# CHILTERN DISTRICT COUNCIL

# **MINUTES** of the Meeting of the COUNCIL held on 17 MAY 2016

**PRESENT**: Councillor M Harker - Chairman

> - Vice Chairman P N Shepherd

Councillors: A K Bacon

> S P Berry D J Bray J A Burton J Cook

E A Culverhouse

I A Darby M Flys C J Ford 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

R J Jones D J Lacev J E MacBean P E C Martin S A Patel

D W Phillips N M Rose

C J Rouse

J J Rush

M W Shaw

L M Smith

M R Smith

M J Stannard

M W Titterington

D M Varley

N I Varley

H M Wallace

E A Walsh

C J Wertheim

F S Wilson

APOLOGIES FOR LATENESS were received from Councillors R Jones and D Phillips

Councillors observed a one minute's silence in memory of the late Honorary Alderman Bernard Curson who sadly died on 9 April 2016; and for Grace Wyatt, an ex- councillor, who had recently died at the age of 105.

# 93 MINUTES

The Minutes of the meeting of Council, and the Special Meeting of Council held on 24 February 2016 were approved as a correct record.

## 94 DECLARATIONS OF INTEREST

There were no declarations of interest.

### 95 ANNOUNCEMENTS

# (a) Chairman's Engagements

Councillor Robert Jones entered the meeting during consideration of this item at 6.34pm.

A list of Engagements carried out by the Chairman and Vice-Chairman of the Council between 24 February and 17 May 2016 had been circulated.

Members were also reminded that an all Member Briefing on Progress of the Shared Services Programme – Stronger in Partnership was scheduled on Wednesday 1 June 2016 at 6.30pm at Chiltern District Council.

# (b) Chairman's Announcements

The Chairman had no announcements to make.

# (c) Announcements from the Leader of the Cabinet

The Leader of the Cabinet had no announcements to make.

## (d) Announcements from the Head of Paid Service

The Chief Executive had no announcements to make.

## (e) Petitions

No petitions were submitted.

# 96 WASTE TEAM SHARED SERVICE - JOINT COMMITTEE - 4 APRIL 2016 - MINUTE 53

Members considered the recommendation from the meeting of Joint Committee held on 29 February 2016, which requested consideration of the recommendations arising from the Waste Team shared services review.

Councillor M Smith highlighted the waste team shared service was the first service review to be undertaken between three local authorities and he was pleased to report that each local authority had been very cooperative and worked well together.

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

### **RESOLVED -**

- i) That the case for a Shared Waste Team was proven, and that Chiltern, South Bucks and Wycombe District Councils should proceed to establish a Shared Joint Waste Team;
- ii) That subject to consultation with staff and a formal agreement between the Councils, the services of staff in Chiltern District Council's Waste 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 three 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.

## 97 CABINET REPORTS

# a) Councillor Rose – HS2

Councillor Rose reported on the progress of the High Speed Rail (London – West Midlands) Bill. The first and second reading of the Bill had now been completed in the House of Lords and the Lords Select Committee was to hold its first public meeting on Thursday 19 May 2016. The Select Committee was chaired by Lord David Walker and the members of the Select Committee were Lord Brabazon, Lord Freeman, Lord Jones, Baroness O'Cathain, Lord Plant and Lord Young.

Councillor Rose advised that to petition the House of Lords required a common theme and to get all statutory bodies and action groups to work together on this. There had been 820 personal petitions mainly in respect of a longer tunnel and noise issues. HS2 Ltd had challenged many of the petitions and for those challenged there was an opportunity for the petitioners to go before the Select Committee. There was a Chiltern and South Bucks HS2 Steering Group scheduled on Tuesday 28 June 2016.

It had been agreed that an AONB funding group be formed and two representatives from Chiltern District Council were proposed (an officer and a member). Councillor Rose wished to be the member representative.

A meeting was held on 21 April 2016 to consider the issues on the road next to Frith Hill and the impact on Great Missenden and the proposed Option 3 was considered the best option route by the majority but not all and this route was being pursued but before being endorsed, Buckinghamshire County Council were carrying out extensive consultation as the least worst option. This element was a Bucks County Council project.

It was noted that there was a Tunnel Working Group for England and Chiltern were pressing for a Tunnel Group for the Chilterns.

Councillor Berry pointed out that there was not unanimous agreement for Option 3 and there was concern from many over this option. Councillor Rose was aware and appreciated Councillor Berry's views but maintained that Option 3 was likely to be the least worst option within the given time constraints.

Councillor Shepherd requested that more clarity was sought in relation to the impact on Gore Hill. Councillor Shaw reported that Bucks County Council had looked into this and would be contacting relevant ward Councillors and Chiltern District Council soon in relation to Gore Hill.

Councillor Phillips entered the meeting towards the end of consideration of this item at 6.58pm.

# 98 QUESTIONS

There were no questions.

# 99 QUESTIONS WITHOUT NOTICE

There were no questions.

# 100 PETITIONS (IF ANY)

There were no petitions...

## 101 JOINT ARRANGEMENTS AND OUTSIDE ORGANISATIONS

There were no reports.

# 102 MOTIONS (IF ANY)

No Motions had been received.

The meeting ended at 7.00pm

# CHILTERN DISTRICT COUNCIL

# **MINUTES** of the Meeting of the COUNCIL held on 17 MAY 2016

**PRESENT**: Councillor M Harker - Chairman

- Vice Chairman P N Shepherd

Councillors: A K Bacon

> S P Berry D J Bray J A Burton J Cook

E A Culverhouse

I A Darby M Flys C J Ford 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 R J Jones

D J Lacev J E MacBean P E C Martin S A Patel D W Phillips

N M Rose C J Rouse J J Rush

M W Shaw L M Smith M R Smith M J Stannard

M W Titterington

D M Varley N I Varley

H M Wallace

E A Walsh

C J Wertheim

F S Wilson

**APOLOGIES FOR ABSENCE** were received from Councillors

**ALSO IN ATTENDANCE: Councillors** 

The Acting Chief Executive requested nominations for the office of Chairman of the Council for the year 2016/2017. Councillor N Rose proposed; and Councillor P Jones seconded. There being no other nominations it was

## **RESOLVED -**

# That Councillor M Harker be elected Chairman of the Council for 2016/17.

Councillor M Harker was then invested with her Chairman's Badge of Office and made and signed the formal Declaration of Acceptance of Office. The Chairman thanked the Council for electing her.

### 105 APPOINTMENT OF VICE-CHAIRMAN

The Chairman invited nominations for the office of Vice-Chairman of the Council for the year 2016/17. Councillor G Harris proposed the name of Councillor N P Shepherd. The nomination was seconded by Councillor D Phillips. There being no other nominations it was

## **RESOLVED -**

# That Councillor N P Shepherd be appointed Vice-Chairman of the Council for 2016/17.

The Vice-Chairman was then invested with his Badge of Office and made and signed the formal Declaration of Acceptance of Office. Councillor N P Shepherd thanked the Council for his appointment.

## 106 ELECTION OF THE CABINET LEADER

Councillor I Darby had been elected as the Cabinet Leader for four years to 2019/20, at the Annual Meeting of the Council on 27 May 2015.

The Cabinet Leader thanked members for their ongoing support.

# 107 APPOINTMENT OF CABINET MEMBERS

The Cabinet Leader informed the meeting that she had there was no change to the appointed members to the Cabinet to carry out the roles stated below.

The Leader thanked Cabinet members for their continued hard work and particularly good progress of the shared service programme. There was an ongoing theme of doing more for less this year and there was to be a review of the Council's Constitution to ensure it was fit for purpose. She mentioned the all member briefing session on 1 June - Stronger in Partnership which would outline progress and future plans for increased partnership working and the continual work to strengthen relationships and continue to work together to do the best for our residents.

Councillor M Stannard	Support Services (Deputy Leader)
Councillor P E C Martin	Sustainable Development
Councillor G Harris	Community, Health and Housing
Councillor M Smith	Environment
Councillor F Wilson	Customer Services

Councillor Darby proceeded to outline the achievements of the previous year and the many opportunities facing the Council in the coming years.

## **RESOLVED -**

That the appointments to the Cabinet, be noted.

# 108 ESTABLISHMENT OF THE AUDIT & STANDARDS AND OVERVIEW COMMITTEES

## **RESOLVED -**

That the following Committees be established:

- ➤ Audit & Standards Committee 6 Members (plus the Chairman of Resources Overview as an ex-officio member)
- **➤** Services Overview Committee 15 Members
- ➢ Resources Overview Committee − 15 Members

## 109 ESTABLISHMENT OF REGULATORY AND OTHER COMMITTEES

# **RESOLVED -**

That the following Regulatory and other Committees be established:-

- ➤ Appeals & Complaints Committee 11 Members
- Joint Appointments and Implementation 5 Members (plus 5 South Bucks District Council Members)
- ➤ Licensing and Regulation 15 Members
- **▶** Personnel 7 Members
- Planning 13 Members

# 110 ALLOCATION OF SEATS TO POLITICAL GROUPS

The report detailed the allocation of seats to political groups in accordance with the political balance rules.

# **RESOLVED -**

That the seats on Committees for the Council Year 2016/17 be allocated to the political groups as follows (with the balance to be allocated to those Members who were not part of a political group):

	Seats	Conservative	Liberal Democrat	Other
Appeals and Complaints *	11	9	1	1 - Lacey
Audit and Standards	9	8	1	
Governance and Electoral Arrangements	11	10	1	
Licensing & Regulation *	15	13	1	1 - Lacey
Resources Overview *	15	13	1	1 - Berry
Services Overview	15	13	1	
Personnel	7	6	1	
Planning	13	11	2	
Joint Appointments and Implementation	5	4	1	
Total Ordinary	101	88	10	

<sup>\*</sup> one seat gifted to non-political group Member

# 111 APPOINTMENT OF COUNCILLORS TO SERVE ON EACH COMMITTEE

APPOINTMENT OF EXTERNAL MEMBERS PANEL	
G Harris	Con
A Bacon	LD
Council Chairman: M Harker OBE	Con
Leader: I Darby	Con
Conservative Group Chairman: P Hudson	Con
Lib Dem Group Leader: P Jones	LD
Restrictions on Membership: 1 Conservative appointment & 1 Liberal  Democrat appointment	

APPEALS & COMPLAINTS COMMITTEE (11)	
S Patel	Con
E Culverhouse	Con
J MacBean	Con
D Varley	Con
J Gladwin	Con
G Harris	Con
P Martin	Con
J Burton	Con
D Bray	Con

S Berry	Ind
A Bacon	LD

Restrictions on Membership: All members eligible, but any who are also members of the Personnel Committee / JAIC will be ineligible to hear appeals that result from decisions of those Committees.

Political Balance (Seats): 9 Conservative; 1 Liberal Democrat; 1 Other

AUDIT & STANDARDS COMMITTEE (9)	
Chairman: J Gladwin	Con
D Phillips	Con
J Wertheim	Con
N Varley	Con
C Jackson	Con
C Ford	Con
R Jones	Con
J Burton	Con
A Bacon	LD
the Cabinet may not be members.  Political Balance (Seats): 8 Conservative; 1 Liberal Democrat	
GOVERNANCE & ELECTORAL ARRANGEMENTS COMMITTEE (1	1)
D Bray	Con
D Varley	Con
M Stannard	Con
I Darby	Con
L Walsh	Con
M Shaw	Con
A Garth	Con
J Burton	Con
N Rose	Con
H Wallace	

P Jones	LD
Restrictions on Membership: None	
Political Balance (Seats): 10 Conservative; 1 Liberal Democrat	
LICENSING & REGULATION (15)	
Chairman: J Rush	Con
Vice-Chairman: C Jackson	Con
M Harrold	Con
E Culverhouse	Con
C Rouse	Con
N Shepherd	Con
R Jones	Con
C Jones	Con
L Walsh	Con
N Varley	Con
M Flys	Con
G Harris	Con
F Wilson	Con
D Lacey	Ind
P Jones	LD
Restrictions on Membership: Cabinet Leader may not be a member	r:

Restrictions on Membership: Cabinet Leader may not be a member; Cabinet Members may not be CM/VCM. Membership of Licensing Sub Committees and the Taxi & Private Hire Sub Committee is drawn from this Committee. All Members must undergo annual training.

Political Balance (Seats): 13 Conservative; 1 Liberal Democrat; 1 other

PERSONNEL COMMITTEE (7)	
P Hudson	Con
Leader: I Darby	Con
Cabinet Member: M Stannard	Con
D Phillips	Con
C Jones	Con
M Smith	Con

P Jones	LD	
Restrictions on Membership: None.		
NB: Change to minimum of 7 Members pending SBDC decision on changes of		
<u>membership</u>		
Political Balance (Seats): 6 Conservative; 1 Liberal Demo	crat	

JAIC CDC MEMBERS (5)		
I Darby	Con	
M Stannard	Con	
M Smith	Con	
P Hudson	Con	
P Jones	LD	
Restrictions on Membership: None.		
Political Balance (Seats): 4 Conservatives; 1 Liberal Democrat		

PLANNING COMMITTEE (13)	
Chairman: D Phillips	Con
Vice-Chairman: A Hardie	Con
J Rush	Con
M Titterington	Con
N Rose	Con
J Gladwin	Con
J MacBean	Con
J Wertheim	Con
N Shepherd	Con
M Harrold	Con
J Burton	Con

J Cook	Con	
P Jones	LD	
Restrictions on Membership: Chairman of the Council may not be a member; Cabinet Members may not be CM/VCM. All Members must undergo training		
Political Balance (Seats): 11 Conservative; 2 Liberal Democrat		

JOINT COMMITTEE (6 + 6 SBDC Members)	
I Darby	Con
G Harris	Con
M Smith	Con
M Stannard	Con
P Martin	Con
F Wilson	Con
Restrictions on Membership: 6 Cabinet Members from each authority	

OVERVIEW COMMITTEE: SERVICES (15)	
Chairman: J Burton	Con
Vice-Chairman: N Varley	Con
M Titterington	Con
S Patel	Con
J Rush	Con
L Walsh	Con
C Jackson	Con
E Culverhouse	Con
C Rouse	Con
L Smith	Con

D Bray	Con
A Hardie	Con
M Flys	Con
J Cook	Con
P Jones	LD

**Restrictions on Membership:** The Chairman and Vice-Chairman of the Overview Committee will be elected by the members of the Committee.

Political Balance (Seats): 13 Conservative; 1 Liberal Democrat; 1 Other

OVERVIEW COMMITTEE: RESOURCES (15)	
Chairman: N Rose	Con
Vice-Chairman: J MacBean	Con
M Harrold	Con
C Ford	Con
J Gladwin	Con
J Wertheim	Con
D Phillips	Con
A Garth	Con
R Jones	Con
D Varley	Con
C Jones	Con
M Shaw	Con

H Wallace	Con
S Berry	Ind
A Bacon	LD

**Restrictions on Membership:** The Chairman and Vice-Chairman of the Overview Committee will be elected by the members of the Committee.

Political Balance (Seats): 13 Conservative; 1 Liberal Democrat; 1 Other

### 112 APPOINTMENTS TO OUTSIDE BODIES

Tabled at the meeting as Item 11 (as attached to the Minutes) were the nominations to serve on outside bodies for the Council Year 2016/17.

## **RESOLVED -**

That the list of appointments to Outside Bodies for 2016/17 as set out in Item 11 be approved.

## 113 EXECUTIVE REPORTS TO THE LOCAL AUTHORITY

The Chief Executive advised that it was a statutory requirement to produce an annual report detailing urgent executive decisions taken. However, there had been no such urgent items since the Regulations had taken effect.

## **RESOLVED -**

That the report be noted.

## 114 ALLOCATION OF CABINET FUNCTIONS

In accordance with Cabinet Procedure Rule 2.1(2), Councillor I Darby proceeded to report on the services / functions allocated to each Cabinet Portfolio.

Portfolio	Functions
Leader	Policy, Performance, Communications, Personnel, Strategic Finance, Economic Development (delegated to Councillor F Wilson)
Support Services Deputy Leader	Business Transformation, ICT, Legal and Democratic Services, Audit, Finance Admin
Sustainable Development	Planning, Enforcement, Building Control, Strategic Transport

Environment	Property, Car Parks, Engineering, Waste Management
Community, Health & Housing	Community & Leisure, Environmental Health, Community Safety, Licensing, Housing, Carbon Management, Flooding
Customer Services	Revenues and Benefits, Customer Services, Economic Development (delegated from Leader's portfolio)

# RESOLVED -

That the allocation of Cabinet Functions, as detailed above, be noted.

The meeting ended at 7.16pm

### CHILTERN DISTRICT COUNCIL

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

**PRESENT**: Councillor D W Phillips - Chairman

A S Hardie - Vice Chairman

Councillors: J A Burton

J L Gladwin
M J Harrold
J E MacBean
N M Rose
P N Shepherd
M W Titterington
C J Wertheim

**APOLOGIES FOR ABSENCE** were received from Councillors J Cook, P M Jones and J J Rush

**ALSO IN ATTENDANCE**: Councillors D M Varley and E A Walsh

# 71 MINUTES

The Minutes of the meeting of the Committee held on 7 April 2016, copies of which had been previously circulated, were agreed by the Committee and signed by the Chairman as a correct record subject to an addition to Minute 68 "Conditions 10 and 11 of the written report were updated verbally, to instead cover the provision of the visibility splays as shown on the revised drawing, and also to ensure that an existing outbuilding is demolished to accommodate the visibility splays."

# 72 DECLARATIONS OF INTEREST

Councillor P N Shepherd declared a personal interest in planning application CH/2015/2243/FA. Nature of interest – Councillor Shepherd was a member of Amersham Action Group.

Councillor J E MacBean declared a personal interest in planning application CH/2015/1494/FA. Nature of interest – Councillor MacBean was a member of Hivings Hill Residents Association.

Councillor C J Wertheim declared a personal interest in planning application CH/2016/0225/FA. Nature of interest - Councillor Wertheim's son had attended the same school as one of the objectors.

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# 73 TREE PRESERVATION ORDER NO. 1 OF 2016

**RESOLVED -**

That the Tree Preservation Order No 1 of 2016 made on 20 January 2016 be confirmed without modification.

## 74 ITEMS FOR NOTING

**RESOLVED -**

That the reports be noted.

# 75 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/2015/1494/FA 135 Hivings Hill, Chesham, Buckinghamshire, HP5 2PN

Speaking on behalf of the Hivings Hill Residents Association, Mrs Brenda Collins

**Refused Permission** with an amendment to the first reason for refusal to include reference to overdevelopment of the site and an amendment to reason 6 to reflect the revised comments from the County Ecology Adviser.

CH/2015/2123/FA 29 Darvell Drive, Chesham, Buckinghamshire, HP5 2QL

Speaking for the applicant, the agent, Mr Rahul Sankhla

**Refused Permission** with Further Action authorised see Minute 77 below.

Note 1: Councillor D Varley entered the meeting at 7.06 pm

3

CH/2015/2243/FA

67 - 75 Sycamore Road, Amersham, Buckinghamshire, HP6 5EQ

Speaking for the Amersham Action Group, Mr John Roads

Speaking for the applicant, the agent Mr Edward Ledwidge

Speaking as Local Member, Councillor E Walsh

Description of development amended to remove reference to restaurant use (Class A3) on the ground floor as follows:

Redevelopment of site to facilitate erection of mixed use building comprising ground floor retail (Use Class A1) with associated access parking, servicing and residential accommodation (Use Class C3) on the first, second and third floors comprising 35 studio, 1 and 2 bed flats, associated access, basement parking and private communal amenity space.

**Defer** – minded to approve subject to the prior completion of Legal Agreement. New condition added to restrict the use of the ground floor to retail (Use Class A1) only. Condition 2 amended to reflect the amended description and remove reference to restaurant use (Class A3). Decision delegated to the Head of Sustainable Development.

# Note 2: Councillor E Walsh left the meeting at 8.10 pm

CH/2016/0047/FA

Stable Farm, Amersham Road, Chalfont St Peter, Buckinghamshire, SL9 0PX

### **Conditional Permission**

CH/2016/0208/FA

Land To The Rear Of, 65 Denham Lane, Chalfont St Peter, Buckinghamshire, SL9 0EW

Speaking on behalf of Chalfont St Peter Parish Council, Councillor lan Browne.

Speaking as an objector, Mrs Jo Hopkinson Speaking for the applicant, the agent Mr Paul Jenkins

**Deferred** for clarification regarding equestrian use and previously developed land, with a further report to be brought back to planning committee for consideration

4

CH/2016/0225/FA Monk Barns, 18 St Marys Way, Chalfont St Peter,

Buckinghamshire, SL9 9BL

Speaking as an objector, Mr William Davies

# **Conditional Permission**

# 76 REPORTS ON ALLEGED BREACHES OF PLANNING CONTROL APPLICATIONS

2014/00327/AB Land To The Rear Of Deep Mill Service Station, London

Road, Little Kingshill, Buckinghamshire, HP16 0DH

Speaking as Local Member, Councillor D Varley

Further Action authorised, see Minute 78 below.

2015/00249/AB Church Lane House, Church Lane, Chalfont St Peter,

Buckinghamshire, SL9 9RE

Further action authorised, see Minute 79 below.

# 77 CH/2015/2123/FA - 29 DARVELL DRIVE, CHESHAM, BUCKINGHAMSHIRE, HP5 2QL

### **RESOLVED -**

Planning Committee authorises the service of such Enforcement Notices in respect of the use as may be considered appropriate by the Head Of Sustainable Development. The precise steps to be taken, period of compliance and the reasons for servicing the notice to be delegated to the Head of Sustainable Development. In the event of noncompliance with the Notice, the Head of Sustainable Development having delegated authority to instigate legal proceedings (in consultation with the Head of Legal and Democratic Services) and/or direct action to secure compliance with the Notice.

78 2014/00327/AB - LAND TO THE REAR OF DEEP MILL SERVICE STATION, LONDON ROAD, LITTLE KINGSHILL, BUCKINGHAMSHIRE, HP16 0DH

### **RESOLVED -**

The Planning Committee authorises the service of an Enforcement Notice in respect of the use of the land for the storage of vehicles, the preparation of those vehicles for sale and the associated extended area of hardstanding 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 the event of non-compliance with the Notice, the Head of Sustainable Development has delegated authority to instigate legal proceedings (in consultation with the Head of Legal and Democratic Services) and/or direct action to secure compliance with the Notice.

79 2015/00249/AB - CHURCH LANE HOUSE, CHURCH LANE, CHALFONT ST PETER, BUCKINGHAMSHIRE, SL9 9RE.

## **RESOLVED -**

The Planning Committee authorises the service of an Enforcement Notice to require the removal of the perforated shutter 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 the event of non-compliance with the Notice, the Head of Sustainable Development has delegated authority to instigate legal proceedings (in consultation with the Head of Legal and Democratic Services) and/or direct action to secure compliance with the Notice.

The meeting ended at 9.49 pm

### CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the PLANNING COMMITTEE held on 26 MAY 2016

**PRESENT**: Councillor D W Phillips - Chairman

A S Hardie - Vice Chairman

Councillors: J A Burton

J Cook
J L Gladwin
M J Harrold
P M Jones
J E MacBean
N M Rose
J J Rush

P N Shepherd C J Wertheim

**APOLOGIES FOR ABSENCE** were received from Councillor M W Titterington

# 1 MINUTES

The Minutes of the meetings of the Committee held on 28 April 2016 and 17 May 2016, copies of which had been previously circulated, were agreed by the Committee and signed by the Chairman as a correct record.

# 2 DECLARATIONS OF INTEREST

Councillor J MacBean declared a personal interest in planning application CH/2015/2361/FA. Nature of interest – Councillor MacBean has a passing acquaintance with the objectors family.

## 3 DEFERRED APPLICATION

# CH/2016/0208/FA

Redevelopment of site to provide two dwellings with associated access and landscaping, and detached car-port structure

LAND TO THE REAR OF 65 DENHAM LANE, CHALFONT ST PETER, BUCKINGHAMSHIRE

### **RESOLVED -**

Permission Refused for the following reasons with the final wording being delegated to the Head of Sustainable Development in consultation with the Chairman of the Committee:

- Visually intrusive due to more overt residential structures

- Detrimental to the openness of the green belt
- Fenestration, roof lights and light pollution
- Domestic paraphernalia visible in a green belt setting
- Harm identified as set out in paragraphs 88 and 89 of the policy framework with no special circumstances
- Increased car usage
- Footprint away from existing built form

#### 4 ITEMS FOR NOTING

# **RESOLVED -**

That the reports be noted.

#### 5 REPORT ON MAIN LIST OF APPLICATIONS

RES	SOLVED -
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/2015/2361/FA	110 - 112 Church Street, Chesham, Buckinghamshire,
	HP5 1JD

Speaking on behalf of the objectors, Mrs Kay Cullen

Conditional Permission with an additional condition relating to the upper windows delegated to Officers.

CH/2016/0394/HB 110 - 112 Church Street, Chesham, Buckinghamshire, HP5 1JD

Speaking on behalf of the objectors, Mrs Kay Cullen

## **Conditional Consent**

CH/2016/0341/FA Copse End, Winkers Close, Chalfont St Peter, Gerrards

Cross, Buckinghamshire, SL9 0AH

Speaking for the objectors, Mr Keith Quilter

Speaking on behalf of the applicant, Mr Jake Collinge

## **Conditional Permission**

CH/2016/0419/FA Manacott, Sandy Rise, Chalfont St Peter, Gerrards

Cross, Buckinghamshire, SL9 9TR

Speaking for the application, the agent Ms Jane Venn

# **Conditional Permission**

CH/2016/0458/FA Grasmere, Boundary Road, Chalfont St Peter, Gerrards

Cross, Buckinghamshire, SL9 9PG

Speaking for the application, Mrs Tanya Godleman

**Deferred** to clarify whether or not the property was located within a green belt settlement and in order to give

further consideration to any potential impact on the

amenities of the neighbouring property.

The meeting ended at 8.35 pm

## CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the PLANNING COMMITTEE held on 16 JUNE 2016

PRESENT: Councillor D W Phillips - Chairman

A S Hardie - Vice Chairman

Councillors: J A Burton

J Cook
M J Harrold
J E MacBean
N M Rose
P N Shepherd
M W Titterington
C J Wertheim

**APOLOGIES FOR ABSENCE** were received from Councillors J L Gladwin, P M Jones and J J Rush

**ALSO IN ATTENDANCE**: Councillor M Flys

## 6 MINUTES

The Minutes of the meeting of the Committee held on 26 May 2016, copies of which had been previously circulated, were agreed by the Committee and signed by the Chairman as a correct record.

## 7 DECLARATIONS OF INTEREST

Councillor D W Phillips declared a personal interest in planning application 2016/00020/AB. Nature of interest – Councillor Phillips had a passing acquaintenance with one of the Directors of the company concerned.

# 8 DEFERRED ITEM

CH/2016/0458/FA - GRASMERE, BOUNDARY ROAD, CHALFONT ST PETER, BUCKS

DEMOLITION OF EXISTING DETACHED GARAGE, ERECTION OF SINGLE STOREY SIDE/REAR EXTENSION WITH INTEGRAL GARAGE

**RESOLVED** -

**Conditional Permission.** 

# 9 ITEMS FOR NOTING

## **RESOLVED -**

That the reports be noted.

# 10 REPORT ON MAIN LIST OF APPLICATIONS

RES	SOLVED -
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/2015/1736/FA

Mopes Farmhouse, Denham Lane, Chalfont St Peter, Buckinghamshire, SL9 0QH

Speaking for the application, the agent Mr Stephen Arnold.

**Defer – minded to approve** subject to the expiration of the advertisement period and authorise the Head of Sustainable Development in consultation with the Head of Legal Services to negotiate, enter into and complete any necessary Legal Agreement. Decision delegated to the Head of Sustainable Development.

CH/2015/1737/HB

Mopes Farmhouse, Denham Lane, Chalfont St Peter, Buckinghamshire, SL9 0QH

Speaking for the application, the agent Mr Stephen Arnold.

**Defer – minded to give consent** subject to reaching the expiration of the advertisement period and authorise the Head of Sustainable Development in consultation with the Head of Legal Services to negotiate, enter into and complete any necessary Legal Agreement. Decision delegated to the Head of Sustainable Development.

Note 1: Councillor Titterington entered the meeting at 7 pm during the above item

CH/2015/2352/FA Rear Of 64, Whielden Street and 1-3 Alpha Court,

Amersham, Buckinghamshire.

Withdrawn by Officers

CH/2015/2362/FA Former B & M Motors Ltd, 59 - 61 Broadway, Amersham,

Buckinghamshire, HP7 0HL

Speaking on behalf of Amersham Town Council,

Councillor Mark Flys

Speaking on behalf of The Amersham Society, Mrs

Annie Hamilton-Pike

Speaking for the application, the agent Mr Gavin Cooper

## **Permission Refused**

Note 2: Councillor Flys left the meeting at 7.30 pm

CH/2016/0473/FA 163 & Land To The R/o 159-167 Chartridge Lane,

Chesham, Buckinghamshire, HP5 2SE

Speaking for the application, the agent Mr Mark Williams

**Permission Refused** by reason of overdevelopment, crampt layout without access and turning space for service and emergency vehicles, precise wording delegated to the Head of Sustainable Development.

CH/2016/0557/FA Charlecote, Long Walk, Little Chalfont, Buckinghamshire,

HP8 4AN

Permission Refused with additional reason for refusal,

intrusion of excessive rear glazing.

CH/2016/0865/TP 30 Hollybush Lane, Chesham Bois, Amersham,

Buckinghamshire, HP6 6EB

**Conditional Permission** 

# 11 REPORTS ON ALLEGED BREACHES OF PLANNING CONTROL

2016/00020/AB Former Site Of 178 White Lion Road, Little Chalfont, Buckinghamshire

Alleged Breach: Works not in accordance with planning permission CH/2011/0829/FAE Redevelopment of site to provide a two storey building comprising 8 flats and 1 semi-detached house incorporating a lower ground floor/basement level carpark and new vehicular access from St Nicholas Close (extension of time limit to planning application reference CH/2008/1664/FA).

# **RESOLVED** -

Planning Committee authorises the service of such Enforcement Notices in respect of the use as may be considered appropriate by the Head Of Sustainable Development. The precise steps to be taken, period of compliance and the reasons for servicing 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 having delegated authority to instigate legal proceedings (in consultation with the Head of Legal and Democratic Services) and/or direct action to secure compliance with the Notice.

The meeting ended at 8.52 pm

Publication Date 5 July 2016

### CHILTERN DISTRICT COUNCIL

# MINUTES of the CABINET held on 28 JUNE 2016

PRESENT Councillors I A Darby - Leader

M J Stannard - Deputy Leader

G K Harris M R Smith F S Wilson

APOLOGIES FOR ABSENCE were received from Councillors P E C Martin

ALSO IN ATTENDANCE: Councillor J MacBean

## 114 MINUTES

The Minutes of the Cabinet meeting held 5 April 2016, copies of which had been previously circulated, were approved and signed by Councillor I A Darby, Cabinet Leader, as a correct record.

# 115 DECLARATIONS OF INTEREST

Councillor F J Wilson declared a non prejudicial interest in this item due to his role as Councillor for Chesham Town Council.

# 116 28-DAY NOTICE FORWARD PLAN

The Cabinet received a report attaching the draft 28-Day Notice which provided a forward look at the Agenda for the next meeting of the Cabinet. The Notice was published on 12 May 2016. It was noted that the report on Leasing further space to Chiltern Clinical Commissioning Group was to be reported to the next meeting of Cabinet.

### **RESOLVED -**

That the Draft 28-Day Notice / Forward Plan, was published on 12 May 2016, be noted.

## 117 CURRENT ISSUES

# (i) Councillor I A Darby – EU Referendum

Councillor Darby took this opportunity to thank the Election Team at Chiltern District Council and colleagues in other teams who provided valuable support to the team, who ensured that the Referendum was delivered in a professional and efficient manner. Chiltern District Council had achieved the second highest turnout of voters in the country returning 83.57% which was just marginally lower than Gibraltar at 83.64%. All staff involved were commended

for their hard work and commitment over recent weeks and particularly for the smooth running of the Referendum on Thursday 23 June 2016.

# (ii) Councillor Darby – HS2 Update

Councillor Darby reported that the HS2 Hearing regarding petitions involving additional provisions would be held on Thursday 30 June 2016 and a fuller update would be given at the next Council meeting.

# 118 ANNUAL PERFORMANCE REPORT 2015-16

Consideration was given to report which outlined the performance of Council services against performance indicators and service objectives during the year 2015-16. It was noted that the Annual Report had been revised and was presented in an improved info-graphic format.

Cabinet members were in agreement that the revised format was much improved and provided a more concise and easier to read document for residents.

Two areas of concern highlighted in the report were in relation to temporary housing accommodation and recycling figures. The Cabinet were aware of these areas and an Affordable Housing Member Group had been established to focus on affordable housing concerns in Chiltern; and Councillor Smith reported that further informative information was being circulated to residents to seek to improve recycling figures and also there had been a reduction in recycling due to a national campaign of packaging companies to reduce packaging.

It was reported that the performance indicators were reviewed each year and in response to a point raised to ensure that targets were realistic, members were advised that this feedback would be reported to Heads of Service for consideration when revising targets.

## **RESOLVED:**

That the performance reports and Annual Report were noted.

# 119 LOCAL GOVERNMENT IN BUCKINGHAMSHIRE- EXPLORING FUTURE OPTIONS

Consideration was given to a report which advised on the current developments regarding unitary local government in Buckinghamshire, and to authorise and fund joint working to enable the Council to participate fully in the debate.

The Acting Chief Executive reported that the history of the unitary debate in Buckinghamshire was traced back to 1997 when Milton Keynes became a unitary authority. There was a consideration by Bucks County Council of a unitary bid in 2007 and this was replaced with the 2009 pathfinder initiative which involved the County Council and District Councils in the County. This initiative did not proceed.

The debate concerning local government structures in non-metropolitan "two-tier" areas has gained momentum over recent months in several parts of the Country including Buckinghamshire, Oxfordshire, Northamptonshire, Hampshire and elsewhere. The national context of this debate has been in terms of The Cities and Local Government Devolution Act 2016 which is a major tool for the Government in putting into practice its devolution agenda.

In May of this year, Bucks CC agreed to fund the production of an outline business case which explores the benefits of a new single unitary model of local government for the geographical area of Buckinghamshire. The Leader of BCC has since written to the District Council Leaders to invite them to collaborate with the County Council in discussions on how local government in Buckinghamshire might be modernised. Members had considered Councillor Tett's suggestion to join the County Council; however the County's review appears to have a pre-determined outcome of a single unitary council for the whole (excluding Milton Keynes) of Bucks. Given this, it was felt not to be in the residents' best interests to engage on this basis beyond the open and transparent two-way sharing of financial and other data between the County and Districts

Members agreed that there was now a need to enter into the debate around local government structures in Buckinghamshire. Initial discussions had taken place between the 4 district Leaders and an agreement reached to work collaboratively to examine the potential options for changing local governance arrangements in Buckinghamshire in the best interests of residents and other stakeholders. This did not rule out working with other partners where that was in the best interests of residents and where agreement could be reached.

It was agreed that there was a requirement to undertake a significant amount of detailed and specialised work over the coming months, and to jointly commission consultancy assistance

The Leader of the Council and fellow members supported the open minded approach outlined in the report and made particular reference to ensuring any proposals for changes to local government structures put the best interests of residents first and that would be capable of delivering quality value for money services within the finances available.

# **RESOLVED:**

- i) That Chiltern District Council work with the other Bucks District Councils and any other relevant parties to explore further the potential for unitary local government in Buckinghamshire or other potential governance models;
- ii) That independent consultants be appointed, where appropriate in partnership with one or more of the other Bucks Districts, to undertake a detailed feasibility study into the viability of potential changes to local governance in Buckinghamshire including a costed business plan;
- iii) To delegate authority to the Acting Chief Executive in consultation with the Leader to commission such further research or studies as may be expedient in the light of future developments concerning local governance proposals; and
- iv) That to achieve the above recommendations, up to £50K be released from reserves.

# 120 INDOOR SPORTS AND LEISURE FACILITIES STRATEGY

Consideration was given to the report which informed Members of the Chiltern District Council Leisure Needs Assessment and implications for the future delivery of leisure facilities in the District.

The Chiltern Indoor Sports and Leisure Facilities Strategy had identified opportunities to work with community and sporting organisations to improve the infrastructure to enable active community participation. As a result, Chiltern District Council had established a Leisure Needs Working Group to focus on the opportunities and supported the development of a feasibility study to develop a replacement centre for Chiltern Pools and to undertake a community wide survey as to the preferred options for leisure in the District. The next stage of the options appraisal had been agreed by Cabinet on 21 October 2014 to review the opportunities to replace the Chiltern Pools with a high quality affordable centre.

# **RESOLVED:**

- i) That the Indoor Sports and Leisure Facilities Strategy be adopted, for the delivery of the future leisure facility needs within the District and consider the role the Council should undertake in respect of the delivery of leisure; and
- ii) That a feasibility study and public consultation be undertaken to consider the options to replace the Chiltern Pools.

### 121 FEASIBILITY STUDY INTO THE REPLACEMENT OF CHITERN POOLS

Consideration was given to report that sought member endorsement of the Management Team proposal to appoint Knight Kavanagh & Page (KKP) to undertake the feasibility study and wider consultation as to the replacement of the Chiltern Pools.

The Leisure Needs Working Group, at a meeting on 25 April 2016, had recommended to Cabinet to accept the Leisure Facilities Strategy and to progress development of a feasibility study as to the replacement options for the Chiltern Pools.

## **RESOLVED:**

- i) That the Management Team proposal to exercise the exemption under section 2.8 Appendix A of the contract procedure rules be endorsed to obtain a single quote;
- ii) That KKP be appointed to undertake the feasibility study and consultation as to the replacement of Chiltern Pools.

### 122 TREASURY MANAGEMENT ANNUAL REPORT 2015/16

Consideration was given to the report on the Treasury Management performance of the Council for 2015/16.

In response to a member's query, the principal accountant advised that the Treasury Management Strategy did allow for any fluctuations in ratings due to the impact of the national economy and would be able to sustain any future drops but this was continually monitored.

### **RESOLVED:**

That the investment performance of the Council for 2015/16 be noted.

### 123 CAPITAL AND REPAIRS & RENEWALS OUTTURN 2015/16

Consideration was given to report which outlined the 2015/16 capital and repairs & renewals outturn position; and requested the carry forward of unspent capital and repairs & renewals budgets.

# **RESOLVED:**

i) That the 2015/16 capital and repairs & renewals outturn position is noted; and

ii) That the carried forward capital and repairs & renewals budgets for 2016/17 be agreed.

### 124 PRIVATE SECTOR HOUSING STRATEGY

Consideration was given to the report which sought approval to publish and implement a joint Private Sector Housing Strategy and associated policies in respect of financial assistance, Houses in Multiple Occupation and housing enforcement across Chiltern District Council and South Bucks District Council; and to seek comments on a draft joint strategy and associated policies.

### **RESOLVED:**

- i) That the Head of Healthy Communities be authorised to prepare a Joint Private Sector Housing Strategy and associated policies;
- ii) That the content of the draft joint strategy and policy documents be noted;
- iii) That the Head of Healthy Communities be authorised to publish and implement a final joint strategy and associated policies in consultation with the Portfolio Holder for Community, Health and Housing; and
- iv) That a House Condition Survey is not carried out at the current time, but that the need for a survey be reviewed annually by the Head of Healthy Communities in consultation with the Portfolio Holder for Community, Health & Housing.

### 125 SHARED SERVICE FOOD AND HEALTH AND SAFETY BUSINESS PLANS

Consideration was given to report which sought members' approval for the adoption of the Joint Food and Health and Safety Service Plan for the year 2016/17.

### **RESOLVED:**

- i) That the Joint Food and Health and Safety Service Plan, as detailed in Appendix 1, be approved; and
- ii) That the Food and Health and Safety Enforcement Polices, as detailed in Appendices 2 and 3, be approved.

# 126 CHESHAM 10P TARIFF BANDS

Councillor F J Wilson declared a non prejudicial interest in this item due to his role as Councillor for Chesham Town Council.

Consideration was given to report which informed members of the ticket sales and income for Catlings car park following the introduction of the 10p tariff bands and provide information to enable consideration to be given to introducing the 10p tariff in other car parks.

It was noted that proposal of the 10p tariff had originated from a request from Chesham Town Council and the initiative had proved to be effective and decreased income by 5%, but increased overall usage across all tariff bands by 14%.

# **RESOLVED:**

- i) That the 10p charging bands on Catlings Car Park be retained;
- ii) That a 10p trial tariff band be introduced on Albany Place car park; and
- iii) That if no objections are received the Head of Environment be authorised to advertise the Notice of Intent to amend the Off Street Parking Places Order.

### 127 GREAT MISSENDEN CAR PARKS

Consideration was given to report which provided members with options for consideration to change the existing tariffs and parking restrictions in Great Missenden which affected two car parks; Link Road and Buryfield.

Councillor Smith added that the initiative had been proposed by Great Missenden Parish Council.

## **RESOLVED:**

- i) That the introduction of an additional tariff as detailed in the report on the Link Road and Buryfield car parks, Great Missenden be agreed;
- ii) That the Head of Legal and Democratic Services be authorised to publish the Amended Off Street Parking Places Order; and
- iii) That if no valid objections are received the Interim Director of Services be authorised to publish the Amended Off Street Parking Places Order; or
- iv) That if valid objections are received, the Interim Director of Services be authorised to consider any such objections in consultation with the Portfolio Holder for Environment and to

publish the Amended Off Street Parking Places Order, with or without modifications as appropriate.

# 128 CABINET APPOINTMENTS TO OUTSIDE BODIES & OTHERS GROUPS

Cabinet considered the report which sought agreement to the executive appointments to outside bodies and other groups shown in Appendix 1 to 3. It was noted that the appointments to outside bodies with non-executive functions were agreed at Full Council on 17 May 2016.

### **RESOLVED:**

That the executive appointments of Members as detailed in the appendices to the report as listed below be agreed:

- Appendix 1: Executive Appointments to Outside Bodies; subject to a change to the appointment of Cllr MacBean to the Natural Environment Outside Body as agreed a Full Council on 17 May 2016.
- Appendix 2: Policy Advisory Groups
- Appendix 3: Informal Groups

### 129 JOINT WASTE COMMITTEE FOR BUCKINGHAMSHIRE - DISSOLUTION

Consideration was given to report which outlined how the Joint Waste Strategy 2014-2020 was to be progressed following the dissolution of the Joint Waste Committee for Buckinghamshire.

The Principal Solicitor reported that now the Joint Waste Strategy 2014-2020 was established and all of the Buckinghamshire district councils had rolled out new collection services, the Joint Waste Committee for Buckinghamshire (JWC) had decided, subject to the formal agreement of its constituent authorities, that the Strategy be delivered in a more efficient manner by dissolving the formal joint committee and adopting a more streamlined and less formal structure.

### **RESOLVED:**

- i) That the Joint Waste Committee for Buckinghamshire be dissolved when all of the constituent authorities had given their formal agreement to do so, and that the twelve months' notice required by the Committee's Constitution be waived;
- ii) That the Joint Waste Partnership be retained as an informal entity to carry out activities to support the delivery of the Joint Waste Strategy 2014-2020;

- iii) That a Memorandum of Understanding, as outlined in the report of the officers, be drawn up to regulate the activities of the Joint Waste Partnership with authority being delegated to the Head of Environment in consultation with the Head of Legal and Democratic Services to agree the precise terms;
- iv) That the remaining funds in the approved budget of the Joint Waste Committee, once committed expenditure had been met, be used to fund a continued fly-tipping campaign across Buckinghamshire;
- v) That the grant awarded by the Department for Communities and Local Government for the Fighting Food Waste project be used to support the activities described in the bid for funding; and
- vi) That the partner Councils give consideration to making budgetary provision for the ongoing work of the Partnership once the remaining budget has been utilised, expected to be for the financial year 2018/19 and thereafter.

## 130 MINUTES OF JOINT EXECUTIVE COMMITTEES

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

Chiltern & Wycombe Joint Waste Collection Committee – 7 April 2016

# 131 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)

# 132 CABINET REPORTS FROM POLICY ADVISORY GROUPS:

Cabinet Members considered the notes of the following Policy Advisory Group:

- Community, Health and Housing 21 March 2016
- Sustainable Development 16 March 2016
- Customer Services 13 April 2016

# 133 LEASING FURTHER SPACE TO CHILTERN CLINICAL COMMISSIONING GROUP

This item was withdrawn from the agenda for consideration at the next meeting of Cabinet.

# The meeting ended at 5.33pm

Note: the resolutions in these Minutes will come into force and may then be implemented seven days after the date of publication; unless the Chairman, or Vice-Chairman of the relevant Overview Committee objects to it by written notice (a Notice of Call-In) to the proper officer by 4pm on the seventh day after the publication of the decision. Urgent decisions are not subject to the call-in procedure.