

CHILTERN DISTRICT COUNCIL

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TO: ALL MEMBERS OF COUNCIL

Dear Councillor

You are hereby summoned to attend the Meeting of the **CHILTERN DISTRICT COUNCIL** to be held in the **Council Chamber, King George V House, King George V Road, Amersham** on **Tuesday, 13th May, 2014** at **6.30 pm** when the business below is proposed to be transacted.

REVISED AGENDA

(Minutes for Items 7.10 & 8 attached)

- 1 Evacuation Procedures
- 2 Minutes *(Pages 5 - 24)*
To approve as a correct record and to sign the Minutes of the meeting of Council held on 26 February 2013.
- 3 Apologies for Absence
- 4 Declarations of Interest
- 5 Announcements
To receive any announcements from the Chairman, Cabinet Leader or the Head of Paid Service and any petitions
Appendix - Chairman and Vice Chairman's Diary (Pages 25 - 26)
- 6 Long Service Award
- 7 To consider the Minutes of the under-mentioned Committees, in date order of the meetings:
 - 7.1 Audit - 19 February 2014 *(Pages 27 - 32)*
 - 7.2 Planning - 20 February 2014 *(Pages 33 - 38)*

- 7.3 Standards - 27 February 2014 (*Pages 39 - 42*)
- 7.4 Planning - 13 March 2014 (*Pages 43 - 46*)
- 7.5 Joint Appointments and Implementation - 24 March 2014 (*Pages 47 - 50*)
- 7.6 Community & Environment Overview - 25 March 2014 (*Pages 51 - 56*)
- 7.7 Personnel - 27 March 2014 (*Pages 57 - 60*)
- 7.8 Performance & Resources Overview - 1 April 2014 (*Pages 61 - 66*)
- 7.9 Planning - 3 April 2014 (*Pages 67 - 70*)
- 7.10 Audit - 10 April 2014 (*Pages 71 - 74*)
- 7.11 Housing & Planning Overview - 15 April 2014 (*Pages 75 - 78*)

- 8 Cabinet Minutes (*Pages 79 - 94*)
To consider the Minutes of the meeting of the Cabinet held on 6 May 2013 and to receive questions and answers on any of these minutes and recommendations in accordance with Rule 8 of the Procedural Rules

- 9 Cabinet Reports
To receive and consider reports from the Cabinet Leader, Cabinet Members or Chairman of a Committee and receive questions and answers on any of those reports in accordance with Rule 9.1.of the Procedural Rules

- 10 Questions
To receive questions and answers of the Cabinet Leader, Cabinet Members or Chairman of a Committee (if any) in accordance with Rule 9.2 of the Procedure Rules.

- 11 Joint Arrangements and Outside Organisations
To receive reports about and receive questions and answers relating to any joint arrangements or external organisations

- 12 Motions (if any)

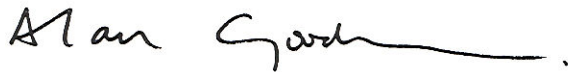
- 13 Harmonised Contract Procedure Rules (*Pages 95 - 96*)
Appendix (Pages 97 - 110)

- 14 Legal Shared Service Review (*Pages 111 - 112*)
Private Appendix (Pages 113 - 148)

15 Exclusion of the Public (if required)

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.

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



Alan Goodrum
Chief Executive

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CHILTERN DISTRICT COUNCIL**MINUTES of the Meeting of the CHILTERN DISTRICT COUNCIL**held on **26 FEBRUARY 2014**

PRESENT: Councillor N L Brown - Chairman of the Council
Mrs M Harker - Vice-Chairman of the Council

<p>Councillors: Miss P A Appleby A K Bacon S P Berry M Z Bhatti R Burns-Green Mrs J A Burton M J Cunnane Mrs I A Darby J L Gladwin A S Hardie G K Harris P J Hudson P M Jones D J Lacey P E C Martin D G Meacock S A Patel</p>	<p>Councillors: D W Phillips M Prince D Spate N M Rose J J Rush J S Ryman P N Shepherd C H Spruytenburg Mrs L M Smith M R Smith M Stannard N Stewert H A Trevette M Vivis J F Warder C J Wertheim A P Williams</p>
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APOLOGIES FOR ABSENCE were received from Councillors A D Garnett, A J Garth, Mrs A Pirouet and F S Wilson

92 MINUTES

The Minutes of the meeting of Council held on 14 January 2014 were approved as a correct record.

93 DECLARATIONS OF INTEREST

Members noted that the Monitoring Officer, in consultation with the Chairman of the Standards Committee and one of the Independent Persons appointed by the Council, had requested and granted dispensations under Section 33 of the Localism Act 2011 to all Members in relation to the setting of Council Tax. It was noted that the dispensations applied for this meeting (in particular item 12 - Council Tax 2014/15) and for the remainder of the Council term (to May 2015). Councillor N Stewert advised that as he did not own property or land in the district he therefore did not have a Disclosable Pecuniary Interest in item 12.

Councillor S Berry declared a personal and prejudicial interest in item 7 (Cabinet Minutes) in particular Minute 103 (Solar PV for Amersham Multi-Storey Car Park Overroof) being employed in that industry, and would leave the meeting if there was a discussion on that item.

After noting that an advice note had been circulated to all Members to provide guidance on any declarations of interest in relation to item 13 (HS2), the following Members declared an interest in that item:

Councillor A Williams declared a personal and prejudicial interest being the owner of land affected by the HS2 safeguarding direction, and would leave the meeting for that item.

Councillor J Gladwin declared a personal interest being a trustee of the Chiltern Society.

Councillor J Ryman declared a personal interest being a board member of the Chiltern Conservation Board.

Councillor Mrs J Burton declared a personal interest being a member of the Chilterns Woodlands Trust.

All Members declared a personal interest in item 16, and item 17 (applicable for those Members who were also a Parish Councillor), being entitled to receive allowances. In accordance with paragraph 7(2)(c) of the Code of Conduct Members were not required to declare a prejudicial interest.

94 ANNOUNCEMENTS

(a) Chairman's Engagements

A list of Engagements carried out by the Chairman and Vice-Chairman of the Council between 15 January and 26 February 2014 had been circulated.

(b) Chairman's Announcements

This year's Chairman's Reception would be held on 7 March at 7.30 pm and Members were kindly asked to reply to the invitation if they had not already done so.

The Council's Environmental Health Manager was participating in this year's London Marathon to raise money for Hearing Dogs for Deaf People. Sponsorship forms were available in the Members' Room.

An additional meeting of the Joint Appointments & Implementation Committee would be held on 29 May at 6pm (South Bucks District Council).

(c) Announcements from the Leader of the Cabinet

The Leader of the Cabinet had no announcements to make.

(d) Announcements from the Head of Paid Service

The Chief Executive had no announcements to make.

(e) Petitions

No petitions were submitted.

95 PLANNING - 9 JANUARY 2014

It was moved by Councillor D W Phillips, seconded by Councillor Mrs J A Burton and

RESOLVED –

That the Minutes and Resolutions of the Planning Committee held on 9 January 2014 be received.

96 JOINT APPOINTMENTS & IMPLEMENTATION - 15 JANUARY 2014

It was moved by Councillor M Smith, seconded by Councillor Mrs I Darby and

RESOLVED –

That the Minutes and Resolutions of the Joint Appointments and Implementation Committee held on 15 January 2014 be received.

97 PERSONNEL - 16 JANUARY 2014

It was moved by Councillor N Rose, seconded by Councillor D Phillips and

RESOLVED –

That the Minutes and Resolutions of the Personnel Committee held on 16 January 2014 be received.

98 HOUSING & PLANNING OVERVIEW - 21 JANUARY 2014

Councillor N Stewert advised that he had submitted apologies for the Housing & Planning Overview Committee meeting and requested that this correction be recorded.

It was moved by Councillor Mrs J Burton, seconded by Councillor J Wertheim and

RESOLVED –

That the Minutes and Resolutions of the Housing and Planning Overview Committee held on 21 January 2014 be received.

99 COMMUNITY & ENVIRONMENT OVERVIEW - 22 JANUARY 2014

It was moved by Councillor J Ryman, seconded by Councillor P Jones and

RESOLVED –

That the Minutes and Resolutions of the Community and Environment Overview Committee held on 22 January 2014 be received.

100 PERFORMANCE & RESOURCES OVERVIEW - 28 JANUARY 2014

It was moved by Councillor C Spruytenburg, seconded by Councillor D Phillips and

RESOLVED –

That the Minutes and Resolutions of the Performance and Resources Overview Committee held on 28 January 2014 be received.

101 PLANNING - 30 JANUARY 2014

It was moved by Councillor D Phillips, seconded by Councillor Mrs J Burton and

RESOLVED –

That the Minutes and Resolutions of the Planning Committee held on 30 January 2014 be received.

102 JOINT APPOINTMENTS AND IMPLEMENTATION - 5 FEBRUARY 2014

It was moved by Councillor M Smith, seconded by Councillor D Spate and

RESOLVED –

That the Minutes and Resolutions of the Joint Appointments and Implementation Committee held on 5 February 2014 be received.

103 PERSONNEL - 6 FEBRUARY 2014

It was moved by Councillor N Rose, seconded by Councillor D Phillips and

RESOLVED –

That the Minutes and Resolutions of the Personnel Committee held on 6 February 2014 be received.

Note: The adoption of the recommendation in Minute 27 – Pay Policy Statement 2014/15 - was taken with Item 14.

104 LICENSING & REGULATION - 13 FEBRUARY 2014

In response to a question, the Chief Executive advised that the Minutes of the Licensing and Regulation Committee had been circulated separately to the Revised Agenda.

It was moved by Councillor N Shepherd, seconded by Councillor M Vivis and

RESOLVED –

That the Minutes and Resolutions of the Licensing and Regulation Committee held on 13 February 2014 be received, and the recommendations in Minute 14 – Mobile Homes Act 2013 – be adopted.

105 CONSTITUTION REVIEW - 18 FEBRUARY 2014

It was moved by Councillor N Rose, seconded by Councillor D Spate and

RESOLVED –

That the Minutes and Resolutions of the Constitution Review Committee held on 18 February 2014 be received, and the recommendation in Minute 8 – Recorded Votes at Budget Meetings – be adopted.

106 CABINET MINUTES

It was moved by Councillor N Rose, seconded by Councillor M Smith and

RESOLVED –

That the Minutes and Resolutions of the Cabinet held on 11 February 2014 be received and the recommendations contained in Minutes 89 and 103 be adopted.

Note: The adoption of the recommendations in Minutes 87 (Budget 2014/15) and 92 (HS2 Update) were taken with items 12 and 13 respectively.

107 CABINET REPORTS

a) Councillor M Smith – Aylesbury Crematorium

Councillor M Smith reported that the Chilterns Crematorium Joint Committee, a joint partnership with Aylesbury Vale District Council and Wycombe District Council, had recently secured an option on a site for a new Crematorium in Berton, Aylesbury. This follows an extensive site search carried out over a number of years. The proposed new Crematorium was required in order to help increase capacity.

b) Councillor P E C Martin – Joint Waste Collection Contract

Councillor P Martin provided an update on the performance of the joint waste collection contract, and advised that the previous week had seen the lowest number of missed collections since the roll out of the contract. Recycling levels were continuing to improve, with over 11,000 tonnes of waste having been recycled or composted in the third quarter of 2013. The Council was on track to reach its target of recycling 60% of waste by 2015. The next stage of the programme involved rolling out the new service to communal areas which would be rolled out from April 2015.

c) Councillor P Hudson – Free Health Fair

A free Health Fair would be held on Wednesday 12 March, 1.00 pm to 4.00 pm at Amersham Free Church. Residents would have an opportunity to receive a free mini health check and find out more about local services. A free guide to services in Amersham would be available at the Health Fair, which follows the launch of a similar guide for Chesham. A guide to services in Chalfont St Giles was being prepared and would be available in March.

d) Councillors N Rose and Mrs I A Darby – Flooding

Councillor N Rose reported on the flooding that had occurred at the beginning of February which had affected a number of businesses and homes in the district. Thanks were expressed to the Council's teams of staff that had worked hard, including during the weekend, to hold back water where they could and provide support to residents. Particular thanks were expressed to individual officers from the following sections: Health and Housing; Facilities and Customer Services; Engineering; Environmental Health, and Communications.

Councillor Mrs I Darby endorsed the thanks expressed to staff and added that the Council continued to monitor the situation and work in collaboration with other agencies to deal with further emergencies. The Council had distributed approximately 1,600 Floodsax (modern sandbags) and had opened the Council offices on a Saturday morning to enable residents to collect them. Information was provided to residents via the website, social media, and out of hour's telephone message service. Specific advice was provided to those most at risk. Officers responded to calls of potential flooding and also visited areas identified at risk.

Residents throughout the district had been affected, though residents in Old Amersham and Chalfont St Peter had been particularly badly affected. Chalfont St Peter had experienced an incident involving sewage in the high street which had been resolved by joint working with partner agencies. The swift action of officers and other agencies had also averted a potentially serious pollution incident in Old Amersham. Residents were particularly grateful of the information provided to them and also the ability to speak to people about the problems they had experienced.

Councillor N Brown advised that positive comments had been received from the public regarding advice provided by Environmental Health officers. The Buckinghamshire Fire and Rescue Service were also thanked for their swift

response to the flooding. The County Council's Local Area Technicians were praised for their work, in particular the clearing of drain holes which had been carried out as part of the Surface Water Management Plan for Chesham.

Councillor Mrs M Harker reiterated the thanks expressed to staff and partner agencies and advised that the public were particularly grateful that the council offices were open on a Saturday and that Floodsax were made available.

e) Councillor G Harris – Delivery Development Plan Document

Following approval by Cabinet on the 11 February 2014 the Council was now consulting on the Submission version of the Delivery Development Plan Document (DDPD) which would build upon the strategic policies contained within the adopted Core Strategy. Hard copies of the document had been circulated to all Members who were invited to look through the document carefully. The consultation would close on Friday 4 April 2014 at 5.00 pm.

Councillor P Jones stated that he has previously advised against the proposals relating to GB4 and GB5. Councillor Jones referred to the consultation feedback form for the DDPD, in particular questions 7 and 9, and stated that the document was unclear. Councillor Jones acknowledged that the form was prescribed by the Department for Communities and Local Government, but requested that the Council took steps to review the form and also extend the consultation. In response, Councillor Harris advised that he would ask officers to look into the scope for reviewing the form as a matter of urgency, but confirmed that it would not be possible to extend the consultation. Councillor N Brown suggested that it may be useful to provide a summary of all the changes made to the DDPD.

Councillor D Phillips advised that a document showing a summary of changes made to the DDPD would be quite large, and then endorsed the comments made by Councillor Jones regarding the DPPD consultation form and the proposals regarding GB4 and GB5. Members noted that an important Planning Seminar for all Members would be held on Tuesday 4 March at 6.00 pm to provide information about the implications of the DDPD when taking decisions on planning applications. It was important for Members to think about the impact on their ward and also the district overall.

Councillor Rose advised that officers were asked to carefully consider the consultation. Councillor Rose also shared the concerns made regarding GB4 and GB5. It was advised however that in light of the comments from the Inspector the Council had no alternative, and that officers had done the best they could in the circumstances. Tribute was paid to the offices involved for the enormous amount of work involved in the DDPD.

Councillor D Meacock stated that the National Trust had stated that the current housing policies were already having an effect on the Green Belt. In response, Councillor Rose advised that he had raised this issue at a recent meeting with Nick Boles MP, Parliamentary Under Secretary of State for Planning.

f) Councillor N Rose – HS2

Members noted that a joint response to the Environmental Statement (ES) consultation had been prepared with the County Council. The Council would also be submitting its own response. Councillor Rose expressed his thanks to all the staff involved in preparing the document within the Government's limited timescale. Particular thanks were expressed to the Senior Environmental Health Officer, Senior Solicitor, and Principal Strategic Environment Officer.

Councillor Rose advised that the HS2 Major Projects Authority Assessment Review report had still not been made publically available and that requests were continuing to be made for this to be published.

Councillor Rose stated that there were numerous errors, omissions and inaccuracies contained in the ES consultation document produced by HS2. It was also pointed out that 49 ancient woodlands would be affected by HS2, rather than the 19 referred to by HS2.

The Environment Audit Committee (House of Commons Select Committee) would be launching an inquiry on environmental protection in Phase 1 of HS2. This would review a number of locations, but would not include Chiltern AONB. The Council would continue to oppose HS2, but it was recognised that the Council must now focus on mitigation and petitioning.

Councillor Berry advised that he had not received a copy of the latest version of the ES consultation response and expressed concern regarding the proposed station at Aylesbury which had appeared late in the day. An assurance was requested that the proposal would not be included in the ES consultation response. The source of the proposal was discussed and it was noted that the proposal had been reconsidered and quickly abandoned. Councillor Rose shared Councillor Berry's concerns regarding the proposal and confirmed that this had been deleted from the ES consultation response. It was noted that the ES consultation response would be made available on the Council's website.

Note: Councillor Mrs M Harker left the meeting at 7.31 pm.

108 QUESTIONS

Councillor C Spruytenburg asked a question of the Cabinet Member for Community regarding a donation to the Chesham Town Bell Appeal.

Councillor P Hudson advised that no funding was available to support this project in the current financial year. However, this was a prime candidate for the community grants fund and applications for this could be submitted in April. The Community Team had also been asked to support the work and additional support may also be available from other organisations such as Community Impact Bucks.

Councillor Spruytenburg detailed how much had already been raised by the appeal and stressed the timescales involved. Councillor Mrs P Appleby suggested that the Council could provide a loan to support the project.

109 JOINT ARRANGEMENTS AND OUTSIDE ORGANISATIONS

There were no reports.

110 MOTIONS

In accordance with Rule 10 of the Council Procedural Rules, the following Motion had been submitted by and was consequently moved by Councillor A Hardie, and seconded by Councillor N Rose:

“Recent disastrous events, principally in the South West of England due to exceptional weather conditions, have left road and rail infrastructure, villages, farmlands, rivers, bridges and coastal defences completely devastated and this Council extends its deepest sympathy to those affected and to the communities of the Thames Valley.

The Government needs to allocate huge financial resource to the restoration of all these affected areas and it would be obscene if funding for HS2 were to take precedence. The Treasury’s financial requirements of the Environment Agency for an 8:1 Benefit Cost Ratio before approval for any major capital expenditure compared with the BCR for HS2 of 1:1.4 is beyond comprehension.

This Council calls upon the Government to reconsider the proposed investment in HS2 which adversely affects this and many other communities and divert a substantial part of the colossal funding to such infrastructure repairs and rebuilding which will help the shattered communities rebuild their lives and thus provide a real and lasting regeneration of the economy.”

Councillor A Hardie explained the Motion to those present and stated that a letter should also be sent to the Prime Minister and relevant Government departments, including the Department for Environment, Food and Rural Affairs.

Councillor Rose referred to the devastating effects of the flooding, particularly in the West Country, and stated that it was important to encourage Ministers to support regeneration, rather than pursue HS2.

In accordance with Rule 12.6 of the Council Procedure Rules, Councillor S Berry moved an amendment to the Motion to replace the word “reconsider” with “scrap”. This was seconded by Councillor P Jones.

Councillors A Hardie, N Rose, N Stewert and R Burns-Green then spoke against the amendment suggesting that the original wording of the Motion had been chosen very carefully and that the amendment may risk contempt from the Government.

Councillor Phillips suggested that the word “abandon” may be a suitable alternative since the area would continue to be blighted if HS2 was deferred.

Councillor Bhatti spoke in favour of the amendment and suggested that the amendment was justified by the huge costs to the Council arising from HS2.

On being put to the vote, the amendment was declared lost by the Chairman (For 9; Against 23).

There followed debate on the substantive Motion.

Councillor D Meacock stated that he fully supported the Motion, but was concerned that it was ultra vires since it referred to areas outside the district that were flooded. Councillor Meacock then referred to the effects of flooding in areas such as Chalfont St Peter and Chalfont St Giles and felt that local agencies should be urgently held to account regarding their inaction. Councillor Meacock recognised that flood defences were expensive, but advised that greater flood protection was required immediately in order to protect areas in the district and in the UK in the future. Councillor Meacock then referred to the budget for HS2 and foreign aid, and stated that those budgets would be better spent on flood defences.

Councillor Mrs I A Darby responded by advising that partner agencies acted in response to problems experienced in Chalfont St Peter, and as a result the problems were resolved. It was felt therefore that Thames Water did not need to be called to appear before Members, but had been requested to address the next meeting of the Community & Environment Overview Committee.

Councillor Miss P Appleby then moved that the question be now put.

On being put to the vote, the motion was declared carried by the Chairman, following which it was

RESOLVED –

That the Motion be carried.

Note: Councillor M Bhatti left the meeting at 7.45 pm.

111 COUNCIL TAX 2014/15

Councillor Rose spoke about this year’s budget which had been one of significant challenge; there had been a 13% reduction in Government funding and there were greater demands for local authorities. It was felt that the budget would put the Council on a firm foundation for the future.

A summary of this year’s budget was provided which included: freezing the district’s Council Tax precept, maintaining a sound level of reserves, continued partnership working, supporting affordable housing, taking the local development plan forward, continuing to invest to save and continuing to oppose HS2 and pursue the best outcomes for residents. Joint working with South Bucks on shared services and the joint waste service with Wycombe

had also helped to reduced costs. Revising the Council Tax Support Scheme had been a major challenge and thanks were expressed to Councillor Mrs I Darby who had led this work.

Councillor Rose then summarised by stating that the budget would stand the Council in good stead to focus on the priorities. The budget had involved a lot of hard work and thanks were expressed to all those involved including Cabinet colleagues, in particular Councillor Stannard who had led the budget review, and officers.

Councillor N Stewert endorsed the Council freezing its Council Tax precept, but expressed disappointed that some of the parishes had increased their Council Tax precept. In response to a number of questions raised by Councillor Stewert, Councillor Rose then advised that he was unable to confirm if any additional financial support would be made available by the Government in future. It was also confirmed that particular attention had been paid to ensure that the calculations for the parish precepts were correct.

Councillor P Jones thanked Councillor Rose for his speech. It was acknowledged that savings had been made and it was highlighted that this had been done with the support from the Liberal Democrat Group. Concern was raised about relying too much on the continuation of the New Homes Bonus Grant.

In order to comply with the Government's new requirements regarding recorded votes at budget setting meetings, Councillor Rose requested a recorded vote in accordance with Council Procedure Rule 14.4.

It was then moved by Councillor N Rose, and seconded by Councillor M Stannard.

On being put to the recorded vote the recommendations were agreed, with the votes being cast as follows

For (34): Councillors Miss P Appleby, A K Bacon, S Berry, N L Brown, R Burns-Green, Mrs J A Burton, M J Cunnane, Mrs I A Darby, A Gladwin, A S Hardie, G K Harris, P J Hudson, P M Jones, D J Lacey, P E C Martin, D G Meacock, S A Patel, D W Phillips, M Prince, N M Rose, J Rush, J S Ryman, P N Shepherd, Mrs L Smith, M R Smith, D Spate, C H Spruytenburg, M Stannard, N Stewert, H A Trevette, M Vivis, J F Warder, C J Wertheim, and A Williams.

Against (0)

Abstained (0)

RESOLVED –

- 1. That it be noted that the following amounts for 2014/15 have been determined under delegated authority and in accordance with regulations made under the Local Government Finance Act 1992.**

- a) 42,809.31 being the amount calculated by the Council, in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as its Council Tax Base for the year.
- b) The amounts calculated by the Council, in accordance with Regulation 6 of the Regulations, as the amount of its Council Tax Base for the year for dwellings in those parts of its area to which one or more special items (ie Parish precepts) relate, are shown below.

Council Tax Base 2014/15	
Amersham	6,556.52
Ashley Green	443.69
Chalfont St Giles	3,087.76
Chalfont St Peter	6,221.97
Chartridge	819.98
Chenies	128.39
Chesham	7,681.21
Chesham Bois	1,635.33
Cholesbury	492.47
Coleshill	323.28
Great Missenden	4,827.70
Latimer & Ley Hill	504.23
Little Chalfont	3,087.86
Little Missenden	3,099.44
Penn	2,327.46
Seer Green	1,179.89
The Lee	392.13
Total	42,809.31

2. That the Council calculates the following amounts for 2014/15 in accordance with Sections 31A, 31B and 34 to 36 of the Local Government Finance Act 1992 (as amended by the Localism Act 2011):
- a) £38,447,758 being the aggregate expenditure which the Council estimates for the items set out in Section 31A(2) (a) to (f) of the Act (including the General Fund and Parish Precepts).
- b) £29,062,813 being the aggregate income which the Council estimates for the items set out in Section 31A(3) (a) to (d) of the Act.
- c) £9,384,945 as its council tax requirement for the year including Parish Precepts, being the amount by which the aggregate expenditure at 2(a) above exceeds the aggregate income at 2(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act.

- d) £219.23 as the basic amount of its Council Tax for the year, being the council tax requirement at 2(c), divided by the Council Tax Base for the year at 1(a) above, calculated by the Council, in accordance with Section 31B(1) of the Act.
- e) £2,427,149 being the aggregate of all special items referred to in Section 34(1) of the Act (ie Parish precepts, there being no other special items).
- f) £162.53 as the basic amount of its Council Tax for dwellings in its area, excluding Parish Precepts, being the amount at 2(d) above less the result given by dividing the amount at 2(e) above by the amount at 1(a) above, calculated by the Council, in accordance with Section 34(2) of the Act.
- g) The amounts given by adding to the amount at 2(f) above the amounts of the Parish Precepts for the relevant Parish divided in each case by the Council Tax Base for the Parish at 1(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in each Parish is.

2014/15 Basic Council Tax		
	Parish Amount	CDC + Parish Amount
Amersham	76.00	238.53
Ashley Green	34.71	197.24
Chalfont St Giles	58.51	221.04
Chalfont St Peter	46.60	209.13
Chartridge	11.92	174.45
Chenies	46.10	208.63
Chesham	102.27	264.80
Chesham Bois	29.57	192.10
Cholesbury	19.67	182.20
Coleshill	24.45	186.98
Great Missenden	37.14	199.67
Latimer & Ley Hill	21.48	184.01
Little Chalfont	66.42	228.95
Little Missenden	25.25	187.78
Penn	22.51	185.04
Seer Green	35.42	197.95
The Lee	20.25	182.78

- h) The amounts given by multiplying the basic amounts for each Parish 2(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

3. That it be noted for the year 2014/15 the main precepting authorities have stated the following amounts in precepts issued to the Council, in accordance with s40 of the Local Government Act 1992.

Band	Bucks County Council Precept £	Bucks & Milton Keynes Fire Authority Precept £	Police and Crime Commissioner for Thames Valley £	Total Preceptors £
A	729.27	39.42	107.01	875.70
B	850.81	45.99	124.84	1,021.64
C	972.36	52.56	142.68	1,167.60
D	1,093.90	59.13	160.51	1,313.54
E	1,336.99	72.27	196.18	1,605.44
F	1,580.08	85.41	231.85	1,897.34
G	1,823.17	98.55	267.52	2,189.24
H	2,187.80	118.26	321.02	2,627.08

4. That, having calculated the aggregate in each case of the amounts of the District's and preceptors' requirements, in accordance with s30(2) of the Local Government Finance Act 1992, hereby sets amounts of the council tax for the year 2014/15 for each category of dwellings as follows.

Band	District & Parishes Council Tax £	Preceptors £	Total 2014/15 Council Tax £
A	146.15	875.70	1,021.85
B	170.51	1,021.64	1,192.15
C	194.87	1,167.60	1,362.47
D	219.23	1,313.54	1,532.77
E	267.95	1,605.44	1,873.39
F	316.67	1,897.34	2,214.01
G	365.38	2,189.24	2,554.62
H	438.46	2,627.08	3,065.54

The council tax for each category of dwelling by parish is shown in below.

TOWN/PARISH	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Amersham	1,034.72	1,207.16	1,379.63	1,552.07	1,896.98	2,241.88	2,586.79	3,104.14
Ashley Green	1,007.19	1,175.05	1,342.92	1,510.78	1,846.51	2,182.24	2,517.97	3,021.56
Chalfont St Giles	1,023.06	1,193.56	1,364.08	1,534.58	1,875.60	2,216.62	2,557.64	3,069.16
Chalfont St Peter	1,015.12	1,184.30	1,353.49	1,522.67	1,861.04	2,199.42	2,537.79	3,045.34
Chartridge	992.00	1,157.32	1,322.67	1,487.99	1,818.66	2,149.32	2,479.99	2,975.98
Chenies	1,014.79	1,183.91	1,353.05	1,522.17	1,860.43	2,198.69	2,536.96	3,044.34
Chesham	1,052.23	1,227.60	1,402.98	1,578.34	1,929.08	2,279.83	2,630.57	3,156.68
Chesham Bois	1,003.77	1,171.05	1,338.36	1,505.64	1,840.23	2,174.82	2,509.41	3,011.28
Cholesbury	997.17	1,163.35	1,329.56	1,495.74	1,828.13	2,160.52	2,492.91	2,991.48
Coleshill	1,000.35	1,167.07	1,333.80	1,500.52	1,833.97	2,167.42	2,500.87	3,001.04
Great Missenden	1,008.81	1,176.94	1,345.08	1,513.21	1,849.48	2,185.75	2,522.02	3,026.42
Latimer & Ley Hill	998.37	1,164.76	1,331.16	1,497.55	1,830.34	2,163.13	2,495.92	2,995.10
Little Chalfont	1,028.33	1,199.71	1,371.11	1,542.49	1,885.27	2,228.05	2,570.82	3,084.98
Little Missenden	1,000.89	1,167.69	1,334.52	1,501.32	1,834.95	2,168.58	2,502.21	3,002.64
Penn	999.06	1,165.56	1,332.08	1,498.58	1,831.60	2,164.62	2,497.64	2,997.16
Seer Green	1,007.67	1,175.60	1,343.56	1,511.49	1,847.38	2,183.27	2,519.16	3,022.98
The Lee	997.55	1,163.80	1,330.07	1,496.32	1,828.84	2,161.36	2,493.87	2,992.64

5. Determine that the Council's basic amount of Council Tax for 2014/15 is not excessive, in accordance with principles approved under Section 52ZB of the Local Government Finance Act 1992, [and thus there is no need to hold a Council Tax referendum].
6. To approve the introduction of a six week minimum occupation period before a new council tax discount can apply with effect from 1st April 2014.
7. That the recommendations in Minute 87 - Budget 2014/15 - of the meeting of the Cabinet held on 11 February 2014 be adopted.

112 HS2

On 11 February 2014, the Cabinet received a report detailing the outcome of the legal challenge, the response to the Environment Statement and petitioning issues and implications for resources. The Cabinet had recommended that the Council oppose the Hybrid Bill and earmark additional funding to support the petitioning process. As such, Members were now asked to approve authority to oppose the High Speed Rail Hybrid Bill, and a simple majority (21 Members) of all Members was required in order to pass this resolution.

Councillor S Berry asked for an indication of the costs to the Council arising from the various HS2 items of work where costs were to be shared with other external bodies. Councillor N Rose confirmed that it was impossible to know the total costs to the Council until the process had been fully completed, but

advised that so far contributions of approximately £45,000 had been provided from other organisations.

Councillor D Meacock referred to the scale of the County Council's budget in comparison to that of Council, and asked why the County Council's level of financial contribution had been so modest. Councillor Rose advised that the Council had requested financial contributions. The level of contribution was however a matter for each Council to decide and that not all of the County would be affected by HS2 to the same extent. The County Council had however made significant contributions via the HS2 opposition group 51M, and although the County had not participated in the legal challenge to the Supreme Court, and instead focused on mitigation, contributions had been made to support the work associated with Council's mitigation activities.

It was then moved by Councillor Rose, and seconded by Councillor M Stannard, and on being put to the vote it was agreed (For: 31; Against: 0), and

RESOLVED –

- 1. That the issues raised in the report as matters of concern for the Council be noted and that these reflect current thinking which will be developed by the officers/experts in the lead up to the submission of the petition to the Select Committee in April/May 2014.**
- 2. That the Council resolves under Section 239 of the Local Government Act 1972 that it is expedient for the Council to oppose the High Speed Rail (London – West Midlands) Bill deposited in the Session of Parliament 2013-14.**
- 3. That the Council authorises the Chief Executive in consultation with the Leader and the Head of Legal & Democratic Services to take all necessary steps to carry resolution 2 above into effect including approval of the contents of the petition, affixing the Common Seal to any necessary documents and authorising Sharpe Pritchard (Parliamentary Agents) to sign the Petition of the Council against the Bill.**
- 4. That the recommendations in Minute 92 – HS2 Update - of the meeting of the Cabinet held on 11 February 2014 be adopted.**

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

113 PAY POLICY STATEMENT

Members were asked to approve the pay policy statement 2014/15 which had been considered by the Personnel Committee held on 6 February 2014. It was moved by Councillor N Rose, and seconded by Councillor M Smith, and

RESOLVED –

- 1. That the 2014/15 Pay Policy be approved.**
- 2. That the recommendation in Minute 27 – Pay Policy Statement 2014/15 - of the meeting of the Personnel Committee held on 6 February 2014 be adopted.**

114 CHILTERN HACKNEY CARRIAGE & PRIVATE HIRE POLICY

Members were asked to approve the amended Chiltern District Council Hackney Carriage and Private Hire Policy. It was moved by Councillor N Rose, and seconded by Councillor Mrs I Darby, and

RESOLVED –

That the Council adopts the recommendations in Minute 5 - Chiltern Hackney Carriage And Private Hire Policy - of the Licensing and Regulation Committee held on 13 June 2013 and approves the Chiltern District Council Hackney Carriage and Private Hire Policy to apply from 1 March 2014.

115 CHILTERN DISTRICT COUNCIL SCHEME OF ALLOWANCES FOR 2014/15

At the Council meeting held on 14 January 2014, Members agreed to defer consideration of the Chiltern District Council Scheme of Allowances to provide more time for Members to consider the Panel's recommendations. Since the last meeting, officers had received a proposal from the Conservative Group. As such, the Council was now asked to agree a Scheme of Allowances, based on either the Independent Panel's recommendation or the Conservative Group proposal.

Councillor N Rose advised that the Conservative Group had put forward a Scheme that was fair and realistic, and moved that the Scheme contained in appendix 3 be agreed by the Council. This was seconded by M Councillor Stannard.

Councillor D Meacock spoke in favour of the Scheme based on the recommendations of the Independent Panel. It was felt that Members should accept the Panel's recommendations which were based on research, rather than adopt a Scheme proposed by Members which increased the total cost of allowances.

In response to a question from Councillor S Berry it was confirmed that the total cost of the Conservative Group proposal was £8,303 greater than that of the Independent Panel's recommendations. Councillor Berry stated that the increase could not be justified, and suggested that the £100 increase in the Basic Allowance would not encourage younger residents to become Councillors, and that this could instead be put towards a community grant.

Councillor P Jones stated that the Constitution provided checks and balances between the various Committee roles, such as Vice-Chairman, and that it was important to reflect this in the Scheme of Allowances. As such, Councillor Jones moved an amendment to the Conservative Group proposal that the Special Responsibility Allowance (SRA) for the Chairman of Overview and Scrutiny Committees be shared with the Vice-Chairman on a proportion of 25% for the Vice-Chairman, and 75% for the Chairman. Councillor C Spruytenburg seconded the amendment.

On being put to the vote, the Chairman declared the amendment lost. There was then a discussion on the substantive Motion.

Councillor A Bacon opined that the Council should respect the recommendations of the Independent Panel.

Councillor R Burns-Green spoke in favour of the Conservative Group proposal and argued in support of a per meeting SRA for the Chairman of those Committees where additional work and responsibility was involved. It was highlighted that this proposal was simply restoring an arrangement that was in place previously and was sensible and reasonable.

Councillor Stannard opined that it was right for the Council to adopt the recommendations of the Conservative Group, as it had done in previous years, because it was reasonable to do so. This would put right errors contained in the Panel's recommendations, such as reducing the SRA for the Chairman of the Council which was not considered justified. The Conservative Group's proposal represented a modest £332 increase in comparison to the total cost of the current scheme.

On being put to the vote the it was agreed (25 For; 6 Against), and

RESOLVED –

That a Scheme of Members Allowances for 2014/15 be agreed as detailed in Appendix 3 (Conservative Group proposal).

116 SCHEME OF ALLOWANCES FOR TOWN AND PARISH COUNCILS FOR 2014/15

It was moved by Councillor N Rose, and seconded by Councillor M Stannard, and

RESOLVED –

That the recommendations of the Independent Review of Members Allowances Panel regarding the Scheme of Allowances for 2014/15 for Town and Parish Councils be forwarded to Town and Parish Councils.

117 FINANCE SHARED SERVICE REVIEW

At a meeting on 4 February 2014, the Chiltern and South Bucks Joint Committee considered the Business Case for a Joint Finance Service, and endorsed all of the recommendations contained in the report.

As such, full Council were invited to formally adopt the recommendations. It was moved by Councillor N M Rose, seconded by Councillor M Stannard and

RESOLVED –

- 1. That the case for a joint Finance service is proven and that Chiltern District Council proceed to establish a joint Finance service with South Bucks District Council.**
- 2. That subject to consultation with staff and a formal agreement between the Councils, the services of staff in Chiltern District Council's Finance service be put at the disposal of South Bucks District Council under Section 113 of the Local Government Act 1972 so they can work across the two local authority areas.**
- 3. That the Chief Executive in consultation with the Cabinet Leader and the Head of Legal and Democratic Services be authorised to finalise the terms of any legal documentation required to give effect to resolution 2 above.**

118 SHARED SERVICE REVIEW OF PARKING SERVICES

At a meeting on 4 February 2014, the Chiltern and South Bucks Joint Committee considered the Business Case for a Joint Parking Service, and endorsed all of the recommendations contained in the report.

As such, full Council were invited to formally adopt the recommendations. It was moved by Councillor N M Rose, seconded by Councillor M Smith and

RESOLVED –

- 1. That the case for a joint Parking service is proven and that Chiltern District Council proceed to establish a joint Parking service with South Bucks District Council.**
- 2. That subject to consultation with staff and a formal agreement between the Councils, the services of staff in Chiltern District Council's Parking service be put at the disposal of South Bucks District Council under Section 113 of the Local Government Act 1972 so they can work across the two local authority areas.**
- 3. That the Chief Executive in consultation with the Cabinet Leader and the Head of Legal and Democratic Services be authorised to finalise the terms of any legal documentation required to give effect to resolution 2 above.**

The meeting ended at 8.37 pm

CHAIRMAN'S DIARY: 27 FEBRUARY – 13 MAY 2014

4 March	Cardiomyopathy Association's Great Pancake Party
7 March	Chairman's Reception
8 March	Talk by Dr Michael Meister
10 March	Fly a Flag for the Commonwealth
14 March	Milton Keynes Reception
17 March	Chiltern Community Awards
"	Cllr Warder at Chiltern Samaritans AGM
22 March	Sport Relief Swimathon
23 March	Wycombe District Council Civic Service
13 April	Vice Chairman at Bucks County Council Civic Service
25 April	Vice Chairman at Mayor of Beaconsfield's Reception
29 April	Wycombe District Council Reception
2 May	Vice Chairman at BCC Chairman's Annual Reception
11 May	Girlguiding Annual Banner Service
"	Chesham Asian Welfare Society Dinner

CHILTERN DISTRICT COUNCIL

**MINUTES of the Meeting of the
AUDIT COMMITTEE
held on 19 FEBRUARY 2014**

PRESENT: Councillor J L Gladwin - Chairman

Councillors: A K Bacon
J S Ryman
C J Wertheim

APOLOGIES FOR ABSENCE were received from Councillors A D Garnett, D W Phillips and F S Wilson

21 MINUTES OF PREVIOUS MEETING

The Minutes of the meeting held on 26 September, copies of which had been previously circulated, were agreed by the Committee and signed by the Chairman as a correct record.

22 DECLARATIONS OF INTEREST

There were no declarations of interest.

23 INTERNAL AUDIT PROGRESS REPORT

Members of the Audit Committee received a report outlining the progress with the Internal Audit work. Chris Harris from TIAA was in attendance to update the Committee. Councillors noted that disciplinary action had been taken in response to a security incident concerning the DWP's Customer Information System. Councillors were advised that the breach of security was identified by the DWP, and that staff had been warned about improper use of the system.

Councillors noted that there were three priority 2 recommendations concerning data quality. Guidance was being produced for day-to-day Data Quality requirements, and this was due to be implemented in July 2014. It was questioned whether this could be implemented any sooner, and it was advised that Officers were looking at harmonising the approach across both councils. A policy was stated to be in place, but it had not been renewed or revised for a period. Members requested an update on the progress of this at the next meeting. It was stated that an e-learning module was to be introduced by June 2014 covering this and a number of other related topics, and staff would have to complete this as part of their induction.

Concern was raised about the effects of the transformation programme on staff, and asked that any impact of this be identified and noted. It was stated that there had been no real increase in priority 1 recommendations, and that the trends would be compared over coming years.

The Internal Audit identified two recommendations for the Crematorium, and Councillors were advised that both of the recommendations had been carried out.

The Committee were advised that the Contracts Register was not up to date. It was suggested that updating the register was added to the contract procedure rules. Councillors expressed concern that not all Heads of Service had responded to Internal Audit's request for information and stated that it should be reported to Management Team if any do not respond in the future. It was noted that the Internal Auditor had access to Management Team if there was no cooperation from the Heads of Service. The Committee was advised that once a joint Finance team is in place responsibility for overseeing the update of the joint contracts register will be assigned to one officer. The proposed new Contracts Procedure rules also state more clearly that once the contract is in place that person must let finance know.

It was noted that some contracts were not signed by the time the service commenced. Councillors were advised that the Council was not always in control of getting the contract signed, but it was stated that there was a legal obligation from both sides regardless of whether the contract was signed.

One of the recommendations in the Internal Audit was that all contracts should be signed before the start date of the contract. Members questioned whether this was practical, and stated that the recommendation was too strong. The Audit Committee were advised that the recommendation was best practice, and the risk surrounding the contract increased if the contract were not signed.

The Internal Audit identified one recommendation in reference to creditors. As a result, officers would be reminded to verify any change in suppliers' bank details with an independent source at the relevant company. This was stated to be an important control to prevent fraud.

Note: Councillor Wertheim entered the meeting at 6.37pm.

RESOLVED:

That the Internal Audit Progress Report be noted.

24 STRATEGIC AND ANNUAL PLAN REPORT 2014-2015 TO 2018-19

The Audit Committee received a report providing the proposed five year internal audit plan. The intention is that all significant systems are subject to review over the five year period. It was noted that an annual plan was prepared prior to the start of each financial year.

Members questioned the timing of the planning audit, as there had been changes but no audit was planned until 2015. The Committee were advised that the plan spans five years, and that the planning department had recently

been audited. The Planning Policy team's light touch shared service review would be completed by the end of the year and it was noted that there would be no organisational change to the Planning and Enforcement team until the end of 2015. The Audit Committee was advised that there were few problems in Chiltern, and there was little concern regarding Planning.

One Councillor stated that they would like consideration to bringing forwards the next Building Control audit, as they would like to see this brought forwards. It was noted that Building Control would be in a shared service with South Bucks District Council from 1 April 2014 and it would therefore not be possible to review it until September at the earliest.

RESOLVED:

That the Strategic and Annual Plan Report 2014-15 to 2018-19 be noted.

25 JOINT COUNTER FRAUD ANTI-BRIBERY AND CORRUPTION POLICY 2013/14; JOINT WHISTLEBLOWING POLICY; STAFF DECLARATION; AND PROCUREMENT FRAUD ANTI-FRAUD MEASURES

The Members of the Audit Committee were asked to comment on the proposed Joint Counter Fraud, Anti-Bribery and Corruption Policy and the Joint Whistleblowing Policy. Members were advised that these policies would also be considered by the Standards Committee. It was noted that each Council would remain responsible for any issues, but that it would be beneficial to have a joint approach across the councils. The Committee recommended that the Audit Manager should report all instances of proven fraud and corruption to the Management Team and the Cabinet as well as the External Auditors.

RESOLVED:

- 1. That the Joint Anti-Fraud, Bribery and Corruption Policy 2013/14 be noted, and**
- 2. That the Joint Whistleblowing Policy be noted.**

26 POTENTIAL IMPLICATIONS OF THE INTRODUCTION OF DWP'S SINGLE FRAUD INVESTIGATION SERVICE

Councillors received a report detailing the Department for Work and Pension's intention to create a Single Fraud Investigation Service to carry out fraud investigations relating to the majority of welfare benefit frauds, which would be phased in during the 2014/15 financial year. It was noted that this would have a significant impact on local authorities. The new system would include some fundamental changes, including a split between people who manage housing benefits and those who investigate potential fraud.

The Council would be supporting representations by authorities to the Department for Work and Pensions on the issues raised by the Department's proposals. Councillors were advised that Councils were not being consulted on this change. It would be necessary for the Council to retain resources to detect fraud, and therefore staff would not be transferring to the DWP, and members supported this approach. It was suggested that it may be possible to explore the opportunity to extend joint working beyond the shared service with South Bucks District Council.

RESOLVED:

That the report be noted.

27 HARMONISED CONTRACTS PROCEDURE RULES

The Audit Committee received a report proposing Harmonised Contracts Procedure Rules for Chiltern and South Bucks District Council. The current procedure rules differ for each Council and it was stated that harmonised processes would achieve operational effectiveness in light of the shared service arrangements. It was advised that the Audit Committee at South Bucks District Council had considered the proposed harmonised procedure rules and had recommended that they be approved.

Members stated that extra checks should be added to the procedure for the purchasing of goods / services of up to £5,000 as the draft procedure rules require only one quote to be sought and this can be signed off by a single officer. It was suggested that a second person be involved in the awarding of the work. It was noted that tenders of over £50,001 would need to make reasonable efforts to receive four sealed tenders.

RESOLVED:

That the Harmonised Contracts Procedure Rules be recommended to full Council for approval.

28 CERTIFICATION OF CLAIMS

The Members of the Audit Committee received the certification of claims and returns annual report from Ernst and Young LLP. The report related to the 2012/13 Audit. It was noted that a qualification letter had been issued to Housing Benefits. Councillors were advised that it was unusual for a qualification letter not to be issued to a Housing Benefit team because of the amount of work carried out.

RESOLVED:

That the report be noted.

29 WORK PROGRAMME

The Committee considered the work programme, and

RESOLVED:

That the work programme be noted.

The meeting ended at 8.37 pm

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the
PLANNING COMMITTEE
held on **20 FEBRUARY 2014**

PRESENT: Councillor Mrs J A Burton - Vice Chairman

Councillors: J L Gladwin
A S Hardie
P M Jones
P E C Martin
M Prince
J J Rush
P N Shepherd
C J Wertheim

APOLOGIES FOR ABSENCE were received from Councillors D W Phillips, Mrs A Pirouet, D Spate and N Stewert

ALSO IN ATTENDANCE: Councillor A K Bacon

52 MINUTES

The Minutes of the meeting of the Committee held on 30 January 2014, copies of which had been previously circulated, were agreed by the Committee and signed by the Chairman as a correct record.

53 DECLARATIONS OF INTEREST

Councillor N Shepherd declared a personal and prejudicial interest in planning application CH/2013/1916/FA. Nature of interest – Councillor Shepherd lived in the same road, did not know the applicant but would not vote on this application.

54 ITEMS FOR NOTING

RESOLVED -

That the reports be noted.

55 REPORT ON MAIN LIST OF APPLICATIONS

RESOLVED -

- 1. That the planning applications be determined in the manner indicated below.**

2. That the Head of Sustainable Development be authorised to include in the decision notices such Planning Conditions and reasons for approval, or reasons for refusal as appropriate, bearing in mind the recommendations in the officer's report and the Committee discussion.

APPLICATIONS

CH/2013/1916/FA 26 First Avenue, Amersham, Buckinghamshire, HP7 9BL

Permission Refused

CH/2013/1920/FA 2 Pomeroy Close, Amersham, Buckinghamshire, HP7 9BW

Speaking as an objector, Mr C Sales

Permission Refused with the second reason for refusal amended to include reason relating to poor amenity space for all occupiers.

CH/2013/1938/FA Winkers Nightclub, Denham Lane, Chalfont St Peter, Buckinghamshire, SL9 0QJ

Speaking on behalf of Chalfont St Peter Parish Council, Councillor Jennifer Brook.

Speaking for the application, Mr Nick Kebbell

Permission Refused

CH/2013/1964/FA Magnolia Cottage, 8 Bottrells Lane, Chalfont St Giles, Buckinghamshire, HP8 4EX

Speaking as an objector, Ms Karoline Lamb

Speaking for the application, the applicant Mr Jeff Hall

Permission Refused

Plus further action agreed (see Minute 57 below).

CH/2013/2004/FA Hunters Green, Nightingales Lane, Little Chalfont, Chalfont St Giles, Buckinghamshire, HP8 4SR

Speaking for the application, the agent, Mr Jeffrey Powell

Defer to refuse subject to expiry of notice period

Plus further action agreed (see Minute 58 below).

CH/2013/2018/FA 25 & 25A Chesham Road, Amersham, Buckinghamshire, HP6 5HN

Defer minded to approve, subject to a Legal Agreement and any new objections raised prior to the expiry of the advertisement period; decision delegated to the Head of Sustainable Development.

CH/2013/2063/FA Woodnorton, 38 North Park, Chalfont St Peter, Buckinghamshire, SL9 8JP

Speaking on behalf of Chalfont St Peter Parish Council, Councillor Jennifer Brook
Speaking for the application, Mr Andrew Saunders-Davies.

Defer minded to approve, subject to a Legal Agreement and any new objections raised prior to the expiry of the advertisement period; decision delegated to the Head of Sustainable Development.

CH/2013/2079/FA 11 Cross Meadow, Chesham, Buckinghamshire, HP5 2RU

Speaking as an objector, Mr Philip Brown.
Speaking for the application, the applicant Mr David Correia.

Conditional Permission

Note 1: Councillor A Bacon left the meeting at 8.20 pm

CH/2013/2138/FA The Pheasant Public House, 35 Plantation Road, Amersham, Buckinghamshire, HP6 6HL

Speaking on behalf of Amersham Town Council, Councillor Davida Allen.
Speaking on behalf of the objectors, Mr Norman Rea
Speaking on behalf of the application, the agent Mr Gregory Gray

Refused Permission with additional reason from officers related to the harm arising from the development on the listed building. Officers removed the reference to the actual amount of money in reason 7, but otherwise it remained unchanged. The Head of Sustainable Development authorised in consultation with the Head of Legal and Democratic Services to negotiate, enter into and complete any necessary Legal Agreements.

Note 2: Councillor M Prince left the meeting at 8.55 pm

56 REPORTS ON ALLEGED BREACHES OF PLANNING CONTROL

2011/00337/AB - Penn Meadow Farm, Witheridge Lane, Penn, Buckinghamshire

RESOLVED -

1. That the Planning Committee authorises the service of such Enforcement Notices as may be considered appropriate by the Head of Sustainable Development to require that the use change of use of land and buildings from agricultural to a mixed use for agricultural and for the stationing of a portacabin for residential purposes and the use of part of two barns on site for further residential accommodation and associated storage. The precise steps to be taken, period of compliance and the reasons for serving the notice to be delegated to the Head of Planning Services. In the event of non-compliance with the Notice, the Head of Planning Services having delegated authority to instigate legal proceedings and/or direct action to secure compliance with the Notice.
2. That the Planning Committee authorises the service of such Enforcement Notices as may be considered appropriate by the Head of Sustainable Development to require the mobile home to that has been stationed on site contrary to condition 1 of planning permission CH/2001/1031/FA to be removed from site. The precise steps to be taken, period of compliance and the reasons for serving the notice to be delegated to the Head of Planning Services. In the event of non-compliance with the Notice, the Head of Planning Services having delegated authority to instigate legal proceedings and/or direct action to secure compliance with the Notice.

57 CH/2013/1964/FA - MAGNOLIA COTTAGE, 8 BOTTRELLS LANE, CHALFONT ST GILES, BUCKINGHAMSHIRE, HP8 4EX

Following the decision on the above application, the Committee considered whether follow-up action would be required.

RESOLVED -

That officers be authorised to take follow-up action in accordance with Central Government guidance in Paragraph 207 of the National Planning Policy Framework (NPPF), Circular 10/97 and Chiltern District Council's Planning Enforcement Policy. That the service of such Enforcement Notices be authorised in respect of the car port as may be considered appropriate by the Head of Sustainable Development. The precise steps to be taken, period of compliance and the reasons for serving the notice to be delegated to the Head of Sustainable Development.

Note: This was discussed immediately following Planning Application CH/2013/1964/FA.

58 CH/2013/2004/FA - HUNTERS GREEN, NIGHTINGALES LANE, LITTLE CHALFONT, CHALFONT ST GILES, BUCKINGHAMSHIRE, HP8 4SR

Following the decision on the above application, the Committee considered whether follow-up action would be required.

RESOLVED -

That officers be authorised to take follow-up action in accordance with Central Government guidance in Paragraph 207 of the National Planning Policy Framework (NPPF), Circular 10/97 and Chiltern District Council's Planning Enforcement Policy. That the service of such Enforcement Notices be authorised in respect of the dormer windows as may be considered appropriate by the Head of Sustainable Development. The precise steps to be taken, period of compliance and the reasons for serving the notice to be delegated to the Head of Sustainable Development.

Note: This was discussed immediately following Planning Application CH/2013/2004/FA.

The meeting ended at 9.07 pm

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the
STANDARDS COMMITTEE
held on **27 FEBRUARY 2014**

PRESENT:

Councillor J F Warder - Chairman

Councillors: Miss P A Appleby
D W Phillips
J S Ryman
Mrs L M Smith

Independent Persons: R J Duffy
D Gleen
Mrs C Langley

APOLOGIES FOR ABSENCE were received from Councillors N L Brown and P J Hudson

11 MINUTES

The Minutes of the meeting held on 17 September 2013, copies of which had been previously circulated, were agreed by the Committee and signed by the Chairman as a correct record.

12 DECLARATIONS OF INTEREST

There were no declarations of interest.

13 ANTI FRAUD AND CORRUPTION POLICY & WHISTLE BLOWING POLICY

Chiltern District Council and South Bucks District Council both had their own policies but these have now been harmonised, with the incorporation of the responsibilities under the Bribery Act 2010. The reports had already been considered by the Audit Committee and some additions had been suggested. For the reporting of fraud, bribery or corruption, the Committee discussed whether the Audit Manager should report all cases or only proven cases to Management Team. After preliminary investigation, the cases would be referred to the Management Team. Only proven cases would be referred to the Audit Committee, Cabinet and the relevant portfolio holder. There was some concern that suspected cases could be reported even though later they were discovered to be unfounded.

In all instances of suspected and actual fraud and corruption, the reporting and decision making would still be made by the relevant individual Council. It

was noted that it was important to share this information however, to assist with the prevention of further fraud or corruption.

This policy was to be reviewed by the Standards Committee on a biennial timescale and not by the Audit Committee as stated in the report.

Whistle Blowing Policy

The independent body, “Public Concern at Work” was explained to be a charitable body that encourages employees to speak up if they suspect wrongdoing in the workplace. Councillors were concerned that employees would be encouraged to report their suspicions without having any proof but were advised that management needed to know about issues as soon as possible in order to deal with them effectively. Members were re-assured that cases would be kept within Chiltern District Council until proven. The internal Audit Manager had to decide after a preliminary investigation whether or not the suspicion was substantive enough to report on.

The Committee took comments from the Independent Persons present. It was suggested that the term “whistle-blower” had become out of date and would deter employees from reporting wrongdoing as it carried a stigma. It was agreed that Officers could check with other Councils to see if there was another term in common usage but it was noted that at the present time, it was a term that everyone understood.

RESOLVED -

That the Joint Anti Fraud and Corruption Policy, and Joint Whistleblowing Policy be approved with amendments as discussed at the meeting.

14 STANDARDS FRAMEWORK UPDATE

This was introduced by the Localism Act 2011 and adopted by Council in August 2012. Guidance was appended to help define Disclosable Pecuniary Interests (DPI's) as failure to disclose a DPI was a criminal offence.

The complaints procedure was also appended to the report. There had been no formal complaints against District Councillors this past year. There had been 2 complaints against Parish Councillors but neither of these had passed beyond the first stage of the complaints procedure. A full report on complaints would be presented to the meeting on 12 June 2014 as part of the Annual Monitoring Report.

All Members of the District Council had declared their DPI's and personal interests. The majority of Town and Parish Councillors had also done so at the time of the report.

RESOLVED -**That the report be noted.****15 REVIEW OF DISPENSATIONS PROCEDURE**

The dispensations procedure has been in force since the Localism Act 2011 and instances when it may be granted were listed in Appendix 1. The decision to grant dispensation was delegated to the Monitoring Officer and the Chair of the Standards Committee in consultation with an Independent Person. There had been only one dispensation granted to date, granting all Councillors dispensation for setting Council Tax in 2014. The procedure would be reviewed annually to take account of any new legislation.

One Councillor recommended to the Committee that all Councillors should be given dispensation with regard to HS2, so that they would be able to fully represent their constituents regardless of the extent to which they were personally affected by the scheme. One independent person agreed that this proposal did merit further examination. It was noted that at the recent Council meeting, one Councillor had to leave the room during the discussion. It was agreed that Officers would investigate and report back to the Committee.

RESOLVED -

- 1. That the dispensations procedure remains as currently drafted and be reviewed annually as suggested.**
- 2. A report on the suggestion that all Members receive dispensation with regard to HS2 be prepared for a future meeting.**

16 WORK PROGRAMME

The members of the Committee considered the summary of reports listed in the work programme.

RESOLVED -**That the work programme of the Standards Committee be noted.**

The meeting ended at 7.10 pm

CHILTERN DISTRICT COUNCIL

**MINUTES of the Meeting of the
PLANNING COMMITTEE
held on 13 MARCH 2014**

PRESENT: Councillor D W Phillips - Chairman
 " Mrs J A Burton - Vice Chairman

Councillors: J L Gladwin
 A S Hardie
 P M Jones
 P E C Martin
 Mrs A Pirouet
 M Prince
 J J Rush
 P N Shepherd
 N Stewert
 C J Wertheim

APOLOGIES FOR ABSENCE were received from Councillors D Spate

ALSO IN ATTENDANCE: Councillors R Burns-Green and D G Meacock

59 MINUTES

The Minutes of the meeting of the Committee held on 20 February 2014, copies of which had been previously circulated, were agreed by the Committee and signed by the Chairman as a correct record.

60 DECLARATIONS OF INTEREST

Councillor J J Rush declared a personal interest in Tree Preservation Order CH/2014/0105/TP. Nature of interest – Councillor Rush was a member of Chalfont St Peter Chamber of Commerce, as was the Manager of the Budgens supermarket. This Budgens is part of Maloneys Retail Stores who was the applicant.

61 TREE PRESERVATION ORDER NO. 15 OF 2013

RESOLVED

That the Tree Preservation Order No 15 of 2013 made on 31 October 2013 be confirmed without modification.

62 ITEMS FOR NOTING

RESOLVED -
That the reports be noted.

63 REPORT ON MAIN LIST OF APPLICATIONS

RESOLVED -	
1.	That the planning applications be determined in the manner indicated below.
2.	That the Head of Sustainable Development be authorised to include in the decision notices such Planning Conditions and reasons for approval, or reasons for refusal as appropriate, bearing in mind the recommendations in the officer's report and the Committee discussion.

APPLICATIONS

CH/2013/1991/DE The Grange, (Former Holy Cross Convent), Gold Hill East, Chalfont St Peter, Buckinghamshire, SL9 9DW

Speaking for the applicant, the agent Ms Sara Dutfield

Conditional approval. Officers revised the wording of Informative Nos. 2 and 4.

NB Councillor D Meacock left the meeting at 7.20 pm

CH/2013/2132/FA The Prince Of Wales Public House, Windsor Lane, Little Kingshill, Buckinghamshire, HP16 0DZ

Speaking on behalf of Little Missenden Parish Council, Councillor Les Giles.

Speaking on behalf of Little Kingshill Village Society, Mrs Sandra MacDonald.

Defer to grant conditional permission subject to the prior completion of a Legal Agreement to secure the financial contribution of £19,625 towards affordable housing elsewhere in the District. Decision including Conditions delegated to the Head of Sustainable Development.

NB Councillor R Burns-Green left the meeting at 7.45 pm

CH/2014/0105/TP The Grange (Holy Cross Convent), Gold Hill East, Chalfont St Peter, Buckinghamshire, SL9 9DW

Conditional Permission

The meeting ended at 7.50 pm

**CHILTERN DISTRICT COUNCIL
SOUTH BUCKS DISTRICT COUNCIL**

**MINUTES of the Meeting of the
JOINT APPOINTMENTS AND IMPLEMENTATION COMMITTEE
held on 24 MARCH 2014**

PRESENT:

Councillor	M R Smith	Chiltern District Council	- Chairman
Councillors:	Mrs I A Darby	Chiltern District Council	
	P M Jones	Chiltern District Council	
	Mrs P Plant	South Bucks District Council	
	R Reed	South Bucks District Council	

APOLOGIES FOR ABSENCE were received from Councillors R Burns-Green (Chiltern District Council), B Harding (South Bucks District Council), P Kelly (South Bucks District Council), D Smith (South Bucks District Council) and D Spate (Chiltern District Council).

47 MINUTES

The minutes of the meeting of the Joint Committee held on 5 February 2014 were agreed by the Committee and signed by the Chairman as a correct record.

48 DECLARATIONS OF INTEREST

There were no declarations of interest.

49 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.

50 HARMONISATION OF TERMS & CONDITIONS CONSULTATION

The Committee received a report providing the outcome of the staff consultation on the proposed harmonised terms and conditions of employment.

Members noted the progress made since the last meeting. This included the formal consultation with UNISON and all staff that had taken place between 17 February and 16 March 2014. A comprehensive staff consultation

document had been issued to all staff and five staff briefings were held which had been well attended by staff. UNISON had also held four meetings which all staff had been invited to attend. Email accounts had been set up to provide a mechanism for staff to submit feedback directly to Management and/or via UNISON. All staff also had access to a regularly updated Frequently Asked Questions document which provided clarity to staff in response to questions asked.

The report set out the substantive response from UNISON, results of the UNISON staff electronic survey, Management Team general response and points for negotiation on the proposed harmonisation of terms and conditions of employment. The Chief Executive outlined the proposed improved offer. During the ensuing discussion the following key points were made:

The original proposals regarding pay protection were considered fair and reasonable. Three years pay protection for a proportion of pay, reducing each year, was considered. Three years pay protection was considered too long as this would spread costs out longer at a time when the Councils would be particularly hard pressed and it was also felt important to adopt the good practice in other organisations, in particular the private sector. It was recognised that it was preferable to reach agreement with UNISON as a matter of urgency, rather than impose new terms and conditions on staff. As such, Members supported the proposal to extend full salary protection to two years. It was stated that the improved offer regarding pay protection would reduce flexibility to improve proposals in other areas.

Members felt strongly that pay should be determined locally. It was accepted that pay would be reviewed annually, but the Councils were unable to guarantee that there would be an annual pay increase.

Members supported the improved offer regarding additional travel to the new location for shared services; extending this from 16p to 25p per mile.

It was advised that the implementation of harmonised terms and conditions may not occur by 1 April. Members felt strongly that harmonised terms and conditions should be implemented as soon as possible, and that this should not occur any later than 1 May.

RESOLVED –

- 1. That the report be noted.**
- 2. That the re-negotiated terms as proposed by Management Team be agreed in principle.**
- 3. That delegated authority be given to the Chief Executive in consultation with the Joint Chairmen of the Joint Appointments and Implementation Committee to enter into the detail of formal negotiations with UNISON and move forward to implementation.**

51 FINANCE SHARED SERVICE REVIEW

The Committee considered the draft Finance shared services staff consultation document and noted the proposed timetable for consultation. Members noted a change to one job title in the proposed new structure. It was confirmed that this change would have no effect on costs.

RESOLVED –

That the draft Finance shared services staff consultation document and appendices be noted prior to issuing to staff.

52 PARKING SHARED SERVICE REVIEW

The Committee considered the draft Parking shared services staff consultation document and noted the proposed timetable for consultation. It was noted that the implementation of the joint service would take place from 29 September, rather than 1 September, through to the end of October.

In response to a question, the Committee were advised that the new service would be more efficient and would deliver an enhanced level of service with fewer members of staff. Members were reassured that the level of service outlined in the report could be delivered.

RESOLVED –

That the draft Parking shared services staff consultation document and appendices be noted prior to issuing to staff.

The meeting ended at 4.42 pm

CHILTERN DISTRICT COUNCIL

**MINUTES of the Meeting of the
COMMUNITY & ENVIRONMENT OVERVIEW COMMITTEE**
held on **25 MARCH 2014**

PRESENT: Councillor A K Bacon - Chairman
" J S Ryman - Vice Chairman

Councillors: P M Jones
S A Patel
J J Rush
J F Warder
A P Williams

APOLOGIES FOR ABSENCE were received from Councillors M J Cunnane, A J Garth, P N Shepherd and H A Trevette

ALSO IN ATTENDANCE: Councillor Mrs I A Darby

40 MINUTES OF PREVIOUS MEETING

The Minutes of the Community & Environment Overview Committee held on 22 January 2014, copies of which had been previously circulated, were agreed by the Committee and signed by the Chairman as a correct record.

41 DECLARATIONS OF INTEREST

There were no declarations of interest.

42 ATTENDANCE OF REPRESENTATIVES FROM THAMES WATER

Huw Thomas and Trevor Bennett from Thames Water gave an overview of the last 3 months following the wettest winter on record. They reported that 35,000 customers had been affected in some way by this weather. In Mid-February, Councillor David Martin (Bucks County Council) had called Thames Water because of flooding in Chalfont St Peter. Immediate action was required and agreement was reached between Thames Water, Bucks Highways and the Environment Agency (EA) that because of the urgency that foul water could be pumped in to the river. Normally, the pumping of foul water into a water course would not be acceptable to the Environment Agency but these were considered exceptional circumstances. Although the pump had been left in place and in fact had been put into use again that day, it was not to be a permanent solution.

Contractors had been engaged to begin the following week to investigate how surface water is ingressing the sewers and report any damage. The survey would cover an area from Amersham to Chalfont St Peter. An action plan would then be drawn up for repairs during the summer months. This would be small repairs within budget rather than major capital projects which would take longer to obtain funding.

Councillors asked what previous work had been undertaken on the sewer system since flooding had occurred in previous years. It was reported that a survey had been done but the cost of work was prohibitive at the time and only measures to prevent immediate surcharging of sewers in to properties was completed. Members asked if this report could be sent to the Council for its consideration. Because of the recent frequency of flooding in Chalfont St Peter it was acknowledged that the sewer was taking large amounts of surface water and following sudden intense rainfall flooding may recur. Assurance was sought that the pump would be available for Chalfont St Peter whenever needed but it was advised that the pump would go wherever the current priority was and anyway, the EA would not always give authority for its use.

Clarification was sought on the reasons for the flooding. It was advised that surface water was ingressing the sewer but that it was caused by more than one factor including defective pipework, unauthorised linkage to sewers, damage by tree roots, submerged manhole covers. There was also a concern that blocked sewers had not been effectively cleared when reported.

With regard to the A413 blockage, Officers advised that Environmental Health had contacted call centres repeatedly but no action was taken. Thames Water were asked to ensure when sewage outfalls occur that cannot be immediately cleared that they take measures to minimise contamination including working with TfB to close crossings, sandbag discharges and display "bio hazard" to alert the public.

A previous report by Thames Water in 2001/3 had been referred to, but not seen by Chiltern District Council. A request was made for a copy of this report.

With regard to a capital work programme, it was explained that Thames Water had not included Chalfont St Peter in its current Capital work plan. Any proposals would have to be agreed by OfWat. . Any capital scheme would not be expected to begin until 2020 at the earliest.

The Thames Water representatives agreed to return in 6 months' time to report back on the current survey and the work programme created from it.

RESOLVED

That the report by Thames Water be noted.

43 28 DAY NOTICE FORWARD PLAN & WORK PROGRAMME

There were no items remaining outstanding on the Work Programme of the Committee. Members reviewed the Forward Plan, to identify potential topics for review. The Committee agreed that there were no further items that they wished to include on the Work Programme at this time.

RESOLVED

1. **That the Work Programme of the Committee be noted.**
2. **That no further items from the Forward Plan be added to the Work Programme of the Community and Environment Overview Committee at this time.**

The Chairmen requested that item 12 on the agenda be considered next and the committee agreed.

44 COMMUNITY SAFETY PARTNERSHIP PLAN 2014-17 AND POSSIBLE MERGER OF THE TWO COMMUNITY SAFETY PARTNERSHIPS

Over the last year there has been a quarterly meeting for both Community Safety Partnerships. They consider similar topics and following the Shared Service Review it was proposed that there should now be one team across Chiltern District Council and South Bucks District Council. Partners have been consulted and support the plan, as it would cut down on meetings. If this Committee and Cabinet agree to the plan, permission would be sought by the Police and Crime Commissioner before going ahead.

With regard to the draft plan, the final figures were not yet available until year end and it had been written as two plans for the time being. Priorities were the same for both districts with an emphasis on reducing house burglary, theft from vehicles and violent behaviour, to tackle anti-social behaviour, protect vulnerable individuals and communities, reduce the fear of crime and with the addition this year of Child Sexual Exploitation.

Crime statistics were available to help identify trends and hot spots. The figures show a reduction in crime within the Chiltern District and statistics would continue to be available separately for each district.

RESOLVED

That the recommendations contained in the draft Cabinet report be endorsed by the Community & Environment Overview Committee and that the comments of the Committee be forwarded to the Cabinet

45 UPDATE ON THE RECENT FLOOD IN CHILTERN DISTRICT

The Council had been working with the Environment Agency (EA), Transport for Bucks (TfB) and Amersham Town Council following the flooding in the district after the heavy rain from December 2013 to February 2014. The Emergency Plan was used and Officers worked with other agencies to co-ordinate the response and provide sand bags. In Chalfont St Giles, a pump was installed at the BT Exchange which was currently still being used. In

Chalfont St Peter, Officers worked with the County Council, Town Council, EA, TfB, members of the public and traders to pressure Thames Water into clearing the blockages in the sewer.

During the period, 6 households were affected, 11 businesses and 1 telephone exchange. The council had spent approximately £18,000 to minimise the effects of flooding in the district. .

Following the award of £75,000 funding from government to support businesses impacted by flooding the Council was developing a grant scheme in accordance with the guidance. Delegated approval was also sought to enable the Repair and Renewal Grant to be provided to businesses and homeowners at risk of further flooding by 1 April 2014.

It was recommended that the Head of Health and Housing in consultation with the Portfolio holder for Health and Housing be delegated to amend the Housing Financial Assistance Policy to develop the scheme in accordance with government guidance.

RESOLVED

That the draft Cabinet report be noted and that the comments of the Community & Environment Overview Committee be forwarded to the Cabinet.

46 UPDATE ON AIRPORTS COMMISSION'S INTERIM REPORT

It was noted that any proposed expansion of Heathrow airport would have an impact on the district. The committee noted the conclusions of the Airports Commission Interim Report and awaited the further report expected at the end of the year.

RESOLVED

That the report be noted.

47 LOCAL GOVERNMENT DECLARATION ON TOBACCO CONTROL

A consistent area wide policy had been arranged by the Health and Wellbeing Board for all local authorities in Buckinghamshire. Members asked whether there would be any additional costs to be met by the Council by signing this declaration but were assured there were none as the requirements under the agreement were already being met by Council policies.

RESOLVED

That the report be noted and that the comments of the Community & Environment Overview Committee be forwarded to the Cabinet.

NB Item 10 on the agenda; Pest Control and Dog Control Contracts was moved to the Private Reports below.

48 COMMUNITY GRANT AID SCHEME 2013/14 REVIEW

This was a revised scheme introduced last year. The evaluation process underwent key changes and the Members requested more involvement. A traffic light evaluation system was used to prioritise the grant aid given. Last year there were 53 applications for funding from a diverse range of activities. A new application form was used and 77% found it easier to use. The process was also more transparent, providing clear evidence for feedback for those who were unsuccessful. This year it was proposed to add an additional consideration for community events and/or projects that would commemorate World War I. Members considered that this addition should continue until 2018/9.

RESOLVED

That the draft Cabinet report be noted and that the comments of the Community & Environment Overview Committee be forwarded to the Cabinet.

49 MINUTES OF THE JOINT SCRUTINY TASK & FINISH GROUP

It was noted that the last meeting should be in April 2014 as the functions of this Committee would be absorbed by the Joint Waste Collection Committee. Councillor Jones thanked Councillors J F Warder, J S Ryman and H A Trevet for their support for the project.

RESOLVED

That the Minutes of the Joint Scrutiny Task & Finish Group held on 23 January 2014 be noted.

50 MINUTES OF THE DISABILITY FOCUS GROUP

RESOLVED

That the Minutes of the Disability Focus Group held on 2 December 2013 be noted.

51 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 from Part 1 of Schedule 12A is indicated at the end of the Minute heading.

52 PEST CONTROL AND DOG CONTROL CONTRACTS

Tenders have been received under the Framework Agreement with the Buckinghamshire District Councils for dog control, stray dog collection, dog waste collection and pest control. There was a separate tender process for each. Currently residents on income related benefits received free pest treatments. The committee were asked to consider whether or not they wished to withdraw this subsidy. Councillors discussed whether this would result in pest infections remaining untreated and spreading until they created greater costs for the Council to deal with. The Committee were minded to continue the subsidy considering the health implications and costs of attempting to force treatment. An annual budget could be set but it was noted that it would be difficult to set a limit on payments if the work was required. Members were interested to know what arrangements were made by neighbouring district councils and were informed that Wycombe gives a free rat treatment to all. Aylesbury Vale and South Bucks offer a subsidised service. It was agreed to continue the present arrangement and to report back at the end of the year.

RESOLVED

That the draft Cabinet report be noted and that the comments of the Community & Environment Overview Committee be forwarded to the Cabinet.

The meeting ended at 7.56 pm

CHILTERN DISTRICT COUNCIL

**MINUTES of the Meeting of the
PERSONNEL COMMITTEE
held on 27 MARCH 2014**

PRESENT: Councillor N M Rose - Chairman

Councillors: Miss P A Appleby
S P Berry
Mrs I A Darby
D W Phillips
M R Smith

APOLOGIES FOR ABSENCE were received from Councillors D Spate and M Stannard

31 MINUTES

The Minutes of the meeting held on 6 February 2014, copies of which had been previously circulated, were agreed by the Committee and signed by the Chairman as a correct record.

32 DECLARATIONS OF INTEREST

There were no declarations of interest.

33 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 from Part 1 of Schedule 12A is indicated at the end of the Minute heading.

34 HARMONISATION OF TERMS AND CONDITIONS CONSULTATION

The Committee considered a report which had been submitted to the Joint Appointments and Implementation Committee (JAIC) on 24 March 2014; and the Personnel Committee were asked to agree the recommendations within the report following a verbal update from the outcome of the JAIC meeting.

The report informed members of the outcome of the staff consultation, the substantive response from UNISON, Management Team general response and points for negotiation on the proposed harmonisation terms and conditions of employment. The aim following formal staff consultation was to reach a point whereby a collective agreement would be achieved with UNISON signing up to the proposals.

The report provided members with full details of the processes involved. The staff briefing sessions were well attended and feedback was received from staff and responded to accordingly. The Chief Executive outlined the content of the report and appendices to members and highlighted that the main issue for staff and UNISON was the proposed changes to protection and the points for negotiation were mainly in respect of the protection period and some concern in relation to travel expenses and overtime. The negotiation on protection period needed to take into consideration associated costs, although protection falls outside “cost neutral”. Members were informed that UNISON were seeking a protection period of 3 years but the management response was that 3 years was too long but if the protection period was amended to 2 years this would still produce a saving against the existing arrangements of £23,426. Members were advised of the indicative cost modelling for all staff for both Councils in respect of changes to protection periods.

Other areas that had been raised by UNISON and staff were changes to overtime; annual salary percentage increase, additional travel expenses and private health care option, which were considered by the Committee.

If the Committee were minded to agree the recommendation of officers to accept a 2 years protection period, then UNISON were to be consulted and they may want to re-ballot Union members. Further staff briefings were to be arranged with the aim of an implementation date of 1 May 2014. The Committee were advised that if a collective agreement could not be achieved then the Councils could try and seek individual agreement service by service which potentially could be detrimental to the “cost neutral” brief.

RESOLVED -

- i) **That the content of the report was noted;**
- ii) **That the re-negotiated terms as proposed by Management Team be agreed, in principle; and**
- iii) **That delegated authority be given to the Chief Executive in consultation with the Joint Chairmen of JAIC to enter into the detail of formal negotiations with UNISON and move forward to implementation.**

35 FINANCE SHARED SERVICE CONSULTATION DOCUMENTS

The Committee considered the report which set out the complete consultation document in respect of the Finance Shared Services, intended to be shared with Finance staff on 31 March 2014. The draft timetable was set out in detail in Appendix D and in summary was proposed to:-

- Start consultation on 31 March 2014
- End consultation on 30 April 2014
- Conduct the selection process during the weeks of 7 and 14 July 2014
- Implement joint services 1 August 2014

RESOLVED -

That the draft consultation document and appendices be noted, prior to issuing to staff.

36 PARKING SHARED SERVICE REVIEW

The Committee considered the report and appendices which set out the complete consultation document in respect of the Parking Services Shared Service, intended to be shared with Parking Service staff from Monday 31 March 2014. The draft timetable was set out in detail in Appendix D and in summary was proposed to:-

- Start consultation on 31 March 2014
- End consultation on 30 April 2014
- Conduct the selection process during the weeks of 7 and 13 July 2014
- Implement joint services 29 September 2014 through to the end of October 2014

RESOLVED -

That the draft consultation document and appendices be noted, prior to issuing to staff.

37 PERFORMANCE RELATED PAY - UPDATE

The Committee considered the update report in relation to Performance Related Pay (PRP) and the results for those employees who were still eligible to receive the payment for the period under review (January – December 2013). It was noted that the overall expenditure was less than the budget allocated for PRP, which was 4% of the total paybill.

It was anticipated that the number of eligible staff would decrease each year due to fewer employees being eligible to receive a payment, turnover of staff and other changes during the year. If all the service reviews had taken place and new joint services had been implemented, by the end of 2015 as proposed, the last payment of PRP would be made during March 2016. It was expected that any staff not covered by service reviews, for example the Crematorium, were to be migrated to the new terms and conditions in the same timescale but at that stage the impact would only be on a small amount of employees.

RESOLVED -

That the report and appendices are noted.

The meeting ended at 6.12 pm

CHILTERN DISTRICT COUNCIL

**MINUTES of the Meeting of the
PERFORMANCE & RESOURCES OVERVIEW COMMITTEE**
held on **1 APRIL 2014**

PRESENT: Councillor A D Garnett - Chairman

Councillors: S P Berry
J L Gladwin
D W Phillips
C J Wertheim
F S Wilson

APOLOGIES FOR ABSENCE were received from Councillors J S Ryman, D Spate and M Vivis

53 MINUTES OF PREVIOUS MEETING

The Minutes of the Performance & Resources Overview Committee held on 28 January 2014, copies of which had been previously circulated, were agreed by the Committee and signed by the Chairman as a correct record.

In response to a request for an update on Item 45 – Banking, Insurance and Payroll Contracts, the Committee were advised that 28 March was the last date for clarification points prior to the submission of tenders, and no significant questions had been raised. The tenders would be submitted by 17 April. The Director of Resources following consultation with the Cabinet Portfolio Holder for Support Services at Chiltern, and the Leader at South Bucks, has the authority delegated to him to award the final contract. It was noted that the intention was to move banks as soon as possible, and an award decision should be made in the first half of May. It was aimed for implementation before 1 September, which was the latest date based on advice from banks, but officers would push the successful tenderer to implement as soon as practical before that for Chiltern. The Committee asked to be kept updated on the implementation progress.

54 DECLARATIONS OF INTEREST

Councillor Wilson declared a personal interest in Item 10 – Lord Mill Weir, as he is a Chesham Town Councillor.

55 28 DAY NOTICE FORWARD PLAN & WORK PROGRAMME

Members reviewed the draft Forward Plan, due to be published on 7 April 2014, to identify potential topics for review. Councillors requested that the Joint Business Plan 2014-19 be added to the forward plan for the Committee's consideration. The Plan would bring together the aims and objective the two Councils, and would merge the two current plans, but would not be introducing any new objectives. It was requested that this be considered by the Committee at the meeting at the end of June.

The Performance and Resources Committee also requested that a progress report concerning the London Road Depot should be considered. Work was currently taking place at the site, and was due to come to an end in May.

Councillors expressed their concerns that there were no forward plan items under the Customer Services portfolio. They stated that they would like to receive an update report on the waste contract. It was noted that the Joint Waste Collection Committee received regular updates on the waste service programme. Councillors stated that they would like to receive a report, as the financial liability for the contract lay with the individual Councils.

RESOLVED

- 1. That the Work Programme of the Committee be noted.**
- 2. That the Joint Business Plan 2014-19, the London Road Depot and a report concerning the waste contract be added to the Work Programme of the Performance and Resources Overview Committee.**

Note: Councillor Mrs. I Darby entered the meeting at 6.42pm.

56 DISCRETIONARY RATE RELIEF AND LOCAL COUNCIL TAX DISCOUNTS

The Committee received a report outlining the Discretionary Rate Relief and Local Council Tax Discounts as announced by Government. A number of schemes had been proposed intended to support businesses by reducing their business rates liability. The Government had also announced that discounts would be granted to Council Tax payers affected by flooding. The Performance and Resources Committee were asked to comment on the report and to consider the criteria as recommended in guidance provided by the Department of Communities and Local Government.

Councillors noted that there were very few residential properties that would be eligible for a Council Tax discount as a result of flooding under the criteria suggested by Government. It was noted that any discount would be reimbursed.

The Committee considered the Government's proposal for Discretionary Rates for businesses, which would allow a £1000 per annum discount. This would affect a significant number of properties, and the total that could be paid out under this new discount was £598k..

One Councillor stated that he would prefer a different class of business to be given the discount other than charity shops. It was stated that charity shops already received an 80% mandatory discount on business rates, and therefore may not require the extra rate relief. Councillors stated that other groups of business, such as employment agencies, provided a good service to the community and should therefore receive financial support. The Committee's

view was that consideration be given to varying the criteria for this specific relief .

It was advised that the guidance surrounding the duration of relief for residential properties as a result of flooding would be 3 months. Six properties would be eligible for a Council Tax discount based on the suggested criteria from Government. It was noted that properties that were flooded with sewage as a result of the weather would be covered under the proposed criteria. It was suggested that the Town and Parish Councils be contacted to help to identify any further properties that could receive a discount.

RESOLVED:

That the comments of the Performance and Resources Overview Committee be considered by the Cabinet when approving the criteria applicable for Discretionary Rate Relief and Local Council Tax Discounts.

57 ANNUAL PERFORMANCE INDICATOR REVIEW 2014-15

The Performance and Resource Overview Committee were asked to consider a report which outlined information on the corporate and priority Performance Indicators and targets for 2014-15. All services review their performance indicators through the service planning process. The Council would set targets against each indicator for the next three years and would publish them along with actual performance in the Annual Report. It was noted that the Priority Indicators would be published monthly through the Budget Monitoring Pack to Management Team and Informal Cabinet. A more details quarterly performance report, including corporate performance indicators would also be considered by Management Team, Performance and Resources Overview Committee and Cabinet. Members were advised that a more extensive review had been undertaken by Heads of Services. It was noted that Thames Valley Police had not yet set their targets, and these would be incorporated once they were available.

As a result of the review that was undertaken, the way in which some Performance Indicators were reported had changed. Some that used to be reported quarterly were now reported monthly. One of the Councillors asked that a Performance Indicator be added regarding the length of time it took for a section 106 legal agreement to be issued after a planning application had been approved.

Councillors raised concerns about the Performance Indicators and targets surrounding the waste service. It was noted that the way in which the quantity of waste was reported had been changed from tonnage to a percentage amount in kilograms per resident. Street cleansing was reported quarterly, but there was no monthly monitoring for the waste collection service. Members stated that it was understandable that targets not be set during the

initial roll out of the service, but it was felt that targets should now be set and adhered to. Members were advised that it would not be possible for street cleansing to be reported monthly as the information is compiled every three months which is due to the way in which the NI195 scores are calculated. Councillors stated that it would be useful to have the information on a monthly basis, and asked that inquiries be made as to whether this was possible.

Missed collections were reported in the Performance Indicator Review, and it was noted that there had been 9,415 missed collections. The report stated that the aim would be not to exceed 20,000 in a year. Members were advised that, as each property had three bins, each missed property would account for three missed collections. It was asked that the amount of rubbish collected be reported monthly. The landfill weighbridge is managed by Bucks County Council meaning the Council would be dependent on them, which would make it difficult to supply data on a monthly basis.

The Committee was keen that information on waste performance was included in the report agreed earlier on waste finances.

RESOLVED:

That the Annual Performance Indicator Review 2014-15 be noted

58 STANDING ITEM: PROGRESS REPORT TO THE JOINT COMMITTEE

Councillors received a progress report that was due to be considered by the Joint Committee on 2 April. The Committee was advised that four teams would be entering the shared service arrangements from 1 April 2014. It was noted that progress had been made on the harmonisation of terms and conditions for staff.

Councillors stated that the £660,000 savings outlined in the reports related to one action taken. This was provided to show the total savings that had been achieved so far over the duration of the programme. It was questioned when this amount would no longer be shown on the progress report. Once the programme had progressed to the end of its current phase in 2016 the year on year comparisons would change..

It was questioned what the external support to the programme had been, and Members were advised that the first service reviews were supported by Charteris. This had been funded by the budget for the programme. The subsequent shared service reviews had been supported internally.

RESOLVED:

That the Progress Report to the Joint Committee be noted.

59 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 from Part 1 of Schedule 12A is indicated at the end of the Minute heading.

60 LORD MILL WEIR

Members received a report outlining an on-going issue with the Lords Mill Weir. At the Cabinet meeting on 30 October 2012 approval was given for funds to be released in order for the Council to provide match funding to its bid to the Environment Agency for funding towards the cost of carrying out permanent structural repairs and the provision of a fish pass to Lords Mill Weir. This followed the temporary repairs carried out to the structure by the Council in the previous year having been served Notice by the Environment Agency that the weir structure was in danger of failing.

The ownership of the weir structure has subsequently been challenged by the adjacent landowner. It has since been clarified that the Council owns the riverbed of the River Chess and not the structure. Members stated that it was important that the weir structure be repaired, and they were therefore willing to offer one off financial assistance. It was noted that the Environment Agency had withdrawn the Notice served on the Council and would be serving Notice on the landowner. They would have the ability to enforce the Notice.

One Member stated that the Council had incurred costs as a direct result of incorrect information from the Land Registry, and requested that the possibility of claiming this money back be explored.

RESOLVED:

- 1. That the contents of the report in regard to the Council's ownership of the Weir structure and the River Chess be noted, and**
- 2. That it be recommended to Cabinet that the Council provide £10,000 as one off financial assistance subject to stringent criteria being met.**

The meeting ended at 7.52 pm

CHILTERN DISTRICT COUNCIL

**MINUTES of the Meeting of the
PLANNING COMMITTEE
held on 3 APRIL 2014**

PRESENT: Councillor D W Phillips - Chairman
 " Mrs J A Burton - Vice Chairman

Councillors: A S Hardie
 P M Jones
 P E C Martin
 J J Rush
 P N Shepherd
 C J Wertheim

APOLOGIES FOR ABSENCE were received from Councillors J L Gladwin, Mrs A Pirouet, M Prince, D Spate and N Stewart

ALSO IN ATTENDANCE: Councillor N M Rose

64 MINUTES

The Minutes of the meeting of the Committee held on 13 March 2014, copies of which had been previously circulated, were agreed by the Committee and signed by the Chairman as a correct record.

65 DECLARATIONS OF INTEREST

There were no declarations of interest.

66 ITEMS FOR NOTING

RESOLVED -

That the reports be noted.

67 REPORT ON MAIN LIST OF APPLICATIONS

RESOLVED -

1.	That the planning applications be determined in the manner indicated below.
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2.	That the Head of Sustainable Development be authorised to include in the decision notices such Planning Conditions and reasons for approval, or reasons for refusal as appropriate, bearing in mind the recommendations in the Officer's report and the Committee discussion.
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APPLICATIONS

CH/2013/2119/FA The Enterprise Centre, Land at Asheridge Road and Hivings Hill, Chesham, Buckinghamshire

Speaking on behalf of The Hivings Hill Residents and as an objector, Mrs Brenda Collins.

Permission Refused

CH/2014/0018/FA Windmill Farm, Windmill Hill, Coleshill, Amersham, Buckinghamshire, HP7 0LZ

Speaking for the application, the applicant Mr Gerard Nolan.

Defer to grant conditional permission subject to advertising the application as a departure from the Development Plan and following the completion of a Legal Agreement to cover the points set out in the report. Decision delegated to the Head of Sustainable Development.

CH/2014/0136/FA Land Adjacent To Chesham Preparatory School, Grove Lane, Ashley Green, Buckinghamshire

Speaking as an objector, Ms Elaine Bamford.
Speaking for the application, Mr Nick Baker

Conditional Permission

CH/2014/0235/FA Beaumont House, Hervines Road, Amersham, Buckinghamshire, HP6 5HS

Speaking as an objector, Mr Frank Chesworth
Speaking for the application, the agent Mr David Parker.

Conditional Permission

CH/2014/0241/FA Bramley, 54A Whielden Street, Amersham, Buckinghamshire, HP7 0HU

Conditional Permission

CH/2014/0262/FA 16 Piggotts Orchard, Amersham, Buckinghamshire, HP7 0JG

Speaking as an objector, Mr K W Leonard.

Permission Refused and authorised the Head of Sustainable Development in consultation with the Head of Legal Services to negotiate, enter into and complete any necessary Legal Agreement.

CH/2014/0286/TP St Leonards Church, Jenkins Lane, St Leonards, Buckinghamshire,

Speaking for the application, Mrs A Butterworth

Permission Refused

CH/2014/0304/FA Laramie, Hervines Road, Amersham, Buckinghamshire, HP6 5HS

Speaking for the application, Mrs Veronica Steel

Permission Refused

CH/2014/0309/FA The Gables, 2 Browns Road, Holmer Green, Buckinghamshire, HP15 6SL

Speaking as an objector, Mr Paul Foster

Permission Refused because the proposed development by reason of its layout and orientation of the dwellings would result in gardens dominated by hardstanding, lacking privacy and in respect of Plot 1 of an inadequate size. As such, the proposed scheme would appear as a contrived and poor form of development to the detriment of the character and appearance of the immediate locality and result in a poor level of amenity for future occupiers of both plots. The Head of Sustainable Development was authorised in consultation with the Head of Legal Services to negotiate, enter into and complete any necessary Legal Agreement.

The meeting ended at 8.31 pm

CHILTERN DISTRICT COUNCIL

**MINUTES of the Meeting of the
AUDIT COMMITTEE
held on 10 APRIL 2014**

PRESENT: Councillor J L Gladwin - Chairman

Councillors: A K Bacon
A D Garnett (ex-officio)
D W Phillips
C J Wertheim
F S Wilson

APOLOGIES FOR ABSENCE were received from Councillor J S Ryman

The Chairman welcomed to the meeting Sue Gill and Claire Hodges from Ernst & Young and Chris Harris from TIAA.

30 MINUTES OF PREVIOUS MEETING

The Minutes of the meeting held on 19 February 2014, copies of which had been previously circulated, were agreed by the Committee and signed by the Chairman as a correct record.

31 DECLARATIONS OF INTEREST

Councillor C J Wertheim was a Member of the Joint Waste Committee.

32 EXTERNAL AUDIT PLAN 2013/14

Sue Gill presented the report by Ernst & Young to the Committee. Chiltern District Council was described as small, efficient and its risks and issues were well known but there were three items to bring to the Members attention.

Firstly, the change in Team Leader, Claire Hodges had been appointed to give an integrated approach with SBDC. There would therefore be a consistent approach across both District Councils.

Secondly, in the Risks section, an awareness of the potential for management override to systems. This is part of a standard audit approach and not due to any particular concerns at Chiltern.

Another significant Risk was the change in how business rates are dealt with. It could have a material effect and so adequate provision needed to be made to cover appeals. It was noted that the government and accounting bodies had not given guidance yet as to what would be considered "adequate" and the auditors would be looking for a "reasonable" provision to be made and that the basis for this is well evidence.

It was noted that the right of appeal on rateable values could go back several years and there was some concern that the sum could not be quantifiable. It was advised however that the liability to the District Council would be capped

to 7.5% of net funding. This was a potential loss of up to £100,000 per annum. This was a separate matter from what the council would be required to reflect in its accounts. With regard to retrospective claims, it was advised that the Valuation Office had a large backlog of claims which made the position even more uncertain. The government was hoping the backlog would be cleared by the end of 2015, but the Council could not rely on this. Ernst & Young advised that they were looking for a reasonable accounting entry and would share guidance if and once it became available.

Thirdly, the Auditors fees were noted as being the same as last year and the certification of claims and returns part of the fee had gone down. It was noted that the level of the fees was dependent on the Officers completing their work to the agreed timetable.

It was asked if where services had been received but not invoiced, were Ernst & Young expecting to see an accrual and it was confirmed that this was required. There was a discussion on materiality. The Chairman confirmed that he accepted the need for a level of triviality. However, he requested that a summary of the trivial items found should be available to the Committee to confirm that there was an overall non material error.

RESOLVED

That the report be noted

33 EXTERNAL AUDIT FRAUD BRIEFING

A presentation was shown to the Committee, produced by the Audit Commission entitled "Protecting the Public Purse 2013". The report covered the county area using data returns from neighbouring local authorities. It was noted in the report that whilst the number of detected frauds had gone down, the value of those frauds had gone up. CDC was currently looking at single person discount council tax fraud. They were sometimes small in scale but 330 cases were being investigated. The Committee discussed the cost of undertaking fraud investigation versus the returns made but it was agreed that such cases deterred crime and therefore must be carried out.

With regard to Social Housing Fraud, it was noted that CDC currently had a good working relationship with Paradigm Housing but it was recommended that a more formal procedure be set up for fraud investigation. It was suggested that the council uses its representation on the Paradigm Board to encourage this approach. .

It was noted that Chiltern has a Whistleblowing Policy and that there was in-house fraud awareness training for staff.

RESOLVED

That the report be noted

7.25 pm Sue Gill and Claire Hodges left the meeting

34 INTERNAL AUDIT PROGRESS REPORT

An Internal Audit Progress Report was presented by Chris Harris of TIAA. It was reported that the Integra report had just been completed and the Council Tax and NDR Compliance report would be completed before Easter. After Easter the 2014/5 plan would commence. The financial audits were planned for September to June to avoid the financial year end. It was considered more important to produce reports to a high standard than to complete them early. The next meeting would have the end of year audit report.

Councillors were concerned that some Heads of Service were requesting that the audits be moved and asked what the protocol was in this case. This had been discussed previously with regard to ICT but it was advised that the changes taking place with shared services and new software introduction had not made it appropriate to impose an audit. In most cases it was preferable to wait until 6 months after a service review was complete. A full review of the ICT process would come back later into the programme.

It was noted that the report gave an evaluation of “reasonable” risk against Payroll but with 70% of CDC costs being salaries, a “substantial” assurance against risk was considered preferable. It was advised that it was not uncommon to have a “reasonable” level of assurance. The numbers on the payroll were small at Chiltern, compared to the much larger payrolls of Wycombe and Aylesbury, also managed by Aylesbury Vale District Council. Councillors were concerned that HR was too busy to do the reconciliation of payroll against establishment last year. It was noted that the pressure of harmonisation and service reviews were taking place within the department but it was considered that more resource should be made available if necessary to do the reconciliation work. It was requested that Members views be passed to the Chief Executive and the Principal Personnel Officer. Officers advised that although the reconciliation had not been done, the payroll was checked against the expected budget each month and so any risk was small.

With regard to journal transfers, it was noted that some large transfers had been made with only one signature. A new process was being introduced however with a new journal form which would standardise custom and practise across the two authorities. Ernst & Young require a complete download of journal transfers against the ledger and would review large value journals, so it was considered a low risk.

A Councillor enquired about the nature of the on-going investigation into a potential conflict of interest. He was informed that it related to Building

Services and Officers working privately. An update was requested for the next meeting.

RESOLVED

That the report be noted

35 WORK PROGRAMME

At the next meeting, there would be 3 reports from Internal Audit; ICT report, Final Progress 2013/14 and Annual Assurance.

There was a brief discussion with regard to testing of routine processes. The Chairman confirmed that an interim report should be brought to the next Committee meeting.

RESOLVED

That the work programme of the Audit Committee be noted.

The meeting ended at 7.55 pm

CHILTERN DISTRICT COUNCIL

**MINUTES of the Meeting of the
HOUSING & PLANNING OVERVIEW COMMITTEE**
held on **15 APRIL 2014**

PRESENT: Councillor Mrs J A Burton - Chairman
 " Mrs A Pirouet - Vice Chairman

Councillors: R Burns-Green
 A S Hardie
 S A Patel
 D W Phillips
 M Prince
 Mrs L M Smith
 C J Wertheim

APOLOGIES FOR ABSENCE were received from Councillors D J Lacey and N Stewert

ALSO IN ATTENDANCE: Councillor Mrs I A Darby

27 MINUTES OF PREVIOUS MEETING

The Minutes of the Housing & Planning Overview Committee held on 21 January 2014, copies of which had been previously circulated, were agreed by the Committee and signed by the Chairman as a correct record.

28 DECLARATIONS OF INTEREST

29 28 DAY NOTICE FORWARD PLAN & WORK PROGRAMME

There were no items that remained outstanding on the Work Programme of the Committee.

There was a request for a report on the allocation of funds for affordable housing for the next meeting.

The Committee were given a brief update on the progress of the new shared service in Health and Housing. It was advised that the shared service was on track to deliver savings of approximately £60k this year (£120k next year) as expected and only 2 redundancies had resulted from the process. The teams would be located at the CDC offices from approximately the end of October 2014.

Members reviewed the Forward Plan, to identify potential topics for review. The Committee agreed that there were no further items that they wished to include on the Work Programme at this time.

RESOLVED

- 1. That the Work Programme of the Committee be noted.**

- 2. That no further items from the Forward Plan be added to the Work Programme of the Housing and Planning Overview Committee at this time.**

30 HOUSING FINANCIAL ASSISTANCE POLICY

The report updates the budget position for grants and loans made to upgrade homes, for renovations and to tackle serious health hazards in housing. It was noted that demand for Disabled Facilities Grants (DFG) had remained strong over the last 5 years. For 2013/14, the number of approvals was 67 and the number completed 65 at an overall cost of £460,000.

A high proportion of DFGs were awarded to Paradigm tenants and so an annual capital contribution had been made to the DFG fund by Paradigm since 2006 and this had been increased for 2014/15. The government allocation had been confirmed and so no further increase was required from CDC's annual contribution.

The Committee were asked to note however, that there would be a new procedure for funding from 2015/16 as a new Better Care Fund, run by Bucks County Council and the Clinical Commissioning Group (CCG) was being set up to allocate future government funding. The potential longer term risks of this arrangement were listed in the report.

With regard to the Discretionary Renovation Grants, the Council has a statutory responsibility for housing conditions in the area. To meet anticipated demand, a sum of £50,000 was requested to be transferred from the provisional to the active fund. This would deliver housing improvements to vulnerable owner-occupiers, support the return of empty properties and increase the supply of safe private-rented accommodation.

It was noted by the Committee that the repayment clause in section 7 was a new addition to enable the reclaim of funds if a property was sold within 10 years.

It was requested that the Housing team contact the Disability Focus Group to make them aware of the scheme.

RESOLVED

That the recommendations contained in the draft Cabinet report be endorsed by the Housing and Planning Overview Committee and that the comments of the Committee be forwarded to the Cabinet.

31 HOUSING COMMUNITY ORGANISATIONS BUDGET - HOUSING INTERACTION TRUST

The Committee were reminded that it had agreed to a one-off payment of £10,000 to provide additional funding to Housing Interaction Trust last year to help it meet increased demands for its service. This meant that the Council had contributed a grant of £30,000 plus the additional £10,000 to the Trust in 2013/14. This year, a report from the Housing Interaction Trust (HIT) identified further increases in demand for its services and an increase in cases with complex and multiple issues. The Trust had requested a contribution of £40,000 from the Council in 2014/15 to help it to maintain its core services. It was noted that the Trust had a key role in homelessness prevention in the Chiltern District. The request for further funding was for new projects and not just a continuation. The clients presenting to the Trust had increasingly complex problems including mental illness that were more difficult to address. None of the clients assisted by HIT had made a subsequent homelessness application to the Council during the last year.

Councillors considered that HIT were doing an excellent job and agreed that it was useful to visit schools with their outreach work. There was some concern that the outreach work could increase the overall demand and therefore the funding required each year. It was noted that Officers had tried to help HIT find additional funding but found limited success.

It was recognised that the shared Chiltern and South Bucks housing service had commenced on 1 April 2014 and that the implementation of this service during 2014/15 would be looking at the longer term delivery of housing support services to young people across Chiltern and South Bucks. It was also noted that by the end of 2014/15, HIT would know the position regarding the renewal (or otherwise) of their current Supporting People funded contracts with Bucks County Council. Following a vote, the committee resolved to recommend the report to Cabinet.

RESOLVED

That the recommendations contained in the draft Cabinet report be endorsed by the Housing and Planning Overview Committee and that the comments of the Committee be forwarded to the Cabinet.

32 PROGRESS REPORT ON THE SUSTAINABLE CONSTRUCTION AND RENEWABLE ENERGY SUPPLEMENTARY PLANNING DOCUMENT

This document was intended to give guidance for the implementation of core strategy policies on energy and sustainability and energy policies in the Delivery DPD. The draft policy would go to Cabinet in July for approval for public consultation and then following consultation this Committee would consider the consultation responses and draft SPD with a recommendation to Cabinet. If supported by Cabinet the SPD would be recommended for adoption by Full Council.

The National Planning Policy Framework (NPPF) requires planning to play a key role in reducing greenhouse emissions and in promoting the use of renewable energy. The SPD is intended to be best practice for new buildings and to encourage existing buildings to be more energy efficient.

The SPD would provide guidance on environmental matters on energy, water, flood, air quality, noise, biodiversity, waste and renewable energy.

With regard to energy consumption, the Committee were asked to consider whether Local Renewable Energy Targets should be set, now that the South East Plan (which Chiltern District was part) had been revoked. It was noted that any commitment to targets would require data collection and on-going monitoring as well as research to establish a target. The Members agreed that it was more important to provide appropriate guidance and objectives than to commit resources to research and monitoring work at this stage.

Members asked about the possibility of wind power in the district but were advised that Chiltern was either not within an identified area considered suitable for efficient wind production in the UK and/or was not appropriate due to the Chilterns AONB and other constraints.

With regard to nitrous oxide emissions (usually from diesel exhaust fumes), Members were concerned about the impact of HS2 lorries in the district but were advised that this could not be a local planning consideration as HS2 was a matter outside local control but could be a matter for consideration on the environmental impact assessment of HS2 that the Government should take into consideration.

RESOLVED

That the recommendations contained in the draft Cabinet report be endorsed by the Housing and Planning Overview Committee and that the comments of the Committee be forwarded to the Cabinet.

The meeting ended at 7.30 pm

Publication Date: 12 May 2014
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CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the CABINET held on 6 MAY 2014

PRESENT: Councillor N M Rose - Leader
" M Smith - Deputy Leader

Councillors: Mrs I A Darby
G K Harris
P J Hudson
P E C Martin
M Stannard

ALSO IN ATTENDANCE: Councillors F Wilson, P M Jones, D Phillips, N L Brown, J Gladwin and R Burns-Green

105 MINUTES

The Minutes of the Cabinet meeting held on 11 February 2014 copies of which had been previously circulated, were approved and signed by Councillor N Rose, Cabinet Leader, as a correct record.

106 DECLARATIONS OF INTEREST

There were no declarations of interest.

107 28-DAY NOTICE FORWARD PLAN

The Cabinet received a report attaching the draft 28-Day Notice which provided a forward look at the Agenda for the next meeting of the Cabinet. The Notice would be published on 2 June 2014.

RESOLVED –

That the Draft 28-Day Notice / Forward Plan, to be published on 2 June 2014, be noted.

108 CURRENT ISSUES

(i) Councillor Peter Hudson – Chesham Leisure Centre

Councillor Hudson reported that pupils and teachers had suffered adverse effects to a chemical reactions whilst using the swimming pool at the Chesham Leisure Centre on Friday 2 May 2014. All those affected were taken to hospital but released unhurt.

Once the problem was identified, the pool was closed with immediate effect and the dosage system was independently checked and found to be working

appropriately. Probable cause was the restarting of the circulation combined with increased agitation of the pool water/surface zone caused an increase in the levels of trichloramines (Nitrogen trichloride) present in the pool atmosphere. Chloramines (including Trichloramines) appear in pools as a result of the reaction between ammonia based compounds. In pools these compounds usually derive from urine and sweat. It was recognised that Nitrogen trichloride is largely responsible for the so-called 'chlorine smell' however it should be noted that it is not chlorine. The increased levels of Trichloramines will produce the symptoms of those affected as described.

It was reported that communication had been received from GLL, and had been maintained with the school and parents. All parties involved had worked together well to minimise impact of the situation. On 13 May there would be a review of the incident and confirmation of the cause. There would also be a review of existing procedures and also look at communication procedures and all findings to all stake holders. GLL had issued a press statement which was to be shared with all members and affected parties.

(ii) Councillor Martin – SERCO

Councillor Martin reported on recent press reports relating to SERCO in respect of a profits warning and the resignation of the managing director and noted that recent steps taken by the company appeared to have resolved the issues. It was also noted that a strategic review of services would take place over a 9 month period and although there were no major issues for Chiltern a dialogue was to be maintained on this issue.

(iii) Councillor Rose – HS2

Councillor Rose reported that a feasibility study had been prepared in association with Peter Brett Associates in relation to the alternative option of a tunnel, Green Route. It was noted that there was a range of options and even through all options were technically feasible the Green Route was the preferred option. A petitioning room had been set up in the Council offices where volunteers can arrange for a valid petition to be printed and sent off. It was noted that three petitions had been received by the House of Commons to date. The Council's petition was currently in draft format and the deadline for local authority petitions was Friday 16 May 2014.

In response to a member query, members were advised that the County legal advisors were to be providing a co-ordinated message and the draft petition would be circulated before the weekend.

109 CHILTERN COMMUNITY GRANT REVIEW

The Cabinet considered a report containing the details of the reviewed Community Grant Aid Scheme which had focussed on simplifying the application form, increasing member involvement and developing a more consistent scoring process.

The new arrangements were introduced for the 2013/14 scheme and included:-

- A new streamlined application form
- Members invited to feedback on projects delivered in their own respective wards
- A traffic light evaluation system highlighting how each application support the Council's key corporate objectives in relation to developing community capacity, improving health, supporting the local economy, enhancing community cohesion, protecting the environment and improving community safety.

Positive feedback and an increased number of application forms demonstrated the new scheme had been well received by local community groups and Members. The new scheme had also attracted a diverse range of applications and enabled members to have a direct input into any applications delivered within their local wards.

It was noted that local communities were to be organising events and/or projects to commemorate World War 1 it was proposed that the new application included World War 1 events as an additional consideration in prioritising which organisations received funding from 2014 until 2018.

Councillor Hudson informed members that he had received positive feedback from voluntary groups confirming that the new scheme provided easier to complete forms and the increased member involvement was welcomed.

RESOLVED -

- 1. That the report on the 2013/14 Community Grant Scheme and feedback key outcomes be noted.**
- 2. That the World War 1 commemorative projects be approved as an additional key priority when assessing applications from 2014 - 2018.**

110 DISCRETIONARY RATE RELIEF AND LOCAL COUNCIL TAX DISCOUNTS

The Cabinet considered a report which outlined that the Government had announced a number of schemes intended to support businesses by reducing their business rates liability. These are to be administered as discretionary

awards under section 47 of the Local Government Finance Act (LGFA) 1988 for which the authority would be fully reimbursed.

The Government had also announced that discounts would be granted to Council Tax payers affected by flooding. This was to be administered under the local authority's power to grant Council Tax discounts as they see fit, under section 13a of the Local Government Finance Act 1992.

The purpose of the report was to enable Cabinet to approve the criteria as recommended in guidance provided by the Department of Communities and Local Government and to delegate authority to the Head of Customer Services to administer the reliefs and discounts where the relevant criteria was met.

The Head of Customer Services drew members attention to the qualifying criteria for the Business Rates Relief which was defined as:

- The hereditament has been flooded in whole or in part as a result of adverse weather conditions and not from the failure of a water main, internal water system or failure of a sewerage system; and
- Business activity undertaken must have been affected on that day as a result of the flooding

The scheme did not cover any hereditament which was unoccupied at the time of flooding.

It was noted that there were approximately ten properties affected to date in Chiltern but this may increase as it was an on-going situation. Members were reminded that the Government had agreed that local authorities would be reimbursed for the reliefs and discounts. It was anticipated that this would be done via end of year returns to Government. The estimated costs of awarding 100% relief for 3 months to the business properties already identified as affected was £53,059.

The Head of Customer Services explained that currently all applications were submitted to the portfolio holder for approval but the Cabinet were asked to consider if it would be more appropriate to delegate to the Head of Customer Services for determination where the application meets the approved criteria.

RESOLVED -

1. The Cabinet approves the following recommendations to grant Discretionary Rate Relief under section 47 of LGFA 88 in the following circumstances:

- **100% relief is granted to properties affected by flooding for a period of three months in accordance with the criteria in paragraph 5;**
- **Relief of up to £1000 is granted to retail properties that meet the criteria in paragraphs 10-13 subject to an application being received;**

- **Unoccupied new build properties are granted relief to enable exemption from unoccupied property rates for a period of up to 18 months in accordance with the criteria in paragraphs 16 to 19; and**
 - **50% relief is awarded for new occupations of previously empty retail properties in accordance with criteria recommended by Central Government.**
- 2. The Cabinet agrees to delegate authority to Head of Customer Services to award Discretionary Rates Relief where the application meets the criteria as approved above.**
 - 3. The Cabinet approves the criteria applicable to award a Council Tax discount under S13A of the Local Government Finance Act 1992 to properties affected by flooding.**
 - 4. The Cabinet agrees to delegate authority to Head of Customer Services to award discounts where the application meets the approved criteria.**

111 UPDATE ON THE RECENT FLOOD IN CHILTERN DISTRICT

The Head of Health and Housing presented a report which updated members on the recent flooding in Chiltern and the response provided by the community.

It was reported that flooding in Chiltern District had occurred as a result of a period of intense rainfall which lasted from 30 December 2013 to approximately 21 February 2014. This had resulted in very high river and ground water levels, which are still prevalent and surcharging of the public and highway sewer networks. The situation was further aggravated by a number of culverts being partially blocked and silted impeding the rivers Misbourne and Chess.

Members were advised that it was unlikely that the Council would secure any resources through the Bellwin Scheme as the level of expenditure did not reach the £20,000 threshold for Chiltern District Council.

The government had announced various schemes to support residents and businesses impacted by flooding, which included Council Tax and Business Rate rebates and the creation of a Repair and Renewal Grant.

The Repair and Renewal Grant to be administered by Housing authorities would enable homeowners and businesses whose property had been flooded access to a grant of up to £5,000 to pay for measures to improve a property's ability to withstand future flooding. This grant required the Council to establish a procedure by which funding may be allocated to property owners affected by flooding.

RESOLVED -

1. **That the content of the report be noted;**
2. **The Head of Health and Housing in consultation with the Portfolio Holder for Health and Housing be delegated to amend the Housing Financial Assistance Policy to enable the Repair and Renewal Grant to be provided to businesses and homeowners by 1st April 2014.**
3. **The Head of Health and Housing in consultation with the Portfolio Holder for Health and Housing be delegated to approve and administer the Business Support Scheme**

112 HOUSING FINANCIAL ASSISTANCE POLICY

The Cabinet considered a report which provided an update on the budget provision for mandatory Disabled Facilities Grants and to seek capital funding to continue its programme of discretionary renovation grants and loans.

The Disabled Facilities Grant (DFG) was a mandatory means-tested grant given for adaptations to the homes of disabled people to ensure that they had access into and out of the home and to the essential facilities within it.

In response to a member query, it was confirmed that the Health and Wellbeing Board were responsible for the DFG while funding was provided by the Community Commissioning Group.

RESOLVED -

1. **That the position regarding Disabled Facilities Grant funding is noted.**

AND RECOMMENDED -

2. **That £50,000 is transferred from the provisional capital sum for 2014-15 and transferred to 2014-15 approved and committed capital programme for the delivery of discretionary Housing Financial Assistance during 2014-15**

113 HOUSING COMMUNITY ORGANISATIONS BUDGET - HOUSING INTERACTION TRUST

Members were advised that the Council's housing revenue budget for 2014/15 included a sum of £63,000 set aside for housing community organisation projects that would help the Council to meet its strategic housing priorities. The budget included:

- £25,000 to support the continuation of the Chiltern CAB Specialist Debt and Money Advice Service and
- £8,000 to support the continuation of the work of the Rural Housing Enabler in Chiltern (returning empty properties back into use).

In response to a Member's query, it was confirmed that since the production of the report accounts had been audited and signed off. The position in respect of wider funding for the trust was in respect of trying to access other sources of funding for future years to reduce the risk to their operation if the existing main funders reduced their funding.

RECOMMENDED

That the Council issues a grant of £40,000 to Housing Interaction Trust to support and maintain the Trust's work in Chiltern District in 2014/15 15, of which £10k to be applied from the homelessness reserve.

114 COMMUNITY SAFETY PARTNERSHIP PLAN 2014-17 AND POSSIBLE MERGER OF THE TWO COMMUNITY SAFETY PARTNERSHIPS

The Cabinet were advised of the new Community Safety Partnership Plan for 2014-17 which was to focus the work of the Community Safety Partnership (CSP) for the next 3 years; and the report also sought a view from the Council in relation to a proposed merger of the Chiltern CSP and South Bucks CSP.

Over the last year there had been quarterly meetings for both Community Safety Partnerships. They consider similar topics and following the Shared Service Review it was proposed that there should now be one team across Chiltern District Council and South Bucks District Council. Partners have been consulted and support the plan, as it would cut down on meetings. This had been agreed by the Community and Environment Overview Committee in March 2014 and if Cabinet agreed to the plan, permission would be sought by the Police and Crime Commissioner before going ahead.

With regard to the draft plan, the final figures were not yet available until year end and it had been written as two plans for the time being. It was noted that there was an additional priority this year of Child Sexual Exploitation.

RESOLVED -

- 1. That the proposal to merge the Chiltern Community Safety Partnership with the South Bucks Community Safety Partnership be supported; and**
- 2. That the 3 year Community Safety Partnership Plan, be endorsed.**

115 UPDATE ON AIRPORTS COMMISSION'S INTERIM REPORT

The Cabinet noted the report which provided an update on the Airports Commission's Interim Report, publishes in December 2013 and was for information purposes only.

RESOLVED -

That the report be noted.

116 NEIGHBOURHOOD PLANNING - REVIEW OF DELEGATED AUTHORITY

The Cabinet were reminded in the content of the report that delegated authority had been approved for a number of matters in relation to neighbourhood planning on 3 August 2012. The Head of Sustainable Development had delegated authority for decisions in the Neighbourhood Planning process, after consultation with the relevant local member/s and Cabinet Member, for decisions on the validity and acceptance of applications for a Neighbourhood Development Plan or a Neighbourhood Development Order.

Since 3 August 2012 the Chalfont St Peter Neighbourhood Plan had been submitted to the Council and its validity and acceptance process had been completed in accordance with the delegated authority.

RESOLVED –

Cabinet approve a revision to the delegated authority for neighbourhood planning set out in Paragraph 9 of the report, the revised delegated authority being:

“Decisions on the validity and acceptance of applications for a Neighbourhood Plan or a Neighbourhood Development Order are delegated to the Head of Sustainable Development. The Head of Sustainable Development being required to inform relevant local ward member(s) within the relevant Neighbourhood Area and the Cabinet Member for Sustainable Development of decisions taken and where determined that a Plan or Development Order is not found valid to provide reasons for the decision.”

117 DELIVERY DPD - CONSIDERATION OF SUBMISSION MATTERS FALLING OUTSIDE DELEGATED AUTHORITY

At a meeting of the Cabinet on 11 February 2014 it approved the Pre-Submission Delivery DPD and associated documents for public consultation and submission to the Secretary of State for Communities and Local

Government with the submission target date within May 2014. The public consultation had been carried out in accordance with the Council's adopted Statement of Community Involvement and closed on 4 April. Members were advised that 66% of the representations were in objection.

It was noted that the Government had now advised that housing for older people "should" be counted as part of the housing supply, modifications are recommended to the Delivery DPD to take this into account. Older people's housing did form a significant part of housing supply in Chiltern and will form a significant part of housing need over the plan period, and increased the housing supply in the Delivery DPD by 375 dwellings.

The Head of Sustainable Development confirmed that Housing Proposal H15: The Glebe, Prestwood which had been estimated to provide a gross 9 additional new dwellings was currently an unimplemented housing proposal site in the adopted Local Plan for Chiltern District.

The Buckinghamshire district authorities had commissioned a Gypsy, Traveller and Travelling Showpeoples Accommodation Needs Assessment, August 2013. The Council had used this Needs Assessment and other evidence to determine that the Delivery DPD should plan to provide for the accommodation provision as detailed in Appendix 4, Table 5 – Traveller Accommodation Need.

Councillor Phillips was invited to speak on this item and outlined that he had responded to the consultation process in detail in respect of issues of concern raised by the Planning Committee.

The Head of Sustainable Development responded that the DPDD was significantly different from the current local plan process and future local plans were to have differing levels of detail but were not required to be too detailed or repetitive. Consideration was also given to the proposed figure for Rural Exceptions

RESOLVED -

That delegated authority be granted to the Head of Sustainable Development, in consultation with the Head of Legal Services and the Cabinet Member for Sustainable Development, to submit the Delivery DPD and to approve the modifications as set out in Appendix 2, paragraph 16 and Appendix 4 (Including Table 5 as agreed at the meeting).

118 LOCAL GOVERNMENT DECLARATION ON TOBACCO CONTROL

The Cabinet were asked to consider the request from the Health and Wellbeing Board that all the local authorities in Buckinghamshire sign the Local Government Declaration on Tobacco Control which committed Local Authorities to:-

- Reduce smoking prevalence and health inequalities
- Develop plans with partners and local communities
- Participate in local and regional networks
- Support Government action at national level
- Protect tobacco control work from the commercial and vested interests of the tobacco industry
- Monitor the progress of our plans
- Join the Smokefree Action Coalition

RECOMMENDED

That the Council signs the Local Government Declaration on Tobacco Control

119 SERVICE PLAN SUMMARY 2014/15: HUMAN RESOURCES

Consideration was given to the content of the report and the attached Service Plan for Human Resources.

RESOLVED -

That the service plan for Human Resources, be noted.

120 ANNUAL PERFORMANCE INDICATOR REVIEW 2014-15

The Cabinet considered the report which provided information on the corporate and priority PIs and targets for 2014-15.

It was noted that the Council aimed to set targets against each indicator for the next three years and publish these along with the actual performance in the Annual Report, published in June of each year. A detailed quarterly performance report including corporate performance indicators was to be presented to Cabinet in the future.

RESOLVED -

1. That approval of the Priority Indicator set (see Appendix A) and future performance targets for the next three years, be confirmed.
2. That approval of Corporate Performance Indicators (Appendix B) and future performance targets for the next three years, be confirmed.

121 MINUTES OF JOINT EXECUTIVE COMMITTEES

Members considered the Minutes of the following Joint Executive Committee meetings:

- Chiltern & South Bucks Joint Committee – 4 February 2014
- Chiltern & Wycombe Joint Waste Collection Committee – 13 February 2014
- Chiltern & South Bucks Joint Committee – 2 April 2014

RESOLVED -

That the Minutes of the above meetings of the Chiltern & Wycombe Joint Waste Collection Committee be noted.

122 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.

123 LORD'S MILL WEIR

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

The Cabinet considered a confidential report which updated members on the current situation and possible options for a way forward in respect of the Lord's Mill Weir, particularly in respect of legal ownership and implications of this.

RESOLVED -

- 1. That the contents of the report in regard to the Council's ownership of the Weir structure and the River Chess, be noted;**
- 2. That financial assistance up to a maximum of £10,000 subject to stringent criteria being met, as set out in the report be provided; and**
- 3. That the detail of 2, as above, be delegated to the Head of Environment to take forward and approve in discussion with the Portfolio Holder and Local Member.**

124 PEST CONTROL AND DOG CONTROL CONTRACTS

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

The Cabinet received a report which outlined the agreement to enter into a Framework Agreement with the Buckinghamshire District Councils for dog control, stray dog collection and kennelling, pest control and dog waste collection which set out a number of principles for the tender process. The pest and dog control services were due to commence on 1 November 2014 for a period of four years with the opportunity for a further two year extension whilst the dog waste contract is the subject of a separate tender process. The Head of Health and Housing, in consultation with the Portfolio Holder, was authorised to accept the tender and represented best value.

It was reported that two tender had been received for the pest control contract and one for the dog control contract which were currently being evaluated on the basis of service quality, price and technical ability.

RESOLVED -

- 1) That the outcome of the tender process, be noted; and**
- 2) That pest treatments for those on income related benefits continue to be subsidised.**

125 ADDITIONAL DELEGATED POWERS FOR HEAD OF ENVIRONMENT

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

The Cabinet considered the report which requested an extension to the delegated authority to the Head of Environment which would:

- Clear up any ambiguity within the Constitution
- Ultimately streamline the process and reduce the volume of minor Landlord & Tenant matters for Cabinet consideration
- Enable Officers to deal with the grant of short term tenancies in a more timely manner and reduced the need to utilise the Chief Executive's powers of urgency

RESOLVED -

That to extend the Head of Environment's delegated powers to enable the grant of short term non-protected tenancies across Chiltern District Council's property portfolio.

126 AMERSHAM AND CHESHAM STREET MARKETS - EXTENSION OF OPERATING CONTRACT

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

The Cabinet considered the report which updated members on the progress of the Amersham and Chesham Market Operating Contract awarded to the Market Traders Co-operative Group and the recommendation to extend the Contract for two years.

RESOLVED -

That the Contract with the Market Traders Co-operative Group to operate both Amersham and Chesham Street Markets be extended for a further two years from June 2014 to May 2016 as allowed for under the Contract.

127 EXTENSION OF THE JOINT PROCUREMENT OF THE GROUNDS MAINTENANCE CONTRACT WITH SOUTH BUCKS & WYCOMBE DISTRICT COUNCILS

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

The Cabinet considered the report which updated members on the current joint grounds maintenance contract between Chiltern District Council, South Bucks District Council and Wycombe District Council which was awarded on 1 April 2010 for a term of five years with the potential to extend for a further three years to an eight year term.

RESOLVED -

1. That the contract extension of the existing joint grounds maintenance contract (April 2010 – March 2015) with John O’Conner to run from April 1st 2015 to March 31st 2018, be invoked; and
2. That the opportunities in this aspect of service delivery following the service review, be noted.

128 CHIEF EXECUTIVE’S URGENCY POWERS UNDER THE SCHEME OF DELEGATION FOR STORM DAMAGE AT CHILTERN POOLS LEISURE CENTRE

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

The Cabinet were advised that the Chief Executive had exercised powers of urgency under the Scheme of Delegation (in consultation with the Cabinet Leader) to carry out the necessary storm damage repairs on two separate occasions at Chiltern Pools Leisure Centre.

RESOLVED -

1. That the exercise by the Chief Executive of urgency powers under the scheme of delegation in connection with storm damage repairs on two separate occasions at Chiltern Pools Leisure Centre, Amersham, be noted;
2. That the expenditure of £26,191 for storm damage to the gym roof and estimated expenditure of £32,000 for damage to a side wall, be endorsed; and
3. To note that repair costs are to be substantially reimbursed by insurance underwriters with £2,000 property insurance excess payable at the Council’s expense (£1,000 for each incident).

129 CHIEF EXECUTIVE EXERCISE URGENCY POWERS UNDER THE SCHEME OF DELEGATION

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

The Cabinet were advised that the Chief Executive had exercised powers of urgency under the Scheme of Delegation (in consultation with the Cabinet Leader) to authorise the Estates Officer and Legal Services to grant two leases in favour of CAB and Bromford Housing Association at will applying in the interim.

RESOLVED -

To note that the Chief Executive has exercised urgency powers under the scheme of delegation in connection with two minor landlord and tenant matters, namely the grant of two new leases in favour of CAB at Barn Hall Annex, Chiltern Avenue, Amersham and Bromford Housing Association, part of 2nd the Upper Floor, King George V House, Amersham.

130 NON DOMESTIC RATES - ARREARS FOR WRITE OFF

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

The Cabinet considered a report requesting that arrears of National Non Domestic Rates be written off since all appropriate action had been taken and the debt was now irrecoverable.

RESOLVED -

That arrears of National Non Domestic Rates in the sum of £12,017.98 in accordance with the provision of Financial Procedure Rule 12, be written off.

The meeting ended at 6.38pm

**CHILTERN DISTRICT COUNCIL
COUNCIL – 13 MAY 2014**

Background Papers, if any, are specified at the end of the Report

HARMONISED CONTRACTS PROCEDURE RULES

Contact Officer: Rodney Fincham 01494 732260, e-mail rfincham@chiltern.gov.uk

RECOMMENDATION

That the harmonised Contracts Procedure Rules be agreed.

Report

1. The Audit Committee at the meeting on 19 February 2014 considered a set of harmonised Contracts Procedure Rules which will apply to both Chiltern and South Bucks District Councils. The amendments made by the Audit Committee have been incorporated into the harmonised contracts procedure rules which are attached as an **Appendix**.
2. The Council is therefore asked to agree the attached Contracts Procedure Rules.

**Chiltern District Council
and
South Bucks District Council**

CONTRACTS PROCEDURE

RULES

V11

Table of Contents

A INTRODUCTION	3
A1 Purpose.....	3
A2 Definitions	3
A3 Requirement to Follow	3
A4 Contract Owners	3
A5 Declaring an Interest / Gifts and Hospitality.....	4
A6 Exemptions	4
A7 Variations to the Contracts Procedure Rules.....	4
B SUMMARY OF CONTRACTS PROCEDURE RULES.....	5
C PROCEDURES FOR AWARDING CONTRACTS	6
C1 Total Spend Estimate.....	6
C2 Preparation.....	6
C3 Contract Terms and Conditions	6
C4 Advertising Contract Opportunities	7
C5 Requesting Quotations and Tenders.....	7
C6 Receiving Quotations and Tenders.....	9
C7 Opening Quotations and Tenders.....	9
C8 Evaluation of Quotations and Tenders	10
C9 Negotiation.....	10
C10 Contract Award / Sign Off.....	11
C11 Record Keeping	12
D PROCEDURES FOR MANAGING SUPPLIER PERFORMANCE.....	13
D1 Contract Start Up	13
D2 Managing Performance During the Contract Period	13
D3 Contracts Due to Finish	13
E PROCEDURES FOR VARYING /EXTENDING CONTRACTS	14
E1 If a Contract has a Variation and/or an Extension Clause.....	14
E1 If a Contract does <u>not</u> have a Variation and/or an Extension Clause	14
E3 Recording Variations and/or Extensions.....	14

A INTRODUCTION

A1 Purpose

1. The purpose of these Contracts Procedure Rules is to set out the Councils' approach to dealing with all aspects of Procurement.
2. Procurement includes preparing for, entering into, managing, extending, varying and terminating contracts for the supply of goods, services and works. These rules do not apply to contracts for employment.
3. These rules are designed to ensure that the Councils spend public money wisely, fairly and transparently.

A2 Definitions

4. For the purposes of these rules a contract is:
*“an **agreement** having a lawful object entered into voluntarily by two or more parties, each of whom intends to create one or more legal obligations between them. The **elements** of a contract are “offer” and “acceptance” by “competent persons” having legal capacity, who exchange “consideration” to create “mutuality of obligation. Proof of some or all of these elements may be done in writing, though contracts may be made entirely orally or by conduct.”*
5. The 'EU Procurement Rules' are the Public Contracts Regulations that enact The Public Contracts Directive 2004/18/EC into UK Law.

A3 Requirement to Follow

6. These Contracts Procedure Rules must be followed by all employees, agency staff, contractors and councillors when dealing with all aspects of Procurement on behalf of the Council(s).
7. Furthermore, if a Councillor or Officer becomes aware of any activities or actions that do not comply with these rules they must inform the Director of Resources, as soon as they are aware.
8. It is a disciplinary offence if employees do not comply with these Rules or are aware of non-compliance but do not tell the Director of Resources.

A4 Contract Owners

9. A Contract Owner is the person who has overall responsibility for a contract.
10. Every contract must have a named Contract Owner, who is responsible for:
 - Complying with these Contracts Procedure Rules
 - The specific method and activities the Councils' use to prepare for, enter into, manage, extend, vary and terminate a contract
 - Due diligence to verify that contracts the Councils' become party to, but did not award, are suitable
 - Keeping records to give a transparent, comprehensive and complete audit trail for the duration of each contract
 - Writing contract award reports.

11. The Head of Service will be the contract owners for all contracts that fall within their remit, unless they specifically delegate this role, or aspects of it, to someone else.

A5 Declaring an Interest / Gifts and Hospitality

12. When a councillor or employee becomes aware of any pecuniary (monetary) interest they have, directly or indirectly, in any contract the Councils intend to award, or have already awarded they must declare their interest in writing by sending a 'declaration of interest' to the Chief Executive. The Chief Executive will keep a record of all 'declarations of interest'.
13. An indirect interest is when an employer, sponsor or relative of a councillor or employee has a pecuniary (monetary) interest in any contract the Councils intend to become party to or are already party to. A "relative" could be a partner (married or living with), a parent, a son or daughter, a stepson or stepdaughter, the son or daughter of a partner, and / or a sibling.
14. Councillors and officers also need to be very wary of accepting gifts / hospitality from suppliers or potential suppliers in order to avoid accusations of favouritism / bribery. Any offers must be recorded in the corporate gifts and hospitality register, and advice must be taken before accepting any non trivial gifts / hospitality.

A6 Exemptions

15. The Councils must comply with these Contracts Procedure rules at all times. However there are sometimes valid reasons why an exemption from one or more elements of these rules is required.
16. All exemptions must be formally approved by Management Team, **and shall be reported to the next appropriate Cabinet meeting.**
17. Possible reasons for an exemption include:
 - **Urgency:** do not have sufficient time to comply with all of these rules.
 - **Buying at auction:** an auction is the only source.
 - **No genuine competition:** only one organisation or individual can realistically supply.
 - **Advantageous terms:** an organisation offers terms that are significantly better than the industry norm and is unlikely to repeat these terms.
 - **Failed competitive process:** when a Contract Owner stops a competitive quotation or tender process and decides there is a need to negotiate because no-one submits a quotation or a tender, or after evaluation no quotation or tender is appropriate.
 - **Collaborative procurement:** when another party is leading on the procurement it is normal practice that the other party's Contracts Procedure Rules are followed.
18. However in all cases the EU Procurement Rules must be complied with in full when they apply.

A7 Variations to the Contracts Procedure Rules

19. Only Full Council has the authority to amend these Contracts Procedure Rules.

B SUMMARY OF CONTRACTS PROCEDURE RULES

Spend Threshold (C1) Excluding VAT	Advertising (C4)	Procedure (C5)	Contract Award / Sign off (C10)	Record Keeping (C11)	Contract Review (D2)	Vary / Extend a Contract (E)
Up to £5,000	Up to Contract Owner.	Minimum of one Quotation.	Contract Owner + another officer	Records stored locally.	At least every 12 months.	Up to an extra £2,000.
£5,000 to £20,000	Up to Contract Owner.	Minimum of two Written Quotations.	Head of Service + another officer	Contract recorded in contract register. Records stored locally.		Up to an extra 25% increase in value.
£20,001 to £50,000	Website.	Request for Quote (RFQ). Minimum of three Formal Sealed Written Quotations.	Head of Service + Director.	Contract recorded in contract register. Records stored centrally.		At least every 6 months.
£50,001 to < EU Threshold	Website.	Invitation to Tender (ITT). Minimum of four Sealed Written Tenders.	Head of Service + Director. Councils' common seal.			
Above EU Threshold	Website. Office OJEU Notice.	EU procurement rules.	Head of Service + Director + Portfolio Holder / Cabinet. Councils' common seal.		Up to an extra 25% increase in value Plus comply with the EU Procurement Rules.	

The current EU Thresholds are £172,514 (goods & services) and £4,332,012 (works). They are set once every two years and were last set in January 2014.

C PROCEDURES FOR AWARDING CONTRACTS

C1 Total Spend Estimate

20. The amount a Contract Owner estimates the Councils' will spend on the same or similar goods, works or services, over the duration of a contract determines which procedure or procedures a Contract Owner must use.
21. TOTAL SPEND ESTIMATE = Estimated Spend over the Full Length of the Contract.
 Estimated Spend - This is the total value of all purchase likely to be made under the contract, excluding VAT. This includes all organisations that are party to the agreement eg CDC + SBDC if a joint contract.
 Note: A contract owner must not disaggregate contracts to avoid following these rules ie they should not just let a contract for stationery for one team, they need to consider the total spend on stationery across the Council(s).
 Full Length of Contract – This includes any potential extensions or options that are likely to be included in a contract.
22. If the procurement is likely to result in income to the Council (ie the contract is for the sale / disposal of an item) then the procedure is determined by the likely Value of the contract, as opposed to the likely Spend.
23. A Contract Owner can use a procedure they would normally use to enter into a contract in a higher spend threshold to enter into one in a lower spend threshold, but not the other way around. For example they could use the tender procedure for contracts with a total spend estimate of £50,001 to EU Threshold to enter into contracts with a total spend estimate of less than £50,000.

C2 Preparation

24. A Contract Owner must prepare thoroughly before they advertise a contract opportunity, although the amount and type of preparation should be commensurate with a contract's complexity and total spend estimate. In particular they need to be clear on the deliverables they expect from the contract.
25. If a contract or framework agreement for services, or primarily for services, is likely to have a total spend estimate equal to or greater than EU thresholds a Contract Owner must comply with the Public Services (Social Value) Act 2012, and start that compliance as soon as the Councils' are aware they intend to award a contract.

C3 Contract Terms and Conditions

26. All Council awarded contracts must include the Council's standard terms and conditions.
27. The exceptions to this are when:
- A contract has a total spend estimate of less than £20,000 and the contract does not pose a significant risk to the Council.
 - There are changes to the Council's terms and conditions and these are agreed by the Head of Legal and Democratic Services.
 - The norm is for organisations and individuals to use their own terms and conditions (for example the supply of utilities), and there is little or no possibility of

being able to use alternative terms and conditions, and the Councils' Head of Legal and Democratic Services agrees these terms.

28. Each contract must allow a Contract Owner to terminate a contract at any time if a supplier's performance does not discharge their contractual responsibilities.

C4 Advertising Contract Opportunities

29. A Contract Owner must advertise contract opportunities when the total spend estimate is more than £20,000. They can advertise opportunities with lower total spend estimate if they consider it to be economically advantageous to the Councils.
30. The primary purpose of an advert is to:
- Attract the interest of organisations and individuals.
 - Inform potential bidders concisely and clearly about the opportunity, and
 - Stimulate them to compete with their best terms.
31. As a minimum all adverts must be shown on the Councils' websites and its e-tender software (if it uses such software).
32. The Contract Owner may also decide to advertise in:
- A local paper
 - An appropriate professional journal or journals
 - Other suitable websites.
33. A Contract Owner must place an official Notice in the OJEU to advertise an opportunity with a total spend estimate that is more than the thresholds for the EU Procurement Rules. Contract Owners should also place voluntary OJEU notices when they consider it appropriate to do so.

C5 Requesting Quotations and Tenders

Quotation (Up to £5,000)

34. For a total spend estimate of up to £5,000 the Contract Owner must obtain written evidence (for example a digital copy of an email or webpage) of the following:
- Description of goods, services or works
 - Contract terms and conditions (they could be a seller's terms of sale)
 - Price and delivery.
35. A Contract Owner only has to obtain one quotation for goods, services or works costing up to £5,000, provided they believe this to offer best value. If in doubt additional quotes should be obtained.

Written Quotations (£5,000 to £20,000)

36. For a total spend estimate of £5,000 to £20,000 the Contract Owner must obtain written evidence (for example a digital copy of an email or webpage) of the following:
- Description of goods, services or works
 - Contract terms and conditions (they could be a seller's terms of sale)
 - Price and delivery.

37. A Contract Owner must use reasonable endeavours to obtain at least 2 quotation for goods, services or works costing £5,000 to £20,000.

Formal Sealed Written Quotations (£20,001 to £50,000)

38. For a total spend estimate of £20,001 to £50,000 the Contract Owner must produce:

- a Formal Request for Quotation (RFQ), and
- a specification

and request that potential bidders formally submit sealed quotations.

39. A Contract Owner must use reasonable endeavours to obtain at least 3 Formal Sealed Written Quotations for goods, services or works costing £20,001 to £50,000.

Tenders (Over £50,000)

40. A tender should include more detail and be more complex than a quotation. It is likely to require considerably more time to formulate, complete and evaluate.

41. There are three different sets of circumstances that determine the type of tender a Contract Owner can invite from those who express an interest in a contract opportunity.

- **Non-EU Tender** is when a total spend estimate is less than the spend thresholds to comply with the EU Procurement Rules and a Contract Owner must comply with these Contracts Procedure Rules.
- **EU Tender** is when a total spend estimate is equal to or more than the spend thresholds for the EU Procurement Rules and a Contract Owner must comply with these Contracts Procedure Rules and the EU Procurement Rules.
- **Single Action Tender** is when a Contract Owner has a valid exemption from some of these Contracts Procedure Rules because there is only one organisation or individual able to supply what they intend to buy. A single action tender is only different from a normal tender in that a Contract Owner will invite just one organisation or individual to tender and they are very likely to negotiate. All other aspects must remain the same as any other tender.

42. For a total spend estimate of over £50,000 the Contract Owner must produce:

- An Invitation to Tender (ITT) document. This must include:
 - Instructions on how to tender, including timings,
 - details of the evaluation process and evaluation criteria,
 - a note to say that we are not bound to accept the lowest or any tender.
- A specification
- Contract terms and conditions
- Tender return forms or schedules – price and quality schedules and a Non-Collusive Tendering Certificate.

43. A Contract Owner shall use reasonable endeavours to obtain at least 4 tenders for goods, services or works costing over £50,000.

44. Note: In the case of EU tenders, if we use the restrictive procedure and want to limit the number of providers we intend to invite to tender, we have to invite at least five providers to tender.

C6 Receiving Quotations and Tenders

45. Quotations and tenders must be submitted in the following manner.

Spend Threshold	Method	Sent To
Written Quotation (Up to £20,000)	As an attachment to an email, a copy of a webpage, by e-tender software, or by post.	Contract Owner
<u>Formal</u> Sealed Written Quotation (£20,001 to £50,000)	By e-tender software or in a plain sealed envelope.	Head of Service
Tender (Over £50,000)	By e-tender software or in a plain sealed envelope.	Director of Resources

46. A plain sealed envelope must only have written on it:

- The name of the person to whom the Quotation / Tender is to be returned;
- The Council's addresses;
- The title of the contract; and
- The word "quote" or "tender".

47. On receipt Quotations and Tenders must not be opened, and must immediately be passed to Contract Owner / Head of Service / Director as appropriate.

C7 Opening Quotations and Tenders

48. Quotations under £20,000 can be opened by the Contract Owner or his / her nominee.

49. Formal Sealed Written Quotations and Tenders must not be opened until the submission deadline has passed.

50. Formal Sealed Written Quotations (£20,001 to £50,000) must be opened by the Head of Service or his / her nominee, and in the presence of at least 1 other member of staff.

51. Tenders (Over £50,000) must be opened by the Director or Resources or his / her nominee in the presence of at least 2 other members of staff or Councillors, including a representative from Finance.

52. Each Formal Sealed Written Quotation / Tender shall be date stamped and logged on a Quotation / Tender Receipt form and this form shall be signed by each person present at the opening.

C8 Evaluation of Quotations and Tenders

Up to £5,000

53. For contracts with a total spend of £5,000 or less a Contract Owner can evaluate quotations on their own.
54. However, they must be able to explain how and why, with supporting evidence, they decided to recommend the award of a contract to a specific organisation or individual.

Over £5,000

55. A Contract Owner must assemble an evaluation panel with a named chairperson, who could be the Contract Owner. An evaluation panel must have no less than:
- Two members of staff or Councillors to evaluate quotations (£5,000 to £50,000)
 - Three members of staff or Councillors to evaluate tenders (over £50,000).
56. The primary concerns of an evaluation panel must be:
- **Consistency:** the panel must apply the evaluation process and criteria consistently to each written quotation or tender.
 - **Suitability:** the panel must determine which organisation or individual has submitted the most economically advantageous quotation or tender and is therefore the most suitable to supply the Councils.
 - **Criteria:** the panel must evaluate the contents of each formal written quotation or tender against evaluation criteria given in the relevant 'Request for Quotation' or 'Invitation to Tender'.
 - **Consensus:** the panel's members must strive to achieve a consensus for recommendations they give in a contract award report. If they fail to achieve a consensus then a majority must prevail. In the event of an equal split then the chairperson has the deciding vote.

C9 Negotiation

57. A Contract Owner can only negotiate the terms of a contract when:
- Management team has agreed this,
 - The total spend estimate is less than that required to comply with the EU Procurement Rules,
 - They have valid grounds to negotiate, as described in the EU Procurement Rules.
58. A Contract Owner must make sure there are formal written notes of any negotiations.
59. Note: The European Council has stated in its communications that in the open and restricted procedures all negotiations on fundamental aspects of contracts, variations in which are likely to distort competition, in particular on prices, are ruled out. Discussions may be held only to clarify or supplement the content of tenders or the requirements of the contracting authorities and provided this does not involve discrimination.

C10 Contract Award / Sign Off

60. The table below details those who are eligible to sign off contracts, depending on the total spend estimate.

Spend Threshold	Evaluation	Sign-off
Up to £5,000	Contract evaluation to be <u>formally</u> recorded in writing by the Contract Owner.	Contract Owner + another officer
£5,000 to £20,000		Head of Service + another officer
£20,001 to £50,000	Full Contract Award Report. See below	Head of Service + Director.
£50,001 to EU Threshold		Head of Service + Director.
Over EU Threshold		Three stage sign-off: - Head of Service + - Director + - Portfolio Holder / Cabinet

Full Contract Award Report (Over £20,000)

61. The Contract Owner is responsible for preparing a full contract award report for contracts with a total spend estimate of more than £20,000.
62. The Contract Award report must be considered by all the Officers / Councillors who have the authority to sign off the contract, prior to the award of the Contract.
63. A contract award report is an accurate, comprehensive and concise summary of the activities, decisions, results and recommendations a Contract Owner instigates:
- From the time the Councils' know they intend to enter into a contract; to
 - The signing of a contract.
64. Each contract award report must provide sufficient information in the body of a report and / or in accompanying documents for the person who will sign off a contract. Sufficient information is when the person to sign off a contract is confident that the contract in question complies with these Contracts Procedure Rules.
65. The scope, content and approvals (sign-off) for each contract award report depend on the total spend estimate for a contract and its potential risks.

Sealing Contracts (Over £50,000)

66. Contracts with a total spend estimate of more than £50,000 must be executed under the Councils' common seal. Affixing its common seal is how the Councils formally execute contracts and there are specific rules that govern its use.

C11 Record Keeping

67. A Contract Owner must keep records on the decisions and activities they take concerning how they prepare for, enter into, manage, extend, vary and terminate each of the Councils' contracts.
68. These records must provide complete, comprehensive and concise evidence of how and why contract decisions were made. A transparent audit trail is a pre-requisite for all contracts.
69. A Contract Owner must, as a minimum, keep the following:
 - The Request for Quotation (RFQ) / Invitation to Tender (ITT)
 - All the documents that comprise a quotation or tender
 - The Contract Award Report
 - The documents that make up the formal contract
 - Any formal performance review reports
 - Details of any variations and extensions to the original contract
 - Details of any contract terminations with reasons.
70. These records need to be kept for the duration of the contract, plus 6 years (unsealed contracts) or plus 12 years (sealed contracts).
71. For those contracts with an estimated lifetime spend of less than £5,000 a Contract Owner may store these records locally.
72. For those contracts with an estimated lifetime spend of £5,000 - £20,000 a Contract Owner may store these records locally. However they must notify Finance so that summary details are included in the contracts register.
73. For contracts with an estimated lifetime spend of more than £20,000 these records must be stored in the central contracts register. In addition they must notify Finance so that summary details are included in the contracts register.

D PROCEDURES FOR MANAGING SUPPLIER PERFORMANCE

D1 Contract Start Up

74. A Contract Owner should not normally purchase or receive goods, services or works through a contract before it is signed. If there is a reason for doing this, it must be formally documented.
75. If appropriate when starting a contract a Contract Owner should define a start up period, relevant to the spend and complexity of a contract, in which there is a more intense focus on making sure the contract performs to achieve expectations.

D2 Managing Performance During the Contract Period

76. A Contract Owner must ensure, as far as possible, the Councils':
 - Receive what they have agreed to pay for;
 - Support a supplier or suppliers to achieve satisfactory results; and
 - Enable a supplier or suppliers to improve performance and increase the benefit of what they have agreed to supply.
77. A Contract Owner shall formally, regularly and consistently meet with the contractor to discuss all aspects of performance.
78. It is recommended that contract reviews take place at least every 12 months for contracts under £50,000 and at least every 6 months for contracts above this value.

D3 Contracts Due to Finish

79. To ensure that the Councils' always have suitable contracts in place for the goods, services and works that they need to buy, the Contract Owner shall take appropriate action to re-let or renew contracts in good time before the expiry of the existing contract(s).
80. If there are any concerns about the ability to re-let or renew contracts before the expiry of existing contracts these need to be raised with the Director of Resources.

E PROCEDURES FOR VARYING /EXTENDING CONTRACTS

E1 If a Contract has a Variation and/or an Extension Clause

81. If a contract has a variation and / or an extension clause then a Head of Service or Director can vary and / or extend it within the bounds of the terms in such a clause provided they believe this will provide best value for the Councils.

E1 If a Contract does not have a Variation and/or an Extension Clause

Within Criteria

82. When the terms of the variation and / or extension clause are not specific, or they are not present in a contract, a Contract Owner can request a variation and/or an extension to a contract if the changes they intend to propose comply with the following criteria.

Original Contract Spend	Criteria
Up to £5,000	Up to an extra £2,000.
£5,001 to £50,000	Up to an extra £2,000 or up to an extra 25% increase in value, whichever is the greatest
£50,001 to EU Threshold	Up to an extra 25% increase in value to no more than the EU Threshold
Above EU Threshold	Up to an extra 25% increase in value Plus comply with the EU Procurement Rules

83. In which case a Contract Owner must document the reasoning for each variation and / or extension and get this signed off by a Head of Service or a Director.

Outside Criteria

84. If a Contract Owner wishes to vary and / or extend a contract by more than the above criteria, this needs to be formally approved by Management Team.

E3 Recording Variations and/or Extensions

85. A Contract Owner must store details of each variation and / or extension, for all contracts with a new total spend estimate of more than £20,000, in the central contracts register.

**CHILTERN DISTRICT COUNCIL
COUNCIL MEETING – 13 MAY 2014**

LEGAL SHARED SERVICE REVIEW

Contact Officer: Joanna Swift (01494 732761)

- 1 At a meeting on 2 April 2014, the Chiltern and South Bucks Joint Committee considered the Business Case for a joint legal service. The Business Case is attached as ***Private Appendix***.
- 2 The Joint Committee agreed the recommendations in the report.
- 3 Full Council are asked to formally adopt the recommendations below:

RECOMMENDED –

1. **That the case for a joint legal service is proven and that both Councils should proceed to establish a joint service.**
 2. **That subject to consultation with staff and a formal agreement between the Councils, the services of staff in Chiltern District Council's legal service be put at the disposal of South Bucks District Council under Section 113 of the Local Government Act 1972 so they can work across the two local authority areas.**
 3. **That the Chief Executive in consultation with the Cabinet Leader and the Head of Legal and Democratic Services be authorised to finalise the terms of any legal documentation required to give effect to recommendation 2 above.**
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Document is Restricted

