



CHILTERN DISTRICT COUNCIL

Council

Tuesday, 3rd November, 2015
At
6.30 pm

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

Minute Set

Please Note: The Minutes of Cabinet held on 20 October 2015 are to follow and will be published separately

CHILTERN DISTRICT COUNCIL

**MINUTES of the Meeting of the
PLANNING COMMITTEE
held on 20 AUGUST 2015**

PRESENT: Councillor D W Phillips - Chairman
 " A S Hardie - Vice Chairman

Councillors: D I Allen
 J L Gladwin
 M J Harrold
 P M Jones
 N M Rose
 J J Rush
 P N Shepherd

APOLOGIES FOR ABSENCE were received from Councillors J A Burton, J E MacBean, M W Titterington and C J Wertheim

ALSO IN ATTENDANCE: Councillors I A Darby and P J Hudson

12 MINUTES

The Minutes of the meeting of the Committee held on 9th July 2015, copies of which had been previously circulated, were agreed by the Committee and signed by the Chairman as a correct record.

13 DECLARATIONS OF INTEREST

There were no declarations of interest.

14 ITEMS FOR NOTING

RESOLVED -

That the reports be noted.

15 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/2014/2175/VRC Deep Mill Service Station, London Road, Little Kingshill, Buckinghamshire, HP16 0DH

Speaking on behalf of Little Missenden Parish Council, Councillor Lindsay MacDonald

Permission Refused and further action agreed, see Minute 16 below.

CH/2015/0696/FA Land Adjacent To Timberley Lane, Chesham Lane, Kings Ash, Buckinghamshire

Speaking for the application, the agent, Miss Josephine Palmer

Permission Refused and further action authorised, see Minute 17 below

CH/2015/0816/FA Garden Cottage, 59 Denham Lane, Chalfont St Peter, Buckinghamshire, SL9 0EW

Speaking for the objectors, Mrs Joe Hopkinson
Speaking for the application, Mr Sukhwant Randhawa

Permission Refused due to the harmful impact on the character and appearance of the site and locality, precise wording delegated to the Head of Sustainable Development.

CH/2015/0857/FA Ashley Green Sports Club, Chesham Road, Ashley Green, Buckinghamshire, HP5 3PQ

Application withdrawn by the applicant

CH/2015/0924/FA Helford House, 26 Kingsway, Chalfont St Peter, Buckinghamshire, SL9 8NT

Item withdrawn from the agenda by Officers in consultation with the Chairman

CH/2015/0928/FA 29 Loudhams Road, Little Chalfont, Buckinghamshire, HP7 9NX

Speaking for the application, Mr Bipin Lad

Conditional Permission

CH/2015/0966/FA Prestwood and District Sports Centre (Sprinters Leisure Centre), Honor End Lane, Prestwood, Buckinghamshire, HP16 9QY

Speaking on behalf of Great Missenden Parish Council,
Councillor Brenda Barker
Speaking for the application, Mrs Susan Egan

Members voted to defer the application. This was because the applicant had submitted additional information relating to highways issues late in the process and Members considered additional time should be allowed for the County Highway Authority to respond to this information. The application would be referred back to Committee when this has taken place.

Note 1: The meeting adjourned at 8.18 pm and reconvened at 8.28 pm

CH/2015/1068/OA 3 - 5 Chiltern Hill, Chalfont St Peter, Buckinghamshire, SL9 9YZ

Conditional Permission with additional informative to address the objections of the Environment Agency with regard to flood risk

CH/2015/1085/FA Sheepcote Cottage, 86 Lower Road, Chalfont St Peter, Buckinghamshire, SL9 8LB

Speaking for the application, the applicant Mr Asif Hussain

Conditional Permission

CH/2015/1224/FA 71 Stanley Hill Avenue, Amersham, Buckinghamshire, HP7 9BA

Defer – minded to approve subject to the prior completion of Legal Agreement. Decision delegated to the Head of Sustainable Development.

CH/2015/1229/FA 18A East Street, Chesham, Buckinghamshire, HP5 1HQ

Speaking for the objectors, Mrs Sandy McBride
Speaking for the application, Mr Aeron Mathers

Defer – minded to approve subject to the prior completion of Legal Agreement to secure a financial contribution towards affordable housing elsewhere in the District. Decision delegated to the Head of Sustainable

Development.

16 CH/2014/2175/VRC - DEEP MILL SERVICE STATION, LONDON ROAD, LITTLE KINGSHILL, BUCKINGHAMSHIRE, HP16 0DH

Following the decision to refuse permission for the above application, the Committee discussed whether further action should be taken.

RESOLVED

That Officers be authorised to take follow up action in accordance with Central Government Guidance in para 207 of the National Planning Policy Framework (NPPF) and Chiltern District Council's Planning Enforcement Policy. Enforcement Notices and/or Breach of Condition Notices in respect of the Breach of Conditions of planning permission CH/2013/1696/FA are authorised, 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.

In terms of the extent of the Car Wash facilities, the service of such Enforcement Notices/Breach of Condition Notices is authorised, as may be considered appropriate, in respect of non-compliance with the terms of planning permission CH/2010/0975/FA, to protect the impact of the development on the Green Belt and Area Of Outstanding Natural Beauty. 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 2: This was discussed immediately following determination of Planning Application CH/2014/2175/VRC.

17 CH/2015/0696/FA - LAND ADJACENT TO TIMBERLEY LANE, CHESHAM LANE, KINGS ASH, BUCKINGHAMSHIRE

Following the decision to refuse permission for the above application, the Committee discussed whether further action should be taken.

RESOLVED

That Officers be authorised to take follow up action in accordance with Central Government Guidance in para 207 of the National Planning Policy Framework (NPPF) and Chiltern District Council's Planning Enforcement Policy. Enforcement Notices in respect of the unauthorised use, buildings and hardstanding as may be considered appropriate by the Head of Sustainable Development are authorised. 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. In the event of non-compliance with the Notice, the Head

of Sustainable Development has delegated authority to instigate legal proceedings and/or direct action to secure compliance with the Notice.

Note 3: This was discussed immediately following determination of Planning Application CH/2015/0696/FA.

The meeting ended at 9.09 pm

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the LICENSING & REGULATION COMMITTEE held on 27 AUGUST 2015

PRESENT: Councillor J J Rush - Chairman
" E A Walsh - Vice Chairman

Councillors: M Flys
G K Harris
C J Jackson
P M Jones
C M Jones
R J Jones
C J Rouse
P N Shepherd

APOLOGIES FOR ABSENCE were received from Councillors
E A Culverhouse, M J Harrold, D J Lacey, N I Varley and F S Wilson

35 DECLARATIONS OF INTEREST

There were no declarations of interest.

36 MINUTES

The Minutes of the meeting held on 26 March 2015, copies of which had been previously circulated, were agreed by the Committee and signed by the Chairman as a correct record.

37 IMPLICATIONS OF THE DEREGULATION ACT 2015 IN RELATION TO THE TAXI AND PRIVATE HIRE TRADE

The Act requires that all operators' licences be issued with a standard duration of 5 years. A fee structure has been devised to cover the costs of issuing the licences and monitoring compliance. The current fees were collected annually and so there would be an admin saving due to issuing the fees less frequently. A further £3 reduction could also be made to round up the figures. Cabinet had already discussed the fees and had delegated the final fee structure to this Committee.

Once agreed, there would be a statutory requirement for a consultation period. The fees would be advertised in the local press for 28 days, included on the website and current holders would be contacted. The fees would be adopted on or near 1 October 2015 depending on whether or not objections were received. Members agreed that the Head of Healthy Communities and the Chairman of the Licencing and Regulation Committee would consider any objections.

The Committee also noted the change regarding sub-contracting. From 1 October 2015, it would be possible for licence holders to sub-contract to another operator with a suitable licence, issued from any area.

The Committee agreed the proposed fee structure but considered it was unnecessary to round down the figures.

RESOLVED

The Committee noted the implications of the Deregulation Act 2015 in relation to the Taxi and Private Hire trade and agreed the recommended 5 year fee structure and the consultation process delegating any variation as considered necessary by the Head of Healthy Communities in consultation with the Chair of the Licensing & Regulation Committee.

38 GAMBLING ACT 2005 LICENSING STATEMENT OF PRINCIPLES - 2015 REVISION

The final revised draft was presented in appendix 1 for consideration by the committee. There had been a formal consultation for 12 weeks to consider the review and only one response had been received. The Committee were asked to recommend the draft to Cabinet at its meeting on 20 October 2015 and that the draft Statement of Principles be adopted by Council at the meeting on 3 November 2015, to come into effect from 1 January 2016.

The Committee agreed to recommend to Council to resolve not to issue casino premises licences, in accordance with Section 166 of the 2005 Act, with effect from 1 January 2016.

RESOLVED

- 1. To recommend the final draft of the Gambling Act 2005 Licensing Statement of Principles – 2015 revision to Cabinet and Council for adoption with effect for the period 1 January 2016 to 31 December 2018.**
- 2. To recommend to Council to resolve with effect from 1 January 2016 not to issue casino premises licences, in accordance with Section 166 of the 2005 Act.**

The meeting ended at 6.41 pm

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the PERSONNEL COMMITTEE held on 1 SEPTEMBER 2015

PRESENT: Councillor P J Hudson - Chairman

Councillors: I A Darby
D W Phillips
M R Smith
M J Stannard

APOLOGIES FOR ABSENCE were received from Councillors C M Jones and P M Jones

8 CHAIRMAN

Councillor Darby proposed and Councillor Phillips seconded and it was

RESOLVED:

That Councillor P Hudson be elected Chairman of the Personnel Committee for the ensuing municipal year.

9 MINUTES

The Minutes of the meeting held on 6 July 2015, copies of which had been previously circulated, were agreed by the Committee and signed by the Chairman as a correct record.

10 DECLARATIONS OF INTEREST

There were no interests declared.

11 HARMONISED HR POLICIES

The Committee considered the report which sought members views on the final draft of the Dignity at Work harmonised HR policy.

It was advised that both councils had acknowledged that working in a shared services environment required harmonised HR policies for the purposes of equality, fairness and practicality. The policies had been developed taking the best practice in other public / voluntary / private sector organisations; and this had included liaison with officers particularly considering a service delivery perspective.

The Acting Chief Executive advised that the report contained the first in a series of HR policies that had been updated and sought approval from the Committee.

RESOLVED:

- i) That the implementation of the Dignity at Work harmonised HR policy, subject to staff consultation, be approved; and**
- ii) That authority be delegated to the Acting Chief Executive to undertake any minor amendments following the outcome of the staff consultation or future legislative changes.**

12 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.

13 BUSINESS SUPPORT SHARED SERVICES CONSULTATION DOCUMENT

Consideration was given to the report which outlined the draft format of the Business Support consultation document.

The report set out the format of appendices the complete consultation document that was intended to be shared with the Business Support Teams on 16 September 2015. The draft timetable was set out in detail in Appendix D; and in summary it was proposed to:

- Start consultation on 16 September 2015
- End consultation on 16 October 2015
- Conduct the selection process from w/c 30 November 2015
- Implement joint services 1 January 2016

The Head of Business Support presented the report to the Committee advising that the business case had been approved and South Bucks District Council had approved termination of the existing external contract for IT support; and therefore the Business Support Shared Service could develop based on one network, in house support and a joint service delivery supporting both authorities.

RESOLVED:

- i) That the Business Support consultation document and appendices be agreed prior to issuing to staff; and**

- ii) **That the structure will be implemented, subject to taking into account any staff comments and being within the business case in accordance with the authority**

14 RECRUITMENT AND RETENTION OF BUILDING CONTROL SURVEYORS

The Committee received a report which asked for approval to the revised proposals in appendices A and B to the recruitment and retention package of Building Control Surveyors.

The Head of Sustainable Development presented the report which highlighted to the Committee a national shortage of trained building control surveyors and the importance of recruitment and retention practices in this service area.

The Committee expressed views regarding the weighting of the criteria to ensure that weighting was comparable to the level of control that building control surveyors had over specific targets.

RESOLVED:

That authority be delegated to the Head of Sustainable Development in consultation with the Chairman of the Committee and Councillor D W Phillips to agree the final detailed proposals.

The meeting ended at 6.50pm

JOINT APPOINTMENTS AND IMPLEMENTATION COMMITTEE

Meeting - 2 September 2015

Present: Mr Anthony, Mrs Darby, Mr Harding, Mr Kelly, Mr Naylor (Chairman), Mr Stannard, Mr M Smith and Mr Walters MBE

Apologies for absence: Mr Hudson and Mr Jones

37. MINUTES

The minutes of the meeting of the Joint Committee held on 20 July 2015 were agreed by the Committee and signed by the Chairman as a correct record.

38. HARMONISED HR POLICIES

In accordance with the programme of work to harmonise HR Policies and procedures across both Councils the Joint Committee were asked to approve the draft Dignity at Work Policy.

After noting that the Personnel Committees of both Councils had considered and supported the draft policy and that in response to a comment made at the SBDC Personnel Committee that the document would cross reference to the Members' Code of Conduct, it was

RESOLVED that

1. Subject to staff consultation the Dignity at Work Policy be approved and implemented.
2. Authority be delegated to the Acting Chief Executive to make any minor amendments to the Policy in the light of comments made during staff consultation or to reflect changes on legislation.

39. ANY OTHER BUSINESS

No items of business were raised under this item.

40. EXCLUSION OF THE PUBLIC

That under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of the Schedule 12A of the Act.

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

41. BUSINESS SUPPORT SERVICE SHARED SERVICE REVIEW CONSULTATION DOCUMENT

Paragraphs 1 and 3

Following the decisions of both Councils to set up a joint Business Support Service the Joint Committee considered a draft Consultation Document that would be shared with the Business Support Teams. In summary, the draft timetable proposed to:

- Start consultation on 16 September 2015
- End consultation on 16 October 2015
- Conduct the selection process from w/c 30 November 2015
- Implement joint services 1 January 2016

The draft Consultation Document has been considered and supported by the Councils' respective Personnel Committees, and the key points made at those meetings were noted by the Joint Committee. Members then supported the draft Business Support consultation document and appendices and accordingly

RESOLVED that the draft Business Support consultation document and appendices be agreed and issued to staff and that the structure be implemented subject to taking into account any staff comments and being within the business case in accordance with the authority delegated to the Acting Chief Executive in consultation with the Joint Chairman and the Cabinet Portfolio Holders from both Councils.

The meeting terminated at 6.37 pm

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the AUDIT AND STANDARDS COMMITTEE held on 9 SEPTEMBER 2015

PRESENT: Councillor J L Gladwin - Chairman

Councillors: A K Bacon
J A Burton
C J Jackson
D W Phillips
C J Wertheim

APOLOGIES FOR ABSENCE were received from Councillors C J Ford, R J Jones, N I Varley, D Gleen and Mrs C Langley

47 MINUTES

The Minutes of the meeting held on 25 June 2015 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 AUDIT WORK PROGRAMME

It was noted that the Actuary had been invited to attend the next Audit Committee meeting to answer questions regarding the funding of the pension scheme.

RESOLVED

That the work programme of the Audit Committee be noted.

50 STANDARDS WORK PROGRAMME

RESOLVED

That the work programme of the Standards Committee be noted.

51 INTERNAL AUDIT COMPARISON OF ASSURANCE LEVELS

Chris Harris of TIAA presented the report to the Committee, giving more background detail relating to those audit areas where the assurance level had deteriorated since the previous report in 2013/14. Most often, this was due to changes taking place following shared service reviews, and therefore was not unexpected.

Corporate Governance was an area of particular concern, as there was limited evidence to support the Heads of Services' Management Assurance

Statements that were used as part of the annual governance review. The Committee requested more frequent monitoring of this area.

The Committee requested the separation of issues within the audits to highlight whether it was South Bucks or Chiltern's processes that were the problem. It was advised however that with joint processes now in place, any issues would apply to both Councils.

Members were concerned at the number of deteriorations but were re-assured that referring to the Summary of Assurance levels at the end of the report there was a slight improvement overall across all audits. It was also stated that following such major transformations and the related pressures from austerity measures, it was expected that improvements in controls would follow as joint processes evolved and bedded down.

RESOLVED

That the report be noted.

52 INTERNAL AUDIT FOLLOW-UPS

The Committee carefully considered each of the recommendations that had been made following an audit that had not been implemented yet.

With regard to Car Parks, management and monitoring, it was noted that statistical data had still not been collected and it was advised that this was due to the difficulty in defining what data was required for planning. These problems would be addressed when a new Parking Manager was recruited.

The Joint Waste recommendations were priority 2 but it was advised that this was a complex area and these would be taken up by the appropriate Committees.

In Licensing the recommendations relate to the SBDC policy.

Creditors – the recommendations had now been implemented.

Debtors – the recommendations were in the process of being implemented.

There were questions about the previous IT audits and whether these had now been implemented. It was advised that there were a lot of changes in process and the project to merge the two networks was underway. The Head of Business Support had asked for a deferment of some audits due to the changes going on as there would be no point in auditing processes that would have changed by the end of the audit. An audit had been agreed for April/May 2016 to cover the main control areas that were being deferred. In the interim it was agreed to do a short audit looking at how the project to unify the networks was being undertaken, and the risks managed. It was considered helpful if the Head of Service could attend to update the Committee on this project when the audit report is presented.

RESOLVED

- 1. That more information be requested for a future meeting regarding management of the IT project to merge the two networks.**
- 2. That the Follow-Up Review be noted.**

53 INTERNAL AUDIT PROGRESS REPORT

The report set out progress against the 2014/15 Annual Plan and it was noted that there were no emerging risks identified. There were 3 final reports issued so far in 2015/16. One of these, Defra Repair and Renew Grant was listed as “no opinion”. It was explained that all the items comprising the grant claim had been investigated and were bona fide but as this was not a full systems audit it was not appropriate for an opinion to be given.

It was noted that there was still some slippage, as Heads of Service requested a delay in an audit starting due to service reviews and new procedures being implemented. With regard to Procurement, it was noted that there was a limited number of software companies available to supply specialist council software such as electoral registration. Controls had now been put in place to ensure there was support documentation.

RESOLVED

That the Internal Audit Progress Report be noted.

54 STATEMENT OF ACCOUNTS

It was advised that the Accounts, seen by the Committee at the last meeting in June 2015, had now been audited. Only 3 minor changes had been made, including a typo, accounting policy wording and a change to the Pension Fund note to reflect the career average nature of the pension entitlement.

It was anticipated that an unqualified, value for money conclusion would be given in the next couple of days. The one significant risk was “management override”, where management had the opportunity to affect the way that a report is made but no issues had been found.

All agreed that the accounts should be signed in due course.

RESOLVED

That the Statement of Accounts be signed by the Director and Chairman of the Audit and Standards Committee.

55 EY ANNUAL RESULTS REPORT

Maria Grindley of Ernst & Young informed the Committee that they would not be in a position to sign-off the statement of accounts that day. Once all the

steps had been completed, it was expected that they could be signed at the end of the week.

Sue Gill of Ernst & Young thanked the Finance team, particularly Jacqueline Ing for their goodwill and assistance.

The Chairman thanked Maria Grindley and Sue Gill for their report and noted that the audit fee was in line with the estimate.

NB. The accounts were approved by EY and signed as expected.

RESOLVED

To note the EY Annual Results Report

56 ANNUAL FRAUD REPORT

The report detailed the work undertaken during 2014/15 and the scope for 2015/16. From March 2015, housing benefit fraud detected was being referred to the DWP for investigation, if appropriate. To date, there had been no feedback on any of these cases.

It was noted that in some fraud cases that had come to court, there had been community service orders made rather than financial penalties but it was advised that the council would still attempt to recover its costs where possible and economical to do so.

RESOLVED

That the report be noted.

57 PROPOSED AMENDMENT TO THE CONTRACTS PROCEDURE RULES

There had been a change in government guidance with regard to advertising contracts over £25,000. It was therefore proposed to update the Contract Procedure Rules to take account of this requirement. The same report would be going to SBDC and then the changes would need to be agreed by full Council.

RESOLVED

It was agreed that the proposed amendments be made to the Contracts Procedure Rules.

58 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.

59 AUDIT MANAGEMENT ARRANGEMENTS

The Committee expressed a preference for maintaining some in-house oversight of the internal audit function. The report was due to go to SBDC shortly and then there would be further discussion with the Chairman of each Committee.

The meeting ended at 8.29 pm

CHILTERN DISTRICT COUNCIL

**MINUTES of the Meeting of the
PLANNING COMMITTEE
held on 10 SEPTEMBER 2015**

PRESENT: Councillor D W Phillips - Chairman
" A S Hardie - Vice Chairman

Councillors: D I Allen
J A Burton
J L Gladwin
M J Harrold
P M Jones
J E MacBean
N M Rose
P N Shepherd
C J Wertheim

APOLOGIES FOR ABSENCE were received from Councillors J J Rush and M W Titterington

ALSO IN ATTENDANCE: Councillor D M Varley

18 MINUTES

The Minutes of the meeting of the Committee held on 20 August 2015, copies of which had been previously circulated, were agreed by the Committee and signed by the Chairman as a correct record.

19 DECLARATIONS OF INTEREST

There were no declarations of interest.

20 CH/2015/0055/FA

RESOLVED

That consideration of this application be deferred to enable officers to advise on legal representations received from the applicant shortly before the meeting.

21 ITEMS FOR NOTING

RESOLVED -

That the reports be noted.

22 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/2015/0826/FA Chesham Broadway Bowls Club, 12 – 14 Lowndes Avenue, Chesham, Buckinghamshire, HP5 2HH.

Application withdrawn by the applicant.

CH/2015/1107/FA Edgerton, 40 Orchehill Avenue, Chalfont St Peter, Buckinghamshire, SL9 8QJ.

Speaking for the application, Mr Gavin Tresidder.

Permission Refused with additional reference in the reason for refusal relating to “massing”.

CH/2015/1136/FA Brynawell, Beech Grove, Amersham

Speaking as an objector, Ms Sylvia Parrott
Speaking for the applicant, the agent Mr Bill MacLeod

Permission Refused with reasons delegated to the Head of Sustainable Development in consultation with the Chairman of the Committee

CH/2015/1285/FA 28 Longfield, Little Kingshill, Great Missenden

Speaking on behalf of Little Missenden Parish Council, Councillor Lindsay MacDonald.

Speaking on behalf of the objectors, Ms Alison Logan
Speaking for the applicant, the agent Mr Graham Eades
Speaking as local member, Councillor Diana Varley

Conditional Permission

The meeting ended at 8.12 pm

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the APPEALS AND COMPLAINTS COMMITTEE held on 24 SEPTEMBER 2015

PRESENT: Councillor S A Patel - Chairman

Councillors: J A Burton
G K Harris
D I Allen (Reserve)

1 MINUTES

The Minutes of the meeting held on 27 November 2014 were agreed as a correct record and were signed by the Chairman.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 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 items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 3 of Part 1 of Schedule 12A of the Act.

4 SECTION 202 HOUSING ACT 1996 - REQUEST FOR A REVIEW OF THE LOCAL AUTHORITY DECISION

In accordance with the adopted procedure, the Committee reviewed a finding by the Officers that the Applicant was homeless and in priority need but had become homeless intentionally.

RESOLVED –

That the Appellant was homeless and in priority need but had become homeless intentionally.

The meeting ended at 5.40pm

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the SERVICES OVERVIEW COMMITTEE held on 29 SEPTEMBER 2015

PRESENT: Councillor J A Burton - Chairman
" L M Smith - Vice Chairman

Councillors: D I Allen
D J Bray
E A Culverhouse
A S Hardie
S A Patel
J J Rush
N I Varley

APOLOGIES FOR ABSENCE were received from Councillors M Flys, C J Jackson, D J Lacey, C J Rouse, M W Titterington and E A Walsh

35 MINUTES

The Minutes of the Services Overview Committee meeting held on 16 June 2015 copies of which had been previously circulated, were approved and signed by the Chairman of the Committee, as a correct record.

36 DECLARATIONS OF INTEREST

Councillor E Culverhouse declared a personal interest in Item 8 – Service Level Agreement grant to Citizen’s Advice Bureau. Nature of interest – Councillor Culverhouse was the Council’s representative on the Chiltern Citizen’s Advice Bureau.

37 HEALTH PROFILE UPDATE 2015

The Head of Healthy Communities advised the Committee that Public Health England published updated health profiles for all district councils on 2 June 2015; and the report provided the profile for Chiltern and drew the Committee’s attention and highlighted areas of concern.

The Health Profiles were produced annually, and the age of the data reported within the reports varied according to availability of information. The report detailed the highlights of the Health Profiles and members attention was drawn to the areas of concern for the Chiltern District which were:-

- Obesity and excess weight in adults was only just below national and regional averages; as was sexually transmitted diseases and infant mortality
- Hip fractures in people aged 65 and over and excess winter deaths was close to the national averages
- Incidences of melanoma were higher than both the regional and national averages

- The number of new cases of tuberculosis per 100,000 population of 5.7 (previously 5.4) continued to be lower than the England average and about the same as the regional average; which needed to be reviewed over a longer period of time to monitor trends.

Members were advised that the health profile information would help to inform service planning, where applicable. It was noted that the overall profile for Chiltern did not always represent issues within specific wards and this involved more targeted work by officers.

The Committee considered the results of the health profile and the actions of the relevant Council departments to respond to areas of concern which included targeted activities and well as general promotion of activities together with the opportunities to work with other organisations to develop solutions. This also involved funding options for community groups and Parish Councils to develop activities within a specific locality.

RESOLVED:

That the report be noted.

38 PERFORMANCE REPORT QUARTER 1 2015/16

The Acting Chief Executive presented the report which outlined the performance of Council services against performance indicators and service objectives during April to June 2015.

Members were advised of key pressure areas highlighted in the report which related to homelessness, affordable housing and impact of changes to the benefit scheme. It was also noted that recycling figures were below target and further improvement was being sought including a programme of work to analyse recycling figures on a round to round basis.

The Acting Chief Executive pointed out that the leavers figure was up to 21.3% and this was higher than expected and this was being monitored through exit interviews.

RECOMMENDED:

That Cabinet note the content of the report.

39 GREEN HOUSE GAS REPORT

The Principal Strategic Environment Officer presented the report which provided an overview and summary of the Chiltern District Council Green House Gas (GHG) Report for 2014/15.

RECOMMENDED:

- i) That Cabinet note the ongoing reduction in carbon emissions had been maintained for the year 2014/15, and in doing so, continue to meet the Council's reduction target;**

- ii) That Cabinet note the risks and opportunities for GHG emissions in relation to the shared service agenda moving forward; and
- iii) That Cabinet note the Chiltern GHG Report detailed in Appendix 1 as submitted to the Department of Energy & Climate Change by the deadline of 31 July 2015.

40 SERVICE LEVEL AGREEMENT GRANT TO CITIZENS ADVICE BUREAU

The Head of Healthy Communities presented the report which outlined the work of the Chiltern Citizens Advice Bureau and sought the Committee's views on the request to Cabinet to agree the award of funding to the CAB for the period 1 April 2016 to 31 March 2019.

The Committee was advised that the work of the CAB contributed directly to the Housing and Homelessness prevention strategies and was a key partner in reducing the risk of homelessness. In 2014/15 the CAB prevented 39 cases of homelessness where clients were facing an imminent prospect of repossession due to rent and mortgage arrears. Due to the intervention of the CAB there is a beneficial impact for the residents of Chiltern and also reduced the impact and cost incurred by Council services.

RECOMMENDED:

- i) That Cabinet agrees to support the Chiltern Citizens Advice Service draft business plan with funding of £122,900 for the period 1 April 2016 – 31 March 2019;
- ii) That a further £12,500 be earmarked for specific projects subject to submission and approval of a detailed business plan from Chiltern Citizens Advice Bureau; and
- iii) That delegated authority be granted to the Head of Healthy Communities to agree the Service Level Agreement in consultation with the relevant Portfolio Holder.

41 SMOKE AND CARBON MONOXIDE ALARM REGULATIONS

The Head of Healthy Communities presented the report which updated members on the implications of the draft Smoke and Carbon Monoxide Alarm (England) Regulations 2015; to seek approval to amend the Scheme of Delegation and prepare a Statement of Principles in respect of the power to impose a Penalty Charge for failure to comply with a remedial notice.

RECOMMENDED:-

- i) That the requirement, subject to parliamentary approval, for residential landlords to install smoke and carbon monoxide alarms in their rented properties be noted;

- ii) That Cabinet agree to give delegated authority to the Head of Healthy Communities to enforce the Regulations and the Scheme of Delegations be amended accordingly;
- iii) That Cabinet authorise the Head of Healthy Communities to prepare and agree a Statement of Principles in respect of the fixed penalty charge for failure to comply with a remedial notice in consultation with the Portfolio Holder; and
- iv) That Cabinet agree to setting the fixed penalty charge at the maximum amount of £5000 where a landlord had failed to comply with a remedial notice.

42 EXCLUSION OF THE PUBLIC

RESOLVED –

That under section 100 (A) (4) of the Local Government Act 1972 (as amended) the public be excluded from the meeting for the following item(s) of business on the grounds that they involved the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act.

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

43 HOUSING OPTIONS AND ALLOCATIONS - LOCATA SOFTWARE

The Head of Healthy Communities presented a report which updated the Committee on the procurement of software to secure the continuation of the Bucks Home Choice system beyond the end of the current agreement with Locata in January 2016. Members were advised that the implementation of the Locata system was a significant project with a significant funding contribution but the system remains fit for purpose and had been part of the Service Review Business Case to continue for a period of 18 months and then review. Due to the continued success of the system it was considered that the Locata system be retained and a further review undertaken in 2 years.

RECOMMENDATIONS

- i) That the position regarding the procurement of software to secure the contribution of the Bucks Home Choice system be noted; and
- ii) That Management Team had agreed an exemption to the Council's Contract Procedure Rules.

The meeting ended at 7.35pm

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the PLANNING COMMITTEE held on 1 OCTOBER 2015

PRESENT: Councillor D W Phillips - Chairman
" A S Hardie - Vice Chairman

Councillors: D I Allen
J A Burton
J L Gladwin
M J Harrold
P M Jones
J E MacBean
N M Rose
J J Rush
P N Shepherd
M W Titterington
C J Wertheim

23 MINUTES

The Minutes of the meeting of the Committee held on 10 September 2015, copies of which had been previously circulated, were agreed by the Committee and signed by the Chairman as a correct record.

24 DECLARATIONS OF INTEREST

Councillor P N Shepherd declared a personal interest in planning application CH/2015/0649/FA. Nature of interest – Councillor Shepherd's wife knew the applicant.

Councillor P N Shepherd declared a disclosable pecuniary interest in planning application CH/2015/0649/FA. Nature of interest – application related to Councillor Shepherd's own property and therefore left the room while it was considered.

25 ITEMS FOR NOTING

RESOLVED -

That the reports be noted.

26 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/2015/0649/FA 232 Waterside, Chesham, Buckinghamshire, HP5 1PG

Speaking as an objector, Mr Tim Horton
Speaking for the application, the applicant Mr Rezaul Karim

Refused Permission

CH/2015/0731/FA Land Rear Of 64, Whielden Street, Amersham, Buckinghamshire

Speaking as an objector, Mr David Hanrahan

Refused Permission

CH/2015/1212/FA 12 The Worthies, Amersham, Buckinghamshire, HP7 0DJ

Speaking as an objector, Mr Jonathan Lucas
Speaking for the applicant, the agent Mr Christopher Gregory.

Refused Permission

CH/215/1476/FA Charlecote, Long Walk, Little Chalfont, Buckinghamshire, HP8 4AN

Report withdrawn by Officers

Note 1: Councillor P N Shepherd left the meeting at 7.55 pm

CH/2015/1586/FA 30 First Avenue, Amersham, Buckinghamshire, HP7 9BL

Conditional Permission

Note 2: Councillor P N Shepherd re-entered the meeting at 8.00 pm

CH/2015/1588/TP Land at Coulson Court, Prestwood, Buckinghamshire

Speaking for the application, Mrs Edith Gildersleve

Permission Refused

The meeting ended at 8.21 pm

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the RESOURCES OVERVIEW COMMITTEE held on 6 OCTOBER 2015

PRESENT: Councillor N M Rose - Chairman
" A J Garth - Vice Chairman

Councillors: A K Bacon
S P Berry
J L Gladwin
C M Jones
M W Shaw
H M Wallace
C J Wertheim

APOLOGIES FOR ABSENCE were received from Councillors C J Ford, M J Harrold, R J Jones, J E MacBean, D W Phillips and D M Varley

ALSO IN ATTENDANCE: Councillors I A Darby and M J Stannard

25 MINUTES

The Minutes of the Resources Overview Committee meeting held on 28 July 2015, copies of which had been previously circulated, were approved and signed by the Chairman as a correct record.

26 DECLARATIONS OF INTEREST

There were no declarations of interest.

27 PERFORMANCE REPORT QUARTER 1 2015/16

The Performance Indicators for the period April to June 2015 were presented to the Committee in two appendices. The Committee discussed the priority and red items where the performance target had not been met.

Community, Health and Housing had missed several targets mostly related to housing, for example, the number of applicants with children in Bed & Breakfast accommodation for more than 6 weeks. It was noted that there was a considerable problem throughout the South East of England and the cost implications of this trend to the Council was discussed.

The Joint Waste target for recycling had been missed but it was noted that there had been an increase of 2% in recycling rates. It was asked whether the target had been set too high but it was generally agreed that as Chiltern historically had high recycling rates it should set challenging targets.

The number of voluntary leavers as a percentage of the workforce was high but it was expected that the next quarter figure would be lower. However, this figure and the high rate of sickness absence caused concern and the

pressures on staff were discussed. It was advised that there were always some genuine long-term sickness issues and so there was a request that in future, for the figures for short-term and long-term sickness to be split.

Licensing; the percentages of licences received and issued or renewed within statutory or policy deadlines was below target due to staff shortages. It was expected that this would be on target for the next quarter.

Participation in physical activity rates had not been achieved this quarter but it was expected that there would be a much higher take up in the next quarter which would represent the main school holidays.

Planning Appeals; it was agreed that these were unpredictable as the guidelines from the government were subject to change.

The target for the percentage of small businesses paid within 15 days was missed but it was reported that this was due to just 14 invoices and therefore related to small numbers.

There was some debate about whether the costs of housing the homeless should be further considered by the Services Overview Committee or by the Resources Overview Committee, in the past Services Overview had looked at housing matters. One Member requested an analysis and projection of housing associations “right-to-buy” changes and their implications for the Council. It was agreed that there were legitimate concerns for the cost implications of increased housing pressures and the matter was referred to Management Team to advise.

RESOLVED –

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

Note: Councillor Darby entered the meeting at 6.55 pm during this item.

28 JOINT BUSINESS PLAN

The refreshed Joint Business Plan 2015 – 2020 was presented to the Committee for approval. It was explained that the top level and second level aims remained the same in this document. The third level aims had been refreshed to keep the plan up to date. Impact assessments have now been integrated into the plan and it is linked closely to the Medium-Term Financial Strategy and the Workforce Plan. The next review would be in Spring 2016 to re-evaluate the aims and objectives.

Members noticed that there were differences in the vision statements for Chiltern District Council and South Bucks District Council, although these were more differences in emphasis than in substance.

It was agreed that the document should contextualise priorities, be understandable and aspirational.

RESOLVED

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

29 2015/16 QUARTER 2 WRITE OFFS

A report was requested for each quarter of debts written off by the Council. This report related to quarter two in 2015/16. These were reported in the four key areas; Sundry Debts, Benefits, Council Tax and Business Rates. The background was explained to some of the larger single write offs.

The Committee discussed the example of a Charity that had paid business rates after receiving mandatory relief whilst resident in Chesham but had moved abroad before the lease expired on the building. It was noted that business rate was due for the entire period of a lease, and now as the premises were empty and therefore not eligible for mandatory relief a larger amount was due up to the end of the leases. This created notional debts that could be uncollectable or uneconomic to pursue. The Committee were reassured that provision had been made for these write-offs and that they had been at a consistent low level for the last 5 years. A request was made for monitoring of any increasing trends.

RESOLVED –

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

The meeting ended at 7.21 pm

