



Chiltern

District Council

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Council

Wednesday, 24th February, 2016
6.30 pm

MINUTE SET

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the
COUNCIL

held on **15 DECEMBER 2015**

PRESENT: Councillor M Harker - Chairman
" P N Shepherd - Vice Chairman

Councillors: A K Bacon
S P Berry
D J Bray
J A Burton
E A Culverhouse
I A Darby
M Flys
A J Garth
J L Gladwin
A S Hardie
G K Harris
M J Harrold
P J Hudson
C J Jackson
C M Jones
P M Jones
D J Lacey
J E MacBean
P E C Martin
S A Patel
D W Phillips
N M Rose
C J Rouse
J J Rush
L M Smith
M J Stannard
D M Varley
N I Varley
H M Wallace
E A Walsh
C J Wertheim

APOLOGIES FOR ABSENCE were received from Councillors C J Ford, M W Shaw, M R Smith, M W Titterington and F S Wilson

55 COUNCILLOR DAVIDA ALLEN

Councillors observed a one minute's silence in memory of the late Councillor Davida Allen who sadly died on 5 November 2015.

Councillor Peter Jones (Leader of the Liberal Democrat Group), Councillor Isobel Darby (Leader of the Council) and (Councillor Mimi Harker) Chairman of the Council) paid tribute to Davida for her continued hard work and commitment to her role as Councillor and community leader for Amersham.

Davida was remembered as a well respected and popular councillor and resident within Chiltern District who would be sadly missed. Sincere sympathies and condolences were expressed to Davida's family at this sad time.

56 WELCOME TO SOUTH BUCKS DISTRICT COUNCILLORS

The Chairman welcomed colleagues from South Bucks District Council to the meeting.

57 MINUTES

The Minutes of the meeting of Council held on 3 November 2015 were approved as a correct record and signed by the Chairman.

58 DECLARATIONS OF INTEREST

There were no declarations of interest.

59 ANNOUNCEMENTS

(a) Chairman's Engagements

A list of Engagements carried out by the Chairman and Vice-Chairman of the Council between 4 November and 15 December had been circulated.

(b) Chairman's Announcements

The Chairman made the following announcements:

- A special meeting of Cabinet had been scheduled to be held on Tuesday 22 December 2015 at 4.30pm
- Local Plan Elected Members and Stakeholders Consultation Events:
 - Thursday 14 January at 6.30pm at King's Church, Amersham (Elected Members)
 - Monday 18 January at 6.00pm at South Bucks District Council (Elected Members)
 - Tuesday 19 January at 6.00pm at South Bucks District Council (Stakeholders)
 - Wednesday 20 January at 6.30pm at Chiltern District Council (Stakeholders)
- All members were urged to attend the Joint Member Briefing on Housing that will be held on Wednesday 3 February at 6.30pm in the Council Chamber at South Bucks District Council
- Advised that the Contact the Elderly pin badges were on sale in the Council reception

(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 announced that the Notice of Vacancy for Amersham Town District Ward had been published on 30 November 2015.

The Chief Executive also advised that an application for dispensation to speak and vote on the Council's annual budget and Council Tax setting on their desk together with explanatory letter from the Monitoring Officer which needed to be completed and returned to the Monitoring Officer as soon as possible.

(e) Petitions

No petitions were submitted.

60 REVENUES & BENEFITS SHARED SERVICE REVIEW - JOINT COMMITTEE - 16 NOVEMBER - MINUTE 46

Member considered the recommendation from the meeting of Joint Committee held on 16 November 2015, which requested reconsideration of the recommendations arising from the Revenues and Benefits shared services review.

It was moved by Councillor Darby, seconded by Councillor Stannard and

RESOLVED –

- i) That the case for a Shared Revenues and Benefits Service was proven, and that both Councils should proceed to establish a Shared Revenues and Benefits Service;**
- ii) That subject to consultation with staff and a formal agreement between the Councils, the services of staff in Chiltern District Council's Revenues and Benefits 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; and**
- iii) That the Acting 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.**

61 GAMBLING ACT 2005 STATEMENT OF PRINCIPLES - 2015 REVISION

Members considered the final revised draft Gambling Act 2005 Statement of Principles, attached to the report at Appendix 1 which was recommended for adoption to come into effect on 14 January 2016 and continue to force until 13 January 2019.

Council also considered whether to continue not to issue casino premises licences.

It was moved by Councillor Harris, seconded by Councillor Rush and

RESOLVED –

- i) **That the Gambling Act 2005 Statement of Principles 2015 revision be approved and adopted for publication at least 4 weeks prior to coming into effect for the period 14 January 2016 to 13 January 2019; and**
- ii) **That with effect from 14 January 2016, not to issue casino premises licences, in accordance with Section 166 of the 2005 Act.**

62 CABINET REPORTS**a) Councillor Darby – IIP Accreditation**

Councillor Darby reported that the Council had now achieved Bronze Level and specific positive feedback had been received from the IIP Accreditor including the fact morale remained high given the period of significant change for staff.

b) Councillor Rose – HS2 Update

Councillor Rose reported that concern was still strong in respect of certain areas of the process and in particular Cllr Rose requested through the Chairman that Cllr Gladwin provide an update in respect of potential impact and issues in relation to the Prestwood area.

Cllr Gladwin reported that 270 petitions had been lodged and 170 had been challenged. He added that every petition to the west of A413 had been challenged. There was particular reference made to issues in relation to significant impact on road users due to anticipated traffic congestion and the impact of the road problems for commuters and children travelling to school in this area of the District. There was also significant potential impact on Great Missenden.

Cllr Berry also advised that significant impact was still likely for Great Missenden and he agreed that petitions continued to be challenged. He commended officers for the hard work undertaken to submit a high quality

petition in response to AP4 on time within the extremely tight timescale, this was supported by Councillor P Jones.

Cllr Rose added that petitioning was to continue on 19 and 20 January and it was anticipated the Bill would enter the House of Lords shortly after Easter 2016. The Area of Outstanding Natural Beauty Panel was moving a step further to consider terms of reference and whether HS2 will provide meaningful funds.

c) Councillor Martin– Local Plan Update

Councillor Martin reiterated the Local Plan events dates as announced by the Chairman and encouraged members to attend one of the events, subject to their availability.

d) Councillor Martin on behalf of Cllr Wilson – Small Business Saturday

Councillor Martin reported that the Small Business Saturday went very well and officers put in a lot of work to achieve successful results and extended his thanks to those involved. It was advised that traders were very grateful for the support to small business retailers the event had generated.

63 QUESTIONS

There were no questions.

64 QUESTIONS WITHOUT NOTICE

The Chairman invited questions without notice.

Cllr Peter Jones asked if the collection of waste from recycling banks was to be reviewed due to full capacity on a regular basis?

In Councillor M Smith's absence, Councillor Darby advised that bring sites were being reviewed.

Councillor Shepherd asked for clarification of the provision of waste receptacles at residential properties that have changed from business use premises?

In Councillor M Smith's absence, Councillor Martin advised that in planning terms the action of change of use to residential was limited but that this situation may be in need of further review.

Councillor Bacon asked if the litter bins in Chesham could be emptied more regularly due to an increase of filled carrier bags being deposited in the bins?

Councillor Darby advised that Councillor M Smith would be reviewing this.

65 PETITIONS (IF ANY)

There were no petitions received.

66 JOINT ARRANGEMENTS AND OUTSIDE ORGANISATIONS

Cllr Shepherd provided a verbal update on the Bucks Health and Adult Social Care Select Committee's work on 15 minute care visits.

It was reported that 75% of councils do use the 15 minute visits but continual monitoring of whether they were used appropriately in terms of dignity of person were maintained. A desk top audit of the Bucks County Council's policy concluded that 15 minute care visits had a place in care packages. In response to a number of questions Cllr Shepherd referred members to details in the full report and where to find it online.

67 MOTIONS (IF ANY)

No Motions had been received.

68 GOVERNANCE ARRANGEMENTS FOR THE EMERGING CHILTERN & SOUTH BUCKS LOCAL PLAN

Councillor Darby presented the report which outlined the proposed additional delegation to the Joint Committee to deal with governance arrangements for the emerging Chiltern & South Bucks Local Plan and the consequential amendment required to terms of reference for the Joint Committee in the Inter Authority Agreement (IAA).

It was moved by Councillor Darby, seconded by Councillor Martin and

RESOLVED:

- i) That subject to the delegation to the Joint Committee being approved by Cabinet, paragraph 4.1 of the Inter Authority Agreement (IAA) covering the governance arrangements and the functions of the Joint Committee be amended to include the following:**

4.1.3.7 To make decisions and recommendations in relation to the Chiltern and South Bucks Local Plan.

69 OUTSIDE BODY APPOINTMENT: ARMED FORCES CHAMPION

Members considered the report which advised that the Armed Forces Champion was a new appointment that has been added to the list of Council appointments to outside bodies. The Armed Forces Champion was the Council's representative to the Armed Forces community.

It was moved by Councillor Darby, seconded by Councillor Hudson and

RESOLVED:

That Councillor Ford was appointed the Council's Armed Forces Champion.

70 APPOINTMENT OF HONORARY ALDERMAN

The Leader of the Council announced the procedure for the appointment of Honorary Aldermen to be undertaken at a Special Meeting of the Council.

71 EXCLUSION OF THE PUBLIC (IF REQUIRED)

RESOLVED:

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

72 APPOINTMENT OF HONORARY ALDERMEN

The Leader of the Council announced the names of the ex-councillors proposed as Honorary Aldermen. The next stage was to formally undertake the appointment process at a future meeting of Council.

The meeting ended at 7.20pm

CHILTERN DISTRICT COUNCIL

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

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

Councillors: J A Burton
J L Gladwin
M J Harrold
P M Jones
J E MacBean
N M Rose
M W Titterington
C J Wertheim

APOLOGIES FOR ABSENCE were received from Councillors J J Rush and P N Shepherd

38 MINUTES

The Minutes of the meeting of the Committee held on 12 November 2015, copies of which had been previously circulated, were agreed by the Committee and signed by the Chairman as a correct record.

39 DECLARATIONS OF INTEREST

Councillor P M Jones declared a personal interest and prejudicial in planning application CH/2015/1799/FA. Nature of interest – Councillor Jones knew the applicant and would leave the room whilst the application was being considered.

Councillor A S Hardie declared a personal interest in planning application CH/2015/1712/FA. Nature of interest – Councillor Hardie was a member of Penn Parish Council.

40 TREE PRESERVATION ORDER NO. 4 OF 2015

RESOLVED -

That the Tree Preservation Order No 4 of 2015 made on 24 August 2015 be confirmed without modification.

Note 1: Councillor M J Harrold entered the meeting at 6.37 pm.

41 ITEMS FOR NOTING

RESOLVED -

That the reports be noted.

42 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/2015/0459/FA Prospect Cottages, 1 Oxford Street, Lee Common, Buckinghamshire, HP16 9JP

Speaking on behalf of The Lee Parish Council, Councillor Colin Sully.

Speaking as the applicant, Mrs Nicholle Phillips

Deferred application to enable a response received late from Buckinghamshire County Council Highways to be considered by all parties.

CH/2015/1620/FA The Dacha, 118 Chestnut Lane, Amersham, Buckinghamshire, HP6 6DZ

Refused permission with an additional reason "Given its height and proximity to the boundary with No 120 Chestnut Lane, the proposed terrace and stairwell to the rear of the dwelling on Plot 1 would result in the overlooking of the rear garden of this neighbouring property. The resulting loss of privacy would be detrimental to the amenities of the occupiers of No 120 and the proposal is therefore contrary to Policy GC3 of the Adopted Chiltern District Local Plan 1997 (including alterations adopted 25 May 2001) Consolidated September 2007 & November 2011". The Head of Sustainable Development in consultation with the Head of Legal Services was authorised to negotiate, enter into and complete any necessary Legal Agreement.

Note 2: Councillor P M Jones left the meeting at 7.37 pm

CH/2015/1712/FA 34 Hazlemere Road, Penn, Buckinghamshire, HP10 8AD

Speaking on behalf of Penn Parish Council, Councillor Mike Newth-West.

Speaking as an objector, Mr Joe Gleeson

Speaking for the application, Mr David Evans for the applicant.

Decision delegated to the Head of Sustainable Development in consultation with the Chairman of the Planning Committee to refuse permission due to potential loss of a community facility with exceptional circumstances, overdevelopment and shortage of parking.

CH/2015/1799/FA 3 - 5 Station Road, Amersham, Buckinghamshire, HP7 0BQ

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

The meeting ended at 8.16 pm

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the PLANNING COMMITTEE held on 7 JANUARY 2016

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

Councillors: 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
Vacancy

43 MINUTES

The Minutes of the meeting of the Committee held on 10 December 2015, copies of which had been previously circulated, were agreed by the Committee and signed by the Chairman as a correct record, subject to Chartridge Parish Council being replaced with Penn Parish Council in Minute 39 (Declarations of Interest).

44 DECLARATIONS OF INTEREST

Councillor J L Gladwin declared a personal interest in planning application CH/2015/1480/FA. Nature of interest – Councillor Gladwin belonged to the doctors practice where the applicant was a partner.

45 CH/2015/1438/FA - THE GABLES, 2 BROWNS ROAD, HOLMER GREEN, BUCKINGHAMSHIRE, HP15 6SL

RESOLVED -

That the application be approved, subject to conditions delegated to the Head of Sustainable Development.

46 ITEMS FOR NOTING

RESOLVED -

That the reports be noted.

47 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/2015/1480/FA Hillside, 10 Upper Hollis, Great Missenden,
Buckinghamshire, HP16 9HP

Speaking for the application, Dr Aryn Kanji

Conditional Permission

CH/2015/1742/FA The Pheasant Public House, 35 Plantation Road,
Amersham, Buckinghamshire, HP6 6HL

Speaking as an objector, Mr Norman Rea
Speaking for the application, the agent Mr Bruce Acton

Defer-minded to approve subject to the prior completion of Legal Agreement. Decision delegated to the Head of Sustainable Development. Amendments to conditions 13 and 14 to include Plot 3. The legal agreement to include the phasing of the development to ensure that the Listed Building works are completed prior to occupation of the other five residential units. That the "community use" in this case the Nursery within the ground floor (in part) of the Listed Building forms part of the legal agreement to ensure that it is retained as part of the development hereby approved in order to comply with Policy CS29 of the Council's Core Strategy.

CH/2015/1812/HB The Pheasant Public House, 35 Plantation Road,
Amersham, Buckinghamshire, HP6 6HL

Conditional Consent

CH/2015/1898/FA 5 Eastergate, Knotty Green, Beaconsfield,
Buckinghamshire, HP9 1TQ

Application Withdrawn by Officers

CH/2015/1993/FA

Ladymede, Grimms Hill, Great Missenden,
Buckinghamshire, HP16 9BG

Conditional Permission

The meeting ended at 7.34 pm

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the SERVICES OVERVIEW COMMITTEE held on 19 JANUARY 2016

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

Councillors: D J Bray
M Flys
A S Hardie
C J Jackson
S A Patel
C J Rouse
M W Titterington
N I Varley
E A Walsh

APOLOGIES FOR ABSENCE were received from Councillors E A Culverhouse, P M Jones and J J Rush

ALSO IN ATTENDANCE: Councillors G K Harris, R J Jones, J E MacBean and C J Wertheim

44 MINUTES

The Minutes of the Services Overview Committee held on 29 September 2015, copies of which had been previously circulated, were approved and signed by the Chairman of the Committee, as a correct record.

45 DECLARATIONS OF INTEREST

There were no declarations of interest.

The Chairman requested that item 6 on the agenda be considered first and the Committee agreed.

Note 1: Councillors C Rouse, R Jones and J MacBean entered the meeting at 7.35 pm.

46 COMMUNITY SAFETY ACCREDITATION SCHEME

The Committee received a presentation from Superintendent Yvette Hitch, Local Police Commander for Chiltern & South Bucks on a proposal for an accreditation scheme for partners in the Chiltern District. The scheme would train and empower staff to issue Fixed Penalty Notices to enhance community safety.

It was advised that this was a nationwide scheme that could include staff from public services and private companies. Some examples were given of how this had worked in other areas including Oxford. With additional training from the Police, staff would be able to assist with minor disorder including littering, underage drinking, dog fouling, cycling on the footpath and begging. A fixed penalty notice (FPN) could be issued which would be enforced by the Police.

The scheme aimed to give more professional recognition to community workers including park wardens, security staff and traffic management staff. It would also enhance the sharing of information between partners and threat assessments which had been shown to allow the Police to work more effectively.

The training would be with Thames Valley Police, followed by assessment and exam. There would be a national accreditation for the qualification received and refresher training. The cost to set up the scheme was currently £750 and there was a £50 vetting fee for each candidate.

It was noted that Parish Wardens were employed in some areas but there were none currently in Chiltern District. Councillors were concerned that such a scheme could result in fewer Police Officers or Police Community Support Officers from being available locally.

It was advised that in other areas, the scheme had been shown to strengthen partnership working, to reduce the frequency of offences once the scheme had been publicised and so not many FPN's were actually issued. It could provide more reassurance for communities. The focus was more on changing behaviours and empowering communities and less on the penalties.

Councillors asked for a further report to be brought to Committee, to detail the costs to the Council, where the money from any fines issued would go, the cost to staff time in setting up and more detail about the training including length of time to train and vetting procedures.

The Chairman thanked Superintendent Hitch for the presentation.

Note 2: Councillors Harris and Wertheim left the meeting at 7.18 pm

47 28 DAY NOTICE

Notice was drawn to the upcoming Community, Health and Housing event with South Bucks District Council on 3rd February. Councillors were invited to attend the meeting at 6.15 pm at Capswood. Consequently, reports on homelessness, affordable housing and housing standards would be informed by this event and reports brought to a future meeting. It was proposed to bring forward a report on air quality and climate change to the next meeting. It was also suggested that the Thames Water Liaison Officer be invited to attend the next meeting to discuss flooding in the district.

A public consultation was currently underway to scope the Joint Local Plan (which started on 19 January and will end at 5 pm on 14 March 2016). This is the initial consultation to help scope the Plan and incorporates issues and options for development to be tested. There is also intended to be a Preferred

Options consultation in October/November later this year. Prior to the Council agreeing submitting a draft Plan this Committee and the South Bucks equivalent Committee would have the opportunity to consider this in more detail. An item would be added to the Forward Plan on this as soon as the most appropriate date had been identified. In the meantime members of the Committee were encouraged to look at the Consultation Document and submit any views they wish to be considered as part of the consultation.

48 HOUSING COMMUNITY ORGANISATIONS FUND

Following changes to the benefits system, universal credits and other changes, there has been an increase in debt problems and homelessness in the district. The report recommended support to the CAB debt advice service and to the Housing Interaction Trust (HIT). It was noted that the HIT had recently merged with Connection Floating Support but any funds would be ring-fenced to be used for this purpose only.

The Committee acknowledged the track record of delivering specialist advice and homelessness prevention of these organisations but enquired whether other charities would lose out if this allocation was made. It was advised that this grant had come available as other support agreements had lapsed.

RECOMMENDED

- 1. That Cabinet agrees a grant of £25,000 to Chiltern Citizens Advice Bureau to support the continuation of the Specialist Debt and Money Advice Service and**
- 2. That Cabinet agrees a grant of £40,000 to Connection Floating Support to support the continuation of the Housing Interaction Trust service and that these grant allocations be funded by utilising a contribution of £55,000 from the Housing Community Organisations Fund budget for 2016/17 and a contribution of £10,000 from the Community Grants Fund.**

49 QUARTER 2 PERFORMANCE REPORT

This Performance Report (Quarter 2) would have been considered at the cancelled November meeting and refers to the period April to September 2015. The Quarter 3 report was being prepared and would be discussed shortly at the 15 March 2015 meeting.

It was noted that the first item on the Appendix A, relating to the rate of sickness absence amongst staff was very high; this was due to short term and long term sickness being reported together. Subject to approval by the Personnel Committee, from April 2016 (Quarter 1) short-term sickness would be reported separately from long-term sickness.

Within the Sustainable Development section of the performance indicators, the percentage of new enforcement cases where a site visit had occurred within the set out timescale for urgent cases had achieved 100% (against a target of 30%) and it had been agreed to change the performance indicator to a more meaningful one. This will come into place from April 2016.

RESOLVED –

That the report be noted.

Note: Councillor J MacBean left the meeting at 7.30 pm.

50 SERVICE PLAN SUMMARIES

The service plan summaries for Chiltern District Council were attached to the report. They outlined the aims and achievements of the shared services, the customers, action plans, key performance indicators, risks, costs and comparisons. South Bucks District Council had their own set of summaries although there was overlap between them.

With regard to Customer Services (CS) and the complaints procedure, it was asked whether compliments and positive feedback could also be included in the service plans so achievements are recognised too. The new joint complaints and feedback policy will be worked on by CS once the new joint team has settled in place.

RECOMMENDED

That the Service Plan Summaries be noted.

The meeting ended at 7.33 pm

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the PERSONNEL COMMITTEE held on 19 JANUARY 2016

PRESENT: Councillor P J Hudson - Chairman

Councillors: P M Jones
D W Phillips
M R Smith
M J Stannard

APOLOGIES FOR ABSENCE were received from Councillors I A Darby and C M Jones

23 TO AGREE THE MINUTES OF THE MEETING HELD ON 24 NOVEMBER 2015

The Minutes of the meeting held on 24 November 2015 were agreed by the Committee and signed by the Chairman as a correct record.

24 DECLARATIONS OF INTEREST

There were no declarations of interest.

25 PAY POLICY STATEMENT 2016/17

The Committee considered a report which provided a joint statement of Chiltern and South Bucks District Councils, which outlined the requirements of the Localism Act 2011 for each council to produce and publish annually a pay policy statement. The statement must be approved by 31 March each year, by a meeting of the full Council, and must then be published on the Council's websites. The pay policy may be amended during the year by further resolution of the Council.

The pay policy statement must as a minimum include details of the council's policy on:

- The remuneration of its chief officers
- The remuneration of its lowest-paid employees
- The relationship between the remuneration of its chief officers and other officers

Specific mention was made to the key changes identified in the report which included a 2% pay award in 2015/16 for Heads of Service and Directors. It was reported that following an independent review of the chief officers' pay structure in November 2015 the Local Government Association confirmed that the pay structure remained competitive in its ability to recruit and retain staff with the necessary management and strategic skills and experience.

The Committee was advised that from 1 April 2016 the Statutory Living Wage rate was to rise to £7.20 per hour but the minimum salary on the new

harmonised Pay Spine for both Councils was above the Statutory Living Wage. The Director of Resources added that the Councils' requirement when contracts would be reviewed to ensure that contractors commit to employment practises compatible with paying all staff the Statutory Living Wage..

RECOMMENDED TO COUNCIL

That the 2016/17 Pay Policy be approved.

26 CHILDREN AND YOUNG PEOPLE AND VULNERABLE PERSON SAFEGUARDING POLICIES

The Committee considered the report which highlighted the safeguarding policies for vulnerable persons, and for children and young people. A recent review of safeguarding procedures had highlighted the need to update the existing safeguarding policies operating in both Chiltern and South Bucks District Councils to reflect recent changes to legislation and to provide guidance to staff on the Councils roles and responsibilities in this area.

The report requested that both Councils adopt the Buckinghamshire Multi-agency policy and procedures for safeguarding vulnerable adults; and that both Councils adopt the joint Chiltern and South Bucks Child Protection Policy. The Head of Healthy Communities added that an e-learning package of training was to be available for members to ensure that the policy was communicated and understood.

RECOMMENDED:

- i) That the current Buckinghamshire Multi-agency policy and procedures for safeguarding vulnerable adults be adopted;**
- ii) That the joint Chiltern and South Bucks Child Protection Policy be endorsed and adopted; and**
- iii) That responsibility be delegated to the Chief Executive in consultation with the Leader of the Council to adopt revisions to the Buckinghamshire Multi-agency policy and procedures and the Chiltern and South Bucks Child Protection Policy following legislative changes or decisions by either the adult or children and young people Safeguarding Boards.**

27 HUMAN RESOURCES UPDATE

Consideration was given to the report which was the first HR update Member of the Personnel Committee can expect in future. This initial report focused on a key priority area of voluntary staff turnover.

Future updates to the Committee were to include:

- Staff turnover within the Council, including details by main service areas of leavers and recruitment.
- Sickness absence, differentiating between long term and short term absence.
- Health and safety
- HR key projects and wider legislative changes affecting employment and workforce.

Particular regard had been paid to monitoring the voluntary leavers figures at Chiltern District Council since 2014/15 given the extent of change across the Council. The upward trend of voluntary leavers had continued during the first two quarters of 2015/16. The third quarter had shown an encouraging cumulative reduction in staff turnover. It was explained that a reduction from twelve leavers during each of the first two quarters of this financial year to nine leavers in quarter three. An increase in leavers can be problematic in terms of temporary loss of knowledge and experience and therefore a benchmarking exercise was being undertaken to manage recruitment and retention. It was noted that there was a similar upward trend of leavers at South Bucks District Council but a slightly lower percentage of 13%.

Members expressed concern that an upward trend could result in an impact on service efficiencies and increased costs of recruitment and retraining. It was important to continue to monitor reasons for leaving through exit interviews and manage the impact of any increase; and that the Personnel Committee receive timely updates.

RESOLVED:

That the content of the report be noted.

28 PROPOSED HARMONISED CAPABILITY POLICY

Consideration was given to the report which outlined the final draft version of the Capability Policy.

The Capability Policy had been developed by taking the best practice of both Councils and reflected employment legislation, recognised codes of practice and best practice in other public, voluntary and private sector organisations.

RECOMMENDED:

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

29 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.

30 CHIEF EXECUTIVE'S SUPPORT TEAM

Consideration was given to report which sought approval to establish the posts of Communications, Performance and Policy Manager and Human Resources Manager with effect from 1 August and 1 September 2015 respectively.

RECOMMENDED:

- i) That subject to appropriate staff consultation on transferring to the harmonised terms and conditions;**
- ii) That the two posts of Communications, Performance and Policy Manager and Human Resources Manager are established on a new grade 13 of the harmonised pay spine (effectively replacing the formerly established posts of Principal Officer Policy, Partnerships and Communications and Principal Officer – Personnel); and**
- iii) That within the context of the implementation of their respective shared services reviews with effect from 1 August and 1 September 2015 respectively.**

The meeting ended at 7.15pm

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the AUDIT AND STANDARDS COMMITTEE held on 25 JANUARY 2016

PRESENT: Councillor J L Gladwin - Chairman

Councillors: A K Bacon
J A Burton
C J Ford
R J Jones
D W Phillips
C J Wertheim

APOLOGIES FOR ABSENCE were received from Councillors C J Jackson and N I Varley

ALSO IN ATTENDANCE: Councillor A Walters MBE (South Bucks District Council), Councillor J Read (South Bucks District Council), Graeme Muir (Barnett Waddingham) – attended for item 1 only, and Sue Gill (Ernst & Young).

60 PENSION PRESENTATION BY THE SCHEME ACTUARY

The Committee received a presentation from Graeme Muir (Barnett Waddingham) on the outlook for the 2016 valuation of the Bucks County Council Pension Fund. During the presentation a number of questions were asked and the following key points were noted:

- The economic method was the most stable way of estimating future investment return on the pension fund,
- That a note would be included in the statement of accounts to help explain the difference between the account valuation of the pension fund and the funding valuation, and
- The actuary would provide information to Members to inform their decisions regarding the options around additional contributions into the pension fund.

Note: Councillor R Jones left the meeting at 7.25pm.

61 MINUTES

The Minutes of the Audit & Standards Committee held on 9 September 2015, subject to the resolution of Minute 57 being replaced with a recommendation, were agreed by the Committee and signed by the Chairman as a correct record.

Minute 51 – Internal Audit Comparison of Assurance Levels

An update on the year by year comparative assurance levels was requested. Chris Harris of TIAA advised that improvements had continued. He was

pleased with the work that had been done in light of the scale of organisational change. Staff were working hard and joint working was working well. The Committee would receive a report should assurance levels be cause for concern.

62 DECLARATIONS OF INTEREST

There were no declarations of interest.

63 STANDARDS WORK PROGRAMME

RESOLVED -

That the work programme of the Standards Committee be noted.

64 ANNUAL REVIEW OF CODE OF CONDUCT AND COMPLAINTS PROCEDURE

The Committee received a report asking if any changes should be made to the Code of Conduct and complaints procedure. There had been no complaints made against district councillors, and only 3 complaints made against parish councillors since its adoption in August 2012.

Complaints that Members had breached the Council's Code of Conduct were handled under a 3 stage process detailed in the report. In response to a question it was noted that the complaints procedure aimed to find a resolution informally at stage 1. Complaints could be resolved at this stage, even where misconduct was found to have occurred, provided the complainant was satisfied with the outcome. One resolution may include the Monitoring Officer speaking to the subject Councillor about the misconduct.

Following a question it was noted that the Code of Conduct and complaints procedure were detailed in the Member induction programme and Member briefings that took place following the local elections in May 2015. Further one to one refresher sessions could be held for Members on request.

RESOLVED –

That no additional changes be made to the Code of Conduct and complaints procedure.

65 REVIEW OF GUIDANCE ON DISPENSATIONS

The Committee received a report setting out the Council's current guidance on when a dispensation may be granted to enable a Member to participate in an item of Council business in which they had a prejudicial or discloseable pecuniary interest. A few minor changes had been made to the current document to reflect changes to the name of the Committee. Members were asked to consider whether any further changes should be made.

The report set out specific examples of when a dispensation might be required. This included the budget and Council Tax setting which all Members had recently been sent an application for. It was noted that the final example in the report referred to a situation when it was otherwise appropriate to grant a dispensation. This was intended to cover other unexpected situations for example HS2.

RESOLVED –

That no additional changes be made to the Council's current guidance on dispensations.

66 REVIEW OF PROTOCOL ON THE ROLE OF THE MONITORING OFFICER

The Committee received a report setting out the role of the Monitoring Officer. Members were asked if there were any changes that should be made to the current protocol. A few minor changes had been made to reflect changes to the name of several Committees.

RESOLVED –

That no additional changes be made to the protocol on the role of the Monitoring Officer.

67 AUDIT WORK PROGRAMME

Whilst considering the Audit Committee work programme Members requested that the fraud and corruption annual report be considered by the Committee every 6 months. It was noted that this may be a verbal report. It was requested that the Fraud and Compliance Manager be present at future meetings should there be any issues to report.

RESOLVED -

That the work programme of the Audit Committee be noted and that the Fraud and Compliance Annual Report be considered by the Committee every 6 months.

68 INTERNAL AUDIT PROGRESS REPORT

The Committee received a report providing an update on the progress of the internal audit at 15 December 2015. The Chairman commented that he was concerned that there were a number of audits that had run over into the fourth quarter, and that he would not like to see this happen at the end of the fourth quarter. It was anticipated that all work would be completed within the fourth quarter.

Five ICT audits had been cancelled due to significant changes to the provision of ICT in the Council. The Internal Audit Manager had met with the Head of

Business support and a future next Committee meeting would receive a report on the new proposed ICT audit plan.

Members discussed the recommendation that a current housing strategy be developed for both Councils. It was clarified that both Councils had housing strategies in place but they needed to be updated.

An update was provided on the Building Control review which related to the limited interface between the finance software Integra, and the planning software Uniform. Manual processes and checks were carried out to mitigate risk. It was planned that a harmonised coding system would be implemented in 2016/17.

Note: Councillor D Phillips left the meeting at 8.05 pm

RESOLVED –

That the Internal Audit Progress Report for 2015/16 be noted.

69 ERNST & YOUNG VALUE FOR MONEY - CODE OF AUDIT PRACTICE 2015 PRESENTATION

The Committee received a presentation from Sue Gill (Ernst & Young) on the Value for Money Code of Audit Practice 2015. The presentation detailed the overall criterion, sub-criteria and proper arrangements, Auditor's risk assessment, work undertaken, and the qualified conclusions.

After noting that no significant risks were anticipated, the Committee

RESOLVED –

That the presentation be noted.

70 EY CERTIFICATION OF CLAIMS AND RETURNS ANNUAL REPORT 2014/15

The Committee considered a report providing a summary on the results of the Council's 2014/15 claims and returns. Members received details of the housing benefit subsidy claim which had been reduced by £4,910 from a total claim of £19.6M. The certification process prescribed by the Government was particularly onerous and thanks were expressed to officers, particularly the Housing Benefits staff, for their help. The Committee also asked that their thanks be recorded. The Council was waiting to hear from the Department for Work and Pensions on whether there would be any further cost to the Council.

Members noted the 2014/15 certification fee of £16,904 which was being reviewed as part of the PSAA scale fee variation process.

RESOLVED –

That the certification of claims and returns annual report 2014/15 for Chiltern District Council be noted.

71 INTERNAL AUDIT ARRANGEMENTS

The Chairman noted that the Internal Audit Manager, Geoff Osgathorp was retiring, and that the Committee wished to express their thanks to him for his efforts over the past years.

The Committee considered a report setting out the proposed new Audit Management arrangements. Members were requested to consider extending the current Internal Audit Contract, which expired on 31 March 2017, and consider establishing Joint Internal Audit Plans and Joint Internal Audit Progress Reports.

It was noted that the SBDC Audit Committee agreed the recommendations in the report. Following a discussion Members agreed to endorse the proposals.

RESOLVED –

- 1. That the proposed Audit Management arrangements be noted.**
- 2. That the proposal to extend the Internal Audit Contract with TIAA for a two year period from 1st April 2017 to 31st March 2019 (as allowed under the existing Internal Audit contract with TIAA) be noted.**
- 3. That a Joint Internal Audit Plan covering both CDC and SBDC be produced with effect from 1st April 2016.**
- 4. That Joint Internal Audit Progress Reports be produced with effect from 1 April 2016.**

The meeting ended at 8.40 pm

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the RESOURCES OVERVIEW COMMITTEE held on 26 JANUARY 2016

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

Councillors: A K Bacon
S P Berry
C J Ford
J L Gladwin
C M Jones
R J Jones
J E MacBean
M W Shaw
D M Varley

APOLOGIES FOR ABSENCE were received from Councillors D W Phillips and H M Wallace

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

35 MINUTES

The Minutes of the Resources Overview Committee meeting held 18 November 2015, copies of which had been previously circulated, were approved and signed by Councillor N Rose, Chairman of the Committee, as a correct record.

36 DECLARATIONS OF INTEREST

There were no declarations of interest.

37 28 DAY NOTICE

The Committee 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 was published on 12 January 2016.

The Director of Resources advised that Performance Indicators Annual Review 2016/17 report would be submitted to the Overview Committees prior to Cabinet for comment as previously agreed (Minute No 32). He added that the issue of improving the timeliness of the quarterly Performance Reports was something that would be done for 2016/17. to ensure that members were receiving the information in a timely manner.

During consideration of this item, members made the following suggestions to improve the information presented to the Overview Committee:-

- It was suggested that the key decision threshold for Chiltern District Council and South Bucks District Council should be reviewed and harmonised.

- In future the Treasury Management Quarterly Reports would be presented to the Resources Overview Committee for comment
- The Homelessness Strategy was appropriate to be presented to Services Overview Committee but any financial implications arising from the Strategy would be picked up as part of the budgeting and budget monitoring processes.
- It was noted that financial implications arising from reports presented to Joint Committees would be reported to the Council through the budget and reporting mechanism

During consideration of this item, Councillor J MacBean joined the meeting at 6.45pm

RESOLVED:

That the content of the report be noted.

38 BUDGET 2016/17

Consideration was given to the report which provided information affecting the Council's revenue budget for 2016/17 in order for the Cabinet to make recommendations to Council on 24 February regarding the Council's budget and council tax for 2016/17.

The Director of Resources advised that the continuing material reduction in funding to the Council had been anticipated, but was now confirmed to be at a more accelerated pace. Funding reductions were to continue until at least 2019/20 and Chiltern District Council will no longer receive Revenue Support Grant (RSG) after 2016/17; which was due to Chiltern District Council being seen as a low needs and high resource authority. Chiltern was forecast to be in the top ten authorities by reduction in Government Funding assessments by the end of the Spending Review period (2019/20).

For authorities who were no longer in receipt of RSG before 2020/21, they would be subject to additional tariff payments so that the overall reduction in Government funding did not fall only on authorities in receipt of RSG, this could be seen as a 'negative RSG'. Chiltern had responded to the Government on this matter to express concern and seek some means to dampen the impact or phasing in its effects on a more gradual basis. The impact of the additional tariff was outlined in the report as £150K in 2017/18; £480K in 2018/19 and £850K in 2019/20.

The Director of Resources reported that an important source of grant funding for the authority was the New Homes Grant that currently rewarded authorities for each new home by providing a grant equivalent to the national average Band D Council Tax on the property for each of the six years following completion of the property.

The Government was consulting on changing the New Homes Grant system. The consultation was looking at reducing the duration of funding to four years or less, from the current six years; and also suggesting the following:

- Linking payments to authorities having in place an approved Local Plan

- Having different payments for houses created after appeal from those approved by the authority without going to appeal
- Having a minimum baseline for housing growth numbers, above which additional funding would be received. The baseline was proposed to be that the normal growth in properties was 0.25% per annum. For Chiltern this was approximately 110 units.

These changes would impact on the funding the Council would receive from 2017/18 onwards.

Members were advised that growth in business rates above the baseline were subject to a 50% levy, with the levy being additional payments to the Government. The amount of the levy can be reduced if groups of authorities pool their business rates and payments to the Government. As Chiltern and two other Buckinghamshire Districts, South Bucks and Aylesbury Vale, expect to have business rate growth, they had formed a pool for 2016/17 in order to retain more of the growth.

It was reported that since Cabinet had reviewed the draft budget in December there had been five adjustments as follows:-

- Savings had been built in as a result of the Joint Revenues & Benefits Shared Services having been agreed £105K
- Final salary revisions £20K
- Savings arising from changes in the waste contract cost estimates £31K
- The payment to the parishes in respect to the impact of Council Tax Scheme on their tax bases for 2016/17 had been scaled back to £29K to match the reduction in RSG for Chiltern District Council
- Income figures had been updated to reflect the provisional Finance Settlement

It was drawn to members attention that the 2016/17 budget included a contribution to the Capital Projects Reserve to provide additional support to the Capital Programme over the coming years. The need for this was illustrated by the next report on the agenda.

During consideration of this item, Councillor C Ford joined the meeting at 7.00pm

In response to questions from Members, the Director of Resources advised that all Parish Councils had been advised of the reduction in payment in December, and that there would be no further support after 2016/17 as the council was no longer receiving RSG; and in terms of the criteria used for the determining the additional tariff members were advised that this was detailed on the Communities and Local Government website

During consideration of this item, Councillor D Varley joined the meeting at 7.10pm.

The Deputy Leader was in attendance at the meeting and added to the debate that it was key to not only plan for the current year in respect of the budget but

due to continuing pressures on finances the Council needed to look at long term impacts and implications to plan for this.

The Leader of the Council also contributed in response to a member's question in respect of the issues being raised nationally to highlight the concerns of councils facing the additional tariff. The Leader confirmed that Chiltern District Council were raising this, along with other authorities, at a national level.

Members felt it was important to explain to residents what the Government was doing with respect of the additional tariff on the District. It was felt that following the formal decision of Council in respect of Council Tax Setting the communications around this should include reference to the requirement on the Council to pay an additional tariff to the Government.

RECOMMENDED TO CABINET:

Revenue Budget 2016/17

- 1) That the Revenue budget for 2016/17 be approved, as summarised in the table below, and recommend this to Council.

	2015/16	2016/17	2017/18	2018/19	2019/20
	£k	£k	£k	£k	£k
RSG	-1,055	-407			
Business Rates	-1,355	-1,666	-1,690	-1,730	-2,170
Additional Tariff			150	480	850
New Homes Grant	-734	-1,047	-667	-438	-448
CT Freeze Grant	-70				
Investment Income	-110	-140	-80	-60	-60
Collection Surplus	-100	-23	-20	-20	-20
Contribution to Parishes	80	29			
Total Income	-3,344	-3,254	-2,307	-1,768	-1,848
Service Expenditure	9,101	9,104	9,312	9,545	10,114
Notional Interest	70	54	30	10	10
Change in Reserves:					
Elections	-76	20			-80
Capital Contribution	394	394	394	394	394
LDF Fund	-306	-163			
Capital Projects	1,307	1,197			
Total Net Expenditure	10,490	10,606	9,736	9,949	10,438
Precept Required	7,146	7,352	7,429	8,181	8,590
Council Tax Base	43,143	43,560	43,660	43,910	44,060
Band D	165.62	168.77	172.13	175.56	179.05

	2015/16	2016/17	2017/18	2018/19	2019/20
	£k	£k	£k	£k	£k
Precept on Collection Fund					
Total collected	7,146	7,352	7,515	7,709	7,889
Surplus/Shortfall	0	0	-86	472	701

- 2) That in total £29,000 be provided to Chiltern District Council parishes in respect of the impact of Council Tax Scheme on their tax bases for 2016/17.
- 3) That the following use of earmarked reserves for 2016/17 be agreed:
 - Local Development Plan £163,500
- 4) That the following additions to earmarked reserves for 2016/17 be agreed:
 - Capital – Funding replacement refuse vehicles, £394k
 - Capital – Funding of future capital programme, £1,197k.
- 5) That a budget requirement of £10,495k be approved, which will result in a District council tax of £168.77 for a Band D property.
- 6) That the level of fees and charges for 2016/17 already considered by Portfolio Holders as part of the information underpinning their budgets be confirmed
- 7) That the advice of the Director of Resources be noted (Appendix A).

Setting the Council Tax

- 8) That the report be made available to all Members of the Council in advance of the Council Tax setting meeting on 24th February, and a final report is produced for the Council meeting incorporating the information from preceptors, and the final decisions of the Cabinet on the budget.

39 CAPITAL PROGRAMME AND REPAIRS & RENEWALS PROGRAMME 2016/17 TO 2019/20

Consideration was given to the report that outlined the proposed Capital Programme for 2016/17 – 2019/20; and the proposed Repairs and Renewals Programme for 2016/17 – 2019/20.

The key table in the report highlighted the current funding position of the programme to 2019/20

The Director of Resources advised that the impact of funding the programme on available capital resources outlined in the table meant that the currently available capital resources were likely to be exhausted by the end of 2018/19.

Capital Resources	Latest Budget 15/16 £	Original Budget 16/17 £	Original Budget 17/18 £	Original Budget 18/19 £	Original Budget 19/20 £
Opening Capital Resources	2,680,222	2,459,218	1,266,154	376,257	31,767
New Capital Receipts					
New General Capital Contributions	1,307,486				
Use of Capital Receipts/Contributions	-1,528,490	-1,193,064	-889,897	-344,490	-344,490
Closing Capital Resources	2,459,218	1,266,154	376,257	31,767	-312,723

Members raised questions in relation to the following which were responded to by the Director of Resources:-

- Community Capital Sums programme
- Paper Sort Reinstatement
- The Council's contribution to the Lords Mill Weir works
- Leisure Centres funding
- ICT Strategy

During consideration of this item, Councillor J Wertheim left the meeting at 7.30pm.

RECOMMENDED TO CABINET:

That Cabinet recommend to Council:

- i) That the Capital Programme for 2016/17 – 2019/20 as set out in Appendix A be approved;**
- ii) That the Repairs and Renewals Programme for 2016/17 – 2019/20 as set out in Appendix B be approved; and**
- iii) That the implication for the Financial Strategy of the proposed programme be noted.**

40 TREASURY MANAGEMENT STRATEGY 2016/17

Consideration was given to the Treasury Management Strategy and related policies that should be adopted by the Council for 2016/17.

The Director of Resources advised that the Council was required to formally review its treasury management policies each year as part of determining what level of returns will be achieved from investments. The format of the treasury management policies was defined by the Code of Practice adopted by the Council, and was required to be approved by the Council on recommendation from the Cabinet. The Treasury Management policies underpin the strategy for the year in question, which seek to achieve a level of investment return.

The Treasury Management Strategy 2016/17 was attached to the report as Appendix 1. The proposed strategy was as follows, and made appropriate

recognition of the Government's advice to prioritise security and liquidity over returns.

- Basic cashflow requirement of up to £6m which will not be invested for more than one year, expected return averaging 0.5%
- Core investment cash of £15m, of which £9m can be invested for durations longer than two years.
- The long term investments can include property and bond funds and could be expected to deliver returns of at least 3%.

The expected return for 2016/17 from the proposed strategy was £140,000.

The Director of Resources advised that the Council's treasury consultants, Capita Asset Services were appointed under a joint contract with South Bucks District Council and provided advice in terms of credit rating and provided access to member training events and technical expertise which provided good value for money. The contract with Capital was due for renewal during 2016. Even though the contract was low value and delivering good value for money members felt it was important to undertake the joint re-tendering.

During consideration of this item, Councillors M Shaw and R Jones left the meeting at 7.43pm.

The Director of Resources confirmed that a report would be presented to a future meeting of Support Services PAG to outline long term investment options. In response to a Member's question, it was noted that the criteria for the short term borrowing limit was based on judgement rather than a fixed calculation to allow for flexibility depending on the circumstances that might give rise to the need for short term borrowing..

RECOMMENDED TO CABINET:

That the Annual Treasury Management Strategy for 2016/17 be recommended to Council, including approving the following appendices to the Annual Investment Strategy (Appendix 1):

- **Appendix 1A – Annual Investment Strategy Policies**
- **Appendix 1B – Prudential Indicators including the borrowing limits**
- **Appendix 1C – the Minimum Revenue Provision method to be used in 2016/17**

41 SERVICE PLAN SUMMARIES

The Committee considered the report which provided a summary of each of the service plans produced by service areas within the Council.

The Service Plans provided a summary of achievements from the current year and an overview of what each service aims to deliver for 2016-17; and looked at the aims and achievements, covering the following range of areas:

- Shared Services Programme
- Know your customer and equalities
- Performance Indicators and risks
- Costs and cost comparison information

The following points were raised for possible inclusion in the Services Plans:

- Further reference to the provision and monitoring of litter bins
- Progress of ICT Shared Service Review
- KPIs outcomes on enforcement

It was agreed that Performance Indicators targets for 16/17 were to be presented to the Overview Committees for comment prior to submission to Cabinet and that the streamlining of quarterly reporting with the decision making process would be improved so members received information in a more timely manner.

RECOMMENDED TO CABINET:

That the content of the Service Plans be noted.

The meeting ended at 7.56pm

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the PLANNING COMMITTEE held on 28 JANUARY 2016

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

Councillors: J A Burton
J L Gladwin
P M Jones
J E MacBean
N M Rose
J J Rush
M W Titterington
C J Wertheim

APOLOGIES FOR ABSENCE were received from Councillors M J Harrold and P N Shepherd

ALSO IN ATTENDANCE: Councillor A K Bacon

48 MINUTES

The Minutes of the meeting of the Committee held on 7 January 2016, copies of which had been previously circulated, were agreed by the Committee and signed by the Chairman as a correct record.

49 DECLARATIONS OF INTEREST

Councillor A S Hardie declared a personal interest in planning application CH/2015/1898/FA. Nature of interest – Councillor Hardie was also a member of Penn Parish Council who had considered the application and made no comment.

Councillor C J Wertheim declared a personal interest in planning application CH/2015/2137/FA. Nature of interest – Councillor Wertheim's son had been at school with the objector.

Councillor J E MacBean declared a personal interest in planning application CH/2015/1671/FA and CH/2015/2024/FA. Nature of interest - Councillor MacBean lived on Hivings Hill in proximity to the application sites but was not directly affected by either of the proposals.

50 CH/2012/0444/EU - THE TRAPS, VILLAGE ROAD, WHELPLEY HILL

The Committee considered a detailed report concerning allegations that false statements were made in support of a Certificate of Lawfulness of Existing Use (CLEUD) application on this site and that material information was withheld from the Council. Having noted the findings of the officers'

investigation and that these issues are to be determined on the balance of probabilities, the Committee were satisfied that there were grounds to revoke the Certificate. The Committee also considered the expediency of taking enforcement action in relation to the use of the mobile home as a residential dwelling. Having noted that stationing of the caravan was considered to be immune from enforcement action and there was currently no evidence of any permanent residential use, the Committee agreed that no formal enforcement action be pursued at this time. The Committee specifically requested that officers write to the owner to make it clear there is no lawful residential use of the land. Accordingly it was

RESOLVED -

(1) That the Certificate of Lawfulness of Existing Use issued by the Council on 10 October 2012 under application reference CH/2012/0444/EU be revoked on the grounds that:

(A) A statement made in the application, namely a statement in the statutory declaration of Mr John Edward Coulter that he had lived in the mobile home at The Traps as his sole residence since 6 September 2001, was false in a material particular. Contrary to the statement made, Mr Coulter did not in fact occupy The Traps as his sole residence.

(B) Material information was withheld from the Council, namely:

- 1. that Mr John Edward Coulter was the registered proprietor 4 Upper Weald, Calverton from 31 August 2001 until 4 March 2004; and**
- 2. that Mr John Edward Coulter was the one of the registered proprietors of 3 The Green, Deanshanger from 4 March 2004; and**
- 3. that Mr John Edward Coulter was registered on the electoral roll for 4 Upper Weald, Calverton from 1 December 2002 until 30 November 2004; and**
- 4. that Mr John Edward Coulter was registered on the electoral roll for 3 The Green, Deanshanger from 2005 and remains on the electoral roll there as at the current date; and**
- 5. that Mr John Edward Coulter was registered for the payment of Council Tax at 4 Upper Weald, Calverton from 31 August 2001 until 29 February 2004; and**
- 6. that Mr John Edward Coulter was registered for the payment of Council Tax at 3 The Green, Deanshanger from 2005 and remains registered for council tax there as at the current date**

(2) That the Head of Legal and Democratic Services be authorised to

serve notices of revocation under Article 39(17) of the Town and Country Planning (Development Management and Procedure) (England) Order 2015

(3) That no formal enforcement action be pursued at this time in the absence of a breach of planning control being identified

51 ITEMS FOR NOTING

RESOLVED -

That the reports be noted.

52 REPORT ON MAIN LIST OF APPLICATIONS

CH/2015RESOLVED -

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/2015/1671/FA The Enterprise Centre, Land at Asheridge Road and Hivings Hill, Chesham, Buckinghamshire

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

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

Note 1: Councillor A Bacon left the meeting at 7.25 pm

CH/2015/1898/FA 5 Eastergate, Knotty Green, Beaconsfield, Buckinghamshire, HP9 1TQ

Speaking for the objectors, Ms Suzy Davies
Speaking as the applicant, Mr Richard Colwill

Defer- minded to approve unless new points of objection received during advertisement period.

CH/2015/1923/FA The Wild Rover Public House, Amersham Road, Chesham, Buckinghamshire, HP5 1NH

Conditional permission with the use of the site for car sales restricted to a limited period of 18 months with additional conditions as appropriate relating to a scheme for drainage, including inceptors/ as appropriate/surface water drainage in relation to the use of the site for the preparation and sale of, such conditions delegated to the Head of Sustainable Development.

Further Action was authorised please see Minute 53 below.

Note 2: Councillor J Gladwin left the meeting at 8.11 pm

CH/2015/2024/FA Unit 8 - 9 , Esprit, 17 Asheridge Road, Chesham, Buckinghamshire

Speaking as a resident supporting the applicant, Mr Peter Coverdale

Conditional Permission with conditions delegated to the Head of Sustainable Development.

Note 3: The Chairman requested a break in the meeting at 8.21 pm and the meeting resumed at 8.30 pm.

CH/2015/2031/FA Batchelors Way Play Area On Land Adjoining, Highfield Road, Chesham, Buckinghamshire

Conditional Permission granted and Further Action agreed, see Minute 54 below.

CH/2015/2076/FA Charlecote, Long Walk, Little Chalfont, Buckinghamshire, HP8 4AN

Speaking for the objectors, Mr Jeremy Russell

Refused Permission

CH/2015/2137/FA Monk Barns, 18 St Marys Way, Chalfont St Peter, Buckinghamshire, SL9 9BL

Refused Permission

- 53 CH/2015/1923/FA THE WILD ROVER PUBLIC HOUSE, AMERSHAM ROAD, CHESHAM, BUCKINGHAMSHIRE, HP5 1NH

RESOLVED -

That no further formal action in respect of the service of enforcement notices in relation to the existing unauthorised use is taken at this time, but in the event that this permission is not implemented, the matter reviewed by the Head of Sustainable Development with the Head of Sustainable Development having delegated authority to proceed with formal action as considered necessary. 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.

- 54 CH/2015/2031/FA BATCHELORS WAY PLAY AREA ON LAND ADJOINING HIGHFIELD ROAD, CHESHAM, BUCKINGHAMSHIRE

RESOLVED -

That the Planning Committee note that further to the refusal of application CH/2015/0200/FA, formal enforcement action was agreed on 28.05.2015 in the light of the harm identified in the reasons for refusal of that application and having regard to Central Government Guidance in para 207 of the National Planning Policy Framework (NPPF) and the Chiltern District Council Enforcement Policy. The Head of Sustainable Development having delegated authority to take such action as appropriate.

The meeting ended at 8.52 pm

<p>Publication Date 1 February 2016</p>
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CHILTERN DISTRICT COUNCIL

MINUTES of the Special Meeting of the CABINET held on **22 DECEMBER 2015**

PRESENT Councillors I A Darby - Leader
M J Stannard - Deputy Leader
G K Harris
P E C Martin
M R Smith

APOLOGIES FOR ABSENCE were received from Councillor F S Wilson

ALSO IN ATTENDANCE: Councillors P M Jones and D W Phillips

76 MINUTES

The Minutes of the Cabinet meeting held on 1 December 2015 would be approved and signed at the next meeting of Cabinet.

77 DECLARATIONS OF INTEREST

There were no declarations of interest.

78 CURRENT ISSUES

There were no current issues.

79 EMERGING CHILTERN AND SOUTH BUCKS LOCAL PLAN 2014 - 2036: REGULATION 18 AND ISSUES AND OPTIONS CONSULTATION

Following the agreement from both Chiltern and South Bucks District Councils to prepare a joint local plan and approval of a Local Development Scheme, Cabinet was asked to consider the first stage of the joint Local Plan process; namely consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) and Issues and Options consultation. Cabinet was also asked to consider future delegation of Cabinet decisions on the Joint Local Plan to the Joint Committee.

The recommendations outlined in the report were in accordance with the Council approved Local Development Scheme and Statement of Community Involvement; complied with necessary legislation / regulations and were considered necessary for meeting the Government objective for councils nationally to have produced local plans by early 2017. Enabling the Joint Committee to deal with Local Plan matters and make recommendations to the respective Councils would simplify the executive decision making process whilst maintaining effective oversight by each Council.

Members were advised that Annex 1 to the report contained a recommended public consultation document for the emerging Chiltern and South Bucks Local Plan 2014 – 2036. It was a combined consultation document for the initial scoping of the plan required under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) and an Issues and Options consultation.

The Planning Policy Manager advised that at the SBDC Cabinet meeting held on 17 December 2015 an amendment to the consultation period was proposed and agreed as 19 January 2016 – 14 March 2016. He also advised that a mapping error was proposed to be corrected so that a separate map would be included for Chalfont St Giles rather than to include the proposed option at Chalfont St Giles on the maps of Chalfont St Peter and Gerrards Cross on page 38 of the document.

The Cabinet Leader and Portfolio Holder for Sustainable Development outlined the importance of the consultation document and encouraged individuals and organisations who live and work in the District to respond to ensure that the emerging Local Plan seeks to address the needs of the District. It was noted that the options put forward in the consultation document were put forward to test the process of the emerging Plan and therefore all aspects were open for consideration and no decisions were made at this stage in the process, prior to the receipt of representations and closure of the consultation period. Councillor Phillips was in attendance at the meeting and supported the view that people should be encouraged to submit reactions and comments to the emerging Local Plan.

Councillor P Jones was in attendance at the meeting and expressed concern that a majority of comments were likely to be in relation to proposals for changes to the Green Belt and the preservation of this in line with National Framework.

The Portfolio Holder for Sustainable Development added that the consultation process was to include partners in respect of housing need issues within the District and to adopt a robust approach to challenges as this was a priority area.

The Cabinet Leader concluded that the Local Plan process was of significant importance and was required to meet the needs of the District within a changing environment and able to accommodate the future needs of the District; and she thanked the Planning Policy Manager and his team for their continued hard work and commitment to the process while working under extreme pressure to meet tight deadlines.

RESOLVED:

- 1. That the document attached as Annex 1 to the report for Public consultation is carried out so as to comprise:**
 - a) Commencement on 19 January 2016 and to run until 5 pm on 14 March 2016**
 - b) Details to be included on the Council website**
 - c) Invitations to Duty to Co-operate organisations to comment and to meet prior to the close of consultation**
 - d) Invitations to comment to be sent to all town and parish councils**
 - e) Details to be sent to all individuals and organisations on the Council consultation database**
 - f) Documents to be available in all libraries serving communities within the plan area**
 - g) An pre-consultation press briefing/conference and a number of press releases during the consultation period**
 - h) Information and updates on Council social media**
 - i) A pre-consultation briefing presentation invited to all council members, town and parish councils, Chiltern and South Bucks County Council members and MPs**
 - j) Two evening meetings early in the consultation period, one at Chiltern Council Offices and one at South Bucks Offices, with invitations to town and parish councils and key known stakeholder local groups/organisations.**
- 2. Authority is delegated to the Head of Sustainable Development for the preparation of the associated public consultation and in consultation with the Cabinet Member for Sustainable Development to agree any necessary changes to the document in Annex 1 prior to its publication and any alterations to public consultation arrangements approved under Recommendation 2.**
- 3. That Cabinet decisions and recommendations in relation to the Chiltern and South Bucks Local Plan be delegated to the Chiltern and South Bucks Joint Committee and that the terms of reference of the Joint Committee be amended accordingly.**
- 4. That subject to recommendation 4 being approved by Cabinet at both authorities, the Inter Authority Agreement between Chiltern and South Bucks District Councils dated 19 January 2012 be amended to incorporate the new terms of reference for the Joint Committee.**

80 CHILTERN & WYCOMBE JOINT WASTE COLLECTION COMMITTEE MINUTES - 5 NOVEMBER 2015

Members considered and noted the Minutes of the following Joint Executive Committee meeting:-

- Chiltern & Wycombe Joint Waste Collection Committee – 5 November 2015

81 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 1 – Information relating to any individual

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

82 CABINET REPORTS FROM POLICY ADVISORY GROUPS:

Cabinet members considered the notes of the following Policy Advisory Group meetings:-

- Communities, Health & Housing PAG Notes – 19 November 2015
- Environment PAG Notes – 11 November 2015
- Support Services PAG Notes – 17 November 2015

The meeting ended at 4.54 pm