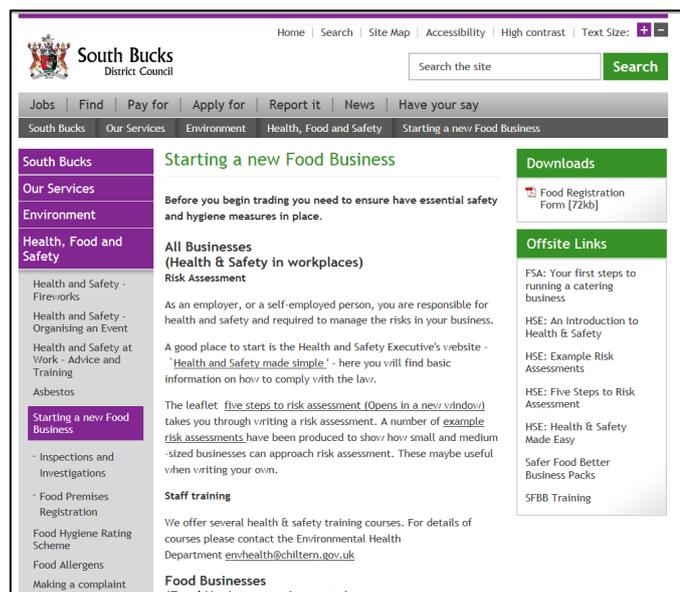
The authorities are committed to ensuring that businesses are aware of the requirements of the law and good practice, and will wherever resources permit, provide advice to assist businesses. Information fact sheets have been developed for businesses which have received positive attention from other authorities.

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



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

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



cheaper but it also frees up their staff time. As a consequence, we will investigate increasing the range of online courses. All courses are accredited by QCA and the Highfield Awarding Body for Compliance Ltd. These courses can also be run for organisations at their premises upon request. The Section is also able to provide a range of Institute of Occupational Health and Safety (IOSH) courses and in particular, Leading Safely, Managing Safely and Working Safely.

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

4.8 Food Sampling

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

An annual sampling programme has been drawn up to cover:

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

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

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

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

- i) participating in and co-operating with the Public Health England and Food Standards Agency's national sampling schemes;
- ii) co-ordinating with adjoining local authorities and local PHE to agree locally co-ordinated sampling;

- iii) ensuring 10% of samples come from third country imported foodstuffs, in line with the Food Standards Agency requirements.

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

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

Samples for microbiological analysis continue to be taken to the PHE laboratory at Colindale, London. Routine private water supply samples for chemical analysis are sent to Chiltern Water and Environmental Ltd. and samples for examination will go to the Public Analyst.

4.9 Control and Investigation of Outbreaks and Food Related Infectious Disease

The policy for dealing with food related diseases is to:

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

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

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

b) Promote the training of food handlers.

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

For 2018/19 149 sporadic cases of food related infectious disease were investigated across both authorities, a reduction on the previous year. All notified cases are followed up to identify the source and cause, and to establish whether the case is within a high-risk group. The number of food poisoning outbreaks investigated

during the past year remains low. Such outbreaks involve a considerable amount of time and effort to investigate and control and as a consequence, other proactive work tends to be held in abeyance until the outbreak is concluded.

4.10 Food Safety Incidents

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

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

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

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

4.11 Liaison with other Organisations

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

- i) Buckinghamshire Food and Health and Safety Liaison Groups – bi-monthly meetings to discuss current enforcement issues and to develop action plans to progress food and health and safety

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



Communications
Food Alert
11.05.2018

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

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

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

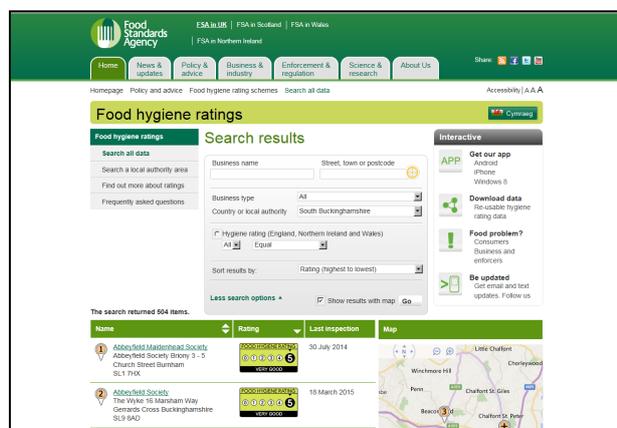
promotion and enforcement. Also in attendance are representatives from Trading Standards to discuss joint initiatives and the Quality Manager from the PHE, Colindale to discuss sampling results and programmes and the Health and Safety Executive.

- ii) Thames Valley PHE Centre – meetings to discuss current infectious disease issues and to progress initiatives in outbreak control.
- iii) Chiltern District Council and South Bucks District Council Safety Advisory Group – meetings with event organisers to discuss event safety management and to highlight issues of particular concern.
- iv) Thames Water Utilities and Affinity Water – 6 monthly meetings to discuss current developments in water quality and monitoring and to develop closer links between organisations.
- v) The Division also has links with other Council services e.g. Planning, Building Control and Waste Management.
- vi) Officers will also work and exchange information with other enforcement agencies such as HMRC and Thames Valley Police.
- vii) Participate in and contribute towards public health initiatives such as childhood obesity, smoking cessation and alcohol control.

4.12 Promotion

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

The national Food Hygiene Rating Scheme shows how well food businesses are complying with food hygiene law. The scheme applies to all caterers and retailers handling and preparing open food to the public. The food business is given a sticker to display that shows their food hygiene rating out of 5. The ratings are made publicly available on a national website so that customers can make informed



choices about the places where they eat out and purchase food, and through this, to encourage businesses to improve hygiene standards. Businesses are encouraged to display their rating.

5.0 RESOURCES

5.1 Staffing allocation

The food and health and safety service is delivered by a specialised Business Support Team who are responsible for undertaking food safety and health and safety interventions, investigations of accidents and hygiene complaints, food poisoning outbreaks and sporadic infectious disease cases and provide support and advice to businesses and the primary authority partnership scheme. The Team is comprised of Principal Environmental Health Officer, a job shared Senior Specialist Environmental Health Officer post, who, with the Principal EHO jointly act as the Lead officers for food and health and safety and 3.5 Environmental Health Officers, supported by 0.1 FTE Administrative Officers. Additional Environmental Health Officer resources will be deployed from the Public Protection team as required.

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

Contractors engaged in food or safety interventions will be appointed and authorised in accordance with the authorisation procedures and must demonstrate their competence to the satisfaction of the relevant codes of practice. During 2018/19 consultants were employed to undertake food hygiene inspections across both authorities, primarily in relation to new businesses.

5.2 Staff Development

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

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

All staff have an annual appraisal at which time any training and development needs are identified and incorporated into a training plan. Additionally, throughout the year, core courses are identified and staff allocated to attend as necessary. Staff have increasing access to online training and webinars. Not only does this plan reflect the business needs of the Division, it also provides for the personal development of

individual officers. The Food Standards Agency's Competency Framework has been used to identify individual competencies and training and knowledge gaps.

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

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

5.3 Financial Allocation

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

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

5.4 Physical Assets

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

5.5 Information Technology

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

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

During 2017/18, using iauditor software, officers developed templates for paperless inspection checklists and inspection reports for businesses which provide a clearer way of highlighting the key issues that need to be actioned using a traffic light system and incorporation of photographs. These templates continue to be developed and now include templates for verification visits, sampling health and safety projects.

A corporate flexible mobile working project has been rolled out to facilitate more efficient working across both authorities. Officers have the use of laptops and iPads to facilitate mobile working and the use of the iauditor software and Bluetooth keyboards has improved the efficiency of food hygiene inspections.

The ICT platform is currently Windows 7 using Microsoft Office 2010 software packages. Throughout 2019, new Windows 10 and Office 365 will be rolled out. These systems are supported by a dedicated ICT Department.

6.0 QUALITY ASSESSMENT

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

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

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

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

ACTION PLAN 2019/20

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

		<ul style="list-style-type: none"> • Ensure that existing services are maintained 			
Review the inspection process to improve hygiene standards in food businesses	PEHO SSEHO (FS)	<ul style="list-style-type: none"> • Implement a project designed to improve hygiene standards within targeted food businesses using a variety of tools, including <ul style="list-style-type: none"> ○ Business Mentoring ○ Toolkit for businesses ○ Coaching and training ○ Web information ○ Score improver training • Increased face to face contact time with businesses 	Increased number of food businesses that are Broadly Compliant	Quarterly review against project plan. Report on the percentage of businesses that are 'broadly compliant'	March 2020
Develop links with businesses through local trade associations, Chambers of Commerce and Bucks Local Enterprise Partnership (LEP) to improve support for businesses and provide an advisory service	PEHO SSEHO (FS) EHM	<ul style="list-style-type: none"> • Identify relevant Chambers of Commerce, Trade Associations and contacts within the LEP. • Identify ways in which the service can work better with these organisations to better support local businesses. • Develop service delivery in light of discussions with these organisations 	Better communication between local business representatives and the authorities. Changes in service delivery to better reflect business needs	Quarterly review against project plan.	March 2020
Develop Primary Authority arrangements with local businesses for both food and health and safety	PEHO SSEHO (FS) SEHO	<ul style="list-style-type: none"> • Actively pursue Primary Authority Partnerships • In discussion with the particular business, develop 	Successful development and smooth implementation of the	Monitoring of food and health and safety complaints/enquiries and liaison with other	March 2020

		the Primary Authority Principle in line with government guidance.	Primary Authority Principle.	local authorities	
To develop and enhance the authorities' websites in relation to food and health and safety	SEHO/IT	<ul style="list-style-type: none"> Identify ways in which the websites can be better used to provide information and guidance for businesses and to improve service delivery. Identify ways in which the websites can supplement the mobile/remote working project to provide more efficient and effective work practices. To review the content of the Councils' websites in relation to food and health and safety and amend, remove or add new information as necessary in light of changes in legislation, government guidance and Council changes. 	<p>Websites enhanced – improved and readily accessible guidance and information available for businesses.</p> <p>Officers able to use website to improve their interaction with businesses and to enhance remote working.</p> <p>The relevant sections of the websites are up to date, relevant and readily accessible.</p>	<p>Quarterly review against project plan.</p> <p>Quarterly review of website information to ensure that information is still current</p>	March 2020
Identify additional income streams for the department. Develop and deliver a chargeable advice service	PEHO SSEHO (FS) SEHO EHM	<ul style="list-style-type: none"> Identify sources of additional income that can be exploited. Develop projects that can be marketed to businesses and other local authorities as an additional service. 	<p>Increase in income.</p> <p>Projects identified and new services developed. Uptake of new services by businesses and local</p>	<p>Quarterly review against project plan.</p>	March 2020

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

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

Environmental Health Section

FOOD POLICY

2019-2020



Classification: OFFICIAL

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

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BACKGROUND

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

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

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

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

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

It should be noted that during the life of this policy, Chiltern and South Bucks District Councils will form part of a new Buckinghamshire Unitary Authority. Therefore, any reference to either of the district councils or the county council after 1st April 2020 should be construed as being that of the new unitary authority.

1.0 AIMS AND OBJECTIVES

1.1 Aims

It is the Councils' aims for food safety to:

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

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1.2 Objectives

The Councils will achieve these aims in the following ways:

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

1.3 Service Delivery

The service will be delivered through:

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

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1.4 Priorities

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

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

2.0 STANDARDS FOR FOOD RELATED WORK

2.1 Authorisations

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

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

Under the Chiltern District Council and South Bucks District Council's Constitution has delegated authority to exercise the Councils' functions, powers and duties in relation to food safety.

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

2.1.1 Inspections

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

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

2.1.2 Enforcement Notices

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

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

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

2.1.3 Seizure and Detention of Food

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

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

2.1.4 Competency

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

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

The Senior Specialist Environmental Health Officer (Business Support) (or in his/her absence, the Principal Environmental Health Officer) will be responsible for the supervision and training of officers and for the maintenance of auditable records.

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The FSA Competency Framework will be used to establish current qualifications and competencies and to identify future training needs in order that officers can effectively carry out their duties.

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

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

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

2.2 Guidance

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

2.3 Approvals

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

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

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

2.4 Licences and Registrations

Under the Chiltern District Council Constitution, the Head of Healthy Communities has delegated power to issue licences and registrations pursuant to Section 19 of the Food Safety Act 1990 and to refuse or revoke licences in accordance with Regulations and any guidance issued. This function is delegated to the Director of Services in South Bucks District Council. This will be in consultation with the Principal Environmental Health Officer.

2.5 Uniformity

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

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

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

2.6 Advice to Businesses

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

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

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

Where a charged advisory service is provided to a business and significant risks are identified which pose a serious and imminent risk to health, these will be brought to the attention of the business for immediate action to rectify. Officers will be expected to ensure that action is taken by the business and if not, appropriate enforcement action will be taken. Steps will be taken to ensure that there is no conflict of interest between officers providing the advice and those undertaking routine enforcement work.

Where advice is provided by another agency, e.g. Trading Standards at the County Council, then the business will be appropriately signposted. In relation to allergens in food, officers will provide advice in respect of non-pre packed food. All other

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requests for guidance and information will be referred to Buckinghamshire County Council Trading Standards. Officers will not make direct referrals.

In particular:

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

2.7 Advice to Consumers

The authorities are committed to assisting consumers to understand basic hygiene in the home and to providing consumer confidence in local food businesses. The Councils' website will provide access to advice and information on food safety issues and will be reviewed on a quarterly basis. The authorities will participate in national food safety activities and local events and promote the national Food Hygiene Rating Scheme. Talks to voluntary organisations and groups will be given free of charge where resources permit.

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2.8 Conduct

Inspecting officers will at all times act and dress in a professional manner. Protective clothing will be worn that is appropriate to the premises being inspected and equipment will be maintained and calibrated where appropriate.

Officers will ensure the highest standards of personal hygiene and will not act in such a way as to pose a risk of cross contamination or to health.

2.9 Information Sharing

Where the legislation permits, the authorities will share information via agreed secure mechanisms with other regulatory agencies and local authorities about businesses to help target resources and activities and to minimise duplication.

The authorities will share information about businesses with the primary authority as appropriate and with other authorities when acting as a Primary Authority.

The authorities will, where feasible, follow the principle of 'collect once, use many times' when requesting information from businesses.

3.0 FOOD HYGIENE INTERVENTIONS

3.1 Premises

An up to date record will be kept and maintained on a computer database of all known food premises, together with the food register required by law. All known food businesses will be assessed for the need to be included on the planned programme of inspection based on information obtained from the food business operator or following inspection.

Newly registered high risk food businesses will be inspected within 28 days following receipt of the application for registration. Any longer period should take account of the nature of the business and prior knowledge of the level of managerial competence.

3.2 Frequency and type of inspections

Over the last few years there have been a series of regulatory reforms, which aim to reduce red tape and regulatory burdens upon business. In light of the regulatory reviews it has been recognised that "a key element of their activity will be to allow, or even encourage, economic progress and only to intervene when there is a clear case for protection." The reviews also stated that "The few businesses that persistently break regulations should be identified quickly and face proportionate and meaningful sanctions."

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Article 2 of EC Regulation 882/2004, states that, it is possible to undertake Official Controls by means other than the traditional food hygiene inspection. It goes on to recognise five other activities (classed as interventions) which are deemed to meet the requirements of an official control at a food business. They are; Inspections, Audit, Sampling, Monitoring, Surveillance and Verification. The Food Standards Agency also identifies other ways of assessing and encouraging low risk businesses to be compliant such as by coaching, advice and training.

Article 2 of Regulation 882/2004 provides the following definitions of official controls:

'Inspection' means the examination of any aspect of feed, food, animal health and welfare in order to verify that such aspect(s) comply with the legal requirements of feed and food law and animal health and welfare rules.

'Monitoring' means conducting a planned sequence of observations or measurements with a view to obtaining an overview of the state of compliance with feed or food law, animal health and animal welfare rules.

'Surveillance' means a careful observation of one or more food businesses, or food business operators or their activities.

'Verification' means the checking, by examination and the consideration of objective evidence, whether specified requirements have been fulfilled.

'Audit' means a systematic and independent examination to determine whether activities and related results comply with planned arrangements and whether these arrangements are implemented effectively and are suitable to achieve objectives.

'Sampling for analysis' means taking feed or food or any other substance (including from the environment) relevant to the production, processing and distribution of feed or food or to the health of animals, in order to verify through analysis compliance with feed or food law or animal health rules.

In light of this, the Food Safety Code of Practice, to which officers must have regard when inspecting food businesses, allows authorised officers and food authorities to use a range of interventions, using strategy and officers' professional judgement to determine the most suitable level of intervention, proportionate to the activities of the food business. The range and scope of interventions is detailed in *Appendix 1*. In determining the inspection approach, officers will take into account the compliance record of the business and any other earned recognition and third party verification in place. Officers have been given training and regular reviews are in place to ensure consistency in this approach. Interventions are defined as activities that are designed to monitor, support and increase food law compliance within a food establishment. More intensive regulation will be directed at those food businesses that pose the greatest risk.

Systems will be maintained to monitor inspection frequency against the planned

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programme. All visits will be recorded on the computer-based system and documents scanned to the corporate Electronic Document Management System.

3.3 Inspection Procedure

3.3.1 Approach

The authorities will work to the standards in the Food Law Code of Practice and Guidance and the internal inspections procedure documents.

The main purpose of inspection is to identify potential risks to food safety or which are likely to give rise to food poisoning and to ensure that the business understands the risks and has put the necessary measures in place to minimise them. When undertaking an intervention, officers will pay particular emphasis to HACCP based management systems. However it is recognised that the seven HACCP principles are a model towards compliance and that the legislative requirement can be achieved by other simplified, effective equivalent means.

A systematic approach to risk assessment will be adopted based on The Food Safety and Hygiene (England) Regulations 2013. Where businesses have identified their own critical points for food safety and have introduced controls, the intervention will focus on the accuracy of the critical points assessment and on the effectiveness of the controls. Written assessments will normally be expected in high risk or complex businesses. Low risk or simple businesses will not be expected to have written or elaborate assessments although the use of Safer Food, Better Business will be promoted where appropriate.

Where no assessment by the business can be demonstrated the inspection will focus on the officer's own critical points assessment and examination of controls. In accordance with government advice on enforcement, formal action will be considered where an informal approach has been unsuccessful in achieving compliance with the food safety management requirements.

The whole of a premise may not necessarily be inspected at each inspection; those areas of greatest risk will be given priority. Where the inspection varies from government guidance or departmental procedures, this will be recorded.

Computer records will be updated following every visit.

A Memorandum of Understanding exists between the County and District Councils where they jointly have powers to enforce a particular piece of legislation e.g. with Trading Standards, then officers will liaise with the County Council to discuss the most appropriate course of action. In relation to enforcement of allergen information (Food Information Regulations 2013), officers will check for compliance when undertaking programmed official food controls and issue advice and guidance where there is non-compliance. Officers may seek formal compliance by taking enforcement where regulatory action for other food safety matters is being carried

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3.3.2 Communication

Every intervention (including those where no defects are identified) will result in a written report to the proprietor. Copies of the report will be sent to the Manager or other relevant persons. The report will comply with the requirements of the Code of Practice and advice will be in line with guidance and relevant Industry Guides to Good Hygiene Practice issued by central government.

A standard format will be used. The report will cover the important issues noted during the inspection and will clearly distinguish between legal requirements and recommendations. It will give details of the person carrying out the inspection, date, time, the areas inspected, the FHRs rating where possible and the procedure if the proprietor disagrees with the issues raised in the report.

Good communication between inspector and proprietor/manager is essential wherever possible, including ensuring that the purpose and scope of an inspection is understood and the "works" needed following the inspection with an agreed time limit. The impact of the advice should be considered so that it does not impose unnecessary burdens upon businesses.

3.3.3 Timing of Inspections

Programmed inspections will be carried out at all reasonable hours. It is recognised that food businesses operate outside normal office hours of work and so the inspection programme will take this into account. Food businesses operating outside of 'normal' office hours will, on occasions, be inspected at times when different activities occur to that in the day time.

Programmed inspections will normally be unannounced with the following exceptions:

- i) where officers are unlikely to gain access without notifying the proprietor e.g. sports clubs, small home caterers, church halls etc.;
- ii) where security measures are in existence;
- iii) if full information is not able to be gained at the unannounced visit, an appointment may then be made to discuss the issues further, e.g. specific HACCP documentation, advice from a technical manager at a large manufacturer.

Notice will not be given where complaints are being investigated.

Revisit dates may be notified in advance as an aid to ensuring that works are completed and to facilitate further discussions with the proprietor.

Where alternative dates for visits are requested by a business the inspector may

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agree, if suitable justification is given, and the inspector is satisfied that the purpose behind the request is not to conceal a major risk. Where the officer suspects that the intention is to hide a serious offence he/she should agree to have a quick inspection and then agree a full visit at a later date.

3.3.4 Revisits

Revisit inspections will be arranged to check on matters raised during an inspection (and any obvious extra defects) where there are *significant* contraventions and/or serious risks to public health and to check on compliance with statutory notices. They will not turn into a further full inspection except where a major risk is identified. Where significant breaches of hygiene regulations have been identified, the revisit should whenever practicable be undertaken by the same officer who undertook the initial visit. After initial inspections, employers must be made aware that a revisit will be made and appropriate dates discussed.

Revisits will not always result in a written report (unless further work is required) to the proprietor/manager although the proprietor/manager will always be advised of the outcome verbally, and in writing if requested. However, detailed records of revisits will be made and kept on the computer property database. Records will be maintained of formal and informal notices which have been complied with.

For premises with a FHRS score of 0, 1, or 2, a 2 phase revisit process will be implemented. This will apply to those businesses who have contraventions that are likely to affect the safety of the food being served, producing an 'unsafe contravention'. Where necessary, enforcement action will be taken in accordance with the Enforcement Policy. After the inspection, the business will receive a 1st revisit that will involve a coaching session in the areas that they have scored poorly on. A range of tools have been developed to aid officers when coaching these businesses. The business will then, if necessary, be given time to implement the changes before another revisit is made. Dependant upon the nature of the outstanding requirements, and the past history of the Food Business Operator, for the 2nd revisit, this may be able to be achieved over the phone. This process will only be implemented for non-compliant businesses that have not received any coaching or mentoring in the past. Should businesses fail to maintain their compliance during subsequent inspections, then enforcement action will be taken in accordance with the Enforcement Policy.

Where a re-inspection under the FHRS is requested, this will be in writing and supplemented with supporting evidence in order to establish whether adequate measures have been put in place to warrant a re-inspection. Re-inspections will generally be un-announced and will take place within 3 months of the request for re-inspection and the business re-rated according to the hygiene standards found at the time. Distinction will be made between those *re-visits* necessary to ensure compliance and to address food safety issues and those *re-inspections* at the request of the Food Business Operator to re-rate the business under the FHRS.

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4.0 ENFORCEMENT POLICY

This section sets out the policy relating to the general principles of enforcement in relation to food safety and is drafted in accordance with the overarching Corporate Enforcement Policy. It embraces the principles set out in the 'Regulators' Code' issued by the Better Regulation Delivery Office (now the Office for Product Safety and Standards).

More specific procedures concerned with statutory notices, emergency action, formal cautions and prosecutions are detailed in enforcement procedures. These procedures take account of all Codes of Practice and 'The Code for Crown Prosecutors'

Enforcement officers by necessity as professional officers have considerable discretion in decision making and initiating enforcement action. Such action can range from informal advice, information and support through to formal enforcement mechanisms, including the use of statutory notices and prosecution.

This part applies to all dealings, formal and informal, between officers and businesses, all of which contribute to securing compliance with the law. It will provide policy standards, aid professional judgements and decision making and ensure both consistent and effective enforcement.

4.1 Principles of Enforcement

The core expectation for those we deal with, quite reasonably, is for us to be professional, fair, co-operative and consistent in our approaches. Businesses and the public also expect local authority actions to result in the remedying of potentially risky situations and for those guilty of serious offences to be adequately punished.

We will adopt a positive and proactive approach towards ensuring compliance by:

- i) helping and encouraging businesses to understand and meet regulatory requirements more easily without imposing unnecessary additional cost;
- ii) assess whether other social, environmental and economic outcomes can be achieved by less burdensome measures, and
- iii) responding proportionately to regulatory breaches.

Enforcement should be informed by the principles of **proportionality** in applying the law and securing compliance; **consistency** of approach; **targeting** of enforcement action, **openness** about how we operate and what businesses may expect and **helpfulness** in providing advice and assisting with compliance.

Appendix 2 sets out the standards of service businesses should expect to receive.

It will be expected that enforcement officers, when making decisions and communicating with businesses will follow these principles, together with relevant codes of practice and guidance. The Primary Authority partnership scheme will be

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used where appropriate.

Any departure from this must only occur when the following criteria are complied with:

- i) in exceptional circumstances;
- ii) where actions are capable of justification;
- iii) where there has been full consultation with the Principal Environmental Health Officer or Environmental Health Manager.

Any sanctions or penalties being considered should:

- aim to change the behaviour of the offender;
- aim to eliminate any financial gain or benefit from non-compliance;
- be responsive and appropriate for the particular offender and regulatory issue
- be proportionate to the nature of the offence and the harm caused;
- aim to restore the harm caused by regulatory non-compliance, where appropriate; and
- aim to deter future non-compliance

This policy will be reviewed periodically in response to new legislation and guidance issued by central government departments.

4.1.1 Proportionality

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

When considering enforcement action, consideration should be given to the cost of measures required to reduce the risk weighed against the benefit to be gained by reducing the risk. Consideration should be given as to the impact upon small businesses.

In addition, there should be a staged approach to enforcement action with increasing degrees of enforcement as management of businesses fail to respond to previous requests. Officers should provide an opportunity for dialogue in relation to the advice, requirements and decisions.

The only exceptions to the above approach would be where a serious and/or imminent risk to public safety or health exists.

The staged approach to enforcement is further detailed in the enforcement procedures.

4.1.2 Consistency

Consistency of approach does not mean uniformity. It means taking a similar

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approach in similar circumstances to achieve similar ends.

Businesses expect consistency from enforcing authorities in advice given, the use of statutory notices, decisions on prosecution and responses to complaints. It is recognised however, that in practice it is not simply due to the wide range of variables faced. Therefore it is expected that officers will use their professional judgement and exercise discretion, in conjunction with this policy, when coming to a decision on appropriate action.

Enforcement officers will however have the following arrangements in place in order to promote consistency of approach: -

- i) Officers will perform validation exercises relating to joint inspections on an annual basis;
- ii) The Senior Specialist Environmental Health Officer (Business Support) will accompany all officers on a minimum of one initial inspection per year to assess the consistency of approach between officers;
- iii) Officers openly discuss cases at team meetings and/or with the Senior Specialist Environmental Health Officer (Business Support) to provide a consensus of opinion;
- iv) Formal action will be 'signed off' by the Principal Environmental Health Officer
- v) Where there is a need for clarification, approaches will be made to the Bucks Food Liaison Group;
- vi) Officers will participate in inter-authority consistency exercises and change working practices, if necessary, to achieve consistency;
- vii) Chiltern and South Bucks District Councils will take an active role in the Bucks Food Liaison Group;
- viii) Reference will be made to appropriate central government guidance;
- ix) Reference will be made to appropriate guidance issued by a Primary Authority;
- x) Where inconsistencies arise, appropriate training will be given by the Senior Specialist Environmental Health Officer (Business Support).

4.1.3 Targeting

Inspections and enforcement action will be targeted primarily on those activities giving rise to the most serious risks or where hazards are least controlled and that action is focussed on those responsible for the risk and who are best placed to control it.

The prioritisation of inspections will be based on guidance issued by the Food Standards Agency, primarily the Code of Practice and the Regulators' Code.

4.1.4 Openness

Enforcement officers will help businesses to understand what is expected of them

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(and what would not be expected) and what they should expect from the enforcing authorities.

Confirmation of all work (initial inspections, revisits and complaints) will be given in writing to business managers and as appropriate to head offices. Information will clearly explain what the non-compliant item or activity is, the advice being given, actions required or decisions taken and the reasons for these.

There will be a clear distinction between legal requirements and good practice recommendations (either verbally or written).

The Food Standards Agency's leaflet 'Food Law Inspections and Your Business' will be brought to the attention of Food Business Operators (or their Representatives) via the Councils' website after initial inspections and after other visits if formal action is proposed.

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

If formal requests for information are received from a third party, advice will be sought from the Data Protection Monitoring Officer or the Legal Department prior to replying.

Businesses will be made aware of the Corporate Complaints Procedure when appropriate and the appeals procedure to the Principal Environmental Health Officer in the first instance. This is to be included in correspondence to businesses following inspections.

4.1.5 Helpfulness

The principle is to actively work with businesses to advise on and assist with compliance wherever possible. To this end, officers will identify themselves by name and provide a contact point and telephone number for further dealings. Businesses will be encouraged to seek advice/information; information will be freely available on the Councils' website with links to those produced by central government. When appropriate, training courses/seminars will be provided for businesses on specific issues.

4.2 Procedures Based on HACCP Principles

Article 5 of EC Regulation 852/2004 is flexible and requires food businesses to establish procedures that control food safety hazards and integrate these with documentation and record keeping appropriate to the size and nature of the business. Whilst larger, more complex businesses and those with a high level of understanding of food safety management may choose to demonstrate compliance by having a traditional HACCP system, others may do so with simpler approaches that take account of this flexibility as long as the same outcome is achieved; safe food

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being produced.

4.2.1 Appropriateness of the Food Safety Management System (FSMS)

Although the Food Standards Agency has produced the SFBB packs to help a variety of businesses within the food industry e.g. catering, retail and childminders, it is recognised that it does have limitations and may not be the most appropriate FSMS to use. Therefore if inspectors identify that the scope of the food operation exceeds that of the SFBB toolkit, then the food business will be required to produce a fully documented food management system in accordance with HACCP principles.

In certain circumstances, in particular in food businesses where there is no preparation, manufacturing or processing of food, it may be the case that the relevant hazards can be controlled through the implementation of prerequisite requirements. For example, where a business is especially low risk, e.g. sweet shop, greengrocer, market stalls etc. presenting only basic hygiene hazards; it may be sufficient that the business has a guide to good hygiene practice and understands and applies it. In these circumstances, documentation and record keeping may not be necessary.

4.2.2 Enforcement

The Food Standards Agency has produced guidance and toolkits; Safer Food, Better Business (SFBB) for a variety of businesses and funded local authorities to deliver coaching during the initial introduction of SFBB. Therefore unless a new business, all established food businesses have been given a great deal of advice and guidance to meet their legal obligations.

This policy will secure compliance with Article 5 of EC Regulation 852/2004 through a staged approach where appropriate but otherwise, where non-compliance is established, appropriate enforcement action will be taken. This will normally take the form of Hygiene Improvement Notices but where significant risks exist, more immediate action will be taken.

Where there is a partly developed system, and controls are in place and there are no significant risks to health, a more informal approach may be more appropriate.

Some of the HACCP principles are on-going, for example monitoring, so notices can not be served. It is therefore likely that notices may only be served for the implementation or review of a documented FSMS.

4.2.3 New Premises

From time to time new businesses will be established and existing premises will change ownership. The following options should be considered:

- i. New owners should be made aware of their responsibilities in respect of

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- Article 5 (if possible before the premises are open for business);
- ii. Establish at the initial inspection that the business does not present a significant risk to public health. This inspection should be performed at the earliest opportunity following the local authority being notified;
- iii. Provided that no significant risk to public health exists, agree with the proprietor a programme of compliance with Article 5;
- iv. Where a significant risk to public health exists, action is to be taken in line with the general enforcement policy.

5.0 POLICY WITH RESPECT TO COMPLAINTS

5.1 Background

Complaints in respect of food either relate to:-

- i) hygiene issues and hence involve local businesses;
- ii) complaints relating to the actual food itself, either appearance, taste, contamination, (whether physical, chemical or allergenic where an imminent risk to health), or microbiological quality or;
- iii) Food Alerts issued by the Food Standards Agency in relation to national or international food safety issues.

The purpose of investigating such complaints is:

- i) to identify possible causes for and to resolve any problems which pose a risk to public health;
- ii) to substantiate complaints and to provide a service to the public;
- iii) to provide information to the food industry in order to raise and maintain standards;
- iv) to perform a duty of enforcement and;
- v) to prevent further complaints.

5.2 Food Hygiene

These types of complaint generally involve a local business, either relating to the standard of hygiene seen/experienced or a complaint following illness.

Complaints that relate to issues that may pose a risk to health are considered of utmost importance and therefore require an immediate response upon notification in order to investigate as thoroughly as possible and to ensure that food continues to be prepared safely. In cases involving issues that do not pose a risk to health, these will be investigated within the departmental response time of 3 days.

Officers will conduct their investigations and visits in accordance with previously detailed policies and guidance. Where appropriate, samples will be taken in accordance with the Sampling Policy.

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5.3 Food Complaints

These types of complaint relate to food that has been purchased or eaten within the District and does not meet certain health standards as defined by EC Regulation 178/2002. This could include issues such as mould growth, physical contamination or chemical contamination posing an imminent risk to health. Where the complaint is concerned with composition, adulteration, chemical contamination where no imminent risk to health or misleading claims (labelling), the complaint will be transferred to the Trading Standards Service at the County Council. Likewise, where the complaint originated outside Chiltern and South Bucks areas, the complaint shall be referred to the relevant local authority.

In relation to complaints associated with allergens, officers, will investigate complaints where there has been an alleged reaction by a member of the public. All other complaints relating to labelling and provision of information to consumers will be referred to Trading Standards if the business is not due an official food control intervention.

All investigations shall be performed in accordance with the FSA Code of Practice and Practice Guidance and the 'Primary Authority Scheme' shall prevail throughout the investigation.

Enforcement action will be in accordance with the Enforcement Policy.

5.4 Food Alerts

The Food Standards Agency operates a system to alert the public and local authorities of serious problems concerning food that does not meet food safety requirements, food that is inadequately labelled or food that may be allergenic. Where a problem has occurred, food is normally withdrawn on a voluntary basis. However in some cases the withdrawal of food involves the food companies working with central and local Government.

When a Food Alert is issued, local authorities are informed of the action that they should take at a local level e.g. local publicity, contact with local food businesses or just to be aware of potential problems during visits to businesses.

Officers will carry out action specified in the Food Alert as instructed and in the most appropriate, expeditious and cost effective manner possible to safeguard public health. Action will be taken in accordance with guidance issued by central government.

If, following complaints, a Food Alert needs to be issued, the guidance in the Code of Practice will be followed.

When necessary, the Consultant in Communicable Disease Control and/or Public

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Analyst will be consulted and advice sought as to the public health significance of particular issues.

6.0 POLICY WITH RESPECT TO SAMPLING

It is recognised that food sampling provides a valuable contribution to the protection of the public and the food law enforcement functions of the authority and that the food and water sampling programme is a valuable tool to assist in determining food safety standards.

6.1 Objectives

The following are the key objectives for sampling recognised by the authorities:

- To protect the consumer through the enforcement of food legislation.
- To obtain recognised and usable microbiological standards for foods, via a nationally co-ordinated sampling programme.
- To assist in the assessment of food safety and to help in the evaluation of hazard analysis (or HACCP) management systems.
- To check that foods comply with statutory microbiological standards, where available.
- To assess the microbiological quality of food manufactured, distributed or retailed in the authority's area.
- To identify specific foodstuffs that could pose a hazard to the consumer because they may contain significant levels of pathogenic bacteria.
- To facilitate the issue of an export certificate.

When sampling, officers will have regard to the Code of Practice and comply with additional guidance issued by the Food Standards Agency. Officers will also undertake appropriate training in sampling techniques.

6.2 Co-ordination

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

- i) participating in and co-operating with the Food Standards Agency's national sampling schemes and EU co-ordinated control programmes.
- ii) participating in and co-operating with Public Health England national schemes.
- iii) co-ordinating with adjoining local authorities and local PHE to agree locally co-ordinated sampling.

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- iv) undertaking final product and critical control point monitoring as part of the authorities' own primary authority responsibilities and to avoid duplication with other Port Health or Primary Authorities.

6.3 Sampling Programme

An annual sampling programme will be drawn up based on the objectives above to cover:

- private water supplies, locally bottled water
- PHE and FSA co-ordinated sampling
- locally co-ordinated sampling including locally manufactured products and approved premises
- identified high risk businesses
- poor performing businesses
- lower risk businesses as part of an alternative intervention strategy

The sampling programme will take account of the number, type and risk ratings of food businesses within the Chiltern and South Bucks areas, the authorities' own Primary Authority responsibilities and the need to ensure that the provisions of food law are adequately enforced.

Adequate resources will be available to fulfil the annual sampling programme. However, in the event of food poisoning outbreaks and other emergency incidences, additional resources will be made available as necessary. A reciprocal agreement has been made between the Buckinghamshire authorities to share resources in the event of an emergency.

When deciding to sample, the following should be considered:

- i) Whether further processing of the food will reduce or eliminate micro-organisms prior to consumption;
- ii) The role played by hazard analysis or HACCP in the production of safe food;
- iii) The statistical confidence in the sampling technique.

All businesses will be notified at the time of sampling of the purpose of taking the sample and will be sent the results. In circumstances where results are unsatisfactory, businesses will be notified of the result and given advice and guidance to remedy the specific problem. Officers will follow up unsatisfactory results with visits and further sampling.

As part of informal monitoring, the company concerned generally will volunteer the sample to the sampling officer. However, if the company requests payment or the quantity or frequency of sampling is likely to give rise to significant financial consequences for the owner of the food, then the food will be purchased.

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If enforcement action is anticipated under Section 14 of the Act following microbiological examination, the sampling officer should purchase the sample. Otherwise, in other circumstances, powers under the Food Safety Act 1990 will be used. Enforcement action will be in accordance with the Enforcement Policy. In relation to nationally co-ordinated sampling programmes, the protocol concerning obtaining the sample will be followed.

6.4 Water

All private water supplies will be monitored and risk assessed in accordance with the Private Water Supplies Regulations.

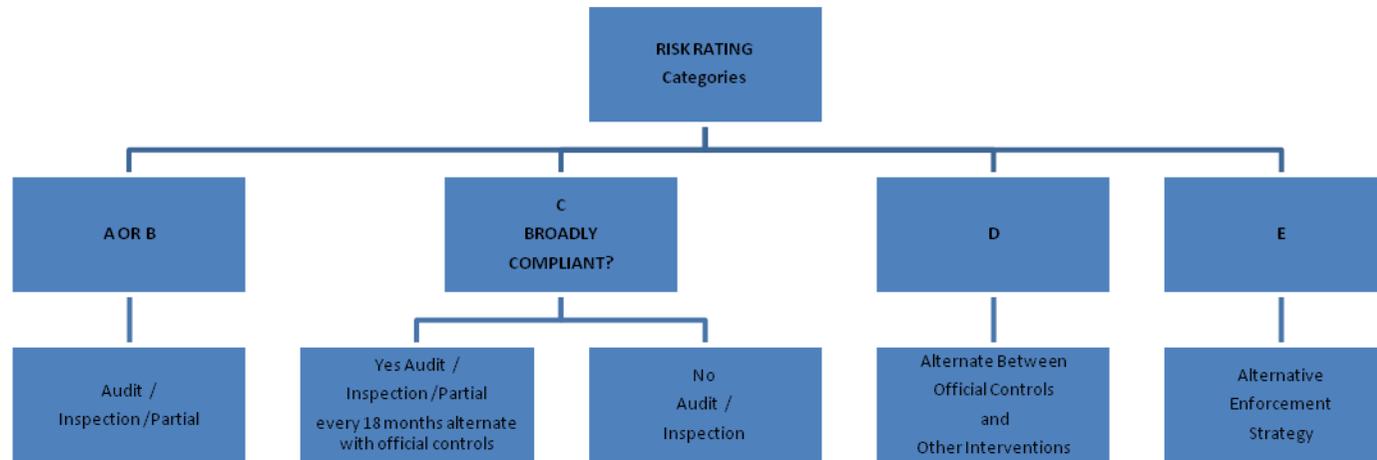
Swimming pool waters will not be routinely sampled, on the grounds that such samples are of limited snapshot value, do not necessarily fall to the authorities for enforcement purposes and should be maintained and monitored by the operator on a daily basis. However, this would not preclude the need for one-off sampling exercises particularly targeted at high risk pools such as jacuzzis' and spa pools or where incidents have been associated with a facility.

6.5 Suspect Food Poisoning

Where a food poisoning outbreak is suspected, faecal specimens will be taken together with any remaining foodstuffs, as a matter of priority and as directed by Public Health England.

Individual cases of suspect food poisoning will be referred initially to their General Practitioner unless officers feel other action is merited or requested by PHE. Foodstuffs will be sampled where evidence supports this action.

APPENDIX 1 - RISK RATING CATEGORIES AND INTERVENTIONS



NB. A broadly compliant premise is one which has a risk rating score of not more than 10 points under each of the following three parts of Annex A i.e. level of compliance relating to hygiene, structure and confidence in management. The types of intervention allowed will therefore vary depending upon the category. The following explains the types of interventions allowed for each category.

1a. Types of intervention for Category A, B & C which are not Broadly Compliant

For Categories A and B, and those category C premises that are not broadly compliant, these are considered to be the high risk premises, and therefore most of our focus will be targeted to these premises. The appropriate planned intervention should be;

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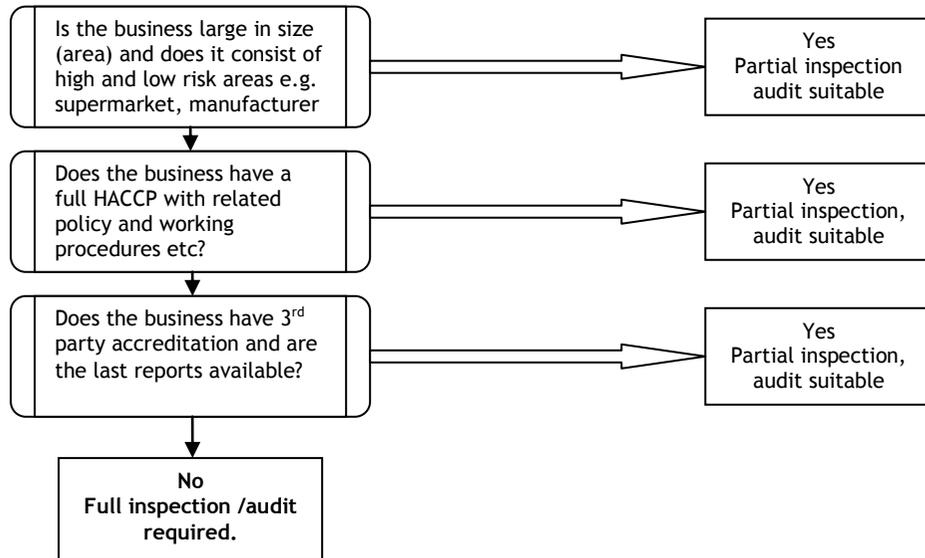
- an inspection
- a partial inspection; or
- an audit

Other interventions such as sampling, or education and training can also take place alongside the above interventions. Sampling of high risk premises is encouraged where poor practices at a high risk food business are identified, or where they do not have confidence in the method of production of a particular foodstuff.

To decide whether to conduct an Inspection, Partial Inspection or Audit the following flow chart will be considered.

For Category A & B and Broadly Compliant C, Choosing Full or Partial inspections

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1b. Types of intervention for Category A & B which are not Broadly Compliant and have persistent non compliance

At the start of each financial year the Principal Environmental Health Officer or Senior Specialist Environmental Health Officer (Business Support) will assess those premises within those categories that have **persistent** non compliance i.e. those food businesses that have been rated at Category A or B and that have not been broadly compliant on more than two occasions. Each persistent non-compliant business will be allocated to an officer and will be inspected on the due date. Case reviews of these premises will be carried out between the inspecting officer and either the Principal Environmental Health Officer or the Senior Specialist Environmental Health Officer (Business Support).

1c Food Hygiene Inspections Full and Partial

During partial or other inspections the following information as a minimum will still be ascertained;

- Confirmation of the operations carried out
- Confirmation of the Products Produced
- An assessment of the effectiveness of the critical control points
- The examination of the CCP records

Partial areas officers can choose to cover; Drainage, Personal Hygiene, Sickness Policies, Ventilation, Pest Control Records, Detailed water plans, Waste Contracts, Detailed Cleaning Schedules etc

2. Types of Intervention for Premises that are Category C and Broadly Compliant

For Category C Premises that are broadly compliant; on an 18 month alternative basis, official control interventions, other than inspections, can be used for example;

- Sampling visit
- Surveillance / alternative enforcement visit
- Monitoring and Verifications visits – risk based visit, focus on most critical points;

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- Cleaning
- Temperature Control (chilling, cooking, hot holding, cold displays)
- Cross contamination etc

3. Types of Interventions for Category D Premises

These are premises that are considered to be lower risk and therefore interventions can alternate on a 2 year alternating basis between official control interventions and non-official control interventions such as;

- Sampling visit (sampling visits will not currently be used with this type of premises unless high risk contraventions are found.)
- Surveillance / Alternative Enforcement Visit
- Monitoring and Verifications visits – risk based visit, focus on most critical points;
- Cleaning
- Temperature Control (chilling, cooking, hot holding, cold displays)
- Cross contamination etc
- Coaching Visit
- Advice, Education, Information,

However, where a business has scored 30 or 40 for 'type of food and method of handling' the official control must be an inspection, partial inspection or audit.

4. Types of interventions for Category E Premises– Alternative Enforcement Visits

Alternative food hygiene inspections are carried out in 'low risk' establishments. These are establishments which score less than 31 points overall as dictated by the Food Law Code of Practice – Food Hygiene Inspection Rating Scheme. Category E food businesses form part of the inspection programme and are monitored accordingly. The approach will be through the use of self-assessment questionnaires which are completed and returned by the food business operator and assessed by authorised officers who would also determine any necessary follow up action.

The use of an alternative enforcement strategy does not preclude the use of an official control intervention when considered necessary or appropriate

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and would not be used for those businesses that are approved under Regulation 853/2004.

Summary of Interventions relating to risk category

Premises Category	Interventions that can be undertaken
A	Inspection, Audit (Full or Partial)
B	Inspection, Audit (Full or Partial)
C (not broadly compliant)	Inspection, Audit (Full or Partial)
C (broadly compliant)	Inspection, Audit (Full or Partial) alternating (18 monthly) with Monitoring, Surveillance or Verification, Sampling
D	Inspection, Audit (Full or Partial), Monitoring, Surveillance or Verification, Sampling alternating (every 2 years) with Advice, Coaching, Information, Intelligence Gathering
E	Alternative Enforcement

The risk assessment will be reviewed at every general inspection, but not at revisits. Businesses will be encouraged to be aware of this risk assessment scheme and be encouraged to reduce their score thereby reducing the frequency of inspection. When requested, each officer will advise the food business operator/manager of their rating and be prepared to discuss how it was arrived at and how the business can reduce it.

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Appendix 2 Service Standards

Our Commitment

- We will give you verbal feedback at the end of each inspection and aim to give you written confirmation either at the time of the inspection or within 5 working days.
- We will update the FSA Food Hygiene Rating Scheme website fortnightly
- We will respond to FHRS safeguarding requests within 10 working days
- If we receive a request for service we will investigate and respond within 10 working days.
- We will answer letters within 10 working days of receiving them and if we cannot give a full reply within that time, we will let you know when you can expect one and why there is a delay.
- We will answer emails within 10 working days of receiving them.
- We will answer the telephone within 20 seconds (6 rings).
- If we cannot give you a satisfactory reply when you telephone, we will call back at an agreed time.
- We will provide you with a contact name and number.

What to do if you are unhappy with the service?

The Council has a Corporate Complaints Procedure which can be found at:

<http://www.chiltern.gov.uk/complaints>

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

These pages explain how to make a complaint against any Council Service.

If you disagree with the nature of your food hygiene inspection, the FHRS outcome or wish to add a comment to your website entry, then you can use the safeguarding measures published at:

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

<http://www.chiltern.gov.uk/fhrssafeguards>

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

Environmental Health Section

HEALTH AND SAFETY ENFORCEMENT POLICY

April 2019 - 20



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- 1.0 Aims and Objectives
- 2.0 Standards for health and safety related work
- 3.0 Health and Safety Interventions
- 4.0 Enforcement Policy
- 5.0 Policy with respect to Complaints
- 6.0 Policy with respect to Accident Investigation
- 7.0 Policy with Disclosure of Information

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BACKGROUND

The Healthy Communities Division has a key role in ensuring that everyone who works, resides or visits Chiltern and South Bucks Districts, are protected from unsafe work practices.

The Health and Safety Executive (HSE) specifies the following elements as essential for a local authority to adequately discharge its duty as an enforcing authority:

- i. A clear published statement of enforcement policy and practice;
- ii. A system for prioritised planned inspection activity according to hazard and risk, and consistent with any advice given by the Health and Safety Executive (HSE) and Local Authority Unit (LAU);
- iii. A service plan detailing the local authority's priorities and its aims and objectives for the enforcement of health and safety;
- iv. The capacity to investigate workplace accidents and to respond to complaints by employees and others against allegations of health and safety failures;
- v. Arrangements for benchmarking performance with peer local authorities
- vi. Provision of trained and competent inspectorate;
- vii. Arrangements for liaison and co-operation in respect of the Primary Authority scheme.

This policy sets out the ways in which the Healthy Communities Division will achieve Central Government aims and objectives, and policies in relation to ensuring that standards required by the Health and Safety at Work etc Act are met, advise businesses and employees on safety issues and ensuring that preventative health measures are adopted by businesses.

Our enforcement policy reflects the Principles of Good Regulation set out in the Legislative and Regulatory Reform Act 2006, namely that regulatory activities should be carried out in a way which is transparent, accountable, proportionate and consistent; and that regulatory activities should be targeted only at cases in which action is needed.

In drafting this policy, we have taken account of the Regulator's Code and the Councils' overarching enforcement policy.

It should be noted that during the life of this policy, Chiltern and South Bucks District Councils will form part of a new Buckinghamshire Unitary Authority. Therefore, any reference to either of the district councils or the county council after 1st April 2020 should be construed as being that of the new unitary authority.

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1.0 AIMS AND OBJECTIVES

1.1 Aim

It is the Councils' aim to:

- support and assist businesses to comply with legislation
- provide consistent, accurate and up-to-date information aimed at providing protection to employees and customers
- provide effective and efficient regulatory services that meets customer needs

1.2 Objectives

The Councils will aim to achieve these aims in the following ways:

- To protect people by providing information, training and advice, promoting a goal-setting system of regulation and undertaking enforcement in accordance with this policy and Government guidance
- Develop partnerships and approaches to service delivery to enhance services, increase impact and reduce costs through innovation;
- To support businesses to adopt best practice and to recognise their contribution towards economic growth and social benefits;
- Develop new ways to establish and maintain an effective health and safety culture in a changing economy, so that all employers take their responsibilities seriously, the workforce is fully involved and risks are properly managed;
- Exemplify our own corporate health and safety practice in managing our resources.

1.3 Service Delivery

The service will be delivered through:

- i) risk-based targeting of inspections of high risk businesses based on national and local intelligence, with appropriate follow-up action;
- ii) project based intervention programmes based on the HSE's key priority areas;
- iii) investigation of complaints with appropriate follow-up action;
- iv) investigation of accidents with appropriate follow-up action;

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- v) suitably trained and experienced officers who are effectively monitored;
- vi) provision of information to businesses about legal requirements, good practices and what to expect of the inspecting officer/authority;
- vii) promotional activities to inform and encourage high standards in businesses.

1.4 Priorities

It is recognised that resources are finite. Therefore it is particularly important that resources for health and safety are targeted at activities that pose the greatest risk and that will allow for the most effective and efficient use of resources in delivering outcomes.

Priority will be given to targeting those activities that pose the greatest risk to employees and members of the public. In particular, priority will be given to those issues within the HSE Strategy identified as the greatest causes of accidents within the local authority enforced sector. In setting priorities and the local authorities' work plan, due regard will be given to the National Local Authority Enforcement Code published by the HSE. This will consist of having regard to national priorities and sector specific strategies set by the HSE; local priorities informed by local intelligence, workplace accidents and complaints, Matters of Evident Concern and Matters of Potential Major Concern and Primary Authority inspection plans.

These key priorities will determine the approach taken towards individual inspections and the overall intervention programme itself. Officers will focus on these key priorities during interventions in the following way:

- the correct and uniform identification of high-risk areas with particular attention being given to the key priorities during inspections and as a result of complaint and accident investigation and to concentrate efforts to reduce these risks;
- ensuring compliance with the law and;
- engaging in those promotional activities for businesses and employees, which are most likely to foster improved health and safety;
- working with other agencies to improve health and safety standards either through enforcement or promotional activities.

2.0 STANDARDS FOR HEALTH AND SAFETY RELATED WORK

2.1 Authorisations

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

In the context of the Health and Safety at Work Act 1974, an authorised officer's powers include the inspection of premises, the examination, sampling and seizure of substances, articles and equipment, the service of notices and taking emergency action. Authorised officers will be authorised in accordance with Section 18 guidance issued by the HSE.

Under the Chiltern District Council and South Bucks District Council Constitutions the Head of Healthy Communities has delegated authority to exercise the Councils' functions, powers and

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duties in relation to health and safety at work.

The Director of Services and Head of Healthy Communities in exercising his/her authority to appoint authorised officers will apply the standards contained in this Policy.

2.1.1 Inspections

Inspection of premises will only be undertaken by officers who are suitably qualified, experienced and competent in accordance with the requirements of Section 18 Guidance. This will equally apply to those employed on a contract basis.

Newly appointed officers or currently employed officers who are extending their duties will not be authorised unless they possess the appropriate competencies, skills, qualifications and experience to undertake their duties and that they have undergone a period of structured training in accordance with Section 18 Guidance. The assessment of competency etc. will be undertaken by the Senior Specialist Environmental Health Officer (Business Support) or the Principal Environmental Health Officer.

2.1.2 Enforcement Notices

Service of Improvement Notices will only be undertaken by qualified officers with experience in health and safety law enforcement, and after consultation with the Senior Specialist Environmental Health Officer (Business Support) or Principal Environmental Health Officer.

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

Officers will be authorised to serve Prohibition Notices in accordance with the standards within the Policy. Where practicable, he/she will be accompanied by another authorised EHO to corroborate the proceedings and consult with the Senior Specialist Environmental Health Officer (Business Support) or Principal Environmental Health Officer. If this is not possible, then the Environmental Health Manager is to be notified as soon as possible after service.

2.1.3 Seizure and Detention

Officers will be authorised to inspect, detain and seize articles and equipment subject to experience and competence.

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

2.1.4 Competency

The Principal Environmental Health Officer has been given specific responsibility for health and safety matters and managing the health and safety service. This will be in accordance with the documented 'Inspection Monitoring Management System'.

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Environmental Health Officers and Technical Officers will carry out inspections and exercise their powers in accordance with the Health and Safety at Work etc. Act, associated Regulations and Codes of Practice and within the restrictions of their authorisation.

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

Recommendations will be made by the Principal Environmental Health Officer to the Head of Healthy Communities in respect of the powers to be given to officers and the nature of premises to be inspected.

A list of the officers, their powers and the nature of premises which the officer may inspect, will be maintained and regularly updated together with records of training.

2.1.5 Authorisation of Persons with Expert Knowledge.

Under Section 20(2)(c)(i) of the Health and Safety at Work etc. Act 1974 an authorised officer may take another person with them on the inspection e.g. a person with an expert knowledge of the type of activity being inspected. Authorisation of such persons is necessary to ensure the right of entry to the premises concerned. Where it is necessary to be accompanied by another person, an officer will ensure they are duly authorised in writing and empowered under Section 19 to perform such activities as are necessary under Section 20 of the Act. Such authorisation is given under the authority of the Head of Healthy Communities.

2.2 Guidance

The authorities will have regard to Codes of Practice and guidance issued by the Health and Safety Executive, other advice issued by the Government and advice issued by Health and Safety Executive/Local Authority Enforcement Liaison Committee (HELA).

2.3 Uniformity

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

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

- i) the awareness, adherence to and review of the health and safety policy document and further development of office procedures;
- ii) training, qualifications, supervision of staff. Regular practical training and update sessions will be essential to ensure uniformity;
- iii) cross monitoring visits of staff and monitoring of letters, inspection records and notices by senior officers;
- iv) use of the Primary Authority Partnership Scheme, specified in HELA Guidance and by the Office of Product Safety and Standards;

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- v) liaison with local health and safety groups/adjoining authorities. Use of joint training initiatives. Co-operation and joint working on uniformity issues;
- vi) compliance with relevant Codes of Practice and guidance from LAU;
- vii) Consistent application of the Enforcement Management Model (EMM) when making enforcement decisions.

2.4 Advice to Businesses

The authorities are committed to ensuring that businesses are aware of their legal obligations and to supporting businesses in achieving best practice by providing information and guidance to assist businesses. In particular, it is recognised that small businesses do not have access to specialist health and safety knowledge or information and so initiatives will be developed to target information for these businesses within the districts. The authorities will be committed to helping small businesses.

Where opportunities arise to provide advice and guidance to businesses over and above that required to ensure legal compliance, then a charge may be made.

In particular:

- i) the Councils' websites will be the primary source of information to assist businesses with interpretation of legislation or good practice. The Councils also provide services for ethnic minority groups through 'Language Line', translation services and courses in languages other than English. Where the Councils do not provide the service itself, information will be given to businesses about other providers.
- ii) a chargeable advice service may be available to new and existing businesses to support them in achieving high standards of safety and compliance.
- iii) businesses will be supported and encouraged to participate in the Primary Authority Partnership Scheme where applicable.
- iv) where there is sufficient demand occasional talks will be given to businesses. Charges to cover costs will be made for out of hour's sessions.

2.5 Advice to Members of the Public

The Councils' websites will be the primary source of advice and information on safety issues and will be reviewed on a quarterly basis. The authorities will participate in national health and safety activities and local events. Talks to voluntary organisations and groups will be given free of charge where resources permit.

2.6 Conduct

Inspecting officers will at all times act and dress in a professional manner. Protective clothing will be worn that is appropriate to the premises being inspected and equipment will be maintained and calibrated where appropriate.

Officers will not act in such a way as to pose a risk to safety or health either to themselves, employers and employees and members of the public.

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2.7 Information Sharing

Where the legislation permits, the authority will share information via agreed secure mechanisms with other regulatory agencies and local authorities about businesses to help target resources and activities and to minimise duplication.

The authorities will share information about businesses with the Primary Authority as appropriate and with other authorities when acting as a Primary Authority.

The authorities will, where feasible, follow the principle of 'collect once, use many times' when requesting information from businesses.

3.0 HEALTH AND SAFETY INTERVENTIONS

3.1 Premises

Efforts will be made to keep an up to date record maintained on a computer database of all known premises. As necessary, businesses will be assessed for the need to be included within an intervention programme based on information obtained from the proprietor or following inspection.

3.2 Frequency of inspections

The National Local Authority Enforcement Code and HELA guidance note LAC 67/2 'Setting Local Authority Priorities and Targeting Interventions' provide advice as to the prioritisation of inspections. Proactive inspection will be used only for the activities identified within the HSE's published list of higher risk activities or where there is local intelligence that risks are not being effectively managed. It is recognised that 'inspection' may not necessarily be the most effective means of dealing with a particular situation and that other types of interventions may be more suitable. The current guidance is that *'there should be no inspection without a reason'*.

Risk ratings alone will not be used to determine the use of a particular intervention or to decide an intervention frequency. However, whilst it is likely that premises rated Category A have been rated such because they have been judged as not managing their risks effectively, sufficient evidence will be required to justify the risk rating; confidence in management considered in isolation is not sufficient to justify an A rating.

In recognition of the HSC/HELA Strategy priorities, inspections will be programmed on a project based basis. Each project will be identified in relation to the impact it will have in addressing the key priorities and will either be a cross-cutting project targeting a single priority e.g. slips and trips across a wide range of businesses or will be sector specific targeted at those activities that have been identified as being high risk e.g. warehousing, or those sectors where inspections will address a number of the key priorities at the same time e.g. residential care homes.

This project based approach will provide for a more efficient use of resources and be more effective in targeting the priorities that have been identified as giving rise to the highest

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number of accidents. Statistical data, both nationally and locally, will be used to identify those activities which require the most attention.

Category B1, B2 and C premises will not form part of the inspection programme and so will not be subject to any proactive interventions unless they come within one of the priority subject areas.

Revisits to check on outstanding issues will be made where necessary. Where health and safety interventions coincide with food hygiene inspections, a joint inspection will be undertaken. All visits will be recorded on the computer-based system and documents scanned to the corporate Electronic Document Management System.

3.3 Inspection Procedure

3.3.1 Approach

The authorities will work to standards set within HELA Guidance and internal inspections procedure documents.

The main purpose of inspections is to identify potential risks to employee's and the public's safety or health and to ensure that the business understands the risks and has put the necessary measures in place to minimise them. When undertaking an inspection, officers will pay particular emphasis to risk assessment based management systems and the HSE key priorities.

A systematic approach to risk assessment will be adopted. Where businesses have identified their significant risks and have introduced controls, the inspection will focus on the accuracy of the assessment and on the effectiveness of the controls. Written assessments will normally be expected in high risk or complex businesses and where they employ 5 or more employees. Businesses with less than 5 employees will not be expected to have written assessments.

Where no assessment by the business can be demonstrated the inspection will focus on the officer's own assessment and examination of controls.

The whole of a premise may not necessarily be inspected at each inspection; those areas of greatest risk will be given priority. Officers will have regard to the key priorities and the focus will be on those which are significantly pertinent to the activities of the business being inspected.

Computer records will be updated following every visit.

3.3.2 Communication

Every inspection (including those where no defects are identified) will result in a written report to the employer. Copies of the report will be sent to the Manager or other relevant persons, including employee and safety representatives.

A standard format will be used. The report will cover the important issues noted during the inspection in priority order and will clearly distinguish between legal requirements and

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recommendations. It will give details of the person carrying out the inspection, date, time, the areas inspected and the procedure if the proprietor disagrees with the issues raised in the report.

Good communication between inspector and employer is essential wherever possible, including ensuring that the purpose and scope of an inspection is understood and the "works" needed following the inspection with an agreed time limit. The impact of the advice should be considered so that it does not impose unnecessary burdens upon businesses.

The role of Safety Representatives in preventing injuries and ill health at work and promoting good standards of health and safety in the workplace is recognised. Therefore their role will be promoted and officers will effectively consult and communicate with them where appropriate.

Section 28(8) of the Health and Safety at Work etc. Act places a duty on inspectors to provide factual information where it is necessary to do so for the purposes of assisting in keeping employees or their representatives informed about matters that affect their health and safety. This factual information will also be provided to employers. This will include correspondence, enforcement notices, results of sampling and monitoring and intentions to prosecute.

3.3.3 Timing of Inspections

Programmed inspections will be carried out at all reasonable hours. It is recognised that some businesses operate outside normal office hours of work and so the timing of interventions will take this into account. Interventions may be by appointment to facilitate better communication with the most appropriate person at the business. However, when circumstances dictate the use of contract staff, appointments may not be possible. Notice will not be given where poor standards are likely to be found, the nature of the project work dictates an alternative approach or where complaints or accidents are being investigated.

Revisit dates may be notified in advance as an aid to ensuring that works are completed and to facilitate further discussions with the employer. Appointments may also be made when there is a need to discuss specific issues.

Where alternative dates for visits are requested by a business the inspector may agree, if suitable justification is given, and the inspector is satisfied that the purpose behind the request is not to conceal a major risk. Where the officer suspects that the intention is to hide a serious offence he/she should agree to have a quick look around and then agree a full visit at a later date.

3.3.4 Revisits

Revisit inspections will be arranged to check on matters raised in an inspection (and any obvious extra defects) where there are **significant** contraventions and/or serious risks to public health and to check on compliance with statutory notices. They will not turn into a further full inspection except where a major risk is identified. Where significant breaches of regulations have been identified, the revisit should whenever practicable be undertaken by the same officer who undertook the initial visit particularly where formal notices have been served.

After initial inspections, employers must be made aware that a revisit will be made and

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appropriate dates discussed.

Revisits will not always result in a written report (unless further work is required) to the employer although the employer will always be advised of the outcome verbally, and in writing if requested. However, detailed records of revisits will be made and kept on the property database. Clear records will be maintained of formal and informal notices which have been complied with.

4.0 ENFORCEMENT POLICY

This section sets out the policy relating to the general principles of enforcement in relation to health and safety and is drafted in accordance with the overarching Corporate Enforcement Policy. It details the general principles of enforcement and embraces those set out in the 'Regulators' Code' issued by the Better Regulation Delivery Office (now the Office for Product Safety and Standards) and Section 18 Guidance issued by the HSC.

More specific procedures concerned with statutory notices, emergency action, formal cautions and prosecutions are detailed in enforcement procedures. These procedures take account of all Codes of Practice and guidance issued by HSE and 'The Code for Crown Prosecutors'.

Enforcement officers by necessity as professional officers have considerable discretion in decision making and initiating enforcement action. Such action can range from informal advice, information and support through to formal enforcement mechanisms, including the use of statutory notices and prosecution.

This part applies to all dealings, formal and informal, between officers and businesses – all of which contribute to securing compliance with the law. It will provide policy standards, aid professional judgements and decision making and ensure both consistent and effective enforcement.

4.1 Principles of Enforcement

The core expectation for those we deal with, quite reasonably, is for us to be professional, fair, co-operative and consistent in our approaches. Businesses and the public also expect local authority actions to result in the remedying of potentially risky situations and for those guilty of serious offences to be adequately punished.

We will adopt a positive and proactive approach towards ensuring compliance by:

- helping and encouraging businesses to understand and meet regulatory requirements more easily; without imposing unnecessary additional cost;
- assess whether other social, environmental and economic outcomes can be achieved by less burdensome measures, and
- responding proportionately to regulatory breaches.

Enforcement should be informed by the principles of **proportionality** in applying the law and securing compliance; **consistency** of approach; **targeting** of enforcement action, **openness** about how we operate and what businesses may expect and **helpfulness** in providing advice and assisting with compliance.

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Appendix 1 sets out the standards of service you should expect to receive.

It will be expected that enforcement officers, when making decisions and communicating with businesses will follow these principles, together with relevant codes of practice and guidance. The Primary Authority partnership scheme will be used where applicable.

When considering formal action, officers will perform an assessment in accordance with the Health and Safety Executive's Enforcement Management Model (EMM). Where the proposed enforcement action deviates from the EMM, a management review will be undertaken by the Principal Environmental Health Officer.

Any departure from this must only occur when the following criteria are complied with:

- i) in exceptional circumstances;
- ii) where actions are capable of justification;
- iii) where there has been full consultation with the Principal Environmental Health Officer or Environmental Health Manager

In circumstances when officers become aware that they are considering measures which may be inconsistent with those adopted by other local authorities, formal action may be delayed to allow the matter to be discussed at the local liaison group. Reference will also be made to the Primary Authority where appropriate. However this would not be applicable in cases where there is a serious risk to public health.

Any sanctions or penalties considered should:

- aim to change the behaviour of the offender;
- aim to eliminate any financial gain or benefit from non-compliance;
- be responsive and appropriate for the particular offender and regulatory issue
- be proportionate to the nature of the offence and the harm caused;
- aim to restore the harm caused by regulatory non-compliance, where appropriate;
- and
- aim to deter future non-compliance

This policy will be reviewed periodically in response to new legislation and guidance issued by central government and HELA.

4.1.1 Proportionality

All enforcement actions and advice must be proportional to the risks posed to the public/employees and the seriousness of any breach of legislation. When considering enforcement action, consideration should be given to the cost of measures required to reduce the risk weighed against the benefit to be gained by reducing the risk.

In addition, there should be a staged approach to enforcement action with increasing degrees of enforcement as management of businesses fail to respond to previous requests. Officers should provide an opportunity for dialogue in relation to the advice, requirements and decisions.

The only exceptions to the above approach would be where a serious and/or imminent risk to

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safety or health exists.

The staged approach to enforcement is further detailed in the enforcement procedures.

4.1.2 Consistency

Consistency of approach does not mean uniformity. It means taking a similar approach in similar circumstances to achieve similar ends.

Businesses expect consistency from enforcing authorities in advice given, the use of statutory notices, decisions on prosecution and responses to complaints.

It is recognised however, that in practice it is not simple, due to the wide range of variables faced. Therefore it is expected that officers will use their professional judgement and exercise discretion, in conjunction with this policy, when coming to a decision on appropriate action.

The following arrangements will be in place in order to promote consistency of approach:

- i) Officers will perform validation exercises relating to joint inspections;
- ii) The Senior Specialist Environmental Health Officer (Business Support) will accompany officers to assess the consistency of approach between officers;
- iii) Officers openly discuss cases at team meetings and/or with the Principal Environmental Health Officer or Senior Specialist Environmental Health Officer (Business Support) to provide a consensus of opinion;
- iv) All formal action will be 'signed off' by the Principal Environmental Health Officer
- v) Correspondence, file records and enforcement notices will be checked and monitored on a regular basis;
- vi) Where inconsistencies arise, appropriate training/coaching will be given by the Senior Specialist Environmental Health Officer (Business Support);
- vii) Where there is a need for clarification, approaches will be made to the Bucks Health and Safety Liaison Group;
- viii) Officers will participate in inter-authority consistency exercises and change working practices, if necessary, to achieve consistency;
- ix) Chiltern and South Bucks District Councils will take an active role in the Bucks Health and Safety Liaison Group;
- x) Reference will be made to appropriate central government guidance;
- xi) Reference will be made to appropriate guidance issued by a Primary Authority.

4.1.3 Targeting

Inspections and enforcement action will be targeted primarily at those activities giving rise to the most serious risks or where hazards are least controlled and that action is focussed on those responsible for the risk and who are best placed to control it.

The prioritisation of inspections will be based on guidance issued by the HSE and informed by the HSE Strategy.

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4.1.4 Openness

Enforcement officers will help businesses to understand what is expected of them (and what would not be expected) and what they should expect from the enforcing authorities.

Confirmation of all work (initial inspections, revisits and complaints) will be given in writing to business managers and as appropriate to head offices. Information will clearly explain what the non-compliant item or activity is, the advice being given, actions required or decisions taken and the reasons for these.

There will be a clear distinction between legal requirements and good practice recommendations (either verbally or written).

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

If formal requests for information are received from a third party, advice will be sought from the Data Protection Monitoring Officer or the Legal Department prior to replying.

Businesses will be made aware of how to access copies of procedures, the Corporate Complaints Procedure when appropriate, the informal appeals procedure to the Principal Environmental Health Officer in the first instance and any statutory appeals procedure against enforcement. This is to be included in correspondence to businesses following inspections.

4.1.5 Helpfulness

The principle is to actively work with businesses to advise on and assist with compliance wherever possible. To this end, officers will identify themselves by name and provide a contact point and telephone number for further dealings. Businesses will be encouraged to seek advice/information; information will be freely available on the Councils' website with links to those produced by central government. When appropriate, training courses/seminars will be provided for businesses on specific issues.

4.2 Prosecution of Individuals

Subject to the general provisions of this Enforcement Policy, recommendations for prosecutions of individuals will be made if warranted. The role played by individual directors, managers and other employees will be taken into account when an investigation reveals that the offence was committed with their consent or connivance or was attributable to neglect on their part.

4.3 Death at Work

Any authorised officer called upon to investigate a fatality should ensure that early contact with the bereaved family is made and/or arrangements made to meet the bereaved as soon as they wish in order to explain the local authorities' roles and responsibilities and to provide them with relevant information. The Principal Environmental Health Officer will normally take responsibility for conducting the meeting with the bereaved family and act as the Family

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Liaison Officer, supported if necessary, by another officer but not necessarily the investigating officer. This should take place as soon as possible, bearing in mind the convenience and wishes of the family. Officers should also keep relatives informed of the progress and outcome of the investigation. The policy on the disclosure of information to bereaved relatives will be in accordance with HELA LAC 45/19 'Contact With, and Disclosure of Information to, the Relatives of People Killed Through Work Activities'.

Where there has been a breach of the law leading to a work related death, consideration will be given whether the circumstances of the case might justify a charge of manslaughter. To this end, the investigating officer will liaise with the Police, Coroner and the Crown Prosecution Service (CPS) in accordance with 'Work-Related Deaths – A Protocol for Liaison'. If they find evidence suggesting manslaughter, this will be passed to the Police or where appropriate, the CPS. If the Police or CPS decides not to pursue a manslaughter case, the local authority should consider prosecution under health and safety legislation.

5.0 POLICY WITH RESPECT TO COMPLAINTS

5.1 Background

Requests for service in respect of health and safety relate to:

- i) complaints received from employees or safety representatives concerning workplace issues;
- ii) complaints received from members of the public or visitors to businesses concerning the impact of a business' activity on others;
- iii) requests for advice and information.

The purpose of investigating complaints is:

- i) to identify possible causes for and to resolve any problems which pose a risk to health and safety;
- ii) to substantiate complaints and to provide a service to the public;
- iii) to provide information to the industry in order to raise and maintain standards;
- iv) to perform a duty of enforcement and;
- v) to prevent further complaints.

Complaints that relate to issues that may pose a serious and/or imminent risk to health and/or safety are considered of utmost importance and therefore require an immediate response upon notification in order to investigate as thoroughly as possible. In cases involving issues that do not pose a serious and/or imminent risk to health and/or safety, these will be investigated within the departmental response time of 3 working days. Officers will conduct their investigations and visits in accordance with previously detailed policies and guidance.

All investigations shall be performed in accordance with HELA guidance and Codes of Practice and the Primary Authority principles shall prevail throughout the investigation.

Where it is determined that the HSE is the responsible enforcing authority, then appropriate liaison and transfer of the complaint will take place.

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Enforcement action will be in accordance with the Enforcement Policy.

6.0 POLICY WITH RESPECT TO ACCIDENT INVESTIGATION

Local authorities are under a duty to investigate accidents that are notified to them under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013.

The purposes of investigating an accident are:

- i) to identify the cause of the accident, to make the situation safe and to prevent further accidents occurring;
- ii) to identify whether there have been any breaches of legislation;
- iii) to provide information to the industry in order to raise and maintain standards;
- iv) to inform local and national statistics and hence the planned inspection priorities.

6.1 Decision to Investigate

All accidents which occur at premises enforced by the local authority and involve one or more of the following shall be investigated by an authorised officer:

- i) The accident results in a fatality, except when the circumstances indicate that an investigation is inappropriate i.e. death from natural causes unrelated to a work activity;
- ii) The accident results in a serious injury or a case of ill health or a dangerous occurrence;
- iii) The accident results in a serious injury or a case of ill health to a member of the public except accidents when it is clearly unrelated to a work activity;
- iv) There is a degree of public concern. This will often be linked to an actual or perceived risk of injury or ill health;
- v) The accident is related to local special surveys or campaigns or to the HSE key priority areas;
- vi) A complaint has been made regarding an accident that has occurred;
- vii) A serious breach of the law is involved;
- viii) An accident is a recurrence or is likely to recur;
- ix) A young person or child is involved (under the age of 18);
- x) The accident indicates a more general management failure.

The initial decision whether to investigate an accident or not and how far to carry that investigation will depend upon a number of factors. The following will be taken into consideration when deciding to investigate:

- i) severity and nature of the accident;
- ii) seriousness of the breach;
- iii) track record of the duty holder;
- iv) the relevance of event to a wider range of premises;
- v) practicality of achieving a satisfactory outcome;
- vi) legal considerations;
- vii) resource constraints.

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In addition to informing the decision for the initial investigation, these factors will also determine the approach to be adopted and the extent of the investigation itself. This approach will ensure that resources are effectively targeted at the most serious accidents and which will result in the greatest effect on improving standards of health and safety.

7.0 POLICY WITH DISCLOSURE OF HEALTH AND SAFETY INFORMATION

7.1 Introduction

The purpose of this policy is to describe practices in dealing with the disclosure of information under legislation and good practice note 'Open Government: a Good Practice Note on Access to Local Authority Information'. The policy is intended to ensure consistency with the policy and practices of the Health and Safety Executive (HSE).

The good practice note requires local authorities to draw up and follow their own policy statements. This policy document seeks to fulfil that aim. It does not seek to replace any statutory requirements on disclosure where the law requires the local authority either to withhold or to disclose. Local authorities and the HSE must follow the same legislation on disclosure of health and safety information namely:

- i) Section 28 of the Health and Safety at Work etc Act 1974;
- ii) Environmental Information Regulations 2004;
- iii) Environment and Safety Information Act 1988;
- iv) Freedom of Information Act 2000.

This policy is fully retrospective, i.e. it applies to information acquired by both Chiltern District Council and South Bucks District Council before it came into effect.

7.2 Freedom of Information Act 2000

On 1st January 2005 the Freedom of Information Act 2000 (FOI Act) created two important rights of access for any person making a request for information to a public authority:

- To be informed by the public authority whether it holds the **information** of the description specified in the request; and
- If that is the case, to have the **information** communicated to them.

The Councils have published a Freedom of Information Act Publication Scheme that will be followed should requests for information be made. These will be registered and responses monitored by the Councils' Data Protection Officer.

7.3 Section 28 of the Health and Safety at Work etc Act 1974

Section 28 of the Health and Safety at Work Act has been amended to bring restrictions on giving information into line with FOI Act.

HSWA Section 28 deals with how we manage information that we have obtained using statutory powers. Until 1 January 2005, there were only limited circumstances in which this information could be disclosed.

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The Section 28 restrictions have now been removed and requests for this type of information can now be considered under the FOI Act.

Subject to the exemptions in the FOI Act (or EIR exemptions), the local authority can release information:

- proactively - because it is in the public interest for us to put that information into the public domain, or
- in response to a request under the FOI Act or the Environmental Information Regulations 2004

The local authority is not required to disclose information when the public interest for making the information available is outweighed by a greater public interest in protecting it. However, applying the public interest requires us to exercise our skill and judgement and document our reasoning and decision making.

7.4 Environmental Information Regulations 2004

Chiltern District Council and South Bucks District Council recognise that these Regulations impose responsibilities in respect of the environment, environmental information held and the release of such information, subject to exempted classes of information.

Chiltern District Council and South Bucks District Council further recognise that the Regulations disapply all other statutory provisions on disclosure where those other provisions conflict with the Regulations. Section 28 in accordance with this will not normally apply to requests made for environmental information as defined in the Regulations.

For the purposes of the policy, environmental information is regarded as information relating to:

- i) the state of any water, air, flora, fauna, soil, natural site or other land;
- ii) any activities or measures (including activities that give rise to noise or other nuisance) which adversely affect or are likely to adversely affect anything in i);
- iii) any activities or other measure (including environmental management programmes) which are designed to protect anything in i).

This policy will not require the release of information about human health and safety except where human health and safety have been, or could be, affected through environmental media (e.g. air, water or soil). For example, information that workers were directly harmed in the manufacture of a substance is not releasable under the Regulations as environmental media are not involved. However, if fish were harmed, or could have been harmed, because a substance got into the food chain, such information would have to be released on request as environmental media are involved.

Local Authorities are within scope of the Regulations as they have environmental responsibilities and hold environmental information. The local authority may obtain environmental information in carrying out any of its functions or in any area of their responsibilities and such information is subject to the requirements of the Regulations. For

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example, information could be obtained on noise, Legionnaires' disease, ionising or non-ionising radiations and may be disclosable to the extent that it relates to the environment.

7.5 Environment and Safety Information Act 1988

In order to comply with the provisions of the Act Chiltern District Council and South Bucks District Council will maintain public registers of information on improvement or prohibition notices having public safety or environmental implications.

The register entries will include brief details of the breach of legislation and action required and will consist of the first page of the notices.

No charge will be raised for the inspection of the register.

7.6 Enforcement Notices, Inspection Reports and Convictions

7.6.1 Enforcement Notices

Information on only some notices is on the public registers kept under the Environment and Safety Information Act 1988. Under this policy Chiltern and South Bucks District Councils will also provide enquirers with information on any other health and safety notice it has served. The information provided will include the name and address of the premises, the date of the notice, the statutory breach and the date by which the breach must be remedied.

7.6.2 Inspection Reports

Requests for inspection reports will be considered in accordance with the Councils' FOI Publication Scheme and the Environmental Information Regulations 2004.

7.6.3 Convictions

Chiltern District Council and South Bucks District Council may hold on public registers the names and addresses of firms/individuals convicted of breaches of health and safety legislation.

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Appendix 1. Service Standards

Our Commitment

- We will give you verbal feedback at the end of each inspection and aim to give you written confirmation either at the time of the inspection or within 5 working days.
- If we receive a request for service we will investigate and respond within 10 working days.
- We will answer letters within 10 working days of receiving them and if we cannot give a full reply within that time, we will let you know when you can expect one and why there is a delay.
- We will answer emails within 10 working days of receiving them.
- We will answer the telephone within 20 seconds (6 rings).
- If we cannot give you a satisfactory reply when you telephone, we will call back at an agreed time.
- We will provide you with a contact name and number.

What to do if you are unhappy with the service?

The Council has a Corporate Complaints Procedure which can be found at:

<http://www.chiltern.gov.uk/complaints>

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

These pages explain how to make a complaint against any Council Service.

SUBJECT	Chiltern Dial a Ride funding
RELEVANT MEMBER	Councillor L Walsh – Portfolio Holder for Healthy Communities
RESPONSIBLE OFFICER	Martin Holt, Head of Healthy Communities
REPORT AUTHOR	Martin Holt, Head of Healthy Communities
WARD/S AFFECTED	Not ward specific

1. Purpose of Report

To award a grant to Chilterns Dial a Ride for the purchase of a new vehicle

RECOMMENDATION to Council:

- 1. That Cabinet award a grant of £39,378 to Chiltern Dial a Ride for the purchase of a new vehicle.**

2. Executive Summary

Community Transport delivered by the voluntary and community sector provides a valuable contribution to the transport mix in the District. Community Transport ranges from voluntary car schemes, hospital transport initiatives, and transport available for community groups to hire to the provision of dedicated services operating 5 days per week accessible by vulnerable or disabled persons. This includes services provided by Chilterns Dial a Ride.

Chilterns Dial a Ride submitted a large grant application for a replacement vehicle, but due to the demand for the large grants and the need to provide investment in facilities that would benefit children and young people opportunities to develop play this application became ineligible.

The Council however under the Unitary spending protocol can award funding up to £100,000. It is proposed to use £39,378 from General reserves to support the funding application for a new vehicle.

3. Reasons for Recommendations

To enable accessible transport options to vulnerable persons.

4. Content of Report

Chiltern Dial a Ride

4.1 The Chilterns Dial-a-Ride (CDAR) is a registered charity (no 1161606) that plays a very valuable role in helping enable social contact in the community by providing a door to door transport service for people who due to age, illness or disability are not able to use their own or public transport. Not only does this facilitate social contact, but it helps these vulnerable people maintain a level of independence

4.2 Dial a Ride delivers valued community transport services across Chiltern District Council to its 250 vulnerable disabled and infirm clients, enabling access to day trips, hospital, shopping and community venues.

4.3 Over several years the organisation has;

- Increased its profile and improve its branding and image
- Increase its voluntary funding by establishing a vehicle replacement and operational fund
- Diversified its service delivery to include community transport in Wycombe
- Lowered its costs by increasing the proportion of volunteers it employs.
- Increase income through charging higher fares and increases to its membership fees and supporting its NHS customers to access the NHS transport fund when travelling to hospital.
- Increase its capacity to provide journeys to shopping and community facilities and to provide day trips.

4.4 The CDAR uses a fleet of 9 bespoke minibuses, all of which have wheelchair access, with a team of dedicated and caring drivers. All drivers are fully trained. Currently 8 of the drivers are part time paid and 19 are volunteers. Dial a Ride support 250 individuals from the Chiltern area and undertake around 12,000 passenger journeys per annum of which on the last count 5,805 were from Chiltern District residents.

4.5 The Great Get Together on June 21st, organised by CDAR enabled 50 elderly people from Chesham and Amersham to access a day out with entertainment and lunch, with valuable help and support from CDC.

4.6 CDAR aims to acquire an additional vehicle, to expand the Great Get Together and other social outings part of their service enabling coverage across the district. To enable this, the need another larger minibus, with a tail lift and capacity for 12 passengers and access for up to 3 wheelchairs (65% of users are either using wheelchairs or walkers/rollators). The funding will also support the cost of paid and volunteer drivers to operate it.

4.7 Dial a Ride have made provision in their budget for another part time paid driver and are successfully recruiting more volunteer drivers to together provide the driving of the minibus for the 5 day working week and some weekend work too.

4.8 Besides individuals using CDAR, there has been a steady increase in group trips for care homes and local community groups with currently 2 or more a month from Chiltern District. Dial a Ride are delivering initiatives such as "Enabling Social Contact", launched last 2018.

4.9 CDAR calculated that over a 12 months period, volunteers worked for no less than 5,802 hours of their time for CDAR - 4,186 by volunteer drivers and 1,656 by the volunteer Chairman and Treasurer. CDAR sees this is an important factor in assessing the return on grant investment by local government.

4.10 CDAR operates a business model, with a tightly knit team, competent operations personnel and astute financial management but is still dependent on grant support from local government, including the vital contribution from Chiltern District Council.

4.11 CDAR continues to have a good record of raising very necessary additional funds from elsewhere. In the financial year (2018/19) CDAR raised funds for two larger minibuses

4.12 CDAR has embarked on a further fund raising initiative to continue to fund the operation of the new vehicle that would operate in the Chiltern District. The organisation has identified contributions of £17,666 to be used to match fund the purchase of a new vehicle and have approached the Council to award a grant of £30k.

4.13 Members of the Services Overview Committee, reported concerns raised by the public as to the costs of dial a ride. Reports had been received that the membership was £30/month and the journey costs were more expensive than a taxi. It was also reported that large vehicles were being used with only 2 or 3 passengers. Clarification from CDAR has been sought as to its use of vehicles and the journey costs. Appendix 1 details CDAR's reply to these reports.

4.14 Clarification from a second community transport organisation confirms that when carrying wheelchairs, two or three seats have to be removed. This results in a 9 seater vehicle being able to carry 2 wheelchair passengers and their carer's, the vehicle is then carrying 4 or 5 passengers. Similarly a 12 seater may only carry a maximum of 3 wheelchair passengers and their carer's and a small 6 seater vehicle is limited to one wheelchair passenger.

4.15 Clarification has also confirmed that there is an increasing trend to electric wheelchairs and CDAR has confirmed that circa 1/3 of its passengers use such equipment. CDAR has also confirmed that the very frail cannot use ramps or steps and are brought on the vehicle with the aid of the hoist.

4.16 Whilst taxis are recognised to support some persons access transport it is evident that there is still a demand for community transport services that can take very infirm and vulnerable persons to hospital, shopping and social outings, wait for the passengers to complete their activity and then return them safely home.

4.17 A comparison of CDAR charges against those advertised by private hire firms or the calculated Hackney Carriage fares demonstrates the competitive charges being made by CDAR.

FROM	TO	DISTANCE (MILES)	DAR COST (SINGLE/ <u>EACH</u> <u>WAY</u>)	Hackney Carriage (Tariff)	TAXI COST quoted
CDC Offices	Chesham Town Hall	2.76	£5	£7	£7-£8
CDC Offices	Amersham Hospital	1.51	£5	£4.50	£6
CDC Offices	Stoke Mandeville Hospital	14.98	£23	£29	£29
CDC Offices	High Wycombe Hospital	8.89	£14	£18	£20
CDC Offices	Chalfont St Peter Hospital	6.28	£11	£13.20	£13

5. Consultation

Not Applicable

6. Options (if any)

The options available are to award funding or to refuse the application for funding.

7. Corporate Implications

7.1 Financial – the award of funding to CDAR in 2019/20 for the provision of a new vehicle could be met through the allocation of General Reserves which require the approval of Council.

7.2 Legal - the Unitary spending protocol requires that expenditure of £100,000 on any one item should be referred to the S151 officer. The award of funding to CDAR is below this limit and is therefore not required to be approved by the s151 officer.

8. Unitary Implications (if applicable)

8.1 None

9. Links to Council Policy Objectives

Working towards safe and healthier local communities

10. Next Steps

Dial a Ride would be notified of the funding allocation.

Background Papers:	None
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THE CHILTERN DIAL -A-RIDE (CDAR)

CDAR provides a door to door, there and back (two way) transport service with trained, caring drivers using our bespoke minibuses, all with wheelchair access.

Individuals pay an ANNUAL membership fee of £20 to cover admin costs.

Fares are £5 for the first 3 miles and £1.50 a mile thereafter.

No charge is made for an accompanying carer.

No extra charge is made for wheelchair users.

The two tables below illustrate fares for Personal Use and for Group Bookings, using Chiltern District Council offices as a starting point. The first table indicates the fare cost for one way for personal use. The second table shows the fare cost for both ways.

Comparison is given with local taxis. Local taxis will generally only take a wheelchair user provided the user can sit in the vehicle with the wheelchair folded up. Firms that do have wheelchair access (as CDAR does) charge a considerable premium for the privilege (see tables).

About a third of CDAR clients are wheelchair users (with a trend to larger electric ones) and another third use other walking aids such as rollators. Commonly frail users need a tail lift to embark. This together with a forecasted increase in numbers of group outings is the reason for the increase in demand for larger minibuses.

Using a Stoke Mandeville hospital visit as an example, a CDAR driver will take the person to their particular destination and will either wait or return to collect them and take them home two hours later with no extra charge.

The Chilterns Dial-a-Ride, TRIP COSTINGS - e.g. from CDC offices , AMERSHAM, 2019

PERSONAL USE A, ONE WAY

(Charge = £5 for the first 3 miles and £1.50 for each mile thereafter. Fares are based on the distance travelled ie. from door to door)

FROM	TO	DISTANCE (MILES)	DAR COST (SINGLE/ EACH WAY)	Hackney Carriage (Tariff)	TAXI COST quoted
CDC Offices	Chesham Town Hall	2.76	£5	£7	£7-£8
CDC Offices	Amersham Hospital	1.51	£5	£4.50	£6
CDC Offices	Stoke Mandeville Hospital	14.98	£23	£29	£29
CDC Offices	High Wycombe Hospital	8.89	£14	£18	£20
CDC Offices	Chalfont St Peter Hospital	6.28	£11	£13.20	£13

GROUP BOOKINGS
(based on 5 people)

FROM	TO	DISTANCE (MILES)	TRIP COST (RETURN)	COST PER PERSON
CDC Offices	Worlds End Garden Centre, Wendover	24	£120	£24
CDC Offices	Hildreths, Prestwood	16	£80	£16
CDC Offices	Odds Farm	18	£90	£18
CDC Offices	Van Hague Garden Centre, Chenies	10	£50	£10
CDC Offices	The Horses Trust, Speen	24	£120	£24

The Chilterns Dial-a-Ride - TRIP COSTINGS - eg. from CDC offices, AMERSHAM

PERSONAL USE B - BOTH WAYS

(Charge = £5 for the first 3 miles and £1.50 for each mile thereafter. Fares are based on the distance travelled i.e. from door to door)

(Wc = with wheelchair)

FROM	TO	RETURN DISTANCE miles)	RETURN DAR COST	TAXI COST quoted
CDC Offices	Chesham Town Hall	5.52	£10	£14-£16 Wc £30
CDC Offices	Amersham Hospital	3.02	£10	£12
CDC Offices	Stoke Mandeville Hospital	29.96	£46	£58 Wc >£70
CDC Offices	High Wycombe Hospital	17.78	£28	£40
CDC Offices	Chalfont St Peter Hospital	12.56	£22	£26

GROUP BOOKINGS
(based on 5 people)

FROM	TO	DISTANCE (MILES)	TRIP COST (RETURN)	COST PER PERSON
CDC Offices	Worlds End Garden Centre, Wendover	24	£120	£24
CDC Offices	Hildreths, Prestwood	16	£80	£16
CDC Offices	Odds Farm	18	£90	£18
CDC Offices	Van Hague Garden Centre, Chenies	10	£50	£10
CDC Offices	The Horses Trust, Speen	24	£120	£24

SUBJECT:	<i>Chiltern Community Grant Awards 2019-2020</i>
RELEVANT MEMBER:	<i>Councillor Elizabeth Walsh – Cabinet Member for Community, Health & Housing</i>
RESPONSIBLE OFFICER	<i>Martin Holt – Head of Healthy Communities</i>
REPORT AUTHORS	<i>Paul Nanji (01494) 732110 Paul.nanji@chilternandsouthbucks.gov.uk Joanne Fowler (01494) 732103 joanne.fowler@chilternandsouthbucks.gov.uk</i>
WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

To agree funding grant awards for the Council's 2019/2020 Community Grant Aid Scheme.

RECOMMENDATION

Cabinet agree the allocation of funding awards from the 2019/20 Community Grant Aid Scheme as detailed in Appendix 1.

2. Executive Summary

2.1 Chiltern District Council's Community Grant Aid Scheme plays an important role in supporting a diverse range of local voluntary organisations to improve services and facilities for local residents. The grant scheme has helped build and enhance Chiltern's already strong community infrastructure as well as raise the Council's standing as a supporter of the local voluntary sector. This year's scheme has been further strengthened by increasing the level of grant funding from £32k to £80k and also raising the maximum amount of grant award from £2,000 to £5,000.

2.2 The scheme also helps lever in a considerable amount of external funding and supports local voluntary and community organisations to deliver a diverse range of services enabling local residents to;

- Connect with others in the community
- Be Active by participating in sports or community activities
- Take Notice of what is going on in the community

- Learn new skills or pass on their skills to others
- Give through volunteering

3. Reasons for Recommendations

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

4. Content of Report

- 4.1 This year's scheme attracted a record number of fifty one applications (Appendix 1) that collectively requested funding totalling £171,195. The cumulative value if all the received applicants' schemes were delivered totalled £591,254 which would be achieved by applicants accessing funding from other grant awarding bodies, running internal fundraising events and utilising their own internal reserves.
- 4.2 To provide a fair and consistent approach, all applications were assessed and evaluated with their overall quality categorised as being Green, Amber or Red. Using this assessment approach resulted in the Council awarding £82,438 to forty different community organisations. The additional commitment of £2,438 will be met from existing budgetary provision within the service budget.
- 4.3 All application forms were placed in the Members' Room (29.07.19) along with a summary report highlighting each applicant's key strengths and weaknesses along with associated councillor comments.
- 4.4 The total grant fund available for Chiltern's Community Grant Aid scheme is £80,000. The high volume and improved quality of applications resulted in the decision making process being even more challenging.
- 4.5 All applications were arranged into three distinct categories. Those attaining the **Green** standard (Appendix 1, Table 1), strongly support four of the Council's key objectives, have support from their local ward councillor(s) and have successfully secured additional external funding. It is proposed that applicants achieving Green status receive 70% of their requested grant apart from those requesting £500 or less who will receive 100% funding. Applicants achieving **Amber** status (Appendix 1, Table 2), support three of the Council's objectives and have support from their local ward councillor(s) receive up to 50% of their grant request. Applicants classified as **Red** status (Appendix 1, Table 3) do not strongly support the Council's objectives, have

limited or no match funding, have limited/no councillor support and/or can secure funding from an alternative source, are not awarded funding.

5. Consultation

5.1 The community grant process involves on-going consultation with the local voluntary sector to ensure that it is fit for purpose and meets community needs. Also the Council's Healthy Communities Policy Advisory Group Committee feedback is inputted into the evaluation process with the group's views passed onto Cabinet to formally endorse and agree.

6. Options

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

7. Corporate Implications

- 7.1 Financial – There is sufficient funding available within the community grant, environmental and general community budgets to fund the recommendations detailed in this report. Additionally the proposed applicant schemes lever in a significant amount of external funds into the local voluntary sector.
- 7.2 Environmental – A range of the community grant applications have a positive impact in helping protect the local environment.
- 7.3 Equalities - Support to the voluntary sector and helps assists the Council in targeting disadvantaged communities.

8. Links to Council Objectives

Work towards safer, healthier and cohesive local communities

Improve Community Safety

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

Promote healthier communities

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

Promote cohesive communities

- Support the voluntary sector and promote volunteering

Strive to conserve the environment and promote sustainability

9 Next Steps

If approved by Cabinet funding to be allocated from the Community Grant Aid Scheme as detailed in Appendix 1.

Appendix 1 Recommended Community Grant Aid Awards for Chiltern District Council 2019/2020

Table 1 – Community Grant Aid Applications Achieving Green Status

Receive 70% of requested grant. Strongly support four or more of the Council's key objectives, have support from local ward councillor(s) and have successfully secured additional external funding. Apart from those requesting £500 or less who receive 100% funding.

Organisation	Project	Requested Funding	Funding Recommended	Number of Beneficiaries
Amersham Band	Refurbish New Facility	£5,000	£3,500	400
Bank Farm	Mirrors to Support Disabled Riding	£1,400	£980	36
Bucks Vision	Eye Clinic Nurse	£5,000	£3,500	500
Chalfont St Peter Youth Centre	Diversionsary Activities	£5,000	£3,500	300
Chesham Cricket Club	Female Team Expansion	£1,000	£700	100
Chesham Over Fifties Positive Action Group-	Defibrillator	£400	£400	3,000
Chesham Photographic Club	Youth Competition	£250	£250	200
Chiltern Citizens Advice Bureau Limited	Volunteer Training	£4,429	£3,100	1,880
Chiltern Hills Academy	3G Sports Pitch	£5,000	£3,500	2,500
Chiltern Samaritans	Technology Upgrade	£3,000	£2,100	35,000
Chiltern Voice	FM Licence	£3,360	£2,352	70,000
DrugFam	Phone Help Line	£2,000	£1,400	100
Elmtree Infant Nursery School PTA (EFF)	Road Safety Green Travel	£2,500	£1,750	500
Holmer Green Youth Club	Young Leader Training	£4,650	£3,255	200

Classification: OFFICIAL

Organisation	Project	Requested Funding	Funding Recommended	Number of Beneficiaries
Kings Church Amersham	Community Services	£5,000	£3,500	500
Little Chalfont Good Companions Club	Activities	£1,000	£700	26
Little Missenden Festival	Festival	£1,000	£700	1,500
Misbourne Area Youth (MAY)	Diversionary Activities	£3,200	£2,240	10,000
Pepper Foundation	Nurse	£1,000	£700	45
Pond Park Community Association	Community Activities	£5,000	£3,500	3,000
Prestwood Colts and Girls Football Club	Facility Upgrade	£5,000	£3,500	500
Relate MTB	Bursary Funding	£2,000	£1,400	190
Rennie Grove Hospice Care	Nurse	£5,000	£3,500	538
Restore Hope	Summer Activities Scheme	£2,341	£1,639	100
St George's C of E Infant School	Emotional Wellbeing Programme	£2,000	£1,400	30
Voices and Choices	Loneliness Project	£5,000	£3,500	50
VOPAG	Activity Costs	£500	£500	70
TOTAL		£81,030	£57,066	131,265

Classification: OFFICIAL

Table 2 - Community Grant Aid Applications Achieving Amber Status

Receive 50% of requested grant. Support three or more of the council's key objectives and have support from local ward councillor(s).

Organisation	Project	Requested Funding	Funding Recommended	Number of Beneficiaries
1st Holmer Green Boys' Brigade & Girls' Association	Mini Bus	£5,000	£2,500	200
All Together Community	Lunch Club	£2,533	£1,267	148
Beyond Difference	Community Events – Cultural Diversity	£5,000	£2,500	20,000
Chalfont St Giles Revitalisation Steering Group	Literary Festival	£2,400	£1,200	500
Chalfont St Peter Neighbourhood Action Group	Parking Scheme	£5,000	£2,500	5,000
Chesham Swimming Club	PA System	£1,900	£950	200
Chesham Walkers are Welcome	Signs and Furniture	£5,000	£2,500	20,000
Great Missenden & Prestwood Revitalisation Group	Community Walks Map	£1,410	£705	10,000
Impress The Chess	Riverbank Improvements	£5,000	£2,500	1,000
Medi-SOS Grab	Grab Bags	£2,500	£1,250	700
Missenden Walled Garden	Staging	£5,000	£2,500	500
Old Amersham Revitalisation Group	Midsomer Maps	£5,000	£2,500	1400
Peace in the Park	Festival	£5,000	£2,500	2,300
TOTAL		£50,743	£25,372	61,948

Table 3 - Community Grant Aid Applications Achieving Red Status

Do not strongly support the council's objectives, have limited or no match funding, have limited/no support and/or can secure funding from another source receive no funding.

Organisation	Project	Requested Funding	Funding Recommended	Number of Beneficiaries	Reason
Ahead Tuition	Transition school	£2,000	£0	150	Contrary to policy- cannot fund a business
Chalfont Park Sports Assoc.	CCTV	£2,653	£0	500	Application does not strongly support the Council's objectives
Chalfont St Peter Community Centre	Drains	£5,000	£0	2,000	Ongoing operational costs
Chesham Allotments Group	Composting Toilet	£5,000	£0	512	Application does not strongly support the Council's objectives
Chesham Connect Destination Chesham	Map, bags, leaflet	£5,000	£0	22,000	Application does not strongly support the Council's objectives
Chesham Connect	Project support and small grants	£2,000	£0	500	Application does not strongly support the Council's objectives
Chesham Rugby Club	Flood lights	£5,000	£0	300	Application does not strongly support the Council's objectives
Horticulture at Heritage House	Garden scheme	£725	£0	50	Application does not strongly support the Council's objectives
Little Chalfont Community Library	External Redecoration	£2,244	£0	5,000	Ongoing operational costs
South Buckinghamshire Choral Society	Rehearsal Costs	£5,000	£0	1,100	Ongoing operational costs
The Fremantle Trust	Voting Project	£4,800	£0	500	Application does not strongly support the Council's objectives
Total		£39,422	£0	32,612	

SUBJECT:	<i>Chiltern Large Project Fund 2019-2020</i>
REPORT OF:	<i>Councillor Elizabeth Walsh – Cabinet Member for Community, Health & Housing</i>
RESPONSIBLE OFFICER	<i>Martin Holt – Head of Healthy Communities</i> Martin.holt@chilternandsouthbucks.gov.uk
REPORT AUTHOR	<i>Paul Nanji (01494) 732110</i> Paul.nanji@chilternandsouthbucks.gov.uk <i>Joanne Fowler (01494) 732103</i> joanne.fowler@chilternandsouthbucks.gov.uk
WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

To agree funding grant awards from the 2019/20 Large Project Fund grant scheme.

2. RECOMMENDATION

That Cabinet agree to allocate the Council's Large Project Fund as detailed in Appendix 2

3. Executive Summary

3.1 Chiltern District Council's Large Grant Project scheme was established this year to support voluntary groups and Town and Parish Councils and provide a lasting legacy for the residents of Chiltern. The key priority of the Large Project Fund scheme is to improve local community assets that contribute to supporting the Council's overall aims and objectives along with the aims of the Community and Wellbeing Plan detailed below:

- Aim 1 - Facilitating community participation, engagement and action, through established and new community networks, to develop sustainable communities.
- Aim 2 - Supporting services that improve opportunities for older people to live fuller, safer, more active and ultimately more fulfilling life-styles and become more integrated into local communities.
- Aim 3 - Improving the health and well-being of the population and reducing health inequalities.

- Aim 4 - Providing an environment for young people to enjoy, stay safe, be healthy, active, make a positive contribution and achieve economic well-being.
- Aim 5 - Helping to stimulate and support a vibrant local economy whilst protecting the environment.
- Aim 6 - Encourage collective working to promote and support the rich and diverse wealth of cultural heritage in Chiltern

3.2 To further support the evaluation process feedback was also sought from councillors whose wards were directly affected by any proposed Large Project Fund Scheme project.

4. Reasons for Recommendations

4.1 The Large Project Scheme attracted funding requests totalling £858,435 (**Appendix 1**) from a total available grant pot allocation of £160,000. Therefore only projects that strongly supported the Council's key objectives and the aims of the Community and Wellbeing Plan were considered for funding.

4.2 Also, to maximise the benefits of the grant scheme other selection key criteria were also required:

- Projects being open access and available to all the community
- Projects including the provision or improvement of the built and/or natural public realm including for example play areas, external gym and fitness equipment, Multi Use Games Areas and improvement of parks and gardens and their accessibility and/or sense of place.
- Projects being supported by the community and link to identified needs such as those detailed in the Chiltern and South Bucks Open Space Strategy, the Chiltern and South Bucks Playing Pitch Strategy and the Indoor Sport and Leisure Facility Strategy

4.3 Projects located in smaller parishes were given a higher weighting due to their rural locality having limited facilities. Finally the assessment process also required an even distribution of the Large Project Grant Scheme awards being shared fairly across the district.

5 Content of Report

5.1 The total grant fund available for Chiltern's Large Project Grant Scheme Fund is £160,000. The high volume and strong quality of applications resulted in the decision making process being very challenging.

- 5.2 The Large Project Fund attracted thirty four applications (Appendix 1) for an exciting range of projects including improving parks, community buildings, sports facilities and footpaths. The total amount of funding requested totalled £858,435.
- 5.3 The cumulative value if all the applicants' schemes were delivered totals £5,460,781 which would be acquired by applicants accessing funding from other grant awarding bodies, running internal fundraising events and utilising their own internal reserves.
- 5.4 To provide a fair and consistent approach, all applications were assessed and evaluated against the criteria detailed in section 4 of this report. Applying this assessment approach results in the Council awarding £169,0667, to eleven different community organisations. (Appendix 2)
- 5.5 All applications were arranged into distinct categories. Those attaining funding, strongly support the Council's key objectives and Community and Wellbeing Plan aims, have support from their local ward councillor(s), have successfully secured additional external funding and there project is accessible to all members of the community.
- 5.6 Applications grant awards were distributed evenly across Chiltern District (Appendix 3)
- 5.7 It is proposed that applicants with a parish population over 10,000 receive 50% of their requested grant. Applicants with a parish population of 5,000-10,000 receive up to 65% of their grant request. Applicants with a parish population of less than 5,000 receive 80% of their grant request. Those requesting £5,000 or less to receive 100% funding

6. Consultation

- 6.1 The community grant process involves on-going consultation with the local voluntary sector to ensure that it is fit for purpose and meets community needs. Also the Healthy Communities Policy Advisory Group feedback is considered in the evaluation process with Members views from this committee feeding into the evaluation process.

7. Options

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

8. Corporate Implications

- 8.1 Financial – There is sufficient funding available within the community grant, community safety and general community budgets to fund the recommendations detailed in this report. Additionally collectively the proposed range of applications lever in a significant amount of external funds into the local voluntary sector.
- 8.2 Environmental – A range of the community grant applications have a positive impact in helping protect the local environment.
- 8.3 Equalities - Support to the voluntary sector and helps assists the Council in targeting disadvantaged communities.

9. Links to Council Objectives

Work towards safer, healthier and cohesive local communities

Improve Community Safety

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

Promote healthier communities

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

Promote cohesive communities

- Support the voluntary sector and promote volunteering

Strive to conserve the environment and promote sustainability

Recommendation

- 10.1 Subject to Cabinet approval allocate large project fund awards as detailed in Appendix 2.

Large Project Fund

Appendix 1 Organisations Requesting Funding

Organisation	Project	Total Project Cost	Funding requested
2nd Amersham on the Hill Scout Group	Jubilee Hall	£2,206,000.00	£40,000.00
Amersham Band	A new music facility for the community	£49,200.00	£20,000.00
Amersham Town Council	Hervines Park Playground upgrade	£75,000.00	£25,000
Ashley Green PC	Ashley Green outdoor wellbeing facility	£80,575	£40,000.00
Bellingdon and Asheridge Community Association	External renovation to buildings premises and play area	£70,000.00	£35,000
Chalfont Park Sports Association	Carpark expansion, resurface and fencing	£25,500.00	£15,000.00
Chalfont St Giles Parish Council	Mobility footpath - Bowstridge Lane Recreation Ground	£67,853.00	£40,000.00
Chalfont St. Giles Revitalisation Steering group	Chalfont St. Giles pond rejuvenation project	£85,000.00	£40,000
Chalfont St. Giles Show Committee	Power and water in Stone Meadow	£43,324.00	£25,000.00
Chalfont St. Peter Community Centre	New community centre	£246,793.00	£40,000.00
Chalfont Wasps Football Club	Develop and improve local services and facilities	£19,250.00	£10,000.00
Chesham Grammar School (CGS)	Table Tennis centre	£8,642	£8,642

Chesham Town Council	New artificial turf on the multi-games area court and re-tarmac the existing tennis court at the Chesham Moor Gym and Swim Centre.	£27,750.00	£13,750.00
Chesham Town Council	Renovation of Nashleigh Hill recreation ground play area	£20,000.00	£10,000.00
Chesham Town Council	Planting of 200 trees across Chesham	£30,000.00	£15,000.00
Chesham Town Council	Renovation of Multi-Games area (MUGA) in Lowndes Park	£30,000.00	£15,000.00
Chesham Youth Centre	Refurbishment of the youth and main offices	£15,000.00	£10,000.00
Chiltern Open Air Museum	Reconstruction of The Jackson Recording Studios as an exhibit and community hub	£931,800.00	£40,000.00
Coleshill Parish Council	Hill Meadow play area equipment refurbishment	£3,098.21	£1,550.00
Community Impact Bucks	Consultancy support for Chiltern-based voluntary groups	£36,000.00	£36,000.00
Great Missenden Parish Council	Upgrade of Public bridleway and cycleway	£30,000.00	£27,000.00
Great Missenden Parish Council	Prestwood Common and Prestwood recreation ground improvements	£58,240.00	£40,000.00
Holmer Green Sports Association	Car Park resurface	£72,460.00	£40,000.00
Holy Trinity Church, Prestwood	Prestwood memorial garden	£25,000.00	£12,500.00
Jordans Burial Ground Committee	Upgrade the existing paths	£20,660.35	£10,330.17

Latimer and Ley Hill Parish Council	The Ley Hill beacon and woodland trail	£17,789.00	£8,895.00
Little Chalfont Charitable Trust	Little Chalfont nature park	£90,000.00	£40,000
Miltons Cottage Trust (CIO)	Planting paradise	£55,000.00	£27,000
Penn Parish Council	Penn Street play area refurbishment	£18,000	£13,500
Restore Hope	River Chess broader access project	£150,069.00	£39,189.00
Scan Appeal	Bucks MRI appeal	£750,000.00	£30,000.00
The Chalfont St Giles Memorial Hall	Hall improvement project	£25,400.00	£12,700.00
The Chilterns Dial-a-Ride	Expansion with new minibus	£39,378.00	£39,378.00
TreeHouse	The TreeHouse Amersham	£38,000.00	£38,000.00
		TOTAL £5,460,781.56	TOTAL £858,435.17

Appendix 2 Recommended Funding Large Project Fund

Table 1 – Community Grant Aid Applications receiving 80% of requested grant. Strongly support the council's key objectives, have support from local ward councillor(s) and have successfully secured additional external funding. Apart from those requesting £5,000 or less who receive 100% funding.

Population size less than 5,000

Organisation	Project	Requested Funding	Funding Recommended
Ashley Green PC	Outdoor Wellbeing Facility	£40,000	£32,000
Coleshill Parish Council	Hill Meadow Play Area Equipment Refurbishment	£1,550	£1,550
Latimer and Ley Hill Parish Council	The Ley Hill Beacon and Woodland Trail	£8,895	£7,116
Penn Parish Council	Penn Street Play Area Refurbishment	£18,000	£14,400
Bellingdon	Refurbishment of Play area	£12,500	£10,000
		£80,945	£65,066

Table 2 – Community Grant Aid Applications receiving 65% of requested grant. Strongly support the council's key objectives, have support from local ward councillor(s) and have successfully secured additional external funding.

Population size less than 5,000-10,000

Organisation	Project	Requested Funding	Funding Recommended
Chalfont St Giles Parish Council	Mobility Footpath - Bowstridge Lane Recreation Ground	£30,000	£19,500
Little Chalfont Charitable Trust	Little Chalfont Nature Park	£40,000	£26,000
		£70,000	£45,500

Classification: OFFICIAL

Table 3 – Community Grant Aid Applications receiving 50% of requested grant. Strongly support the council's key objectives, have support from local ward councillor(s) and have successfully secured additional external funding. Apart from those requesting £5,000 or less who receive 100% funding

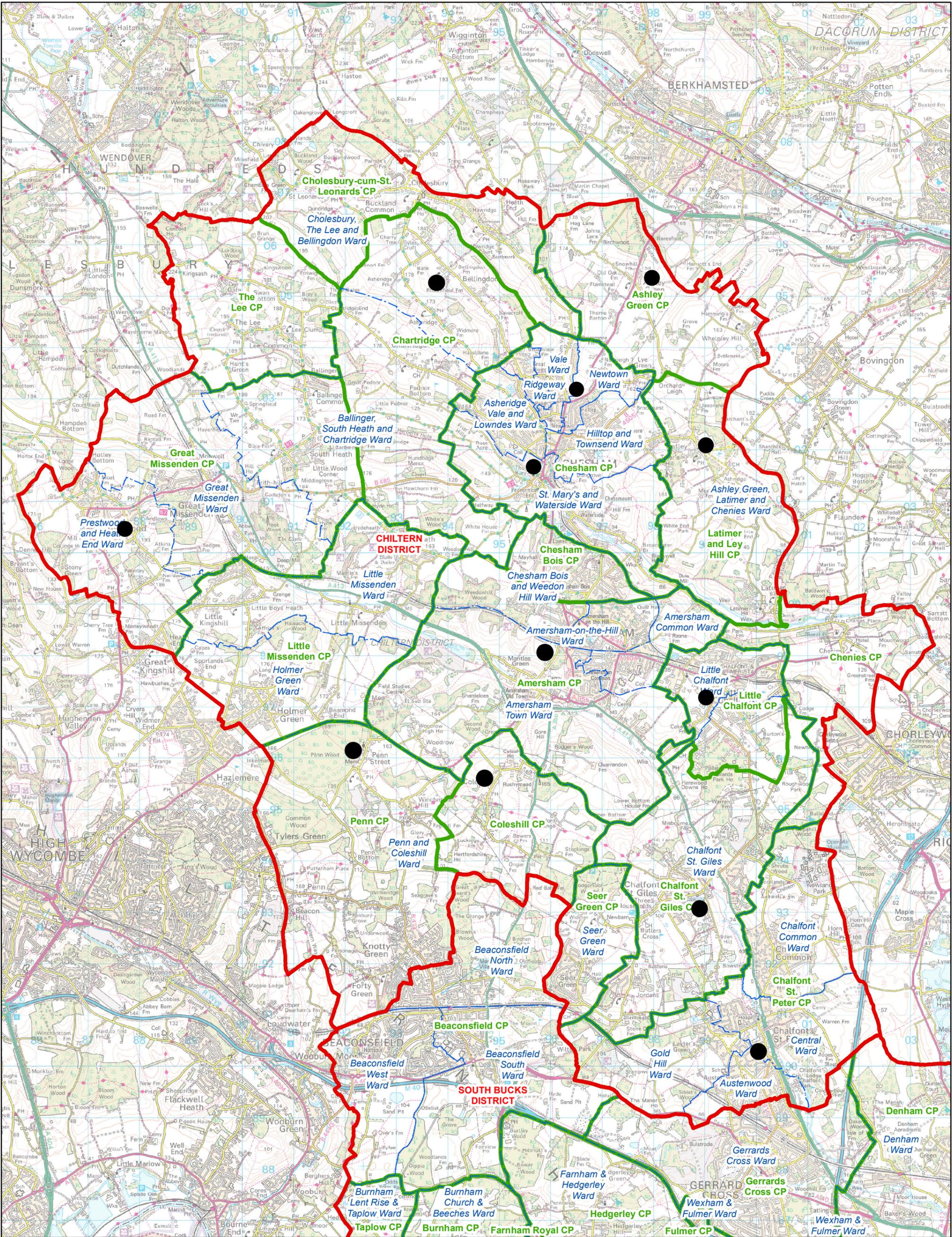
Population size less than 10,000 and over

Organisation	Project	Requested Funding	Funding Recommended
Chalfont St Peter Parish Council	Saint Peter's Memorial Garden	£40,000	£20,000
Chesham Town Council	Renovation of Play areas- Nashleigh Hill and Recreation Ground and Lowndes Park	£25,000	£12,500
Great Missenden Parish Council	Prestwood Common and Prestwood Recreation Ground Improvements	£40,000	£20,000
2nd Amersham Scout Group	Jubilee Hall	£40,000	£6,000 (As only a £6k shortfall)
		£145,000	£58,500
		£295,945	£169,066

Classification: OFFICIAL



CHILTERN DISTRICT



Districts
 Parish
 Wards

SUBJECT:	<i>Proposal for the former St John Ambulance site, Amersham.</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>Joe Nethercoat, Project Manager</i>
WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

This report advises members of progress around the possible future uses of the former St Johns Ambulance building and seeks their support to progress the recommendations made below.

RECOMMENDATIONS

1. **To progress to a formal planning application for the demolition of the existing building and its replacement with a ground floor place of worship/community facility with Social Housing over.**
2. **To formalise working with stakeholders via a Project Board with agreed terms of reference, objectives and funding structure to create a place of worship/ground floor community facility with social housing over.**
3. **To agree with key stakeholders that as part of the formal project board objectives, we ensure that the Chiltern Youth Centre operator and the Gateway Club are provided with future bases of operation at the new place of worship/community facility.**
4. **To progress to Heads of Terms the occupancy arrangements of the place of worship/community facility and other parties.**
5. **To bring forward a further report following the conclusion of the planning application**
6. **To draw down £50,000 from the General Reserves for the necessary pre planning application surveys**
7. **To draw down funding from the current Capital programme to support the planning application**

2. Reasons for Recommendations

2.1 To progress the development of the St Johns Ambulance Station to provide affordable housing above a place of worship/community facility is seen to satisfy a number of key Council objectives. These include addressing social housing demands, developing a more sustainable community facility for a local faith community and providing bases for key services supporting our local young people and those with disabilities.

3. Content of Report

- 3.1. The former St John Ambulance training centre was purchased by the Council in June 2018. Bought principally as a development site to provide Social Housing, it was understood at the time that our own planning guidelines would require the ongoing provision of a "community use" on some of the site.
- 3.2. At the time of purchase, the Council was coincidentally approached by a local faith community which has for many years, been seeking a suitable permanent site for a fixed place of worship. Currently, they operate from a variety of locations in the area.
- 3.3. Officers held a number of meetings with the faith community representatives to understand their requirements and proposals as well as reviewing potential funding, leasing arrangements and the wider community use of a place of worship.
- 3.4. The St John site seemed suitable for the faith community needs and has led to a number of visits to the building with their representatives.
- 3.5. These visits and associated discussions have proved fruitful - and potentially beneficial - to the main parties as well as the Youth Club and Gateway Club who are seeking new accommodation when their current arrangement in the Chiltern Youth Centre ends.
- 3.6. Consequently, it is proposed that we progress the informal discussions onto a more formal project footing by establishing a formal project board from the Stakeholders with a set of agreed terms of reference and outcomes, including funding arrangements, property tenure and progression of a formal planning application.
- 3.7. Outline designs have already been produced for the site as part of a larger Master-planning exercise for phase 2 of the Chiltern Pools site and we would seek to expand on this work in order to progress the planning application.
- 3.8. A fee proposal from the Master-planning consultant and the associated Architect has been received to progress the planning application to the St John site in detail. The amount quoted is £8995 and £8000 respectively.

3.9. If planning permission is achieved, then further detailed design work will be required to secure building regulations approval and this has been estimated at £42,000

3.10. In developing the planning application officers will work with Paradigm Housing or similar to develop the build and housing management proposals for the St Johns Ambulance site.

3.11. Subject to any unitary decision making process the high level project timeline would be;

- Project proposals to be discussed with Paradigm – December
- One Public Estate Bid for wider site - January
- Design proposals for St Johns Ambulance site - January
- Notification of OPE bid by -March
- Business case submitted to Buckinghamshire Council as part of the wider development - April
- Planning Application for St Johns Ambulance site - May

4. Consultation

4.1 Stakeholder consultation has been extensive as the recommendations have developed, with multiple meetings with the faith community representatives, Youth Club representatives and the Gateway Club.

4.2 The scheme in principle has been shared with members at Leisure Members Working Group as well as at the Project Board for the Lifestyle Centre itself.

4.3 Wider public consultation will occur as we seek planning approval for the final design and business case, which will of course be subject to internal review and examination across the Governance structure of the Authority.

5. Options (if any)

5.1 A number of options have been considered. However, these are all shaped by the Council's intention to use the site for Social Housing as well as satisfy our own planning conditions in relation to a community use.

1. We explore another Community Use – including occupation solely by the Youth Club. However, the prospect of attracting a community use which can also fund the development of their facility is very small and we are still left with the Faith Community who approached us searching for a permanent base.
2. We seek to over-ride our own planning guidelines and seek to provide Social Housing to the entire site. This sets a poor precedent and would not be advocated.
3. We dispose of the site to a developer who will seek permission for development and we then take advantage of an overage clause within the sale. This is

unlikely however, to generate the Housing for which the site was procured, or a community use which our planning policy supports.

6. Corporate Implications

6.1 Financial Implications – the approved Capital Programme for St Johns Ambulance Site currently has a balance of £1,185,600 to redevelop the site, it is recommended that funding is drawn down to support the planning application.

6.1.1 The General fund has a balance of £441,168 allocated for the Chiltern Pools phase 2 survey and design works. It is recommended that this funding is made available to undertake the pre-application design and survey expenditure required for the St Johns Ambulance site.

6.1.2 It is then proposed that £50,000 is drawn down from the Chiltern Pools phase 2 and St Johns Ambulance reserve to undertake the surveys necessary to develop the St Johns Ambulance site.

6.2 Legal implications - the Unitary spending protocol requires that expenditure of £100,000 on any one item should be referred to the S151 officer.

7. Unitary Implications (if applicable)

7.1 None

8. Links to Council Policy Objectives

The progression of the recommendations will see us working towards the following Council objectives in the provision of a valuable multi-use community facility as well as Social Housing:

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

Next Steps

The longer term place of worship/community and housing project will be formalised using the CDC PID process and a Project Board including Stakeholders and Technical Advisors will be established based upon the agreed objectives of the PID.

Designs will then be formalised and progress towards a formal planning application will be made and if successful a move towards legal agreement across the parties shall be established.

Background	None
Papers:	

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the
**CHILTERN, SOUTH BUCKS & WYCOMBE JOINT WASTE COLLECTION
COMMITTEE**

held on **22 JULY 2019**

PRESENT: Councillor Mrs J Adey (Wycombe DC) (Chairman)
Councillor G Hall (Wycombe DC)
Councillor Ms C Jones (Chiltern DC)
Councillor M Smith (Chiltern DC)
Councillor Ms L Sullivan (South Bucks DC)

OFFICERS IN ATTENDANCE:

S Anthony (Joint Waste Team)
N Dicker (WDC)
S Gordon (Joint Waste Team)
V Hunt (Consultant)
C Lynam (Joint Waste Team)
C Marchant (CDC/SBDC)
S Markham (CDC/SBDC)
P Druce (Democratic Services WDC)

APOLOGIES FOR ABSENCE:

S Bambrick (CDC/SBDC)

1 ELECTION OF CHAIRMAN

Councillor Mrs Julia Adey was nominated and seconded as Chairman of the Joint Waste Collection Committee for the Municipal Year 2019-2020.

This was agreed by the Committee

RESOLVED: That Councillor Mrs Julia Adey serve as Chairman of the Committee for the current Municipal Year.

2 APPOINTMENT OF VICE-CHAIRMAN

Councillor Ms Caroline Jones was nominated and seconded as Vice-Chairman of the Joint Waste Collection Committee for the Municipal Year 2019-2020.

RESOLVED: That Councillor Ms Caroline Jones serve as Vice-Chairman of the Committee for the current Municipal Year.

The Chairman thanked Councillor Michael Smith for his considerable input into the running of the Joint Waste Collection Committee over the last two years in his role as Chairman, similarly thanking Councillor Caroline Jones for her willingness to step into the Vice-Chairman's role, and mentioned she had been a councillor for four years.

3 MINUTES

The Minutes of the Chiltern, South Bucks & Wycombe Joint Waste Collection Committee held on 28 February 2019 were approved as a correct record.

4 DECLARATIONS OF INTEREST

Councillor Ms L Sullivan declared an interest as a Buckinghamshire County Councillor.

5 PRESENTATION ON CUSTOMER EXPERIENCE STRATEGY

Callum Lynam (Joint Waste Team) gave Members a presentation (hand-outs attached – **attachment 1**) in which he outlined experiences ‘so-far’ in respect of the CRM (Customer Relationship Management) system.

The problems experienced before the adoption of the system were explained, the system now provided a single system to deliver a service that not only met customer needs, but enabled assessment against SLA’s (Service Level Agreements) and targets.

The surge of new cases at the adoption of the system did not represent a spate of incidents on a common theme, but merely the recording for the first time ever of the incidents that came in previously and were dealt with, but had previously not been recorded.

From the system officers could learn far more about the customers, their needs and the service being delivered.

The common / similar format of the forms utilised by the public online and those by customer service operatives was outlined, this led to a uniformity of approach.

Public users could set up customer accounts online, which it was hoped would be extended to various other Council services in due course, a record of their experiences and cases would feature.

Statistics regards usage since the live date of 24 June 2019 were outlined. Some firewall problems and closure notice issues had been experienced and resolved.

The benefits of the ‘we are aware’ responses usable on the system, regards multiple reports was commended. Similarly the ability to ask questions about missed deliveries establishing whether such was for the ‘one property only’, for ‘one property and a neighbour’ or genuinely for ‘the whole street’ was explained.

‘Unjustified’ tickets being issued to public users when such should only initially be viewable to agents was being worked on.

Members had a number of queries clarified and made a number of points as follows:

- Officers agreed to come back on the issue of developers not funding bins on new developments, was such being missed?

- It was confirmed that the key pad featured could be amended; with additions, deletions and adaptations if necessary;
- Members present were encouraged to sign into the system and register so that they could experience it from the customer viewpoint;
- It was confirmed that the system when used online resulted in e-mail updates, telephone contact was still operated and details would be entered on the system by the operatives receiving the phone call;
- It was agreed that Callum would update the Cabinet Portfolio holders on a monthly basis in a short direct report on progress with the system;
- Yvonne Hadlames (Customer Service Manager) was to be approached to organise a visit to one of the centres utilising the system by Cabinet Portfolio-holders to see the system in operation;
- It was confirmed that there were currently 6 vacancies in the Customer Services section and that these were in the process of being filled;
- The attachment would prove to be a good resume of the current situation with the Customer Relationship Management System for members to share with their colleagues: and
- Whether this system was to be extended to cover fly-tipping (currently dealt with via the BCC website), whereby an 'already aware' system could be operated, was a decision to be made by the new Unitary Authority.

6 JOINT WASTE SERVICES HIGHLIGHT REPORT

Sally Gordon took Members through the Programme Highlight report appended to the agenda, outlining the following:

- In respect of **Headline Service Statistics**; the substantial increase in the number of bulk bin properties was as a result of property growth, which was putting further pressure on front line rounds;
- A detailed synopsis of the changes to staffing in respect of the **staffing resources outcome** was given;
- The reduction of the 8 CDC **recycling centre** sites to 3 and these to be further reviewed in October was referenced;
- It was confirmed that DCLG (Department of Communities and Local Government) monies had been utilised to promote dry mixed material recycling with target audiences ahead of the new Unitary Authority;

- The **overspend** for WDC was in respect of the Marlow-by-pass cleanse as requested;
- Simon Anthony's team's meeting with Serco Management was referenced and a meeting between Serco Management and the Portfolio-holders was proposed;
- In respect of **Complaints** the considerable increase in Quarter 4 in respect of SBDC would be reported back on in due course; whilst figures for the 1st quarter would be shared with Members in the near future; and
- Specific issues on the submitted Risk register were referenced; particularly the upgrade in risk status relating to the Unitary Status under 'Legal & Contract'.

RESOLVED that the Report and the information be noted.

7 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.

Note: the relevant paragraph number and description is indicated under the Minute heading.

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

8 RECYCLING END DESTINATIONS

Callum Lynam updated the Meeting on the contents of the Report held in exempt session due to the unverified status of the data contained.

Initiated due to the interest in the destination of recycled waste as a result of recent TV documentaries where waste from Milton Keynes had been found in landfill sites in the Malaysian rainforest, the Report saw no waste from either Wycombe or Chiltern being exported to Asia. Of the 20% exported this went to EU countries only.

A small amount of card board extracted from mixed recycling (which was of reduced quality) collected in South Bucks was destined for Asia but officers were happy that this was being recycled correctly.

Members thanked officers for this comprehensive report which they felt should be shared amongst the wider Councillor membership of the 3 authorities.

Officers also emphasised that where use could be made of the BCC EfW (Energy from Waste) site at Greatmoor this was always promoted for those items not recyclable.

RESOLVED that the Report and the information be noted.

9 WASTE PROCUREMENT PROGRESS HIGHLIGHT REPORT

Vincent Hunt consultant to the project spoke to this Report emphasised the good progress made in respect of the procurement, focussing in on the risks featured in the Report in detail. An affordable service was being pursued which was to be both economical and sustainable and include the resources and provide services with full compliance specification.

Mr Hunt reported on recent developments re the procurement in respect of referral to the Shadow Executive of the new Buckinghamshire Council.

The limited options in respect of the alternative of extension of the current contract beyond the expiry date of the end of 2019 was explained.

Sue Markham; legal officer updated the Meeting on her ongoing input to the Shadow Authority on the procurement and the legal implications.

The Meeting took on board the comments of officers and agreed that Members present support these and express this support to fellow Councillors from their authorities who sat on the Shadow Executive.

RESOLVED that the Report and the information be noted.

**AYLESBURY VALE DISTRICT COUNCIL
CHILTERN DISTRICT COUNCIL
WYCOMBE DISTRICT COUNCIL**

MINUTES of the Meeting of the
**AYLESBURY VALE, CHILTERN AND WYCOMBE DISTRICTS CREMATORIA
JOINT COMMITTEE**
held on **5 SEPTEMBER 2019**

PRESENT: Councillors C Jones - Chairman
H Mordue
G Peart

APOLOGIES FOR ABSENCE were received from Councillors D Barnes, P Martin and J Ward

86 ELECTION OF CHAIRMAN

Councillor Jones was elected as temporary chairman for this meeting only, seconded by Councillor Peart, as the meeting was inquorate.

87 MINUTES

The minutes of the Joint Committee held on 23rd January 2019 were approved and signed by the Chairman as a correct record.

88 DECLARATIONS OF INTEREST

There were no declarations of interest.

89 2018/19 FINANCIAL OUTTURN

The Joint Committee received a report that provided Members with financial outturn information for the Chilterns and Berton Crematoria for 2018/19. The Director of Resources reported that year on year numbers were down 5%, but commented that this was in part due to numbers being high the year before due to reduced capacity at Slough Crematorium last year. The surplus generated from the Chilterns Crematorium was £1.1 million, and the deficit from the new Berton Crematorium, which was completed in April 2019 was £4.4 million, creating an overall deficit of £3.4 million. This was in accordance with financial planning.

Members were referred to table 4.2 which showed that despite large amounts of spending on Berton Crematorium, there were still significant reserves retained. Members congratulated the Superintendent, the Head of Environment and the team, for the exceptional management of the Chilterns

Crematorium and the extraordinary achievement of building Berton Crematorium from the proceeds of Chilterns Crematorium.

RESOLVED:

1. That the financial outturn position for the year ended 31 March 2019 be noted.
2. That the accumulated reserve surplus of the Joint Committee be noted.

90 MOVING TO UNITARY

The Joint Committee considered a report which updated them on the governance arrangements that will apply following the establishment of the new Buckinghamshire Council on 1 April 2020. The Director of Resources reported that the Joint Committee would cease to exist following the creation of the new Council. Under the proposed structure for the new unitary Council, the management of the Crematoria would fall under the Corporate Directorate for Communities under the responsibility of the Service Director for Neighbourhood Services.

It was reported that operations would continue as normal and regular staff would be TUPE'd across on 1st April 2020. Tiers 2 and 3 management appointments were ongoing and were due to be completed by Christmas.

RESOLVED that the report be noted.

91 64TH ANNUAL REPORT 2018/19

The Joint Committee received the annual report for the Chilterns Crematorium. The Superintendent reported that there had been a significant reduction in the death rate from last year that had contributed to a dip in cremations. The fees for Chilterns Crematorium were recognised as being reasonably priced and competitive.

Members were informed that feedback for Berton Crematorium had been overwhelmingly positive and that minor complaints had been remedied.

RESOLVED that report be noted.

92 UPDATE HS2 VENT-SHAFT CONSTRUCTION - POTENTIAL IMPACT ON CHILTERN'S CREMATORIUM

The Joint Committee received a report which updated Members on the potential adverse impact on funerals with the construction of an HS2 vent shaft.

The Superintendent advised that Cambridge City Council experienced a shortfall at their crematorium following significant A14 roadworks. This case study aligned with officers concerns regarding HS2 construction. The Superintendent had met with HS2 and was given a commitment for further

discussions with officers about these issues. A further meeting was planned for September, but a date had yet to be confirmed.

RESOLVED that the report be noted.

93 EXCLUSION OF THE PUBLIC

RESOLVED –

That under Paragraph 3, Section 100(A)(4) of the Local Government Act 1972 the Public be excluded from the meeting for the following items 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.

Note: the relevant paragraph number and description is indicated under the Minute heading.

94 BIERTON CREMATORIUM PROJECT UPDATE

The Joint Committee received a report that updated Members on the project to build Bierton Crematorium.

The Head of Environment informed Members that the construction was completed as expected on 2nd April and opened on 23rd April. It was reported that the ground landscaping was initially not at the required standard but would be easy to correct over time. The other minor defects would be picked up within 12 months.

RESOLVED that the report be noted.

The meeting ended at 4.45 pm

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

Document is Restricted

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