

CHILTERN DISTRICT COUNCIL

**MINUTES of the Meeting of the
APPEALS AND COMPLAINTS COMMITTEE**
held on **6 JUNE 2016**

PRESENT: Councillors: S A Patel - Chairman
D J Bray
G K Harris
A K Bacon - Reserve

5 ELECTION OF CHAIRMAN

Councillor Siddharth Patel was elected as Chairman of the Appeals & Complaints Committee.

6 MINUTES

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

7 APOLOGIES FOR ABSENCE

There were no apologies for absence.

8 DECLARATIONS OF INTEREST

There were no declarations of interest.

9 EXCLUSION OF THE PUBLIC

RESOLVED –

That under section 100 (A) (4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 3 of Part 1 of Schedule 12A of the Act.

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

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

RESOLVED –

That the Appellant was eligible for assistance, homeless and in priority need but had become homeless intentionally.

The meeting ended at 7.52pm.

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the SERVICES OVERVIEW COMMITTEE held on 14 JUNE 2016

PRESENT: Councillor J A Burton - Chairman

Councillors: L M Smith
E A Culverhouse
C J Jackson
C J Rouse
E A Walsh
J Cook

APOLOGIES FOR ABSENCE were received from Councillors D J Bray, M Flys, A S Hardie, P M Jones, S A Patel, J J Rush, M W Titterington and N I Varley

ALSO IN ATTENDANCE: Councillors I A Darby, G K Harris and J E MacBean

1 MINUTES

The Minutes of the meetings held on 15 March 2016 and 17 May 2016 were agreed as a correct record and were signed by the Chairman.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 28 DAY NOTICE (FORWARD PLAN)

The Chairman requested a report on Waste recycling for a future meeting (18 October 2016). It was noted that the annual target of 57% for household waste sent for reuse, recycling and composting for 2015/16 was not achieved (Actual 2015/16 was 52.53%). Councillors agreed it would be useful to have more detail about the problems and progress being made.

4 ANNUAL PERFORMANCE REPORT 2015-16

The annual performance report 2015/16 was presented to the Committee. Heads of Service had been asked to include achievements and performance which was presented in a new info-graphic format. It was agreed that this format made information more accessible to the general public. In Appendix B, the Performance Indicators were shown in a table with explanation notes. It was noted that the Sickness Absence indicators would be changed from April 2016 to show short-term and long-term sickness separately, so that trends would be more visible.

A query was made regarding Bucks Home Choice having assisted 236 households with homelessness applications as to whether this was a Chiltern District figure or combined for CDC/SBDC.

Congratulations were sent to Officers for the 99.0% tax collection rate in Council Tax.

Overall, most targets had been reached and there were good reasons where this had not been achieved.

RESOLVED –

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

5 PRIVATE SECTOR HOUSING STRATEGY

A joint Private Sector Housing Strategy and associated policies was presented to the Committee for approval before being presented to cabinet on 28 June. The new policy for both Council's had been produced following presentations to both Council's and joint member housing workshops. It was noted that it covered many important and diverse areas including the strategy itself, the action plan, financial assistance policy, housing enforcement, houses in multi-occupation and including fire standards.

With pressure on housing and the increase in houses in multiple occupation, Councillors were concerned about vulnerable persons and whether they felt able to report rogue landlords. It was noted that this did happen and that other agencies were also able to report any concerns that should be investigated and work was often done in partnership with other agencies.

Councillors enquired whether the House Condition Survey would be of benefit in setting the strategy but it was advised that there was enough data from other sources to formulate the policy. The survey would have provided anonymised data, extrapolated across the district and wouldn't have highlighted particular properties or households. The information provided would reinforce the existing knowledge that private rented properties and properties occupied by older persons were most likely to have poorer heating and insulation and items of disrepair. The financial assistance policy had been designed to address these concerns

The Committee were advised that there were new national proposals to create a register of rogue landlords banned from being landlords, which would apply to all areas. Details of these proposals had not yet been received or how that would work.

RESOLVED –

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

6 FOOD AND HEALTH AND SAFETY BUSINESS PLANS

The Environmental Health team has been a shared service since December 2015. The Committee were presented with the joint Food and Health and Safety Service Plan for the year 2016/17 for approval and recommendation to cabinet. Currently there was a risk based approach for inspection and enforcement. In the District 96% of food businesses were largely compliant and so the action plan was targeted to the remaining 4%. The team were able to offer mentoring, help and advice in addition to enforcement. Overall 99% of inspections had been achieved.

For 2016/17, the Action Plan is focused on service improvement, working more efficiently and effectively using IT solutions and mobile working. It was advised that training, coaching and mentoring was offered to all businesses but that the focus would be to target the poorer food establishments. The business plan supported the development of chargeable services and seeking to deliver services for other local authorities.

RESOLVED –

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

The meeting ended at 7.15 pm

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the RESOURCES OVERVIEW COMMITTEE held on 21 JUNE 2016

PRESENT: Councillor N M Rose - Chairman
" J E MacBean - Vice Chairman

Councillors: A K Bacon
C M Jones
D W Phillips
M W Shaw
H M Wallace
C J Wertheim

APOLOGIES FOR ABSENCE were received from Councillors A J Garth, S P Berry, C J Ford, J L Gladwin, M J Harrold, R J Jones and D M Varley

ALSO IN ATTENDANCE: Councillors

1 MINUTES

The Minutes of the meetings held on 23 March 2016 and 17 May 2016 were agreed and signed by the Chairman.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 28 DAY NOTICE (FORWARD PLAN)

Members examined the 28 Day Notices to identify potential topics for review and agreed that there were no additional items to be added at this time. It was noted that Cabinet would be discussing the Modernisation of Local Government review involving the four district councils.

4 ANNUAL PERFORMANCE REPORT 2015-16

The annual performances of Council services against performance indicators and service objectives for 2015-16 were presented to the Committee. The Heads of Services had also been asked to highlight their main achievements which were presented in an info-graphic format. The same amount of detailed information was still available in addition to the info-graphic. Members agreed that this made the information clearer and accessible to the residents of Chiltern District. With regard to the staff sickness absence performance indicators, it was noted that from April 2016, the short-term and long-term sickness absence rates would be reported separately, and detailed reports would be presented to the Personnel Committee on these matters.

On the key achievements info-graphic, there was a request to change the wording relating to HS2 from “further mitigation to prevent damage by HS2” to “further mitigation to minimise damage by HS2”, to reflect the current situation. With regard to the Parking section, it was asked where the “main centres” that would get additional parking would be. It was advised that this essentially related to Amersham. Members commented that there were parking issues in other areas that should not be overlooked. A specific point regarding the Snells Wood car park in Little Chalfont was raised.

There was reference to the Members Working Group looking at the supply of affordable housing in the district as this is an important issue. The group were being proactive in seeking options and it was hoped that there would be suitable solutions identified, but there was no quick solution to the issues.

RESOLVED –

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

5 QUARTER FOUR 2015/16 WRITE OFFS

The regular quarterly report for quarter 4 of 2015/16 was presented to the Committee in respect of write offs. It included Sundry Debts, Council Tax, benefit overpayments, business rates and also Penalty Charge Notices for the whole year. Members were interested in the parking information and were advised that more detail would be included in future reports. A rolling total was provided as requested and also totals for each quarter on page 30. There were some increases due to the end of year process and tidying up of figures.

Councillors generally agreed that the write-offs were very low in relation to the overall volumes.

It was advised that some errors relating to benefits were later reimbursed by the DWP providing that they did not exceed 0.48% of the total, which for CDC was approximately £39,500 which was well within the allowed limit.

RESOLVED –

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

The meeting ended at 6.55 pm

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the **PERSONNEL COMMITTEE** held on **28 JUNE 2016**

PRESENT: Councillor M R Smith - In the Chair

Councillors: I A Darby
D W Phillips
M J Stannard

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

38 ELECTION OF CHAIRMAN

RESOLVED:

That, Councillor M Smith be elected as Chairman of the Personnel Committee for this meeting.

39 TO AGREE THE MINUTES OF THE MEETING HELD ON 22 MARCH 2016

The Minutes of the meeting held on 22 March 2016, copies of which had been previously circulated, were agreed by the Committee and signed by the Chairman as a correct record.

40 DECLARATIONS OF INTEREST

There were no interests declared.

41 HR DATABASE PRESENTATION

The Principal HR Adviser – Strategy provided the Committee with a presentation which was an overview of the iTrent Core HR Module which covered:

- Employee view
- Line Manager view
- HR view

Members were advised that the next steps of development for the system was to introduce the following modules:

- Absence Management – which was currently being tested and would provide the ability for managers to automate holiday calculations and holiday requests; and to view the whereabouts of a whole team and have immediate accessibility of sickness records.

- Recruitment – suppliers were being evaluated and it was planned to go live in Autumn 2016
- Performance Management - suppliers were being evaluated and it was planned to go live in Spring 2017

The Committee thanked the officer for the presentation and noted the content.

42 EMPLOYEE PAY AWARD

Consideration was given to the report which outlined the recommended pay levels for Heads of Service employed by Chiltern District Council (CDC), whose pay was determined locally to cover the period April 2016 to March 2018. This followed an agreement reached for a pay increase of 1% for 2016/17 and 1% for 2017/18 by the Joint Negotiating Committee (JNC) for Chief Officers of Local Authorities agreed in March 2016.

The report also outlined the recommended pay levels for the two Principal Officers within the Chief Executive's office for 1% pay increase from 1 April 2016 and 1% pay increase from 1 April 2017 to 30 June 2017. This followed an agreement reached for a pay increase of 1% for 2016/17 and 1% for 2017/18 for National Joint Council (NJC) for Local Government Services agreed in May 2016.

Members discussed the impact of the pay levels for the two Principal Officers which was recommended for a different duration to other pay increases and therefore this needed to be reflected when pay levels were reviewed to ensure the same base before negotiating further increases beyond June 2017. Officers explained the significance of the June 2017 date in that it was anticipated that the two Principal Officers would be brought in scope of the Collective Agreement that up until 30 June 2017 provides that pay rises up would be in accordance with the NJC agreements but thereafter the Councils have made their intention clear following review to introduce local determined pay. It was confirmed that in agreeing any local pay award from July 2017 regard would need to be had to the April 2017 uplift.

It was also noted that future items of this nature would benefit from discussion at a meeting of Joint Implementation and Arrangements Committee rather than separate discussions at each Council to ensure consistency.

RESOLVED:

- i) That a 1% pay increase for Heads of Service from 1 April 2016 and 1% pay increase from 1 April 2017 be approved. The NJC pay agreement had been applied to the Heads of Service local pay scales and was attached to the report for information at Appendix A; and**
- ii) That a 1% pay increase for the two Principal Officers within the Chief Executive's office from 1 April 2016 and 1% pay increase from 1 April 2017 to 30 June 2017. The NJC pay agreement had been applied to the Principal Officers local pay scales and was attached to the report for information at Appendix B.**

43 HR UPDATE

Consideration was given to the report which provided the Committee with an update on:-

- Staff turnover within the Council, including details of specific recruitment activity
- Sickness absence, particularly relating to working days lost through sickness
- Health and Safety
- HR key projects and wider HR related developments

Members queried updated voluntary turnover figures that reported on the number of staff leaving Chiltern District Council to take up positions at South Bucks District Council and these figures were noted by the Committee and would continue to be reported as a KPI for both Councils. asked that these figures be recorded.

The Principal Personnel Officer pointed out that as part of the implementation of the HR shared service the management of sickness absence would continue to be a priority; and in particular to target short term sickness.

RESOLVED:

That the content of the report be noted.

The meeting ended at 6.40pm

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the LICENSING & REGULATION COMMITTEE held on 28 JUNE 2016

PRESENT: Councillor J J Rush - Chairman
" C J Jackson - Vice Chairman

Councillors: M Flys
G K Harris
M J Harrold
D J Lacey
C J Rouse
N I Varley

APOLOGIES FOR ABSENCE were received from Councillors E A Walsh, E A Culverhouse, P M Jones, C M Jones, R J Jones, P N Shepherd and F S Wilson

3 MINUTES

The Minutes of the meetings of the Licensing & Regulation Committee held on 26 November 2015 and 17 May 2016, copies of which were circulated at the meeting, were agreed by the Committee and signed by the Chairman as a correct record.

4 DECLARATIONS OF INTEREST

Councillor D Lacey, a Chesham Town Councillor, confirmed that he had not had any personal involvement in Chesham Town Council's decision to object to the street trading consent application (item 10) and could therefore take part in discussions and vote on this item at this meeting.

Councillor N Varley, a Chesham Town Councillor, confirmed that he objected to and had voted against the street trading consent application when it was considered by Chesham Town Council, and as such would not take part in any discussions on item 10 and would not vote, but could remain in the room as an observer.

5 MINUTES OF THE LICENSING SUB COMMITTEE HELD ON 08 OCTOBER 2015

The Minutes of the Licensing Sub Committee meeting held on 8 October 2015 were agreed as a correct record.

6 MINUTES OF THE LICENSING SUB COMMITTEE HELD ON 02 MARCH 2016

The Minutes of the Licensing Sub Committee meeting held on 2 March 2016 were agreed as a correct record.

7 REPORT FOR FILM CLASSIFICATION POLICY

The British Board of Film Classification (BBFC) determines the classification of films nationally, but the Council is also the classification body for the public exhibition of films shown within its administrative area. If a film has not been classified by the BBFC it must not be shown at a premise without first having been classified by the Council (unless an exemption applied under the Licensing Act 2003). A film distributor, for example, may also appeal to the Council against a decision of the BBFC and request that the Council reclassify a film. As such, the Committee were asked to approve the proposed policy and procedure for determining film classifications.

It was noted that a film would only need to be classified if it would be shown publically. A number of exemptions from regulation were also in place under the 2003 Act. This included, for example, films intended for information or educational purposes.

In response to a question regarding why the policy had not been put in place before now, it was noted that although the Council had a responsibility to determine film classifications, no requests had been made to the Council to make their own decision on a film classification since the introduction of the Licensing Act 2003, and only one had been received prior to that in 2002.

The Council, when setting a fee for film classifications, was required to take into account the costs to the Council, and fees set by other local authorities could not be taken into account.

RESOLVED –

- 1. That the draft policy for dealing with the classification of films be adopted with immediate effect.**
- 2. That the guidance issued by the BBFC to assist in the classification and re-classification of films be adopted.**

AND RECOMMENDED TO COUNCIL –

- 3. That the Head of Healthy Communities be authorised to determine the classification and re-classification of films including appeals under the licensing legislation in accordance with the Policy.**
- 4. That all cases not determined by the Head of Healthy Communities under delegated authority be dealt with by the Licensing Sub-Committee.**
- 5. That the level of fee for the classification of films be set at £47, plus £1 per minute of the full length of the submitted film, plus any costs associated with the hire of any associated venue or equipment costs.**

8 HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY

The Council was reviewing its hackney carriage and private hire licensing policy in light of changes to legislation, case law and the way in which the Council delivered licensing services. As such, Members were asked to consider the draft policy prior to a 12 week consultation. During the discussion the following key points were made:

Concern was raised regarding the proposed change to the vehicle age policy. Whilst recognising that this policy was designed to protect the public from harm it could potentially affect a large number of drivers. Figures on the number of vehicles that would be affected by the proposed change were requested, and would be provided at the meeting when the consultation responses would be considered by the Committee. Following a discussion it was agreed that the proposed policy change be highlighted to drivers and operators in the consultation letter that would be sent to them so that they could assess the effect to them and respond to the consultation accordingly.

It was suggested that the executive plate should be retained because it provided greater reassurance to residents. They were also used by the police to identify licensed vehicles. It was suggested however that the dispensation could be expanded to widen the type of work that this would apply to, for example, to include vintage vehicles. It was also suggested that drivers who were hired continuously by the same client could be included in this. Requiring a driver to request a separate dispensation for each client, even if they were from the same company, was considered excessive.

In response to a question it was clarified that the proposed disclosure and barring service (DBS) update service requirement was an enhancement to the current full DBS checks. This would mean that criminal record checks did not go out of date and avoided delays.

One Member requested a demonstration of the knowledge test that was required to be undertaken by drivers.

RESOLVED –

- 1) That the draft hackney carriage and private hire licensing policy be approved for consultation subject to the inclusion of a note on the consultation letter, to be sent to all drivers and operators, highlighting the proposed change to the vehicle age policy which may affect them.**
- 2) That the consultation be carried out over a 12 week period to enable all interested parties to submit comments to the Council.**
- 3) That the results of the consultation be reported back to the Licensing and Regulation Committee for further consideration prior to a recommendation from the Committee to Full Council.**

9 REVIEW OF HACKNEY CARRIAGE FARES

The Council had received a request from the hackney carriage trade to increase the fares relating to the “Flag” rate that may be charged. As such, the Committee were requested to consider the request along with the information in the report. After noting the request that had been received by the trade, and following a discussion, it was

RESOLVED –

That the hackney carriage trade be requested to provide further information and specific reasons to support their request to increase the fares relating to the “Flag” rate that may be charged, to enable Members to make a decision on the request.

10 STREET TRADING CONSENT APPLICATION

The Council had received an application for Street Trading Consent to sell Indian foods from a catering trailer situated on Chesham High Street. In accordance with the Council’s Street Trading Policy a number of organisations had been consulted. One objection to the application had been received from Chesham Town Council and in accordance with the adopted Policy the application must then be determined by the Licensing & Regulation Committee.

Members considered the application and the objection received from Chesham Town Council. The objection referred to the proposed location, including it being within a conservation area, and impact on similar businesses nearby. It was noted that the Council’s Street Trading Policy did not provide for a public consultation.

RESOLVED –

That the application for Street Trading Consent be refused due to the loss of amenity, visual appearance, the impact on the conservation area and the risk of food odour that could not be mitigated in a sensitive environment.

Note: Councillor N Varley took no part in the discussions and did not vote on the above application.

The meeting ended at 7.38 pm

CHILTERN DISTRICT COUNCIL

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

PRESENT: Councillor D W Phillips - Chairman

Councillors: J A Burton
J Cook
P M Jones
J E MacBean
N M Rose
J J Rush
C J Wertheim

APOLOGIES FOR ABSENCE were received from Councillors A S Hardie, J L Gladwin, M J Harrold, P N Shepherd and M W Titterington

12 MINUTES

The Minutes of the meeting of the Committee held on 16 June 2016, copies of which had been previously circulated, were agreed by the Committee and signed by the Chairman as a correct record.

13 DECLARATIONS OF INTEREST

Councillor P M Jones declared a prejudicial interest in planning application CH/2015/1799/FA and would leave the room whilst it was considered. Nature of interest – Councillor Jones had a business relationship with the owners of the property.

14 CH/2015/0055/FA - CHESHAM BROADWAY BOWLS CLUB, 12 - 14 LOWNDES AVENUE, CHESHAM, BUCKINGHAMSHIRE, HP5 2HH

CH/2015/0055/FA - Chesham Broadway Bowls Club, 12 - 14 Lowndes Avenue, Chesham, Buckinghamshire, HP5 2HH

RESOLVED -

Defer – minded to grant planning permission subject to the prior completion of a Legal Agreement to ensure the alternative Bowls Club granted planning permission under reference CH/2015/2021/FA is secured. Decision including Conditions delegated to the Head of Sustainable Development.

15 ITEMS FOR CONSIDERATION

Note 1: Councillor P M Jones left the meeting at 6.37 pm

Decisions previously agreed by the Planning Committee, subject to legal agreements to cover on-site affordable housing provision or contributions towards off-site affordable housing provision.

CH/2015/0459/FA - Prospect Cottages 1 Oxford Street Lee Common HP16 9JP

An affordable housing contribution is no longer required as the net gain is less than 5 dwellings (the site is in the AONB so the lower threshold applies).

RESOLVED -

That the application be approved, subject to the conditions set out in the original report and with the decision delegated to the Head of Sustainable Development.

CH/2015/1270/FA Land Between Chenies Parade and Garage Chalfont Station Road, Little Chalfont

An affordable housing contribution is no longer required as the net gain is less than 10 dwellings.

RESOLVED -

That the application be approved, subject to the conditions set out in the original report and with the decision delegated to the Head of Sustainable Development.

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

An affordable housing contribution is no longer required as the net gain is less than 10 dwellings.

RESOLVED -

That the application be approved, subject to the conditions set out in the original report and with the decision delegated to the Head of Sustainable Development.

CH/2015/1861/FA Leywood House, 37-47 Woodside Road, Amersham, HP6 6AA

An affordable housing unit is no longer required to be provided as the net gain is less than 10 dwellings.

RESOLVED -

That the application be approved, subject to the conditions set out in the original report and with the decision delegated to the Head of Sustainable Development.

CH/2015/1982/OA Winkers Nightclub, Denham Lane, Chalfont St Peter SL9 0QJ

An affordable housing contribution is no longer required as the net gain is less than 10 dwellings.

RESOLVED -

That the application be approved, subject to the conditions set out in the original report and with the decision delegated to the Head of Sustainable Development.

Note 2: Councillor Jones re-entered the meeting at 6.45 pm

16 ITEMS FOR NOTING

RESOLVED -

That the reports be noted.

17 REPORTS ON LOCAL AUTHORITY LIST OF APPLICATIONS

CH/2016/0856/RC - Chesham Leisure Centre, White Hill, Chesham, Buckinghamshire, HP5 1BB

RESOLVED -

To recommend to Council to approve own development.

18 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/2016/0577/FA The Wheelhouse Veterinary Surgery, 1 Woodside Close,
Amersham, Buckinghamshire, HP6 5EG

Application withdrawn

CH/2016/0724/FA Brawlings Croft, Brawlings Lane, Chalfont St Peter,
Buckinghamshire, SL9 0RE

Speaking for the application, the agent Mr Mark
Longworth

Conditional Permission

The meeting ended at 6.55 pm

CHILTERN DISTRICT COUNCIL

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

PRESENT: Councillor J L Gladwin - Chairman

Councillors: C J Ford
C J Jackson
R J Jones
D W Phillips
N I Varley
C J Wertheim

APOLOGIES FOR ABSENCE were received from Councillors A K Bacon, J A Burton, D Gleen and Mrs C Langley

ALSO IN ATTENDANCE: Councillors

2 MINUTES

The Minutes of the meetings of the Audit & Standards Committee held on 10 March and 17 May were agreed by the Committee and signed by the Chairman as a correct record.

3 DECLARATIONS OF INTEREST

There were no declarations of interest.

4 EXTERNAL AUDIT AND CERTIFICATION FEES 16/17 LETTER

Consideration was given to the Annual Audit and Certification Fees 2016/17 letter, which confirmed the audit and certification work to be undertaken by Ernst & Young for the 2016/17 financial year.

Sue Gill was in attendance at the meeting to present the external audit and certification fees 2016/17 letter to the Committee. It was reported that the fee reflected the risk based approach to audit planning set out in the National Audit Office's Code of Audit Practice for the audit of local public bodies.

RESOLVED:

That the content of the letter was noted.

5 INTERNAL AUDIT FOLLOW UP REPORT

Consideration was given to the internal audit follow up report and Chris Harris was in attendance at the meeting to outline the detail of the report. The follow up review by TIAA established the management action that had been taken in respect of the priority 1, 2 and 3 recommendations arising from the internal audits at Chiltern and South Bucks District Councils, which were finalised during 2015/16 (cut-off date being 6 May 2016). The review was carried out in May 2016.

The recommendations within the report were considered in detail by members and members asked a number of questions.

The Head of Finance responded to various questions in relation to the recommendations of Internal Audit and made specific mention to providing a report to the next meeting of the Committee in respect of:

- An update on the review of all active supplier accounts with a view to deleting/deactivating those that were no longer required on a regular basis
- A update on the progress of collating the monitoring information in respect of the key procurement indicators
- An update on completing the work to bring up to date documenting the processes for treasury management activities reflecting current job roles etc.
- There was further work being carried out by officers to review the incorrect coding of income into Building Control accounts. Members would be provided with information on numbers of transactions and values in order to judge the materiality of the issue.
- A review of the Housing Strategy was currently underway and the Chairman requested that relevant officers attend the next meeting to update on the process of the review, timescales and the member governance involved.

In response to members' queries, the Director of Resources explained that in respect of the ICT Change Management Programme the combining of networks to one single network was progressing well and migration was in its final stages with only the migration of members remaining and this was currently in progress, and then the final stage was to then deploy the virtual desktop by the end of September.

Since the retirement of the Audit Manager this role was being undertaken by the Internal Auditor and the Audit, Fraud & Error Reduction Manager. The outstanding recommendations will be progressed and members updated on progress

N Varley left the meeting at 7.35pm

Regarding risk management training, the Director of Resources informed the Committee that risk management competencies would form part of the new appraisal process for relevant posts. These posts would be identified by Heads of Service. Risk Management training, organised and delivered by the

Internal Auditor and the Audit, Fraud & Error Reduction Manager, would then be targeted at this staff group.

C Ford left the room at 7. 44pm

RESOLVED:

That the content of the report was noted.

6 INTERNAL AUDIT 15/16 PROGRESS REPORT QUARTER 4

Consideration was given to the report which provided an update on the progress of work at Chiltern District Council as at 29 June 2016 on internal audit work carried out by TIAA and management representations that had been received.

C Ford returned to the meeting at 7.45pm

The content of the report was considered in detail and members sought specific clarification in respect of a report on planning development and enforcement, whether this related to Chiltern or to South Bucks, as the Committee had not seen a report on this matter; the contracts audit progress and the procedures for issuing procurement cards to officers.

RESOLVED:

That the content of the report was noted.

7 INTERNAL AUDIT 16/17 PROGRESS REPORT QUARTER 1

Consideration was given to the report which provided the Committee with an update on the progress of the current year's Internal Audit work at Chiltern District Council as at 29 June 2016.

The report detailed the audits that were additional to the annual plan for:-

- Purchasing Cards
- Contractor Health and Safety – follow on from 2015/16 audit

Members raised a number of questions on procurement cards. They were advised that the number of cards issued to officers across Chiltern and South Bucks had reduced from 48 to 34. Members felt it was important that the purpose of the spend on procurement cards was clear on any receipts.

It was noted that an audit on Individual Electoral Registration had been deleted from the annual plan as this had recently been undertaken in the later part of 2015/16 with a satisfactory result.

RESOLVED:

That the content of the report was noted. In respect of procurement cards the Committee instructed officers to cancel cards from any

cardholder who failed to submit information on spend 2 months in a row.

8 ANNUAL ASSURANCE REPORT

Consideration was given to the 2015/16 Annual Report by TIAA on the internal control environment at Chiltern District Council. The annual internal audit report summarised the outcomes of the reviews carried out on the organisation's framework of governance, risk management and control. The report was designed to assist the Council in making its annual statement on internal controls assurance.

The Head of Internal Audit's annual opinion was that he was satisfied sufficient internal audit work had been undertaken to allow a positive conclusion as to the adequacy and effectiveness of Chiltern District Council's risk management, control and governance processes. The Internal Audit opinion was that Chiltern District Council had adequate and effective management, control and governance processes in place to manage the achievement of objectives.

RESOLVED:

That the content of the report was noted.

9 ANNUAL GOVERNANCE STATEMENT 15/16

Consideration was given to the report which provided Members with sufficient evidence to conduct the statutory review of the effectiveness of the Authority's Governance Framework / system of internal control; and to approve the statutory Annual Governance Statement for 2015/16.

The following areas were identified as areas where further work was required to improve governance / internal control: business continuity; information management processes; HS2 mitigation costs; limited assurance on audit report for H & S and these were disclosed in the Annual Governance Statement. Sue Gill added that the governance review process in place at both Councils were more thorough than the majority of Councils.

Members made specific reference to current business continuity procedures and the officer responsibility for this. It was also identified that it was good practice for there to be an annual overview and scrutiny report. Members urged that the Review of the Constitution be progressed as a priority, and noted that a report would be going to the Governance & Electoral Arrangements Committee on this matter.

RESOLVED:

That following further consideration regarding the completion of an annual overview and scrutiny report, by the Chairman of the Committee, the Annual Governance Statement be approved.

10 DRAFT STATEMENT OF ACCOUNTS

Consideration was given to the report which presented to Members the draft 2015/16 Statement of Accounts.

The Principal Accountant presented the report to the Committee. She reported that EY were currently auditing the accounts and these Accounts were required to be formally signed off by 30 September. The following key points were highlighted:

- Movement in reserve statements
- Income and expenditure statement
- Balance sheet - The value of property plant and equipment had increased due to the re-valuation of leisure centres as the valuation was based on depreciated replacement cost and there had been an increase in the relevant building indices. The Chairman reported that he had queried the valuation of the Leisure centres with officers / the valuer.
- Pension liability – decreased this year due to increase in value of corporate bonds

R Jones left the meeting at 8.45pm

RESOLVED:

That the draft 2015/16 Statement of Accounts be noted.

11 JOINT WASTE COLLECTION, RECYCLING AND STREET CLEANING CONTRACT REVIEW

Consideration was given to the report which advised the Committee of the outcome of the Audit Review of the Joint Waste Contract.

The Head of Environment presented the report to the Committee and set out the key outcomes. A key area of frustration for the Council had been due to SERCO performance but issues were being resolved and improved and more focused key performance targets were due to be introduced..

The Chairman queried progress in relation to performance failure fines. The Head of Environment responded that this issue was still under discussion with the contractor.

RESOLVED:

That the content of the report be noted.

12 ANNUAL FRAUD REPORT

Consideration was given to the report which advised of the Anti-fraud activity undertaken in 2015/16 and an action plan for 2016/17.

The Head of Customer Services presented the report which detailed the anti-fraud activity completed during the 2015/16 financial year and the outcomes where appropriate. It included an action plan for areas of work to be reviewed in the year 2016/17, with the intention of identifying risk areas and taking proactive work to prevent and deter fraud.

Chiltern District Council worked in partnership with South Bucks District Council in relation to all anti-fraud activity; and since May 2016 the fraud and error investigation team was part of the shared revenues service for both Councils. It was reported that in 2015/16 Chiltern District Council had awarded a total of £19,644,940 in Housing Benefit and £3,551,778 in Local Council Tax Support.

The number of cases and details of overpayment, underpayment and recovery of monies was detailed in the report and considered by the Committee.

RESOLVED:

That the content of the report be noted.

13 PROPOSED AMENDMENTS TO THE FINANCIAL PROCEDURE RULES

Consideration was given to the report which requested that the Financial Procedure Rules relating to debt write offs be amended.

RESOLVED:

That the Financial Procedure Rules be amended to allow the Parking Manager to approve the write off of irrecoverable penalty charge notices up to £150.

14 FREEDOM OF INFORMATION MANAGEMENT AND RIPA ANNUAL REPORT

Members considered a report which provided an update on the public engagement with the Freedom of Information Act 2000, Environmental Information Regulations 2004, the Data Protection Act 1998, the Transparency Code of Practice, the INSPIRE Regulations, RIPA, Protection of Freedoms Act 2012, which was the first such report to be presented to the Chiltern Audit and Standards Committee.

The Committee considered the report in detail and thanked the Corporate Information Manager for the continued hard work on this area of work.

RESOLVED:

That the content of the report be noted.

15 GUIDANCE NOTE FOR MEMBERS ON BIAS AND PRE-DETERMINATION

Members considered a report which proposed the approval of a guidance note for members about the rules on bias and predetermination to assist in exercising their decision-making functions.

In response to a Councillor's experience of his role as both a District and town Councillor, the Head of Legal and Democratic Services agreed to include guidance in respect of participating in debate on an issue at a Town / Parish Council that is likely to be considered at the District Council also and how to avoid issues of predetermination so that Councillors are clear.

RESOLVED:

That the draft Guidance Note, attached to the report, be approved; subject to inclusion of advice to dual-hatted members with the final wording delegated to the Head of Legal and Democratic Services in consultation with the Chairman of the Committee.

16 COMPLAINTS MONITORING REPORT 2015/16

Members considered the annual report about numbers and types of complaints received by the monitoring officer that members have breached the code of conduct. It was noted that the number of complaints continued to be low and had reduced slightly in 2015/16. The Monitoring Officer advised that having held a workshop for members on declarations of interest in November 2015 a workshop covering the standards of behaviour expected under the Code was proposed for the autumn.

Cllr R Jones entered the meeting at 6.40pm.

RESOLVED:

That the complaints information for 2015/16 be noted.

17 STANDARDS WORK PROGRAMME

The Committee considered the content of the Standards Work Programme.

RESOLVED

That the work programme of the Standards Committee be noted.

18 AUDIT WORK PROGRAMME

The Committee considered the content of the Audit Work Programme.

RESOLVED

That the work programme of the Audit Committee be noted.

The meeting ended at 8.54pm

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the PLANNING COMMITTEE held on 18 AUGUST 2016

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

Councillors: J A Burton
J Cook
J L Gladwin
M J Harrold
J E MacBean
N M Rose
J J Rush
P N Shepherd
C J Wertheim

APOLOGIES FOR ABSENCE were received from Councillors P M Jones and M W Titterington

ALSO IN ATTENDANCE: Councillors D M Varley and N I Varley

26 MINUTES

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

27 DECLARATIONS OF INTEREST

Councillor A S Hardie declared a personal interest in planning application CH/2016/1035/FA. Nature of interest – Councillor Hardie was a member of Penn Parish Council.

Councillor J L Gladwin declared a personal interest in planning application CH/2016/1056/FA and CH/2016/1059/FA. Nature of interest - Councillor Gladwin was a Trustee of the Chiltern Society.

28 TREE PRESERVATION ORDER NO. 3 OF 2016

RESOLVED -

That the Tree Preservation Order No 3 of 2016 made on 4 March 2016 be confirmed without modification.

29 ITEMS FOR NOTING

RESOLVED -

That the reports be noted.

Note 1: Councillor D M Varley entered the meeting at 6.40 pm

30 REPORTS ON LOCAL AUTHORITY LIST OF APPLICATIONS

CH/2016/0949/HB – Public Convenience, High Street, Chalfont St Giles, Buckinghamshire

RESOLVED -

Defer – With recommendation to Full Council that consent be granted unless new points of objection are received during the advertisement period.

31 REPORT ON MAIN LIST OF APPLICATIONS

RESOLVED -

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

CH/2015/1304/OA Idaho Cottage, 36 Wycombe Road, Prestwood, Buckinghamshire, HP16 0PJ

Conditional Permission with additional informatives:

1. The applicant is advised that any significant works to the pond are likely to constitute engineering works and therefore require planning permission.
2. The applicant is advised that the Local Planning Authority will expect a hydraulic survey to be

carried out prior to submitting an application for Reserved Matters.

CH/2015/1776/FA Rowan Tree Farm, Blackwell Hall Lane, Ley Hill, Buckinghamshire, HP5 1UN

Application withdrawn and enforcement action agreed by the Committee, see Minute 33 below.

Note 2: Councillor N I Varley entered the meeting at 7.05 pm

CH/2016/0779/FA Windover, Moat Lane, Prestwood, Buckinghamshire, HP16 9BY

Refused Permission for the following reasons; the excessive use of dormer windows dominating the roof together with a flat crown creating an overly squat and bulky appearance with a contrived form and overdeveloped appearance; the design would result in the dwelling being overly prominent and intrusive in the street scene and out of character with neighbouring buildings; the adverse affect on the character and appearance of the area; the site is located opposite a road junction, close to a school and with the only pavement on this side of the Lane, where any on-street parking would cause danger and inconvenience to pedestrians and other road users; whilst the site plans show space for three cars the arrangement would be awkward and cramped to use and cars would need to reverse out into the carriageway; insufficient space for parking three cars and manoeuvring space to allow cars to enter and exit in forward gear; the proposal would lead to additional on-street parking which would be detrimental to highway safety and convenience. The precise wording delegated to the Head of Sustainable Development.

CH/2016/0923/FA The Gate , (Formerly The Gate Inn), Lee Gate, The Lee, Buckinghamshire, HP16 9NW

Conditional Permission

CH/2016/0975/FA Orchard Cottage, Green Lane, Prestwood, Great Missenden, Buckinghamshire, HP16 0QA

Speaking as an objector, Ms Lin Walker
Speaking for the application, the agent, Mr Jeremy Symondson

Conditional Permission

CH/2016/1035/FA Woodchester, Woodchester Park, Knotty Green, Buckinghamshire

Speaking for the objectors, Mrs Margaret Elliott
Speaking for the application, the agent, Mr David Parker

Refused Permission for the following reasons; failure to overcome the concerns raised by the Appeal Inspector on the previous application reference CH/2012/1807/FA; the size and bulk of the proposed building would appear out of scale with neighbouring buildings; an overdevelopment of the site; failure to integrate with the street scene and appearing visually intrusive from the footpath and countryside to the rear; the depth, height, orientation and proximity to the side boundaries would overwhelm the neighbouring property at 4 Latimer Way, dominate the outlook from the rear garden and appear overbearing and visually intrusive; the overbearing impact on the rear garden and conservatory of neighbouring Hawthorn House; significantly impaired living conditions of the neighbouring properties. The precise wording delegated to the Head of Sustainable Development.

CH/2016/1056/FA Land To The Rear Of Bubbles Car Wash, London Road, Little Missenden, HP16 0DH

Refused Permission with an additional reason for refusal relating to flooding and an amendment to the existing reason for refusals to include reference to the impact on the chalk stream and contrary to Policy GC12 of the Adopted Local Plan. Further Action authorised, see Minute 34 below

CH/2016/1059/FA Bubbles Car Wash, Deep Mill Service Station, London Road, Little Kingshill, Buckinghamshire, HP16 0DH

Refused Permission

Note 3: Councillors D M Varley and N I Varley left the meeting at 9.04 pm

32 REPORTS ON ALLEGED BREACH OF PLANNING CONTROL APPLICATIONS

2014/00278/AB – LAND TO THE REAR OF DEEP MILL SERVICE STATION, LONDON ROAD, LITTLE KINGSHILL, BUCKINGHAMSHIRE, HP16 0DH.

RESOLVED -

The Planning Committee authorised the Head of Sustainable Development in consultation with the Head of Legal and Democratic Services to instigate legal proceedings and/or direct action to secure compliance with the Notice as considered reasonable and necessary to secure compliance with the Enforcement Notice.

2015/00258/AB – Land at Rear of 69 and 73 Denham Lane, Chalfont St Peter, Buckinghamshire

RESOLVED -

The Planning Committee authorises follow up action is taken in accordance with Central Government Guidance in para 207 of the National Planning Policy Framework (NPPF) and Chiltern District Council's Planning Enforcement Policy and the Planning Committee authorises the service of such Enforcement Notices in respect of the development as described above 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 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.

2. The Planning Committee note that there is an extant Enforcement Notice ENF 29/82 alleging the mixed use of land and buildings for purposes of residential, agriculture and garage (including the repair and maintenance, storage and sale of motor vehicles). The notice required the garage use to cease. In the event of non-compliance with this 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.

33 CH/2015/1776/FA - ROWAN TREE FARM, BLACKWELL HALL LANE, LEY HILL, BUCKINGHAMSHIRE, HP5 1UN

The above planning application was withdrawn however further action was considered in respect of the

- Non-compliance with agricultural occupancy condition imposed on planning permission CH/2008/0222/FA
- Retention of mobile home

RESOLVED -

The Planning Committee authorises follow up action is taken in accordance with Central Government Guidance in para 207 of the National Planning Policy Framework (NPPF) and Chiltern District Council's Planning Enforcement Policy and the Planning Committee authorises the service of such Enforcement Notices in respect of the

- Non-compliance with agricultural occupancy condition imposed on planning permission CH/2008/0222/FA
- Retention of mobile home

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 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.

34 CH/2016/1056/FA - LAND TO THE REAR OF BUBBLES CAR WASH, LONDON ROAD, LITTLE MISSENDEN, HP16 0DH

RESOLVED -

On 28 April 2016, the Planning Committee authorised 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.

1. No new information had been submitted which would alter the recommendation and the Planning Committee note that follow up action should now be taken in accordance with Central Government Guidance in para 207 of the National Planning Policy Framework (NPPF) and Chiltern District Council's Planning Enforcement Policy will now be taken in respect of the current 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 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 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.

- 2. The planning committee also requested that Officer take action to serve the formal notices without further delay.**

The meeting ended at 9.08 pm

