

King George V House, King George V Road,
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CHILTERN
District Council



TO: ALL MEMBERS OF COUNCIL

Dear Councillor

You are hereby summoned to attend the Meeting of the **CHILTERN DISTRICT COUNCIL** to be held in the **Council Chamber, King George V House, King George V Road, Amersham** on **Tuesday, 11th July, 2017** at **6.30 pm** when the business below is proposed to be transacted.

A G E N D A

1 Evacuation Procedures

2 Presentation from the Chief Constable

To receive a presentation from the Chief Constable.

Members kindly are asked to send questions in advance to democraticservices@chiltern.gov.uk

3 Apologies for Absence

4 Minutes (*Pages 5 - 28*)

To approve as a correct record and to sign the Minutes of the meetings of Ordinary and Annual Council held on 16 May 2017.

5 Declarations of Interest

6 Announcements

To receive any announcements from:

- a) Chairman
- b) Cabinet Leader
- c) Head of Paid Service

Chairman and Vice Chairman's Diary (Pages 29 - 30)

7 To receive and consider reports and recommendations of Committees of the Council, in date order of the meeting:

7.1 Local Authority Application CH/2016/2081/RC - Planning Committee - 22 June 2017 (*Pages 31 - 34*)

Planning Committee Report (Pages 35 - 52)

7.2 Local Government Pension Scheme Discretionary Policy Statement - Joint Staffing Committee - 3 July 2017 (*Pages 53 - 66*)

Appendix (Pages 67 - 70)

7.3 *Private Report: Locally Determined Pay - Joint Staffing Committee - 3 July 2017 (Pages 135 - 138)*

Paragraph 4 - Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority

8 Cabinet Recommendations

To receive and consider the recommendations of the Cabinet for the meeting held on 27 June 2017 and to receive questions and answers on any of those recommendations in accordance with Rule 8 of the Procedural Rules.

8.1 Amersham Multi Storey Car Park Development Project (*Pages 71 - 80*)

Appendix A - Site Location Plan (Pages 81 - 82)

Appendix B - Chronology of Reporting (Pages 83 - 86)

Appendix C - Cash Flows (Pages 87 - 88)

Appendix D - Sensitivity Analysis (Pages 89 - 90)

Appendix E - Construction Programme 2017 - 2018 (Pages 91 - 96)

Appendix F - Letter from Quantity Surveyor (Pick Everard) (Pages 97 - 100)

8.2 Corporate Enforcement Policy (*Pages 101 - 104*)

Appendix (Pages 105 - 124)

- 8.3 Revitalisation Group Update Report & Capital Grants (*Pages 125 - 128*)
Appendix 1: Revitalisation Groups Capital Projects Funding Proposals 2016 (Pages 129 - 132)
Appendix 2: Community Projects Delivered & Group Activities in 2016 (Pages 133 - 134)
- 9 Verbal Reports from the Leader, Cabinet Members or Chairman of a Committee
To receive and consider verbal update reports (if any) from the Members listed above, and to answer questions on any of those reports from any Member of the Council in accordance with Rule 9.1 of the Procedural Rules.
- 10 Questions with Notice (if any)
The Chairman of the Council; Cabinet Leader or a Cabinet Member; or Chairman of any Committee to receive a question on any matter in relation to which the Council has powers or duties or which affects the District. Questions must be given in writing to the proper officer 3 clear days before the meeting, or if it relates to urgent business by 4pm on the day of the meeting, in accordance with Rule 9.2 of the Council Procedure Rules.
- 11 Petitions (if any)
To receive petitions and/or deputations (if any) from members of the public including provisions allowing members to ask questions of clarification at the discretion of the Chairman and restrictions on deputations covering the same subject or by the same speakers.
- 12 Joint Arrangements and Outside Organisations (if any)
To receive reports about and receive questions and answers relating to any joint arrangements or external organisations.
- 13 Motions (if any)
Written notice of every motion, signed by at least 2 Members, must be delivered to the proper officer at least 7 clear days before the meeting
- 14 Exclusion of the Public (if required)
To resolve that under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act.

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

Date of next meeting – Tuesday, 17 October 2017

A handwritten signature in black ink, appearing to read 'Bob Smith', written in a cursive style.

Bob Smith
Chief Executive

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CHILTERN DISTRICT COUNCIL**MINUTES** of the Ordinary Meeting of **CHILTERN DISTRICT COUNCIL (CDC)**held on **16 MAY 2017**

PRESENT: Councillor M Harker - Chairman of the Council
 P N Shepherd - Vice-Chairman of the Council

Councillors:	A K Bacon	Councillors:	J E MacBean
	D J Bray		P E C Martin
	J A Burton		S A Patel
	J Cook		D W Phillips
	E A Culverhouse		N M Rose
	I A Darby		J J Rush
	C J Ford		M W Shaw
	A J Garth		L M Smith
	J L Gladwin		M R Smith
	G K Harris		M J Stannard
	M J Harrold		M W Titterington
	P J Hudson		D M Varley
	C M Jones		H M Wallace
	P M Jones		E A Walsh
	R J Jones		C J Wertheim
	D J Lacey		F S Wilson

APOLOGIES FOR ABSENCE were received from Councillors M Flys, A S Hardie, C J Jackson, C J Rouse and N I Varley.

193 MINUTES

The Minutes of the meeting of Council held on 28 February 2017 were approved as a correct record.

194 DECLARATIONS OF INTEREST

There were no declarations of interest.

195 ANNOUNCEMENTS**(a) Chairman's Engagements**

A list of Engagements carried out by the Chairman and Vice-Chairman of the Council between 17 February 2017 and 14 May 2017 had been circulated. The Chairman added that they had also attended a Citizenship ceremony earlier that day that would be added to the list of Engagements.

(b) Chairman's Announcements

The Chairman welcomed Councillor Vanessa Martin to the Council following the by-election for Great Missenden District Ward held on 4 May 2017.

(c) Announcements from the Leader of the Cabinet

The Leader of the Cabinet advised that a Joint Member Session would be held on 13 September at Chiltern District Council. Refreshments would be available from 6pm with the briefing session starting at 6.30pm.

(d) Announcements from the Head of Paid Service

The Chief Executive had no announcements to make.

(e) Petitions

No petitions were submitted.

196 REVIEW OF THE COUNCIL'S CONSTITUTION - GOVERNANCE & ELECTORAL ARRANGEMENTS COMMITTEE - 18 JANUARY/22 FEBRUARY/3 MARCH

Members were asked to approve proposed changes to the Council's Constitution to bring it up-to-date and make it more user-friendly following detailed consideration by the Governance and Electoral Arrangements Committee.

Having noted that the revisions relating to executive (cabinet functions) will be approved by Cabinet at their meeting on 27 June it was moved by Councillor L Walsh, seconded by Councillor I Darby and

RESOLVED:

That the proposed revisions to the Constitution, as approved and recommended by Governance and Electoral Arrangements Committee, be agreed.

Note: Councillors A Garth and H Wallace entered the meeting at 6.36 pm.

197 REVIEW OF JOINT APPOINTMENTS AND IMPLEMENTATION COMMITTEE AND PERSONNEL COMMITTEE - GOVERNANCE & ELECTORAL ARRANGEMENTS COMMITTEE - 12 APRIL 2017

The Council considered a proposal to replace the existing Joint Appointments and Implementation Committee (JAIC) and Personnel Committees at both Chiltern and South Bucks Councils with a single Joint Staffing Committee.

As a joint workforce has now been created for almost all council services, it was proposed that a more efficient and effective arrangement would be to replace JAIC and the respective Personnel Committees at each Council with a single joint committee to:

- deal with the appointment of the senior management team;
- make recommendations to each Council on the appointment of the Head of Paid Service; and
- deal with all matters relating to the joint employment of the joint workforce which are not delegated to officers.

Draft terms of reference for a Joint Staffing Committee were attached in appendix A for consideration.

Members were advised that it was proposed that any staffing matters that were specific to Chiltern officers would be considered by a Sub-Committee of the Joint Staffing Committee comprising Chiltern Members only.

The recommendations set out in the report would be considered by South Bucks District Council at its meeting on 23 May. The decision would therefore be subject to the agreement of both Councils.

It was moved by Councillor L Walsh, seconded by Councillor M Stannard and

RESOLVED:

That subject to the agreement of South Bucks District Council

- 1. That Pursuant to section 102 of the Local Government Act 1972 the Council agrees to establish a Joint Staffing Committee with South Bucks District Council with authority to exercise the Council's employment functions as set out in the terms of reference at Appendix A to this report**

2. That the rules of procedure for the Joint Staffing Committee be agreed as set out in Appendix A
3. That the Joint Staffing Committee replaces the Personnel Committee and supersedes JAIC with immediate effect and the Inter Authority Agreement between the Councils be amended accordingly
4. That if a Joint Staffing Committee is established to also appoint a sub-committee comprising the members of each respective Council on the Joint Staff Committee to discharge employment functions specific to each Council and which are not delegated to officers
5. The Council's constitution be amended to reflect these changes and the Head of Legal and Democratic Services be authorised to make the necessary amendments to the IAA to reflect the above decisions in consultation with the Chief Executive and Leaders.

198 REFRESHED JOINT BUSINESS PLAN 2017-2020

The Council was asked to consider, as part of the Budget and Policy Framework, the refreshed Joint Business Plan 2017-2020, which links to the Sustainable Community Strategy, and replaces the former Chiltern's Aims and Objectives document and South Bucks' Corporate Plan. The Cabinet at its meeting on 4 April 2017, agreed to recommend to Council the approval of the refreshed Plan.

South Bucks District Council would consider the refreshed Joint Business Plan 2017-2020 at the Council meeting on 23 May and the Council's decision would therefore be subject to the approval of South Bucks District Council.

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

RESOLVED:

That the refreshed Joint Business Plan 2017-2020 be approved, subject to South Bucks District Council also approving the Joint Business Plan.

199 ECONOMIC DEVELOPMENT STRATEGY

Council considered a report on the Economic Development Strategy for Chiltern and South Bucks Councils 2017-2026.

At its meeting on 7th February 2017 Chiltern District Council's Cabinet resolved that the Strategy be adopted, subject to no changes being suggested during consultation with the Chiltern Services Overview Committee and South Bucks Overview and Scrutiny Committee and Cabinet meeting.

Due to links with the emerging Local Plan, the Strategy was also referred to the Joint Planning Policy Member Reference Group at its meeting on 8 March 2017 for consideration.

At its meeting of 25th April 2017, Cabinet considered the response of the Overview and Scrutiny Committee and The Planning Policy Joint Member Reference Group to the proposed Economic Development Strategy for Chiltern and South Bucks Councils 2017-2026 (Appendix 1), noted the initial Action Plan (Appendix 2) and resolved to recommend to Council adoption of the Economic Development Strategy for Chiltern and South Bucks Councils 2017 to 2026.

South Bucks District Council would consider the report at its meeting on 23 May. The Council's decision would therefore be subject to the approval by South Bucks District Council.

Councillor F Wilson, after introducing the report, expressed thanks to local businesses for their responses to the consultation and to the Interim Director of Services for all her work in the project.

It was moved by Councillor F Wilson, seconded by Councillor I Darby and

RESOLVED:

That the Economic Development Strategy for Chiltern and South Bucks Councils 2017-2026 be adopted, subject to South Bucks District Council also approving the Strategy.

200 PARKING IMPROVEMENTS AT KING GEORGE V HOUSE

The Cabinet, at its meeting on 4 April, agreed to increase the number of parking spaces available for staff at King George V House as a result of greater occupancy within the offices from staff and tenants, and due to planned works to Amersham multi-storey car park. Members noted that the layout of the car park had also been reviewed to help provide additional spaces.

The Council was asked to agree the recommendation to enable works to be undertaken to provide additional parking spaces.

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

RESOLVED:

That the provision in the Capital Programme for parking improvements at King George V House be increased to £100,000 and that the commitment of the full sum be authorised once planning and tenant agreements are secured.

201 CHILTERN DISTRICT COUNCIL COMMUNITY & WELLBEING PLAN 2017-2020

Council received a report containing the Chiltern Community and Wellbeing Plan 2017-2020, attached as an Appendix. The report detailed how the Healthy Communities service would work with the community and alongside partners over the next 3 years.

Members were advised that Chiltern Community and Wellbeing Plan would help provide a clear vision as to how the Council in partnership with a range of agencies and local voluntary groups would support communities over the next three years.

The plan was important as it would help build on existing strong community and voluntary groups in the district. It would also help develop community infrastructure and directly supported the Council's key strategic objectives in relation to improving health and wellbeing, enabling a vibrant local economy, protecting the local environment and reducing crime and disorder.

The asset based approach to community development would empower community organisations and would support their development and growth to deliver improved services to local residents.

The attached plan had taken into account the advice of the Portfolio Holder and comments arising from consultation with Members, including the Services Overview Committee. The Cabinet at its meeting on 4 April 2017 agreed to recommend to Council that the Plan be adopted.

It was moved by Councillor G Harris, seconded by Councillor I Darby and

RESOLVED:

That Chiltern Community and Wellbeing Plan 2017 – 2020 be approved as part of the Budget and Policy Framework and as a replacement for the Community Cohesion Plan.

202 HIGH SPEED 2 - MEMBERS INFORMATION GROUP - TERMS OF REFERENCE

The Cabinet, at its meeting on 4 April 2017, agreed the approach to handling Schedule 17 submission approvals from HS2. This included the creation of a Members Information Group to allow Officers to provide regular updates on Schedule 17 submissions and provide an opportunity for Members to ask questions. It was acknowledged that the Council's ability to object to HS2 proposals were limited by grounds set out in legislation.

In order to progress the creation of the Members Information Group the Council was asked to agree the proposed Terms of Reference.

It was moved by Councillor P Martin, seconded by Councillor D Phillips and

RESOLVED:

- 1. That the Terms of Reference for the HS2 Members Information Group be agreed as set out in the report.**
- 2. That the relevant Cabinet Portfolio Holder nominates and appoints the permanent Members of the HS2 Members Information Group.**

203 VERBAL REPORTS FROM THE LEADER, CABINET MEMBERS OR CHAIRMAN OF A COMMITTEE

There were no verbal reports.

204 QUESTIONS WITH NOTICE (IF ANY)

There were no questions.

205 PETITIONS (IF ANY)

There were no petitions.

206 JOINT ARRANGEMENTS AND OUTSIDE ORGANISATIONS (IF ANY)

There were no reports.

207 MOTIONS (IF ANY)

No Motions had been received.

The meeting ended at 6.54 pm

CHILTERN DISTRICT COUNCIL

MINUTES of the Annual Meeting of **CHILTERN DISTRICT COUNCIL (CDC)**

held on **16 MAY 2017**

PRESENT: Councillor P N Shepherd - Chairman of the Council
G K Harris - Vice-Chairman of the Council

Councillors:	A K Bacon	Councillors:	J E MacBean
	D J Bray		P E C Martin
	J A Burton		S A Patel
	J Cook		D W Phillips
	E A Culverhouse		N M Rose
	I A Darby		J J Rush
	C J Ford		M W Shaw
	A J Garth		L M Smith
	J L Gladwin		M R Smith
	M Harker		M J Stannard
	M J Harrold		M W Titterington
	P J Hudson		D M Varley
	C M Jones		H M Wallace
	P M Jones		E A Walsh
	R J Jones		C J Wertheim
	D J Lacey		F S Wilson

APOLOGIES FOR ABSENCE were received from Councillors M Flys, A S Hardie, C J Jackson, C J Rouse and N I Varley

1 CHAIRMAN'S WORD OF THANKS

Councillor M Harker OBE on reflecting on her time as Chairman of the Council advised that she had been honoured to represent the Council and would miss the role very much. Councillor Harker OBE highlighted some of the work that the Council had done during her time as Chairman. This included supporting a number of charities including: Cancer Research, Rennie Hospice and Dreamflight.

The Council had also supported events such as Young Enterprise and the Duke of Edinburgh's Award. The Council also hosted a number of events, such as a Christmas Carol Service. The Chairman expressed thanks to the community and advised that this support was invaluable and had helped make the voluntary projects so successfully.

The Chairman expressed thanks to everyone that had supported her in the role. This included Councillors, officers, her family and particular thanks were expressed to the Chief Executive and Judy Elliot who had provided specific support to the Chairman.

2 ELECTION OF CHAIRMAN

The Chief Executive requested nominations for the office of Chairman of the Council for the year 2017/2018.

Councillor Ford proposed; and Councillor P Jones seconded. There being no other nominations it was

RESOLVED -

That Councillor N Shepherd be elected Chairman of the Council for 2017/18.

Councillor Shepherd was then invested with the Chairman's Badge of Office and made and signed the formal Declaration of Acceptance of Office. The Chairman thanked the Council for electing him and paid tribute to Councillor M Harker OBE, the Immediate Past Chairman.

3 APPOINTMENT OF VICE-CHAIRMAN

The Chairman invited nominations for the office of Vice-Chairman of the Council for the year 2017/18. Councillor I Darby proposed the name of Councillor G Harris. The nomination was seconded by Councillor D Phillips. There being no other nominations it was

RESOLVED -

That Councillor G Harris be appointed Vice-Chairman of the Council for 2017/18.

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

4 ELECTION OF THE CABINET LEADER & APPOINTMENT OF CABINET MEMBERS

Councillor I Darby had been elected as the Cabinet Leader for four years to 2018/19, at the Annual Meeting of the Council on 27 May 2015.

The Agenda items relating to the election of Cabinet Leader and appointment of Cabinet Members were then taken together.

The Cabinet Leader paid tribute to Councillor Harris and advised that because Councillor Harris had been appointed Vice-Chairman he was no longer a Cabinet Member.

In accordance with Cabinet Procedure Rule 2.1(2), Councillor Darby, informed the meeting that there was no change to the Cabinet functions, and confirmed the appointments of Cabinet Members, as detailed below.

Councillor Darby referred to her speech made at the Ordinary meeting of Council identifying achievements of the previous year and opportunities facing the Council over the coming year.

RESOLVED –

That the allocation of Cabinet Functions and appointments to the Cabinet, as detailed below, be noted.

Portfolio	Functions	HOS Service Areas
Leader (Isobel Darby)	Communications, Performance & Policy Human Resources Strategic Finance	Communications, Performance and Policy Human Resources Strategic Finance Economic Development (delegated to Councillor F Wilson)
Support Services (Deputy Leader) (Mike Stannard)	Business Transformation ICT Legal and Democratic Services Audit Finance	Transformation Programme Management and Support, ICT Client, ICT Operations, GIS, Web Services, Information Management including FOI/Data Protection Legal, Democratic Services, Electoral Registration, Elections, Land Charges Management & Statutory Accountancy, Financial Administration, Internal Audit, External Audit Liaison
Sustainable Development (Peter Martin)	Planning Enforcement Building Control Strategic Transport	Planning Policy, Development Management, Conservation & Tree Preservation, Enforcement, Building Control, Strategic Transportation Issues,
Environment (Mike Smith)	Estates Facilities Parking Waste Management Flooding Carbon Management	Property & Asset Management, Facilities Management, Parking, Cemeteries & Memorial Gardens, Public Conveniences, Street Naming, Engineering Services, Ground Maintenance, Operational Transport Issues, Waste Collection, Street Cleaning, Landscape Advice
Healthy Communities (Liz Walsh)	Community & Leisure Environmental Health Community Safety Licensing Housing	Community Development & Cohesion, Grants, Safeguarding, Leisure Client, Leisure Operations, Sports Development, Environmental Health, Community Safety, Housing, Licensing, Emergency Planning/Health & Safety/Business Continuity
Customer Services (Fred Wilson)	Revenues and Benefits Customer Services	Revenues & Benefits Client, Revenues & Benefits Operation, Fraud & Welfare Partnership, Customer Services, Economic Development (delegated from Leader's portfolio)

5 ESTABLISHMENT OF THE AUDIT & STANDARDS AND OVERVIEW COMMITTEES

RESOLVED –

That the following Committees be established:

- **Audit & Standards Committee – 9 Members, plus two Independent Persons**
- **Services Overview Committee – 15 Members**
- **Resources Overview Committee – 15 Members**

6 ESTABLISHMENT OF REGULATORY AND OTHER COMMITTEES

RESOLVED –

That the following Regulatory and other Committees be established:-

- **Appeals & Complaints Committee – 11 Members**
- **Governance & Electoral Arrangements Committee – 11 Members**
- **Licensing Committee – 15 Members**
- **Planning – 13 Members**
- **Joint Staffing Committee – 6 Members, plus 6 South Bucks District Council Members**

7 ALLOCATION OF SEATS TO POLITICAL GROUPS

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

RESOLVED –

That the seats on Committees for the Municipal Year 2017/18 be allocated to the political groups, as detailed below, with the balance to be allocated to those Members who were not part of a political group.

2017-18								
		Conservative			Lib Dems			
39		Seats	37		Seats	2		
		%	94.87%		%	5.13%		
	Places	Proposed	Ent.	Round	Proposed	Ent.	Round	Others
Appeals & Complaints	11	9	10.44	10	1	0.56	1	
Audit & Standards	9	8	8.54	8	1	0.46	1	
Governance & Electoral Arrangements	11	10	10.44	10	1	0.56	1	
Licensing	15	13	14.23	14	1	0.77	1	1 Ind *
Resources Overview	15	13	14.23	14	1	0.77	1	
Services Overview	15	14	14.23	14	1	0.77	1	
Planning	13	12	12.33	12	1	0.67	1	
Joint Staff	6	5	5.69	5	1	0.31	1	
TOTALS	95	84	90.13	87	8	4.87	8	

* one seat gifted to non-political group Member

8 APPOINTMENT OF COUNCILLORS TO SERVE ON EACH COMMITTEE

The nominations to serve on each Committee for the Municipal Year 2017/18 were tabled at the meeting.

RESOLVED:

That the nominations to serve on each Committee, as detailed below, be agreed.

APPOINTMENT OF EXTERNAL MEMBERS PANEL	
G Harris	Con
A Bacon	LD
Council Chairman: N Shepherd	Con
Leader: I Darby	Con
Conservative Group Chairman: J MacBean	Con
Lib Dem Group Leader: P Jones	LD
Restrictions on Membership: 1 Conservative appointment & 1 Liberal Democrat appointment	

APPEALS & COMPLAINTS COMMITTEE (11)	
Chairman: 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
J Cook	Con
A Bacon	LD
Restrictions on Membership: Although all members of the Council are eligible for appointment, any who are also members of the Joint Staffing Committee or Joint Staffing Sub-Committee will be ineligible to hear appeals that result from the decisions of that Committee	
Political Balance (Seats): 10 Conservative; 1 Liberal Democrat	

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
V Martin	Con
A Bacon	LD
Restrictions on Membership: CM and VCM of the Council and Members of the Cabinet may not be members.	
Political Balance (Seats): 8 Conservative; 1 Liberal Democrat	

GOVERNANCE & ELECTORAL ARRANGEMENTS COMMITTEE (11)	
Chairman: D Varley	Con
D Bray	Con
M Stannard	Con
I Darby	Con
M Shaw	Con
A Garth	Con
J Burton	Con
N Rose	Con
H Wallace	Con
L Walsh	Con
P Jones	LD
Restrictions on Membership: None	
Political Balance (Seats): 10 Conservative; 1 Liberal Democrat	

LICENSING (15)	
Chairman: J Rush	Con
Vice-Chairman: C Jackson	Con
E Culverhouse	Con
M Flys	Con
M Harrold	Con
M Harker	Con
G Harris	Con
R Jones	Con
C Jones	Con
C Rouse	Con
N Varley	Con
F Wilson	Con
L Walsh	Con
D Lacey	Ind
P Jones	LD
Restrictions on Membership: Cabinet Leader may not be a member; Cabinet Members may not be CM/VCM. Membership of Licensing Sub Committee drawn from this Committee. All Members must undergo training.	
Political Balance (Seats): 13 Conservative; 1 Liberal Democrat; 1 other	

JOINT STAFFING COMMITTEE (6) CDC MEMBERS	
Leader: I Darby	Con
1 Cabinet Member: M Stannard	Con
D Phillips	Con
C Jones	Con
M Smith	Con
P Jones	LD
Restrictions on Membership: Must have Leader + 1 other Cabinet Member All Members Eligible	
Political Balance (Seats): 5 Conservative; 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
C Jones	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): 12 Conservative; 1 Liberal Democrat	

JOINT COMMITTEE (6 + 6 SBDC Members)	
I Darby	Con
M Smith	Con
M Stannard	Con
P Martin	Con
L Walsh	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
M Harker OBE	Con
C Jackson	Con
E Culverhouse	Con
C Rouse	Con
L Smith	Con
D Bray	Con
P Hudson	Con
M Flys	Con
J Cook	Con
P Jones	LD
<p>Restrictions on Membership: Council Chairman/Vice-Chairman & Cabinet Members cannot be on Overview Committees. The Chairman and Vice-Chairman of the Overview Committee will be elected by the members of the Committee.</p>	
<p>Political Balance (Seats): 14 Conservative; 1 Liberal Democrat</p>	

OVERVIEW COMMITTEE: RESOURCES (15)	
Chairman: N Rose	Con
Vice-Chairman: C Jones	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
J MacBean	Con
M Shaw	Con
H Wallace	Con
V Martin	Con
A Bacon	LD
<p>Restrictions on Membership: Council Chairman/Vice-Chairman & Cabinet Members cannot be on Overview Committees. The Chairman and Vice-Chairman of the Overview Committee will be elected by the members of the Committee.</p>	
<p>Political Balance (Seats): 14 Conservative; 1 Liberal Democrat</p>	

9 APPOINTMENTS TO OUTSIDE BODIES

The nominations to serve on outside bodies for the Municipal Year 2016/17 were tabled at the meeting.

RESOLVED -

That the list of appointments to Outside Bodies for 2017/18, as detailed below, be agreed.

Outside Body	Councillors Appointed 2017/18
Amersham & District Community Association	Councillor Nigel Shepherd Councillor Liz Walsh
Amersham Action Group and Amersham Community Vision	Councillor Mimi Harker
Amersham Old Town Community Revitalisation Group	Councillor Mark Flys Councillor Jules Cook
Armed Forces Champion	Councillor Mimi Harker
Amersham United Charities	Ian Arthurton (external representative)
Ashley Green & District Community Association	Councillor Andrew Garth
Buckinghamshire and Milton Keynes Natural Environment Partnership	Councillor Jane MacBean
Buckinghamshire & Milton Keynes Association of Local Councils	Councillor Isobel Darby
Buckinghamshire County Council Health and Adult Social Care Select Committee	Councillor Jules Cook Reserve - Councillor Caroline Jones
Buckinghamshire Health and Well Being Board	Councillor Isobel Darby
Buckinghamshire Historic Buildings Trust Ltd	Councillor Carl Jackson
Buckinghamshire Mind	Councillor Jane MacBean
Buckinghamshire Strategic Flood Management Group	Councillor Jonathan Rush Councillor Jane MacBean
Buckinghamshire Thames Valley Local Enterprise Partnership	Councillor Mrs Isobel Darby Reserve - Councillor Wilson
Chalfont St Giles Youth Club	Councillor Caroline Rouse
Chalfont St Giles Revitalisation Steering Group	Councillor Carl Jackson Reserve - Councillor Des Bray
Chalfont St Peter Village Action Group	Councillor Linda Smith
Chalfont St Peter Community Centre	Councillor Jonathan Rush

Outside Body	Councillors Appointed 2017/18
Chalfont St Peter Neighbourhood Action Group	Councillor Isobel Darby Councillor Jonathan Rush
Chesham & District Community Association	Councillor Jane MacBean
Chesham Connect (previously Chesham Action Partnership)	Councillor Nick Varley
Chesham Museum	Councillor Jane MacBean
Chesham Over Fifties Positive Action Group	Councillor Derek Lacey
Chesham Youth Club Management Committee	Councillor Jane MacBean
Chiltern and Wycombe Joint Waste Collection Committee	Councillor Mike Smith Councillor Caroline Jones
Chiltern Citizens' Advice Bureau	Councillor Emily Culverhouse
Chiltern & South Bucks Strategic Partnership	Councillor Caroline Jones Councillor Mimi Harker Councillor Jonathan Rush
Chilterns Conservation Board	Councillor Nick Rose
Chiltern LEADER Local Action Group	Councillor Nick Rose
Chiltern Leisure Advisory Board	Councillor Liz Walsh Councillor Mimi Harker OBE Reserve - Councillor Graham Harris
Chiltern Open Air Museum Advisory Council	Councillor Carl Jackson Councillor Linda Smith Councillor Des Bray Councillor Alan Hardie
Chiltern Woodlands Project Limited	Councillor John Gladwin
Chiltern Youth Club	Councillor Liz Walsh
Chilterns Crematorium Joint Committee	Councillor Peter Martin Councillor Mike Smith
Colne Valley Park Community Interest Company	Councillor Chris Ford
Denham Aerodrome Consultative Committee	Councillor Don Phillips
District Councils Network Assembly	Councillor Isobel Darby
European Structural and Investment Funds (ESIF)	Councillor Fred Wilson
Great Missenden Parish Revitalisation Group & Community Vision for HP16	Councillor Heather Wallace Councillor John Gladwin
Groundwork South Trust Limited	Councillor Chris Ford

Outside Body	Councillors Appointed 2017/18
Healthy Communities Partnership	Councillor Liz Walsh
Holmer Green Village Centre	Councillor Mark Titterington
Housing Interaction Trust	Councillor Carl Jackson
HS2 Joint Project Board (51M)	Councillor Nick Rose
Little Chalfont Community Association And The Big Vision for Little Chalfont	Councillor Peter Martin
Local Area Forum: Amersham	Councillor Mimi Harker
Local Area Forum: Chalfonts	Councillor Linda Smith
Local Area Forum: Chesham	Councillor Fred Wilson
Local Area Forum: Missenden	Councillor John Gladwin
Local Government Association General Assembly	Councillor Isobel Darby
Paradigm Board	Noel Brown (External Representative)
Pond Park Community Association	Councillor Derek Lacey
South East England Councils (SEEC)	Councillor Isobel Darby
Thames Valley Police and Crime Panel	Councillor Emily Culverhouse
The Chilterns Dial-a-Ride	Councillor Carl Jackson
Way In (Chiltern Youth Matters)	Councillor Peter Hudson Reserve - Councillor Jane MacBean
Wycombe Rape Crisis	Councillor Emily Culverhouse

10 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. There had been no urgent items since the last report.

RESOLVED –

That the report be noted.

The meeting ended at 7.45 pm

CHAIRMAN'S DIARY: 15 MAY 2017 TO 2 JULY 2017

- 2 June - Latimer House Launch, Latimer
- 4 June - Chesham Town Mayor's Civic Service, Tylers Hill
- 6 June - Oxon & Bucks Armed Forces Briefing, Army Reserve Centre, Aylesbury
- 10 June - Bucks Scouts County Beaveree, PACCAR Chalfont St Peter
- 10 June - Solidarity Meeting for victims of London and Manchester attacks, Chesham
- 15 June - Misbourne Valley District Scouts AGM, Amersham Common
- 17 June - Bucks & Milton Keynes Armed Forces Day, Aylesbury Rugby Club
- 20 June - Chalfont St Peter Youth Centre Awards and AGM, Tithe Barn, Chal St Peter
- 21 June - The Pirates of Penzance, The Beacon School, Amersham
- 24 June - Chalfont St Giles Youth Centre AGM, Chalfont St Giles
- 24 June - Walking Football Competition, Sprinters Leisure Centre -Attended by Cllr Harker
- 24 June - Feast of Chalfont St Peter
- 25 June - Mayor of Beaconsfield Civic Service, Beaconsfield
- 29 June - London Youth Celebration Event, Woodrow House.
- 29 June - Celebrating achievements of GLL supported athletes The Beacon Centre, Beaconsfield
- 30 June - Community Card Scheme - Chalfont Valley School
- 2 July - Opening 'Amersham's Got Talent', Drake Hall, Amerham

SUBJECT:	Local Authority Application CH/2016/2081/RC – Multi Storey Car Park, King George V Road, Amersham
REPORT OF:	Head of Sustainable Development – Peter Beckford
RESPONSIBLE OFFICER	Head of Sustainable Development – Peter Beckford
REPORT AUTHOR	Mark Aughterlony, 01494 732142, MAughterlony@chiltern.gov.uk
WARD/S AFFECTED	Amersham On The Hill

1. Purpose of Report

To report the recommendation of Planning Committee on 22 June 2017 that application CH/2016/2081/RC for a Multi- Storey Car Park on the Council's own land in King George V Road, Amersham be approved subject to conditions including a revised condition dealing with the fascia panels and grid/lattice metal work and increased landscaping and tree planting.

RECOMMENDATION

That application CH/2016/2081/RC for a Multi- Storey Car Park on the Council's own land in King George V Road, Amersham be approved subject to conditions set out in the report attached as an Appendix with an amendment to Condition 2 to omit the words "for the avoidance of doubt" and including the following revised Condition 13: *'Before any construction work commences, named types or samples of the facing materials, including fascia panels and grid/lattice metalwork, as well as roofing materials to be used for the external construction of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Reason: To ensure that the external appearance of the development is not detrimental to the character of the locality' and the provision of increased landscaping and tree planting.*

2. Reasons for Recommendations

The Council's Constitution requires all planning applications relating to Council owned land to be considered by the Planning Committee for a recommendation to Council.

This application was considered by the Planning Committee on 22 June 2017 when the planning officer's report attached as an Appendix was presented. During public speaking the Committee heard representations on behalf of the objectors and the agent acting for the Council. The officer's recommendation was for approval subject to conditions set out on the report with an amendment to Condition 2 to omit the words

“for the avoidance of doubt” and including a revised condition 13 dealing with the submission of proposed fascia panels and grid/lattice metal work for approval. Noting the concerns of objectors the Committee supported the revised condition 13 and also recommended the provision of increased landscaping and tree planting on the site.

3. Content of the Report

This application is for the erection of a multi-storey car park, comprising a total of 502 car parking spaces (plus 30 disabled car parking spaces at surface level). Details of the application, the response from statutory consultees including the highway authority, representations received from the Town Council and local residents, together with an evaluation of the proposal against local and national planning policy are set out in the planning officer’s report attached as an Appendix.

During public speaking the Planning Committee heard representations on behalf of local residents who objected to the proposal and the agents acting for the Council. The Committee considered the planning officer’s report and had particular regard to the proposed design, affect on residential amenity, highway implications, requirement for parking and the proposed tree and landscaping treatment.

In view of the concerns of local residents in respect of the proposed design and potential for light pollution, the Committee welcomed the revised wording of Condition 13 proposed by the case officer to provide that:

‘Before any construction work commences, named types or samples of the facing materials, including fascia panels and grid/lattice metalwork, as well as roofing materials to be used for the external construction of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Reason: To ensure that the external appearance of the development is not detrimental to the character of the locality’.

The Committee also recommended that landscaping and tree planting should be increased on the site.

Having noted that the impact of the proposed car park on the amenities of the area had to be weighed against the need for additional parking provision and subject to imposition of the conditions listed in the officer’s report, the revised wording of condition 13 and the provision of increased landscaping and tree planting on the site, the Committee supported the planning officer recommendation that permission be granted for this development on the Council’s own land.

4. Options

The options in relation to the application are set out in the planning officer’s report.

5. Links to Council Policy Objectives

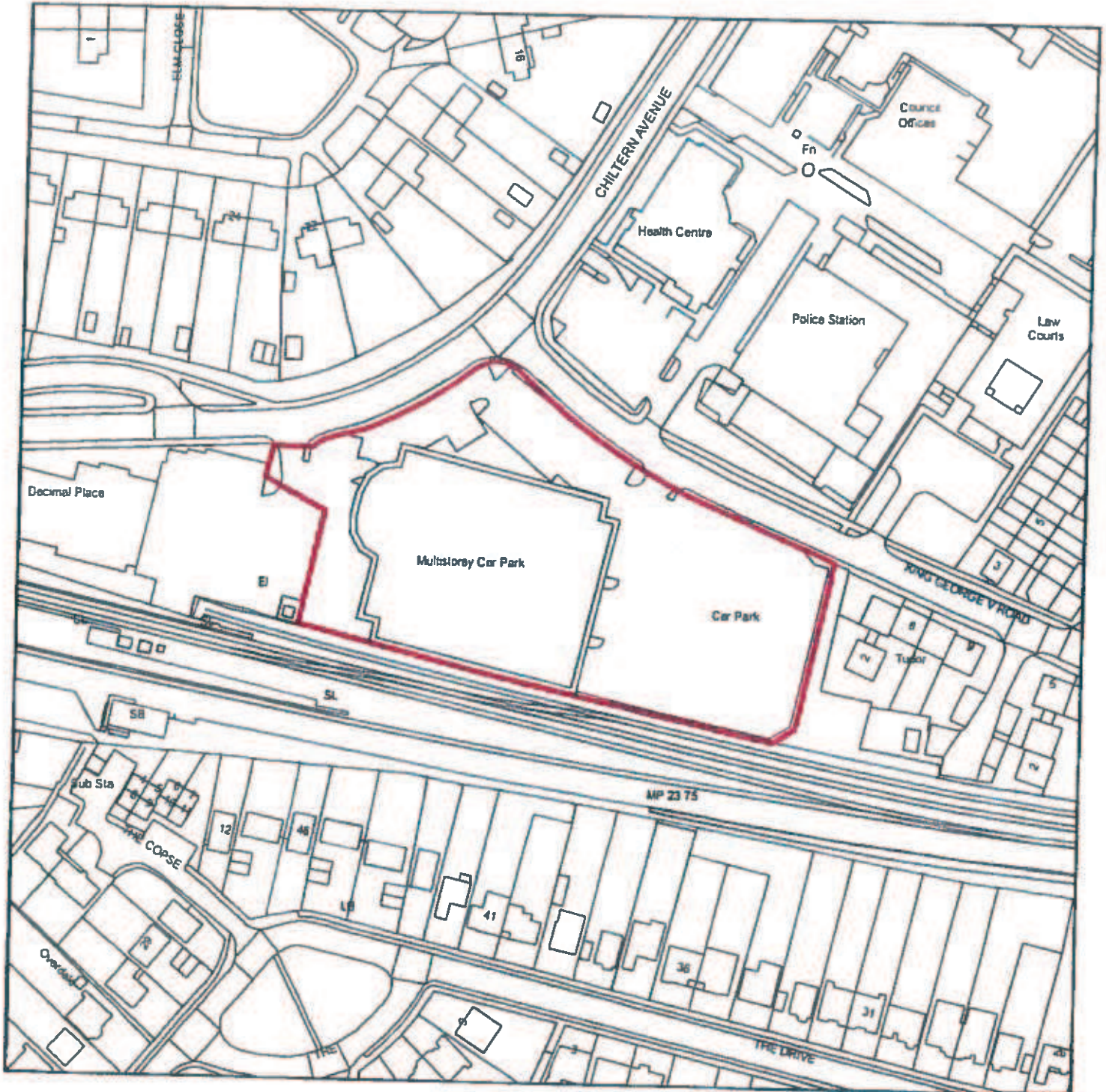
Delivering cost-effective, customer focused services, and working towards safe and healthier local communities.

Background	None other than referred to in the report
Papers:	



CH/2016/2081/RC

Multi Storey Car Park, King George V Road, Amersham,
Buckinghamshire, HP6 5AH



Scale: 1:1,500

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Organisation	Chiltern District Council
Department	Planning & Environment
Comments	
Date	
SLA Number	100033578 2016

REPORT OF THE HEAD OF SUSTAINABLE DEVELOPMENT

Local Authority List of Applications 22nd June 2017

CH/2016/2081/RC

Case Officer: Mark Aughterlony
Date Received: 10.11.2016 **Decide by Date:** 09.02.2017
Parish: Amersham **Ward:** Amersham On The Hill
App Type: Regulation 3 - Chiltern District Council
Proposal: Erection of a multi-storey car park, comprising a total of 502 car parking spaces (plus 30 disabled car parking spaces at surface level)
Location: Multi Storey Car Park
 King George V Road
 Amersham
 Buckinghamshire
 HP6 5AH
Applicant: Chiltern District Council

SITE CONSTRAINTS

Article 4 Direction
 Adjacent to Unclassified Road
 Community Assets/ CDC Owned Land
 Within 500m of SINC NC1
 Thames Groundwater Prot Zone GC9
 Area for Business, Storage, Distribution

CALL IN

This application has not been called in by a Member but is referred to Committee as the District Council is the applicant and the proposal is on Council owned land.

SITE LOCATION

The application site comprises an open, surface level car park located adjacent to the existing multi-storey car park which caters for approx. 500 parking spaces. The site is located within the built up part of Amersham-on-the-Hill, being situated a short distance to the east of the tube station. The car park is currently served by a vehicular access taken from King George V Road.

Between the tube station and the application site is an existing three storey office building fronting Chiltern Avenue. To the north/north-east are the police station, health centre and Courts whilst to the immediate east is 'Tudor Court' sheltered accommodation. To the immediate south is the railway/tube line, beyond which are residential dwellings located in 'The Drive'.

THE APPLICATION

Planning permission is sought for the erection of a multi storey car park comprising 502 parking spaces

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over the main body of the existing surface car park. The new structure would be five storeys in height and would connect to the existing multi-storey car park via ramp sections through external wall openings.

The new car park would replace 136 car parking spaces, at surface level in the eastern part of the site and in the existing multi-storey structure, with a total of 502 car parking spaces across the five levels. The proposal would result in a total of approx. 1, 040 parking spaces overall on the wider site, a net addition of over 360 car parking spaces across the wider sites. Three of the spaces would incorporate electric charging points. Additionally, the proposals will replace 43 existing surface car parking spaces in the north-west of the site with 30 disabled parking spaces, 6 motorcycle spaces and 12 cycle spaces. The existing electric charging point and motorcycle parking spaces in this area of the site would be retained.

The submitted D&A statement comments that in developing the design of the new multi storey car park, reference has been made to the "Park Mark Safer Parking" guidelines for new build car parks and other design guides.

The new car park would be a "flat-plate" configuration with a new pedestrian access/vertical circulation core and lift. Car access will be via existing building provisions thus intensifying the use of the existing facilities and also simplifying circulation patterns. The car park would be physically separate in order to simplify foundations, maintain existing access and avoid the need for structural alterations to the existing car park building. The exterior of the new building would be clad with lightweight panels in contrast to the brick panels and metal louvres of the existing building whilst respecting the vertical bay emphasis of the existing.

The elevations would comprise solid flat metal cladding panels and open areas in a gridded layout to reflect the structural bays whilst the exposed frame would comprise galvanized steel.

The main vehicular access and egress routes would be retained from the existing entry point off King George V Road and existing exit to Chiltern Avenue respectively. Access in to the existing car park and basement level would be maintained via the entrance off King George V Road.

Vehicles would enter the car park via an external ramp down towards the rear of the site, and then circulate in an anti-clockwise direction in and around the existing car park. Vehicles would exit through the existing car park exit on to Chiltern Avenue. Pedestrian access would be provided into the new car park from King George V Road whilst pedestrian access into the existing car park would be retained.

The proposed development is designed to retain and complement all existing landscaping areas at the site boundaries and site frontage however, if considered necessary; the applicants have confirmed that further detailed landscaping requirements could be secured by condition.

Additional 'perspective' plans have been received following the original submission of the application illustrating the finished external appearance of the new structure.

RELEVANT PLANNING HISTORY

CH/2014/1656/RC - Raised replacement roof incorporating solar panels - approved 30.03.2015 subject to the imposition of four conditions. This permission has not been implemented and expires on 30 March 2018.

TOWN COUNCIL

Amersham Town Council recommends that the application be refused, their comments being repeated as follows: -

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"Although Members are in favour of the scheme to provide additional parking facilities, they consider the design to be out of keeping with the existing multi-storey car park and lacking in continuity of design".

REPRESENTATIONS

11 letters of representation have been received to the application, including one from the Amersham & District Residents Association, their summarised material comments being as follows: -

- Whilst supportive of the principle of additional parking for Amersham-on-the-Hill I object for a number of reasons
- The ability to create more long stay parking for commuters in order to free up more short stay spaces elsewhere is welcomed
- The public consultation boards are misleading as the current car park is made of brick with metal louvers
- The proposed design makes no reference to the local architectural vernacular
- It would look out of context with the general 'Metroland' aesthetic and nearby conservation area
- The building would be a prefabricated addition and would appear industrial in appearance
- The montages are very misleading as they airbrush out brickwork in the existing car park to give the appearance of the new and the old having a similar façade
- The building should be lower and line up with the front of the existing
- The façade of the new structure should more closely match the brickwork of the existing
- The building would blight the area and is out of scale with the surroundings
- Increased traffic flows turning into and out of KGV road would be hazardous and unsafe
- Insufficient landscaping is provided - additional mitigation in the form of trees along the façade of the car park to should be provided in order to reduce its visual impact and sound and noise pollution
- The number of electric charging points is considered insufficient
- Cycle parking should be located close to the station/town centre to encourage cyclists rather than car owners
- This would be one of the largest buildings in the area so it is important to get the right design and landscaping for the site
- The existing car park is already a huge building out of keeping with its surroundings
- The development is in an area that is residential the impact on nearby residents has not been adequately or appropriately addressed
- The car park is too large and would overshadow nearby homes, significantly reducing light levels
- The structure would impact on the privacy of nearby residents
- Views from gardens in The Drive would be blocked whilst the building would cast permanent shadow
- No adequate assessment has been undertaken of the degradation in air quality for residents that will result from increased vehicle numbers
- Noise impact assessments are totally inadequate.
- No assessment has been made of the five levels of parking and how due to their elevated position noise would travel and impact on neighbours
- Anti-social behaviour in the form of skateboarders and joyriders in the existing car park is a major problem at night/ in the early hours of the morning. The new car park would further exacerbate this unacceptable situation
- Car alarms constantly going off is another anti-social problem that would be increased
- Both existing and proposed car parks should have supervision/control to stop anti-social behaviour
- The solid nature of the structure would reflect sound from adjacent uses southwards, towards the housing in the conservation area
- The top level of the car park should be enclosed so to prevent nuisance light escaping
- Nearby residents were not aware of or invited to any informal or public information meetings
- Light pollution has not been adequately considered, including headlights

Classification: OFFICIAL

CONSULTATIONS

Buckinghamshire County Council Highway Authority

Raises no objection to the application following the receipt of additional information, subject to the imposition of a number of conditions and informatives.

Chiltern District Council Building Control

No comment.

Buckinghamshire County Council SUDS Authority

Raises no objection to the application subject to the imposition of conditions.

Chiltern District Council Environmental Health

Raises no objection to the application, but suggest the imposition of an informative should planning permission be approved.

Chiltern District Council Head of Planning Policy

Raises no objection to the application.

Chiltern District Council Tree and Landscape Officer

Raise no objection to the application.

TfL London Underground (LU)

Raises no objection in principle to the planning application.

POLICIES

National Planning Policy Framework (NPPF)

Core Strategy for Chiltern District - Adopted November 2011: Policies CS1, CS3, CS4, CS20, CS25, CS26, CS29, CS31.

The Chiltern Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 & November 2011: Saved Policies GC1, GC4, GC3, TR11, TR16.

Sustainable Construction and Renewable Energy SPD - Adopted 25 February 2015.

EVALUATION

Principle of development

1. The site is located within the built up part of Amersham and comprises a local authority owned surface car park adjacent to the existing multi-storey car park. As such, the site is previously developed land and the principle of its re-development for improved and enhanced parking facilities is not therefore considered to be objectionable.

2. CDC Head of Planning Policy has provided the following comments in respect of the principle of development:

"Paragraph 11 of the NPPF states applications should be determined in accordance with development plan unless material considerations indicate otherwise.

Paragraph 17 of the NPPF sets out a number of core planning principles. The applicants refer to the third principle to proactively drive development to support infrastructure. The principles also refer to the encouragement of effective use of land by re-using land and seeking to ensure a high quality of design for existing users and future users of the land and buildings.

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Policy CS1 of the Core Strategy - the spatial strategy - focuses development to the main settlements, specifically referring to Amersham on the Hill, with limited development able to take place in other smaller settlements excluded from the Green Belt. The Policy aims to protect the AONB and Green Belt by concentrating development within the existing settlement areas.

Policy CS3 refers to distribution of non-residential development, specifically referring to commercial, retail and employment development. Although not falling in one of these uses the provision of additional car parking could be seen as aiding employment opportunities and the functioning of the retail centre of Amersham on the Hill.

Policy CS29 seeks to retain existing community facilities and to provide additional facilities to meet future needs. Although not strictly a community facility in its own right the carpark by providing accessible car parking would enable people to access, jobs shops and other community facilities in the area. Also the policy states that community facilities should be located close to existing community infrastructure".

3. The NPPF adopts a clear pro-growth stance and introduces a presumption in favour of sustainable development. It identifies that planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local place the country needs.
4. Paragraph 40 of the NPPF states that local authorities should seek to improve the quality of parking in town centres so that it is convenient, safe and secure.
5. Recent capacity studies undertaken in Amersham town centre have identified an increasing demand for parking spaces, to serve the needs of both shoppers and rail commuters. This pressure for space was most evident at both Sycamore Road and King George V Road facilities and predictions showed that additional parking will soon be required to meet expected growth. In response and to address this demand, CDC has submitted this application to extend the existing Amersham multi storey car park at King George V Road. This site was chosen for its development capacity and also with the intent to concentrate the longer term parking (commuter) in the most convenient location, near the station. This decision also has a direct and beneficial effect of relieving the Sycamore Road capacity, freeing it for mostly shopping use.
6. The need for additional car parking provision within Amersham is established within local planning policy and supporting evidence documents. The Core Strategy acknowledges the role of Amersham as a commuter town and the importance of its railway connections. CDC commissioned a car parking study for the existing multi-storey car park which was undertaken in July 2016 by YES Engineering Group Ltd. The study showed that the multi-storey car park is now close to or over theoretical capacity and is likely to remain so for the foreseeable future. The study determined that the car park was operating at 99.7% of its capacity. It demonstrates that between 339 and 520 additional parking spaces would be needed at the multi-storey car park over the next 20 years to ensure it operates at 85% capacity and prevent rail as a form of travel being restricted in the long term.
7. The site currently operates as a town centre car park and therefore the principle of a car park use on the site is already established. The need for additional car parking provision at the site is demonstrated in planning policy and supporting documents. The site and its immediate surroundings are not subject to any other specific policy designations and therefore the principle of the proposed development is considered to be acceptable. It is advanced that the development, by virtue of its location and design, would also provide additional local economic benefits to support the role of the town centre and local businesses. The facility will encourage sustainable transport use for commuters

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and encourage visitors to the town centre, thereby improving the vitality and viability of the area, in accordance with the NPPF.

Community engagement

8. The submitted D&A statement states that in October 2016 a public information meeting was held and a series of information boards were displayed at the Council offices providing information on the development proposals. Local residents were informed of the rationale for the proposals and were given opportunity to view the proposed plans prior to formal submission. A number of comments were subsequently made which were taken into account in the design of the development. Local residents and stakeholders were also notified of the opportunity to formally comment following submission of a planning application. It is stated that the advice received during pre-application discussions were taken into account in the evolution of the development proposals and the final submitted plans. Furthermore, in line with the scope and requirements identified by Council officers, a number of technical assessments were undertaken to consider the potential impacts of the proposed development and these accompany the application.

Design

9. The NPPF attaches the government's importance to the design of the built environment. Good design is seen as a key aspect of sustainable development. Local authorities should seek to secure high quality design and it should contribute positively to making places better for people.

10. Policy CS20 refers to design of development and requires that it should reflect the designs and character of the surrounding area. The existing functional multi-storey car park building, approximately 30 years in age, is a prominent structure in Amersham-on-the-Hill, and is comprised of a brick construction with 'grilled' openings, with part of the upper floor being 'enclosed' by a corrugated sheet roof.

11. The submitted D&A statement explains that the elevations of the proposed car park structure have been developed to express the structure and incorporate perforated folded mesh, solid flat metal cladding panels and open areas in a gridded layout within the galvanised steel frame to reflect the structural bays. This variety of lightweight façade panels would, it is suggested, provide an attractive and sensitive appearance, particularly along the eastern elevation in proximity of residential uses.

12. Following the original submission of the application and in light of comments received a solid opaque balustrade is now proposed around the top floor of the proposed car park. It is considered that this revision helps to reflect the design of the existing adjacent car park and its roof, and therefore reduce the potential impacts of lighting and noise on residential amenity.

13. Whilst the new structure would have different appearance to that of the existing car park it is considered that there is not a particular prevalent or consistent form of development in the immediate area. The existing structure dates back to the mid 1980's and is of a functional, utilitarian appearance. Between the tube station and the application site is a modern three storey office building fronting Chiltern Avenue. To the immediate north/north-east are found the modern police station, health centre and magistrate court buildings whilst to the immediate east is sheltered housing. Beyond the railway/tube line to the south are two storey residential dwellings located in 'The Drive'.

14. Chiltern district Council, being the applicant, have given considerable thought to the design and finished appearance of the new building. Whilst different in appearance to the adjacent car park, given the mix and form of development types in and around the vicinity of the site it is not however considered that the design of the new structure would be so visually intrusive as to justify a refusal of planning permission.

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Residential amenity

15. Policy GC3 requires development proposals to achieve good standards of amenity for the future occupiers of development and to protect the amenities enjoyed by the occupants of existing and adjoining neighbouring properties.

16. The proposed structure would be located over 50m to the north of the rear of the residential properties in 'The Drive'. Between the proposed building and the residential properties and their rear gardens the operational railway/tube lines. Furthermore, there are a number of existing trees and shrubs along the boundary between the rear gardens and the railway/tube lines. With regard to the residential properties located to the east, there is an established screen of trees along the dividing boundary of approx. 3-4m in height. Whilst the new structure would be comparable in height to the existing, given the distance involved and the fact that the land is already in use as a car park, albeit surface level only, it is considered that the scheme would not result in significant levels of harm to residential amenity such as to justify a refusal of planning permission.

17. The design of the building has been amended to include light-coloured materials and openings, to complement and enhance the relationship with the adjacent multi-storey structure. Pre-application discussions confirmed that daylight and sunlight assessments would not be formally necessary, given the distances involved, however the agent has advised that the design has sought to take account of necessary standards in this respect. The inset panels of the car park would be formed such that they should not allow car headlights to shine directly out unimpeded towards the properties to the south. A number of alternative forms of panelling have been suggested by the agent. Samples have been provided and these will be made available at the committee meeting. The final form of panelling would however be the subject of a prior commencement condition.

18. In terms of security, the applicant has sought to address comments made during the pre-application process highlighting the current levels of anti-social behaviour experienced at the existing car park, and raising concern regarding the measures to address this within the new development. The agent has confirmed that the development will be designed to incorporate necessary security, including CCTV and lighting. The applicant has confirmed their commitment to actively addressing security measures at the proposed new car park as part of its ongoing management role. It would therefore be appropriate to impose a condition to the grant of any planning permission relating to the prior submission of all forms of lighting within the site, having regard to the residential amenities of the adjacent occupiers.

Highway implications

19. Buckinghamshire County Highway Authority in February originally recommended refusal of the application due to insufficient information being submitted with the application to enable the highways, traffic and transportation implications of the proposed development to be fully assessed.

20. However, the applicants' agent has subsequently been in continued discussions with the Highway Authority, which has culminated in additional information being provided.

21. Having regard to this additional information, the Highway Authority has provided the following comments: -

"The applicant has subsequently been in continued discussions with the Highway Authority, which culminated in additional information to address the concerns summarised in an email dated the 29th March 2017. The comments below consider this additional information and should be read in conjunction with my original response.

Traffic Impact.

As requested in the Highway Authority comments dated the 6th February 2017, the operational assessments have now been updated to include HGV proportions in accordance with best practice.

For reference, a junction is considered to exceed practical capacity when the ratio to flow capacity (RFC) exceeds 0.85 (85%). Theoretical capacity is reached when the RFC is 1 or above (100%). RFC is a measure of the volume of traffic which is making a turning movement at the junction, compared to the capacity that the junction is physically able to accommodate.

The Highway Authority comments noted that three junctions were shown to exceed capacity with the addition of the development traffic in the network peak hours, and it was requested that the applicant address this. For ease, I will address each junction in turn.

Chiltern Avenue/car park egress priority junction.

As requested by the Highway Authority, the junction has now been remodelled using a direct profile to provide a more representative assessment which takes into account the peaks in vehicle movements which occur when a train has arrived and commuters have returned to their cars to depart. Some minor alterations to the junction have been proposed which include widening the entrance lane into car park egress arm, and providing 'Keep clear' markings across the exit on Chiltern Avenue to avoid delays to vehicles exiting the car park if there is queueing on Chiltern Avenue.

Within the operational assessment the zebra crossing which is 110m away has not been included in the PICADY assessment, as the Junctions 9 user guide states you are unable to include a crossing in a model where right turners block the straight through traffic. As such, alongside the PICADY assessment, a Lane Simulation model of the junction has been undertaken which includes the pedestrian crossing. Both the PICADY assessment and the Lane Simulation indicate that the junction would operate within capacity with the addition of the development traffic, with the mitigation proposed.

Woodside Road/Chiltern Avenue mini roundabout junction.

The junction has been remodelled using a direct profile, and the model has been calibrated by making an Arm Capacity Adjustment on Chiltern Avenue (Arm C) of 125%, in order to properly represent the junctions' current operation as reviewed on the traffic survey videos. Chiltern Avenue is now shown to operate within capacity with the addition of the development traffic, with an RFC of 0.81, and delay of 23 seconds during the evening peak hour, where previously it was shown to exceed practical capacity.

Having reviewed the traffic survey videos I am satisfied that the adjustment to the arm capacity is appropriate, as the arm currently operates well within capacity during the evening peak hour. Therefore the assessment is robust, and the Highway Authority can conclude that the junction would operate within capacity with the addition of the development traffic.

Chiltern Avenue/Station Road/Hill Avenue/A416 Station Road/Station Road double mini roundabout junction .

The linked roundabout junction has been remodelled using a direct profile, and the pedestrian zebra crossing has also been included in the assessment. The results show that as a result of the proposed development, in the morning peak hour the Station Road (West), A416 Station Road (North) and the A416 Station Road (South) arms would exceed practical capacity, and in the evening peak hour, the Station Road (East) arm would exceed practical capacity.

Having reviewed the traffic survey videos of the junction it is clear that generally the junctions operate relatively well during the peak hours, apart from when pedestrians use the zebra crossing fronting the station, causing traffic to build up temporarily while they cross the road. It appears that the operational assessment of this junction is depicting that the junction is operating worse than it is currently in reality when reviewing the traffic survey videos. In addition, when comparing the 2021 baseline in the model to the 2021 with development traffic scenario, the difference is not material when considering the existing operation of the junction as shown in the video surveys. It is therefore considered that the proposed development would not have a severe impact on the operation of this junction.

Chesham Road/Hill Avenue/B4441 Sycamore Road double mini roundabout junction.

In the previous comments from the Highway Authority, it was noted that the operation of this junction was shown to worsen slightly, although the impact was relatively low. Therefore, mitigation at this junction was not deemed necessary at that time. Following a review of both the traffic survey videos and the queue length survey at the junction the applicant noted that modelled queue lengths are significantly higher than the observed queue lengths. Video footage indicates that, while there is queueing along each arm of the junction, gaps appear at regular intervals to enable the traffic to flow through the junction. As such, a calibrated assessment of the junction was carried out using a direct profile to gain a more representative model of how the junction currently and would operate, based on the baseline queue length survey data.

The analysis shows that the Chesham Road (north) arm is shown to be almost at theoretical capacity already in 2016 in the morning peak hour (RFC of 0.99), and would exceed theoretical capacity with an RFC of 1.04 in 2021 without the development traffic. With the addition of development traffic this would worsen to an RFC of 1.18, however it is accepted that after capacity exceeds 100% the results of the modelling cannot be fully relied upon to be representative. Capacity is shown to worsen slightly on the Chesham Road (north) arm and the Chesham Road (south) arm in the evening and weekend peak hours also, with the addition of the development traffic.

The traffic survey videos were submitted which were used as a basis for the Manual Classified Counts (MCC surveys), of which the data was used to interpolate the operational assessments. Having reviewed the traffic survey videos however, the current operation of these arms of the junction is shown in the main to be not as congested as the operational assessments suggest. When considering this, along with the immaterial impact the addition of the development traffic would have upon the junction as shown in the operational assessments, it is accepted that no mitigation of this junction is required.

Sustainability.

The site is in a sustainable location only a short walking distance from the railway station and

Amersham town centre. The application proposes 12 cycle parking spaces, however in line with the overarching aim of the NPPF to promote sustainable development, further cycle parking spaces should be provided. Given the primary function of the proposed development as a commuter car park for the nearby station, the provision of additional cycle parking may encourage more people to travel by alternative modes. I am satisfied that this can be secured by condition.

Construction Management Plan.

It was also noted in the Highway Authority comments dated the 6th February 2017 that a Construction Management Plan (CMP) should be prepared and agreed with the Highway Authority.

The applicant has submitted a draft CMP for consideration, however I am satisfied that a detailed Plan can be secured by condition. The Highway Authority has concerns that during construction there will be a loss of parking available at the site, which will have a detrimental impact on the surrounding area, given that it has been demonstrated there is an existing capacity strain on parking in the area. In view of this, it is expected that the applicant makes adequate provisions to minimise disruption during the construction phase. As part of the CMP, the applicant would need to provide details of phasing, including timescales for each phase. This should include details of, where possible, how the maximum amount of car parking will remain undisrupted, and where a loss of parking cannot be avoided, an indication of any potential alternative locations where parking may take place. Details should also be submitted of public notices to be displayed in advance of works to make users of the car park aware there will be a loss of parking.

It will also be required that a swept path analysis of a construction vehicle entering, manoeuvring and exiting the site is provided for each phase of the construction. The applicant will need to discuss the Traffic Management of the site with the Street Works and apply for a licence to erect hoarding on public highway. All entrance gates to the hoarding would need to open inwards; it is noted that at present they appear to be shown to open outwards onto the pedestrian footway. Furthermore, given that the CMP proposes a temporary suspension of some on-street parking bays on King George V Road, the Parking team should also be consulted.

Working hours for the site during construction have been proposed as 07:30 - 18:00 Monday - Friday, and 08:00 - 12:00 occasionally on Saturdays. Whilst this is acceptable to the Highway Authority, it is requested that a commitment is expressed by the applicant for deliveries to/from the site by HGV to only be made between the hours of 10:00 - 15:00 on weekdays to avoid the network peak hours and afternoon school peak hour.

Conclusion.

Mindful of the above, I have no objection to the proposed development in Highway terms subject to suggested conditions and informatives being included in any planning permission that you may grant".

Parking

22. Paragraph 40 of the NPPF refers to the need to improve parking provision in town centres. As stated in the above paragraphs, the site is located immediately adjacent to the town centre of Amersham-on-the-Hill. Policies CS25 and CS26 refer to the transport impacts of the development including access and effects on the highway of developments.

23. CDC Head of Planning Policy has commented that:

"... In terms of parking standards the current standards are contained in Local Plan policy TR16. However the applicants have taken account of the more recently produced countywide parking standards (although a material planning consideration, it should be noted that this is not part of the Development Plan) and it is noted that they have adopted larger parking spaces to accommodate the increasing size of recent car models. This approach is expected to be incorporated into the emerging Local Plan. It is also noted the applicants have also based the number of disabled car parking spaces and their size on the county parking standards.

Policy CS31 refers to the need for infrastructure to meet the needs of future residents and not intensify existing deficiencies. It is noted that the car parking survey indicates the car park is already operating over its capacity. Increased development coming forward in the new joint local plan is likely to increase parking needs. As such the scheme would follow the policy, unless all additional capacity was to be used by rail commuters drawn from a wider area. However, it is

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noted that the new multi storey car park whilst going some way to meeting future needs will not necessarily, on its own, meet the higher level predicted future parking demands as identified by the YES car parking study as referred to in the applicants planning statement.

It is clear that the proposal will be capable of providing additional long term parking capacity for the town of Amersham-on-the-Hill and as such the general principle is supported subject to the views of the Highway Authority on implications for the wider highway network".

24. It is therefore considered that the scheme complies with policies CS25, CS26, CS31, TR11, TR15 and TR16 relating to parking.

Trees/Landscaping

25. The comments of the CDC Tree and Landscape Officer are repeated as follows: -

"The proposal would require the loss of some shrub beds beside the access and exit to the existing multi-storey car park. It may also affect a small section of beech hedging in the north-eastern corner of the site. There is a Leyland cypress hedge along the eastern boundary of the existing open car park. This seems to have been regularly trimmed to a height of about 3m but the top has not been cut for a year or two and is now about 4m in height. The trees have been planted about 500mm inside the boundary fence and extend about 750mm further towards the car park to the edge of the existing parking spaces. The trees have diameters of about 150mm and so would have root protection areas of about 1.8m.

The application shows the proposed building to be 710mm from the boundary at the north-eastern corner and 2182mm from the boundary at the south-eastern corner. Therefore it seems inevitable that much, if not all, of this hedge would be lost despite the comment in paragraph 4.5.1 of the Planning Statement that:

'The proposed development is designed to retain and compliment all existing Landscaping areas at the site boundaries and site frontage'

It is unfortunate that the cypress hedge on the eastern boundary would be lost as this provides some useful screening at the edge of the existing car park. However I would not object to the application".

26. Having regard to the above comments and those received from third parties it is considered appropriate to impose a condition to the grant of any planning permission requiring the provision of new/ augmentation of existing landscaping, where possible.

Impact on designated/designated heritage asset

27. The application site itself is not located within a designated Conservation Area; however, the Weller Estate Conservation Area is located approximately 25m to the south of the site, beyond the railway line, and the Elm Close Conservation Area is located approximately 70m to the north-west of the site, beyond Chiltern Avenue.

28. Local Plan Policy CA2 requires that development proposals preserve or enhance the views looking out of a Conservation Area. However it is neither the Weller Estate or Elm Close Conservation Area documents identify any 'important views' from the respective Conservation Areas towards the application site or its vicinity.

29. The submitted D&A statement comments that the properties along The Drive, within the Weller Estate Conservation Area, the closest to the application site, include long rear gardens with existing views across a main railway line towards the existing multi-storey car park and surface car park. Similarly existing views from properties on Elm Close, within the Elm Close Conservation Area, are

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characterised by the large existing multi-storey car park building and neighbouring commercial buildings, with the main railway line beyond.

30. In light of the characteristics of the surrounding area and the limited value of existing views, it is considered that the proposed development would not provide a harmful addition to views out of the respective Conservation Areas, in accordance with Local Plan Policy CA2 and NPPF guidance relating to heritage assets.

Drainage/flooding

31. Buckinghamshire County Council SUDS Authority comments are summarised as follows: -

"Based on the information provided in the Surface Water Drainage Strategy from November 2016, the Strategic Flood Management Team has no objection to the proposed development subject to conditions.

The existing multi storey development disposes of surface water runoff via infiltration into the ground by borehole soakaways whilst the surface carpark drains through the gravel parking bays. It is the intention to continue to utilise infiltration on site, however, the current drainage features will be located under the proposed development. Therefore, it is proposed to construct two deep borehole soakaways to the north of the existing multi storey car park. In principle this approach is considered acceptable, given that the site currently drains via infiltration and the Phase 1 Ground Condition Assessment Report suggests that the solid geology is chalk which is overlain in the eastern part of the site by sand and gravels, and clay-with-flints to the west.

However, they expect that ground investigations will be completed in the proposed location of the deep borehole soakaways to confirm infiltration rates. Tests must be completed in accordance with BRE 365. The SWDS states that surface water runoff for the 1 in 30 year event can be stored within the drainage system. Section 4.2.5-6 of the report highlights that for the 1 in 100 year event (plus an allowance from climate change) results in some flooding to the site, approximately 50mm within the car park which can be contained on-site (4.4.5). BCC wish to make the applicant aware that the climate change allowances were revised on 19th February 2016. They therefore request that the applicant runs a simulation for the 1 in 100 year storm event with a 40% climate change allowance to identify exceedance routes. Exceedance routes (including volumes and depths) should be clearly shown on a drawing, and conditions to be imposed to the grant of any planning permission are therefore recommended to this effect".

Other matters

Sustainability

32. In terms of sustainability CDC Head of Forward Plan comments: -

"Policy CS4 covers sustainability of development and links to a table of sustainability principles to which development should have regard. Two principles of note are that locations should be easily accessible by public transport to reduce reliance on the car. The car park is well located in relation to the public transport i.e. the rail station and to the town centre. However, it is significantly used by commuters who drive to the car park to access the public transport provided at the station and as such the views of the Highway Authority will be important in relation to potential net impact on the wider highway network in order to consider the proposal against Policy CS25. Furthermore, the scheme would maximise the use of the previously developed car park and make greater use of existing transport infrastructure".

Transport for London

33. In respect of the adjacent railway and tube lines, TfL London Underground has advised that they are on consultation with the applicant in respect of this project. As such, they have no objection in

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principle to the application. As the site is adjacent to a London underground operational railway, they have therefore requested that a condition be imposed to the grant of any planning permission relating to the submission of detailed design and method statements, pre-commencement, relating to: -all new structures, the use of tall plant and scaffolding, the location of existing London underground structures & tunnels and any potential for ground movement arising from the construction thereof. This condition is considered necessary in order to ensure that the development does not impact upon existing London underground infrastructure, in accordance with London Plan 2015 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012

Conclusions

34. Having regard to all matters, it is considered that the scheme accords with policies contained in the Development Plan and the general thrust of guidance contained in the NPPF. Furthermore, the highway authority considers the scheme in its amended format to be acceptable subject to the imposition of appropriate conditions.

Working with the applicant

35. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, the Council, in dealing with this application, has worked in a positive and proactive way with the Applicant / Agent and has focused on seeking solutions to the issues arising from the development proposal.

Chiltern District Council works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service,
- updating applicants/agents of any issues that may arise in the processing of their application as appropriate and, where possible and appropriate, suggesting solutions.

In this case, Chiltern District Council engaged in constructive informal discussion prior to the submission of the application.

Human Rights

36. The following recommendation is made having regard to the above and also to the content of the Human Rights Act 1998.

RECOMMENDATION: Resolve to recommend Council to approve own development

Subject to the following conditions:-

- 1 C108A General Time Limit
- 2 No other part of the development shall be occupied until the existing means of access onto Chiltern Avenue has been altered, to include 'keep clear' markings on Chiltern Avenue, in accordance with the approved drawing no. 38694/5501/SK002 and constructed in accordance with Buckinghamshire County Council's guide note "Commercial Vehicular Access Within Highway Limits" 2013. For the avoidance of doubt the applicants will be required to enter into a S184 Agreement with the Highway Authority in order to comply with the requirements of this condition. Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.
- 3 The scheme for parking and manoeuvring indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose. Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

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- 4 Prior to occupation of the development space shall be laid out within the site for cycle parking, in accordance with details to be submitted to and approved in writing by the Local Planning Authority following consultation with the Highway Authority. The cycle parking shall thereafter be permanently maintained. Reason: In order to influence modal choice and to reduce single occupancy private car journeys and comply with national and local transport policy.
- 5 One month prior to commencement of the development a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The Plan shall include details of:
- Details of construction phasing, including timescales;
 - Details of where public parking lost during construction will take place;
 - Details of public notices to be displayed in advance of works;
 - Construction access;
 - Management and timing of deliveries;
 - Routing of construction traffic;
 - Vehicle parking for site operatives and visitors;
 - Loading/off-loading and turning areas;
 - Site compound;
 - Storage of materials;
 - Precautions to prevent the deposit of mud and debris on the adjacent highway.

The development hereby permitted shall thereafter be carried out in accordance with the approved Construction Management Plan.

Reason: To minimise danger and inconvenience to highway users.

- 6 Prior to the commencement of the development hereby permitted detailed design and method statements relating to: -
- all new structures,
 - the use of tall plant and scaffolding, and
 - the location of existing London underground structures & tunnels and any potential for ground movement arising from the construction thereof

shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be used in the implementation of the development unless otherwise agreed in writing.

Reason: To ensure that the development does not impact upon existing London underground infrastructure, in accordance with London Plan 2015 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012

7 C406 Landscaping Scheme to be Submitted

8 C407 Landscaping Scheme to be Implemented

- 9 No floodlighting or other form of external and internal lighting shall be installed unless it is in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting which is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details.

Reason: In the interest of visual amenity of the adjacent occupiers.

- 10 Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:
- Ground investigations such as infiltration (in accordance with BRE365) and groundwater levels
 - Detailed drainage layout with pipe numbers, gradients and pipe sizes complete with full construction details, together with storage volumes of all SuDS features
 - Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site.
 - Details of overland flood flow routes in the event of system exceedance or failure, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants, or to adjacent or downstream sites.

Reason: The reason for this pre-start condition is to ensure that a sustainable drainage strategy has been agreed prior to construction in order to ensure that there is a satisfactory solution to managing flood risk.

- 11 Development shall not begin until a "whole-life" maintenance plan for the site has been submitted to and approved in writing by the local planning authority. The plan should set out how and when to maintain the full drainage system (e.g. a maintenance schedule for each drainage/SuDS component) following construction, with details of who is to be responsible for carrying out the maintenance. The plan shall subsequently be implemented in accordance with the approved details.

Reason: The reason for this being a pre-start condition is to ensure that maintenance arrangements have been arranged and agreed before any works commence on site that might otherwise be left unaccounted for.

- 12 C416A Slab and floor levels
- 13 C433 Materials General Details
- 14 AP01 Approved Plans

INFORMATIVES

- 1 INFORMATIVE: The applicant is advised that the off site works will need to be constructed under a Section 184 of the Highways Act legal agreement. This Small Works Agreement must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A minimum period of 3 weeks is required to process the agreement following the receipt by the Highway Authority of a written request. Please contact Development Management at the following address for information:-

Highways Development Management
6th Floor, County Hall
Walton Street, Aylesbury,
Buckinghamshire
HP20 1UY
Telephone 0845 230 2882

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- 2 INFORMATIVE: The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding, skip or any other device or apparatus for which a licence must be sought from the Highway Authority. A period of 10 days must be allowed for the issuing of the licence, please contact the Streetworks team at the following address for information.

Streetworks

10th Floor, New County Offices

Walton Street, Aylesbury,

Buckinghamshire

HP20 1UY

Telephone 0845 2302882

<https://www.buckscc.gov.uk/services/transport-and-roads/licences-and-permits/>

The End

SUBJECT:	Local Government Pension Scheme Discretionary Policy Statement		
REPORT OF:	Head of Paid Service	Bob Smith	
RESPONSIBLE OFFICER	Director of Resources	Jim Burness	
REPORT AUTHOR	Head of Finance	Rodney Fincham	01494 732260
	HR Manager	Louise Cole	01494 732015
	Senior Accountant	Tina Pearce	01494 732233
WARD/S AFFECTED	All		

1. Purpose of Report

- 1.1 This report seeks approval of the discretionary policies that can be exercised by the Councils, as Employers within the Local Government Pension Scheme (LGPS).
- 1.2 This report was considered by the Joint Staffing Committee (JSC) meeting held on 3 July. The agenda and report for CDC Full Council will be published before the JSC meeting. As such, an update on the recommendations of the JSC regarding the discretions, set out below, will be reported at the meeting.

RECOMMENDATION TO COUNCIL

To approve the Local Government Pension Scheme Discretionary Policy Statement as set out in Appendix 1.

2. Summary

- 2.1 All qualifying local government employees are entitled to be members of the statutory Local Government Pension Scheme. The Councils do not have the ability to opt out of this Scheme and / or alter the main Scheme provisions. The Councils do however have a few minor areas of discretion.
- 2.2 By virtue of Regulation 60 of the LGPS Regulations 2013, and paragraph 2(2) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014, the Councils are required to have written policies on the following matters:

- Additional Annual Pension – Regulation 31
- Shared Cost Additional Pension Contribution (SCAPC) – Regulation 16(2)(e) and 16(4)(d)
- Flexible Retirement (aged 55 and over) – Regulation 30(6)
- 85 Year Rule Switch on – LGPS (Transitional Provisions, Savings & Amendment) Regulations 2014 Schedule 2
- Waiving Actuarial Reductions on Voluntary Retirement – Various Regulations.

2.3 Additional discretionary policies under LGPS Regulations 2013 are also recommended for the following:

- Transfers in to Fund – Regulation 100(6)
- Aggregation of Deferred Benefits – Regulation 22(7) & (8).

2.4 Written policies are also required in respect of other legislation as follows:

- Local Government (Discretionary Payments) (Injury Allowances) Regulations 2011.
- The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006
 - Regulation 5 – Redundancy Payments to be based on Actual Pay
 - Regulation 6 – Discretionary Termination Payments.
- Deferred Benefits – Ceased active membership between 1st April 2008 and 31st March 2014 – Regulation 66 of the LGPS (Administration) Regulations 2008.

2.5 Additional discretionary policies are also recommended for the following:

- Deferred Benefits – Ceased active membership prior to 1st April 1998 - Regulation D11(2)c LGPS Regulations 1995.

3. Background to the Local Government Pension Scheme

3.1 All qualifying local government employees are entitled to be members of the statutory Local Government Pension Scheme. The Councils do not have the ability to opt out of this Scheme and / or alter the main Scheme provisions. The Councils do however have a few minor areas of discretion.

3.2 Over the years the Local Government Pension Scheme has changed. In particular significant changes occurred from:

- 1 April 2008 – The pension accrual rate reduced from 1/80th to 1/60th, and employee contribution rates became tiered according to FTE earnings.
- 1 April 2014 - The scheme changed from a final salary scheme to a Career Average Revalued Earnings (CARE) basis, and employee contribution rates became tiered according to actual earnings.

3.3 The benefits accruing to Scheme members prior to Scheme changes are normally protected. Therefore policies have to be made to cover entitlement accrued under multiple variations of the Pension Scheme rules.

4. Reasons for Recommendations

4.1 Due to the changes to the Local Government Pension Scheme in April 2014, it is necessary to update the Councils' Discretionary Policy Statements to reflect the current version of the Pension Scheme.

4.2 The discretions proposed aim to minimise the cost to the Councils by not adopting discretions that will result in additional costs, and allow flexibility to Scheme members where this is at no cost.

4.3 This is in line with the existing approach adopted by the Councils, and thus this report essentially reaffirms the current discretions, but with the new legislative references.

4.4 Under the LGPS regulations, councils are required to formulate policies that:

- do not lead to a loss in confidence in the Public Service (this is also explicitly stated in the Compensation discretions), and
- are affordable.

4.5 Furthermore, in order not to be seen to fetter in any way Councils' discretions, the policies should state that each case will be treated fairly. The policy should clearly state the basis and circumstances, on which the decision will be made. It is not recommended to state "case by case basis". If the basis is clearly stated this helps satisfy the "no loss of confidence" clause within the appropriate regulations.

4.6 Whilst comparison with other local authorities may assist with policy decisions, the discretionary aspects of the LGPS are specifically designed to allow each individual employer the flexibility to assist with people management within their own circumstances.

5. Local Government Pension Scheme Regulations 2013 and LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 – Required Policies

Additional Annual Pension – Regulation 31

- 5.1 The ability, at full cost to the employer, to [grant extra annual pension](#) – currently up to £6,500 per annum – to an active Scheme member or within 6 months of leaving to a member whose employment was terminated on the grounds of redundancy or business efficiency.
- 5.2 This option does not require a minimum length of service, and could be used as a recruitment tool, as well as at employment termination.
- 5.3 This option is now the only one available to local authorities to grant additional pension as formally Compensatory Added Years (to April 2006) and subsequently Augmentation (to April 2014) have now been removed from the regulations.
- 5.4 The Authority's do not currently have this as an active discretion.

Proposal

The Council does not adopt this discretion at this time.

Shared Cost Additional Pension Contribution (SCAPC) – Regulation 16(2)(e) and 16(4)(d)

- 5.5 Where an active Scheme member wishes to [purchase extra annual pension](#) - currently up to £6,500 per annum - by making Additional Pension Contributions (APCs), the Councils may voluntarily contribute towards the cost of purchasing that extra pension via a Shared Cost Additional Pension Contribution (SCAPC).

Proposal

The Council does not adopt this discretion at this time.

Flexible Retirement (aged 55 and over) – Regulation 30(6) etc

- 5.6 Whether to [permit flexible retirement](#) for staff aged 55 or over who, with the agreement of the employer, reduce their working hours or grade
- Regulation 30(6)

AND if so, as part of the agreement to permit flexible retirement:

Whether in addition to the benefits the member has accrued prior to 1st April 2008 (which the member must draw), [to permit the member to choose to:](#)

- draw all, part, or none of the pension benefits they accrued after 31st March 2008 and before 1st April 2014, and / or
 - draw all, part, or none of the pension benefits they accrued after 31st March 2014.
- Regulation 11(2) and 11(3) of the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014.

AND

[Whether to waive, in whole or part, any actuarial reduction](#) which would otherwise be applied to the benefits taken on flexible retirement before Normal Pension Age (NPA).

- Regulation 3(5) of the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014, Regulation 18(3) of the LGPS (Benefits, Membership and Contributions) Regulations 2007 and Regulations 30(6) and 30(8) of the LGPS Regulations 2013.

Waiving any actuarial reduction will result in a cost to the employer.

Proposal

The Council elects to exercise this discretion in accordance with the Council's Flexible Retirement Policy and permits the member to:

- draw all, part, or none of the benefits accrued after 31st March 2008 and before 1st April 2014, and
- draw all, part, or none of the pension benefits accrued after 31st March 2014.

The Council is unlikely to waive any actuarial reduction.

However the Council elects to review each application fairly based on its circumstances and merits having regard to the Service need, compassionate grounds (as applicable) and costs.

Any application to waive actuarial reduction to be subject to the consent of the Head of Paid Service, following consultation with the relevant Joint Staffing Committee Co-Chairman.

85 Year Rule Switch on -LGPS (Transitional Provisions, Savings & Amendments) Regulations 2014 Schedule 2

- 5.7 Under previous pension scheme rules, if a members age (at the date they drew their benefits) plus the number of years they had been scheme members added up to 85 or more they were entitled to claim a full pension (ie the pension was not actuarially reduced if taken prior to normal retirement age).
- 5.8 Whether, as the 85 year rule does not (other than on flexible retirement) automatically fully apply to members who would otherwise be subject to it and who choose to [voluntarily draw their benefits on or after age 55 and before age 60, to switch the 85 year rule back on for such members.](#)
- Paragraph 1(1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014.

Where the employer does not do so then:

- a) If the member [has already met the 85 year rule](#), the member's benefits are to be reduced in accordance with the actuarial guidance issued by the Secretary of State (with benefits from any pre 1 April 2008 membership for members who will not be 60 or more on 31 March 2016, and benefits from any pre 1 April 2016 membership for members who will be 60 or more on 31 March 2016, which would not normally have been subject to actuarial reduction nonetheless being subject to a reduction calculated by reference to the period between the date the benefits are drawn and age 60).
- b) If the member [has not already met the 85 year rule](#), the member's benefits are to be reduced in accordance with the actuarial guidance issued by the Secretary of State (with the reduction on the part of the members benefits subject to the 85 year rule being calculated by reference to the period between the date the benefits are drawn and age 60, or the date of attaining the 85 year rule, whichever is the later).
- c) The Councils can exercise [a discretion to waive actuarial reductions](#) (at a cost to the Councils) – See next section.

The application of the 85 rule for benefits drawn early adds additional costs to the Pension Fund which are included in the Triennial revaluations, whilst those incurred prior to age 60 are payable immediately by the employer, the period between 60 and normal pension age is a "hidden" cost.

Any decision by the Councils to switch back on the 85 year rule would need to be justifiable and affordable.

Proposal

The Council does not adopt the discretion to switch the 85 year rule back on at this time.

Waiving Actuarial Reductions on Voluntary Retirement – Various Regulations

5.9 For active members [voluntarily](#) retiring on or after age 55 and before Normal Pension Age, who elect to immediately draw benefits, and for deferred members and suspended tier 3 ill health pensioners who elect to draw benefits (other than on ill health grounds) on or after age 55 and before Normal Pension Age, and who

a) [were not members of the LGPS before 1 October 2006](#), whether to :

[Waive on compassionate grounds](#), any actuarial reduction that would otherwise be applied to benefits accrued [before 1 April 2014](#),

and / or

waive, in whole or in part ([on any grounds](#)), any actuarial reduction that would otherwise be applied to benefits accrued [after 31 March 2014](#).

b) [were members of the LGPS before 1 October 2006 and who will be 60 or more on 31 March 2016](#), whether to:

[Waive on compassionate grounds](#), any actuarial reduction that would otherwise be applied to benefits accrued before [1 April 2016](#),

and / or

waive, in whole or in part ([on any grounds](#)), any actuarial reduction that would otherwise be applied to benefits accrued [after 31 March 2016](#).

c) [were members of the LGPS before 1 October 2006 and who will not be 60 or more on 31 March 2016, and will not attain age 60 between 1 April 2016 and 31 March 2020](#) whether to:

[Waive on compassionate grounds](#), any actuarial reduction that would otherwise be applied to benefits accrued before [1 April 2014](#),

and / or

waive, in whole or in part ([on any grounds](#)), any actuarial reduction that would otherwise be applied to benefits accrued [after 31 March 2014](#).

- d) were members of the LGPS before 1 October 2006 and who will not be 60 or more on 31 March 2016 but will attain age 60 between 1 April 2016 and 31 March 2020 whether to:

Waive on compassionate grounds, any actuarial reduction that would otherwise be applied to benefits accrued before 1 April 2020,

and / or

waive, in whole or in part (on any grounds), any actuarial reduction that would otherwise be applied to benefits accrued after 31 March 2020.

Waiving any actuarial reduction will result in a cost to the employer.

Proposal

The Council is unlikely to waive any actuarial reduction.

However the Council elects to review each application fairly based on its circumstances and merits having regard to the Service need, compassionate grounds (as applicable) and costs.

Any application to waive actuarial reduction to be subject to the consent of the Head of Paid Service, following consultation with the relevant Joint Staffing Committee Co-Chairman.

6. Local Government Pension Scheme Regulations 2013 – Recommended Policies

Transfers in to Fund – Regulation 100(6)

- 6.1 Whether, with the agreement of the Pension Fund administering authority, to permit a Scheme member to elect to transfer other pension rights into the LGPS if the member has not made such an election within 12 months of joining the LGPS.
- 6.2 It should be noted that inward transfer of pension rights could lead to additional costs to the employer. Both the employer and the Administering Body must agree to the transfer for it to be permitted.

Proposal

The Council will decline any request to transfer in pension rights after the 12 month limit has been exceeded, unless there are extenuating circumstances. Any request for extenuating circumstances will be subject to the consent of the Head of Paid Service, following consultation with the relevant Joint Staffing Committee Co-Chairman.

Aggregation of Deferred Benefits – Regulation 22(7) & (8)

- 6.3 Whether to extend the 12 month time limit within which a Scheme member who has a deferred LGPS benefit in England & Wales following the cessation of employment (or cessation of a concurrent employment) may elect not to have the deferred benefits aggregated with their new LGPS employment (or ongoing concurrent LGPS employment) if the member has not made an election to retain separate benefits within 12 months of commencing membership of the LGPS in the new employment (or within 12 months of ceasing the concurrent membership).

Proposal

The Council will decline any request to extend the 12 month deadline for non-aggregation of deferred pensions into a concurrent or new LGPS employment unless there are extenuating circumstances. Any request for extenuating circumstances will be subject to the consent of the Head of Paid Service, following consultation with the Joint Staffing Committee Co-Chairman.

7. Local Government Pension Scheme – Other Required Policies

Local Government (Discretionary Payments) (Injury Allowances) Regulations 2011

- 7.1 Under the above regulations employers within the LGPS must formulate, publish and keep under review a policy on:
- a) Whether to make an injury award to those who sustain an injury or contract a disease as a result of anything they were required to do in performing the duties of their job and in consequence of which they:
 - Suffer a reduction in remuneration, or
 - Cease to be employed as a result of an incapacity which is likely to be permanent and which was caused by the injury or disease, or
 - Die leaving a surviving spouse, civil partner or dependent, and
 - b) If the employer has a policy to make such payments, how it will determine the amount of injury allowance to be paid.

Proposal

The Council elects not to have an Injury Allowance scheme at this time.

The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006

- 7.2 The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 contains provisions relating to discretionary payments that can be made to persons engaged in local government employment.
- 7.3 The following two discretions are open to local authorities.

Regulation 5 – Redundancy Payments to be based on Actual Pay

- (1) Compensation may be paid in accordance with this regulation to a person who is entitled to a redundancy payment under the 1996 Act on the termination of their employment.
- (2) The amount which may be paid must not be more than the difference between -
- (a) the redundancy payment to which he is entitled under Part 11 of the 1996 Act; and
 - (b) the payment to which he would have been entitled if there had been no limit on the amount of a week's pay used in the calculation of his redundancy payment.

Proposal

The Council adopts this discretion in accordance with its current Redundancy Policy stating that the weekly pay limit shall not apply.

Regulation 6 - Discretionary Termination Payments

- (1) This regulation applies where a person
 - (a) is, or is eligible to be, a member of the LGPS,
 - (b) ceases to hold their employment on the grounds of redundancy or in the interests of the efficient exercise of the employer's functions, and
 - (c) does not receive an award of additional pension under Regulation 31 of the LGPS Regulations 2013.

- (2) Where this regulation applies, the employing authority may, not later than six months after the termination date, decide to pay compensation under this regulation and in that event shall, as soon as reasonably practicable after the decision, notify the person in whose favour it has been made, giving details of the amount of the compensation.

- (3) The amount of compensation (inclusive of any redundancy payment) must not exceed 104 weeks' pay.

- (4) Chapter 2 (a week's pay) of Part 14 (Interpretation) of the 1996 Act shall apply for the purpose of calculating a person's week's pay as it applies for the purpose of calculating redundancy payments but -
 - (a) with the substitution for references to the calculation date of references to the termination date; and
 - (b) without the limit on a week's pay imposed by section 227 of that Act.

- (5) If the person in whose favour a decision under paragraph (2) has been made receives a redundancy payment under Part 11 of the 1996 Act or compensation under regulation 5 of these Regulations, the equivalent amount shall be deducted from the compensation otherwise payable to him under this regulation.

- (6) Compensation under this regulation shall be paid by the employing authority as soon as practicable after the decision under paragraph (2).

- (7) The compensation shall be payable in the form of a lump sum.

Proposal

The Council shall exercise this discretion in exceptional or extenuating circumstances only.

Each case will be considered fairly, on its merits and subject to the consent of the Head of Paid Service, following consultation with the relevant Joint Staffing Committee Co-Chairman, ensuring no serious loss in confidence in the Public Service and that any payment is affordable.

Deferred Benefits – Ceased active membership between 1st April 2008 and 31st March 14

- 7.4 By virtue of Regulation 66 of the LGPS (Administration) Regulations 2008 the Authority is required to prepare and publish a policy on the following discretions.
- 1) Whether to grant applications for the early payment of deferred pension benefits on or after age 55 and before 60 - Regulation 30(2) LGPS 2007.
 - 2) Whether, [on compassionate grounds](#), to waive any actuarial reduction that would normally be applied to deferred benefits which are paid before age 65 - Regulation 30(5) LGPS 2007.
 - 3) Whether to grant applications for the early payment of a suspended tier 3 ill health pension on or after age 55 and before age 60 - Regulation 30A(3) LGPS 2007.
 - 4) Whether, [on compassionate grounds](#), to waive any actuarial reduction that would normally be applied to any suspended tier 3 ill health pension benefits which are brought back into payment before age 65 - Regulation 30A(5) LGPS 2007.
- 7.5 Permitting early application of deferred pensions on the basis of 1) & 3) above incur no direct costs to the employer, subject to 85 year rule switch on not being applied.
- 7.6 Waiving of actuarial reductions for early release of pension will result in a pension strain cost immediately payable by the employer.

Proposal

The Council adopts the discretion to grant early release of deferred pension. The Council is unlikely to waive any actuarial reduction. However the Council elects to review each application fairly based on its circumstances and merits having regard to compassionate grounds (as applicable) and costs. Any application to waive actuarial reduction to be subject to the consent of the Head of Paid Service, following consultation with the relevant Joint Staffing Committee Co-Chairman.

8. Local Government Pension Scheme – Other Recommended Policies

**Deferred Benefits – Ceased active membership prior to 1st April 1998
– Regulation D11(2)c LGPS Regulations 1995**

- 8.1 The ability to grant, [on compassionate grounds](#) only, the early payment of deferred pension benefits on or after age 50 and before 65.
- 8.2 Each application will depend on the individual circumstances as to whether actuarial reductions would apply or a pension strain incurred.

Proposal

The Council adopts the discretion to grant early release of deferred pension on compassionate grounds. The Council is unlikely to waive any actuarial reduction. However the Council elects to review each application fairly based on its circumstances and merits having regard to compassionate grounds (as applicable) and costs. Any application to waive actuarial reduction to be subject to the consent of the Head of Paid Service, following consultation with the relevant Joint Staffing Committee Co-Chairman.

9. Consultation

- 9.1 Unison have been informally consulted. However this policy confers no formal contractual rights to employees.

10. Options

- 10.1 The discretionary aspect of the LGPS is specifically designed to allow each individual employer the flexibility to assist with people management within their own circumstances. The Councils may therefore agree different discretions to those proposed in the report.
- 10.2 The Councils are also able to not agree policies in some areas. However it is recommended that policies are agreed for all areas to provide clarity and consistency.

11. Corporate Implications

- 11.1 Depending on the discretions agreed, there may be an additional cost to the Councils. However the proposals included in this report minimise the cost.
- 11.2 The Councils must have proper regard to the extent to which the exercise of these discretions could lead to a loss of confidence in Public Service, they must be workable, affordable and reasonable, be fairly applied and have regard to foreseeable costs.

12. Links to Council Policy Objectives

- 12.1 This policy relates to delivering cost effective, customer focused services. In particular treating staff fairly, in order to attract, retain and develop dedicated staff.

13. Next Step

- 13.1 If agreed by the Joint Staffing Committee, the Discretionary Policy Statement will be presented to the respective Full Councils for formal approval.

Background Papers:	None
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Appendix 1

Local Government Pension Scheme Discretionary Policy Statement

This policy confers no contractual rights to employees.

The Council retains the right to change this policy at any time.

The current adopted policy, at the time an event occurs, shall be applied.

In making decisions under these discretions the Council undertakes to:

- apply such discretions fairly in all cases;
- not expose the Council to any serious loss of Public confidence; and
- ensure that each application is affordable and any foreseeable costs where applicable, have been taken into consideration.

[Local Government Pension Scheme Regulations 2013 and LGPS \(Transitional Provisions, Savings and Amendment\) Regulations 2014 - Required Policies](#)

Additional Annual Pension – Regulation 31

The ability, at full cost to the employer, to grant extra annual pension – currently up to £6,500 per annum – to an active Scheme member or within 6 months of leaving to a member whose employment was terminated on the grounds of redundancy or business efficiency.

The Council does not adopt this discretion at this time.

Shared Cost Additional Pension Contribution (SCAPC) – Regulation 16(2)(e) and 16(4)(d)

Where an active Scheme member wishes to purchase extra annual pension - currently up to £6,500 per annum - by making Additional Pension Contributions (APCs), the Council may voluntarily contribute towards the cost of purchasing that extra pension via a Shared Cost Additional Pension Contribution (SCAPC).

The Council does not adopt this discretion at this time.

Flexible Retirement (aged 55 and over) – Regulation 30(6) etc

Whether to permit flexible retirement for staff aged 55 or over who, with the agreement of their employer, reduce their working hours or grade.

The Council elects to adopt this discretion in accordance with the Council's Flexible Retirement Policy and permits the member to:

- draw all, part, or none of the benefits accrued after 31st March 2008 and before 1st April 2014, and / or
- draw all, part, or none of the pension benefits accrued after 31st March 2014.

The Council is unlikely to waive any actuarial reduction.

However the Council elects to review each application fairly based on its circumstances and merits having regard to the Service need, compassionate grounds (as applicable) and costs.

Any application to waive actuarial reduction to be subject to the consent of the Head of Paid Service, following consultation with the relevant Joint Staffing Committee Co-Chairman.

85 Year Rule Switch on – LGPS (Transitional Provisions, Savings & Amendment) Regulations 2014 Schedule 2

Where the member voluntarily draws their pension early (other than flexible retirement) the rule of 85 does not automatically apply. The employer may choose to switch back on the rule of 85.

The Council does not adopt this discretion at this time.

Waiving Actuarial Reductions on Voluntary Retirement – Various Regulations

To waive, in whole or part, actuarial reduction on benefits paid before normal retirement age.

The Council is unlikely to waive any actuarial reduction.

However the Council elects to review each application fairly based on its circumstances and merits having regard to the Service need, compassionate grounds (as applicable) and costs.

Any application to waive actuarial reduction to be subject to the consent of the Head of Paid Service, following consultation with the relevant Joint Staffing Committee Co-Chairman.

Local Government Pension Scheme Regulations 2013 - Recommended Policies

Transfers in to Fund – Regulation 100(6)

The Council will decline any request to transfer in pension rights after the 12 month limit has been exceeded, unless there are extenuating circumstances.
Any request for extenuating circumstances will be subject to the consent of the Head of Paid Service, following consultation with the relevant Joint Staffing Committee Co-Chairman.

Aggregation of Deferred Benefits – Regulation 22(7) & (8)

The Council will decline any request to extend the 12 month deadline for non-aggregation of deferred pensions into a concurrent or new LGPS employment unless there are extenuating circumstances.
Any request for extenuating circumstances will be subject to the consent of the Head of Paid Service, following consultation with the relevant Joint Staffing Committee Co-Chairman.

Local Government Pension Scheme - Other Required Policies

Local Government (Discretionary Payments) (Injury Allowances) Regulations 2011

The Council elects not to have an Injury Allowance scheme at this time.

The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006

Regulation 5 – Redundancy Payments to be based on Actual Pay

The Council adopts this discretion in accordance with its current Redundancy Policy stating that the weekly pay limit shall not apply.

Regulation 6 – Discretionary Termination Payments

The Council will exercise this discretion in exceptional or extenuating circumstances only. Each case will be considered fairly, on its merits and subject to the consent of the Head of Paid Service, following consultation with the relevant Joint Staffing Committee Co-Chairman, ensuring no serious loss in confidence in the Public Service and that any payment is affordable.

Deferred Benefits – Ceased active membership between 1st April 2008 and 31st March 2014 – Regulation 66 of the LGPS (Administration) Regulations 2008

The Council adopts the discretion to grant early release of deferred pension. The Council is unlikely to waive any actuarial reduction. However the Council elects to review each application fairly based on its circumstances and merits having regard to compassionate grounds (as applicable) and costs. Any application to waive actuarial reduction to be subject to the consent of the Head of Paid Service, following consultation with the relevant Joint Staffing Committee Co-Chairman.

Local Government Pension Scheme - Other Recommended Policies

Deferred Benefits – Ceased active membership prior to 1st April 1998 – Regulation D11(2)c LGPS Regulations 1995

The Council adopts the discretion to grant early release of deferred pension on compassionate grounds. The Council is unlikely to waive any actuarial reduction. However the Council elects to review each application fairly based on its circumstances and merits having regard to compassionate grounds (as applicable) and costs. Any application to waive actuarial reduction to be subject to the consent of the Head of Paid Service, following consultation with the relevant Joint Staffing Committee Co-Chairman.

Chiltern District Council
CAMG
Resources Overview Committee
Cabinet
Council

13 June 2017
21 June 2017
27 June 2017
11 July 2017

SUBJECT:	Amersham Multi Storey Car Park Development Project
REPORT OF:	Cabinet Portfolio: Environment - Councillor Michael Smith
RESPONSIBLE OFFICER	Chris Marchant - Head of Environment
REPORT AUTHOR	Anwar Zaman 01494 732753 - azaman@chiltern.gov.uk
WARD/S AFFECTED	Amersham on the Hill

1. Purpose of Report

The purpose of this report is to seek Full Council's approval for the capital programme for this project to be amended to £10,800,000.

This follows a report that was considered by the Cabinet on 11 July that:

- Updated Members on the current position regarding the development of the Amersham Multi Storey Car Park to provide a total of 1,046 car park spaces, an increase of 366 on the current 680 spaces.
- Presented the final business case for approval.
- Sought confirmation from the Cabinet that contracts for construction under the SCAPE Framework agreement could be signed.

RECOMMENDATION

That £10,800,000 be added to the capital programme for the construction of this project.

2. Executive Summary

- 2.1 Members will be aware of the parking problems that exist at Amersham on the Hill and in particular at the Amersham Multi Storey Car Park which is regularly operating at capacity during the week. This capacity issue has been highlighted in a recent capacity survey which has recommended that by 2036 additional spaces of between 339 and 520 will be required to meet anticipated growth from new housing and rail travel.
- 2.2 The proposed solution to the problem is to extend the existing multi storey car park by building on the adjacent surface car park. This development should provide capacity for an additional 366 spaces.

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- 2.3 Following Cabinet approval on April and December 2016, through the use of the SCAPE Framework, this Council has procured the services of Pick Everard to act as client Project Manager and Quantity Surveyor, and Balfour Beatty to manage the pre-construction stage through design planning and detailed costings.
- 2.4 The proposed structure has been designed using the principles of a steel frame and concrete plank construction. Subject to a regular and adequate maintenance regime, the structure is designed to provide a life-span in excess of 40 years. This does not extend to finishing materials such as painting, finish coatings (including waterproofing), or the M&E installation and lift, which will need to be replaced in accordance with the manufacturer's recommendations or agreed maintenance programme for the building
- 2.5 To enable this project to proceed it will be necessary for the Council to invest £10,800,000 for the construction and any associated fees if planning is granted.
- 2.6 The proposal is to finance this by way of a Public Works Board loan. The Business case indicates that the car park will be operating in profit (including covering interest and loan principal repayment) in 9 years and that profit from the car park will be more than sufficient to repay the capital expenditure over the lifetime of the asset.

3. Reasons for Recommendations

- 3.1 A clear need has been identified for additional parking capacity within Amersham on the Hill to cover both the current and future demand. The existing car park site would seem to be the most suitable location. The experienced lead contractor has designed the car park in accordance with good practice, to deliver maximum number of additional spaces and to keep construction costs as low as possible through competitive tendering of works packages, for example, for procurement of steel and concrete pre-cast units. An external Quantity Surveyor has advised the Council on costs.

4. Background

- 4.1 The site is shown edged in black on the plan at **Appendix A**. A full chronology of Member decisions is attached at **Appendix B**. The current AMSCP has a total capacity of 680 spaces including 185 on the adjacent surface level car park.

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- 4.2 At CAMG on 2nd March 2016, a report detailing a high level proposal for 378 spaces (an additional 240 spaces) car park over 3 storeys was suggested at an early estimated cost of construction in the order of £6 million. Members expressed concern as to whether this proposal would meet future need and suggested extra deck / capacity was added. £110,000 was agreed for initial design work.
- 4.3 At Cabinet on 5th April 2016, Members considered and agreed the report that had been to the CAMG meeting on 2nd March 2016. Members agreed for pre-construction work to commence to enable design, costing and planning to be completed to enable officers to report in due course with a full business case. Note – It was not possible to provide cost certainty on any future development until the design and relevant surveys, etc had been concluded.
- 4.4 At CAMG on 21st November 2016, Balfour Beatty attended the meeting to explain the potential procurement approach that the Council could take to deliver this project. Whilst Members agreed that more car parking capacity was required there were concerns about the costs and possible escalation. The construction costs at this stage, following detailed work by the contractor and QS, was estimated at £8.8 million for an additional 502 spaces with the net extra spaces increased to 366 spaces over 4 floors from 240 originally envisaged. Members agreed to the total predicted pre-construction costs of £591,000 to allow the detailed design and planning to be applied for. It was anticipated at this time planning would be submitted in November 2017.
- 4.5 At Cabinet on 13th December 2016, Members considered and agreed the report that had been to the CAMG meeting on 21st November 2016. Members expressed concerns as to how this project now appeared to supersede the original Cabinet decision for the guttering and PV's for the existing AMSCP and requested a further report.
- 4.6 At Cabinet on 7th February 2017, Members considered an update report and confirmed that the scope of the AMSCP project does not now include an over roof, extra PV's or new guttering.

Discussion

Costs

- 4.7 Since the initial reports the majority of the pre-construction steps have been completed using the SCAPE Framework procurement process which ensured that best value and the most appropriate design was achieved. 100% cost certainty on Tender Price has now been achieved and a letter from Quantity Surveyor, **Appendix F**, is attached which summarises the how best value is achieved using the SCAPE approach.
- 4.8 The report to Councillors on 21st November 2016 indicated the estimated build cost of £8.8 million which included the preconstruction cost of £591,000. Therefore at that time the anticipated build cost was £8.2 million. Any further variations would be at the contractors risk apart from any changes the Council requested. The build-up of cost changes and the details are as follows;

Project Cost

Item		Cost
1	Pre-construction Costs	£591,000
2	Estimated Construction Costs brought forward 06 Mar 2017 (excluding pre-construction cost)	£8,187,620
3	Forecast Project Management, Quantity Surveyors & H&S Team (Pick Everard) Fees & other costs (excluding pre-construction cost)	100,726
4	Forecast Construction cost changes by appointed Quantity Surveyor at 06 Mar 2017	
4.1	<i>Additional deck of 126 parking spaces</i>	£579,000
4.2	<i>An additional deep bore soak away for surface water is required. The current deep bore soak away for the existing car park is located where the new building will be constructed so has to be moved.</i>	£307,000
4.3	<i>Intrusive site investigations are required to accurately establish the utilities locations on the site because utilities surveys were inconclusive.</i>	£13,700
4.4	<i>Relaying the surface on the top floor of the existing car park to provide waterproof barrier for 30 + years. Cheaper painted on solutions have a very limited life.</i>	£313,000

4.5	<i>The costs involved in Re-siting the PVs on the new building</i>	£20,000
	Sub-Total	£1,232,700
5	Forecast Construction cost changes reported by appointed Quantity Surveyor post 06 Mar 2017	
5.1	<i>Additional larger and deeper pile foundations were found to be necessary following detailed design development following ground condition investigation.</i>	£450,000
5.2	<i>Programme extended associated with additional works – increase prelims</i>	£60,000
5.3	<i>Market testing – difference between estimate and tender price</i>	£100,000
	Sub-Total	610,000
6	Estimated Additional Fees during Pre-construction stage	
6.1	Additional Consultant Scape fees, not previously accounted	£7,700
6.2	Additional time spent due to delay getting to planning during pre-construction phase	£18,000
	Sub-Total	£25,700
7.0	Client internal management fees	£37,000
	Building Control Fees	£11,000
	Forecast Total Project Cost	£10,793,213

- 4.9 The forecast total project cost of £10,800,000 does not include a project risk figure of £370,000 which includes for project risks on the risk register such:
- If any further works are required by TfL - this is not anticipated as we have a signed agreement in place with them
 - If any archaeology is discovered during excavations – this is not expected
 - ordinance, contaminations judicial review cost, planning condition discharge or condition on unreasonable working hours.

Planning

- 4.10 A Planning application for the proposed development has been submitted to provide 4 levels of parking with a capacity of 502 spaces, a net increase of 366 spaces. This application will be considered by the Planning Committee once issues raised by Buckinghamshire County Council Highways Development have

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been resolved. The planning officer has indicated that they are minded to support the proposal when the application is formally submitted. The consultants feel the highway junction capacity issues can be addressed and it is anticipated at the time of writing this report that the application can be considered by the planning committee on 22nd June. The plans will be displayed ahead of this meeting for Members to review.

There has been a delay of several months whilst discussions and responses were received from Highways which has delayed the project. The pre-construction cost expenditure has increased slightly from £591,000 to £615,000.

There have been interest rate increase and Members have agreed to an increase in parking charges across the estate which will have a beneficial effect on the business case.

Expected increase in parking demand

- 4.11 An updated capacity study was recently commissioned for Amersham Multi Storey Car Park which has highlighted the considerable increased usage in this car park. In 2013 when the study was previously carried out the average capacity was at 85%. The latest study shows an average capacity of 91%. Latest figures show that for 80% of the working week the car park reached 100% capacity. On the weekdays when full capacity was not reached (normally Fridays) then the average capacity was at 87.75%. The Institute of Highways and Transportation recommended that an efficient operating level for car parks is 85%; it can therefore be seen that we already have a serious overcapacity issue and no room for growth.
- 4.12 The study looks forward to 2036 taking into account both rail passenger growth and housing development. The additional space goes part way to meet future demand.
- Rail: In the year to 2015 Chiltern Rail showed a growth of 3.1%. Both Network Rail and the Rail Delivery Group predict a 3.3% annual increase with passenger demand doubling in the next 30 years. Because of the proximity of the railway station it is anticipated that the growth in demand for the car park will depend mainly on the passenger growth. The only limiting factor is the train capacity and with line and signalling improvements planned to be in place for 2023 to increase train frequency this will only benefit Amersham Station and facilitate additional demand.
 - Housing/Population Growth: The study looked at the Joint Chiltern and South Bucks Local Plan 2016 to 2036 which is currently being prepared and using

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figures available for Chiltern and following discussions with officers developed a range of growth options for consideration. Using the medium growth scenario for 2036 to the study indicated an increased requirement for between 339 and 520 additional spaces over the next 20 years.

- 4.13 It is clear from the study that there is an existing and a future demand for parking at this car park. It should be noted that this study does not take into account other potential demands for increased capacity at AMSCP from proposed developments on other Council sites that could cause the loss of parking capacity as these developments proceed.

Business case

- 4.14 Investing in the construction of the new AMSCP will generate a financial return from the resulting additional car parking income. The estimated cash flows from this development have been modelled and are shown in **Appendix C**.
- 4.15 This shows that the car park will be operating in profit (including covering interest and loan principal repayment) in 9 years and that profit from the car park will be more than sufficient to repay the capital expenditure over the lifetime of the asset.
- 4.16 During construction access will be maintained to the majority of the existing multi storey car park although a reduction in income of £104,000 is possible due to the disruption. In an effort to keep this loss to a minimum, it is proposed that the 135 staff members currently using the AMSCP will be allocated alternative parking. This action will ensure that the paying public have preference over CDC staff. Additional 58 spaces have been provided at Sycamore Road and 29 spaces are being aimed to be provided at KGVH.
- 4.17 The Net Present Value (NPV) **Appendix C** base model has been drawn up using current figures available and based on various assumptions. Inflation is 3% per annum and this is also the discount rate used.
- 4.18 Car park charges are increased in line with inflation i.e. 3% per annum. This percentage is in line with the Governments RPI figures published in the Autumn Statement up to 2020/21. The standard initial daily car park charge is £6.00 per day in line with the agreed increased charges for 17/18.
- 4.19 Sensitivity Analysis is at **Appendix D** and the financial model is only an estimate and changing any of the assumptions will affect the return. For instance if the

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loan rate goes up, the profitability goes down, if charges increase the profitability goes up and if take up increases the profitability goes up and of course vice versa

Funding

4.20 The method of funding was raised in a previous report to Cabinet and at the time the option of funding this construction by way of borrowing was discussed. It is now clear that with interest rates at the current low level borrowing to fund this project would be the recommended option. To this end it was agreed at the Budget review in December and in the Treasury Management Strategy that CDC should be allowed to borrow if required.

4.21 It is proposed that the Council will raise a loan with the Public Works Loan Board. The financing cost is based on borrowing from the PLWB, on an annuity basis, over 40 years.

Usage

4.22 It is anticipated that the additional capacity from this car park will steadily increase. For the purpose of the Business case we have taken the average growth over the last 3 years written down to 5%.

Year	Growth
2013/2014	9%
2014/2015	2.2%
2015/2016	7.3%

Programme

4.23 The current proposed programme if the project continues is detailed at

Appendix E. The key dates would be:

- Planning Committee 22nd June 2017
- 6 weeks allowed for any JR challenge
- Sign delivery agreement 10th August 2017
- Start on Site September 2017
- Completion October 2018

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5. Consultation

- 5.1. Consultation has taken place with interested parties which include the Town Council and Amersham Action Group.
- 5.2. A public event was advertised and held in the Council Office reception. This event was not well attended but general feedback from the consultations recognised that increased capacity is needed in the area although local residents commented on the design and impact on their property and these comments were noted by the designers.
- 5.3. Under the planning process a further public consultation has been carried out and few objections were received. Where practicable the design is being amended to mitigate these objections.
- 5.4. Once planning approval has been received consultation will take place with all parties likely to be affected by the works to ensure that disruption is kept to a minimum. Parties to be consulted will include Amersham Town Council, Local residents and businesses, Transport for London.

6. Options

- 6.1 Members are requested to consider in view of the updated business case, the final design and the 100% Tender cost whether they would like to continue this project and construct the additional 366 car park spaces.

7. Corporate Implications

- 7.1 Financial – See above and the business case.
- 7.2 Legal – the Council has power under the Road Traffic Act 1984 to erect buildings for the provision of off-street parking. There is a small piece of land that for some reason is not registered to Chiltern and that is being rectified.
- 7.3 Risks – The remaining risks to this project include:
 - Planning and any conditions that could be imposed that may have cost implications. Allow 6 weeks after consent issues for any JR period before contracts signed for construction
 - Programme changes that could extend the period of reduced car park income

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- Construction costs are currently 100% certain following the works package tender process and Balfour carry the risk once the delivery agreement is signed. The only cost increases for the Council would be if the Council requested any changes on site to the design.
- Future usage is predicted in the business case

8. Links to Council Policy Objectives

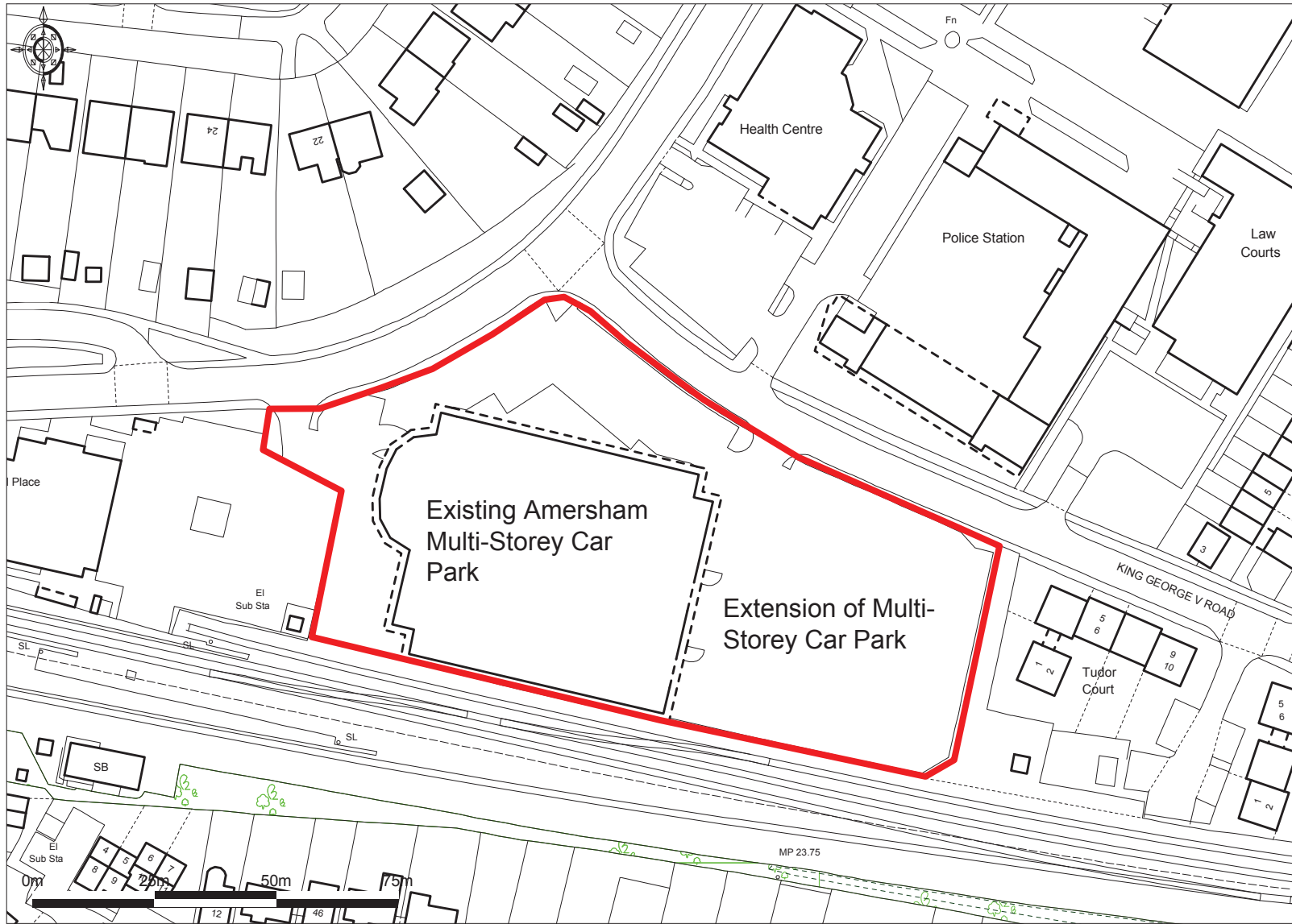
8.1 This matter is related to the Council's corporate aims to deliver cost effective, customer focused services, and to promote local communities.

8.2 This report also progresses the aims of the Council's asset management plan.

9. Next Step

9.1 If Members consider the business case acceptable then subject to planning approval being granted and allowing for any possible JR then a delivery agreement could be completed and works would commence on site end September 2017 with completion end October 2018.

Background	Cabinet Report 05 April 2016
Papers:	Cabinet Report 13 December 2016



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Scale: NTS

Appendix B

Chronology of Reporting for Amersham Multi Storey Car Park Extension

Minutes CAMG – 02.05.15

27. AMERSHAM ADDITIONAL PARKING

Members received a verbal update regarding the provision of additional parking in Amersham-On-The-Hill. A survey had been carried out which identified the need for an additional 220 spaces. Officers stated that they were in discussions with Car Park designers, rather than building designers, as this was more likely to lead to an efficient design with the right number of spaces. A further report with a proposal would be considered at a subsequent meeting.

Minutes CAMG – 02.03.2016

53. AMERSHAM MULTI-STOREY CAR PARK

The Project Manager introduced the report, which set out a high level proposal for the development of the car park adjacent to the existing multi storey car park. It would be a 3 storey building and provide 240 additional spaces at an initial estimated cost of £6 million. This could be funded from the Council's existing reserves and borrowing. The Director of Resources advised that it would be advisable to include the costs of borrowing to fund the project in the estimates submitted to Cabinet because if this option were taken it would show clearly the timeframe for the project making a positive return, as any development would need to be seen as a long term investment to meet specific needs in Amersham. The risk of the Council appearing to engage in the project for profit was also raised although in this case it was agreed there was a genuine need for the development in parking terms. The report asked CAMG members advise on whether the Portfolio Holder should recommend the project to Cabinet and to confirm the £110,000 for the initial design, planning and project management work to be allocated from the capital budget for the AMSCP.

In the following discussion Members agreed the project was needed to meet demand for parking. Concern was expressed regarding funding the project using the Council's reserves and it was felt that it would be preferable to borrow against a single large project such as this. The 2% discount rate in the report was questioned as a conservative estimate and it was asked whether the level of income from spaces could be relied on to increase, given that from 2013/14 to 2014/15 it had dropped. Members also questioned whether the projected three floors would accommodate future growth in parking demand and suggested the design allow for an additional floor to be added. The impact of the project on the agreement with TFL was raised and it was noted that the agreement would continue to be calculated on a space by space basis. It was also clarified that a Turnkey project was still a possibility although the Council would lose the future income growth.

CAMG RECOMMENDED

- That the Portfolio Holder recommend to Cabinet that this project should be proceed to enable the design stage and planning to progress.
- That the £110,000 required for the initial design stage, planning and project management work be allocated from the existing capital budget for the Amersham Multi Story Car Park.
- That the report to be presented to Cabinet be amended to include the cost of borrowing to fund the project, to address uncertainty over the growth in fees and to provide further detail regarding the funding options.

Minutes Cabinet – 05.04.2016

110. AMERSHAM MULTI-STOREY CAR PARK

Consideration was given to the report of the current and future parking situation in Amersham and at the Amersham Multi Storey car park. It also set out a high level plan for the development of the site to deal with the issues arising and to seek Cabinet confirmation of Corporate Asset Management Group's recommendation to progress the project as proposed.

Members Resolved

- That the content of the report be noted;
- That the project should proceed to enable the design stage and planning to progress; and
- That £110,000 required for the initial design, planning and project management work should be made available and funded from the existing capital budget for the Amersham Multi Storey Car Park.

Minutes CAMG – 21.11.2016

60. Representatives from Balfour Beatty Attending to Answer Questions on Amersham Multi-Storey Car Park Project

The Chairman welcomed Gareth Waitman (Commercial Manager) and Nadeem Syed (Senior Design Manager) from Balfour Beatty to the meeting.

It was explained that Cabinet had authorised the start of the process in April 2016 and it had been decided to use the Local Authority SCAPE framework to obtain costings. This avoided the lengthy EU procurement process. The full business case and detailed construction costings could then be presented to Councillors in February 2017.

It was proposed that a steel framework be used. The pillars would support the floors and there were several options for the ground work and materials for constructing the floors. Tenders for the various work elements would be put out to all the trades (15 – 16 packages of trades in the scheme) and Balfour Beatty would project manage this to come to the

overall construction cost figure. It was explained that they were currently working on a similar project in Wokingham. A quantity surveyor, Pick Everard had been appointed to act on the Council's behalf and check the budgets for the various elements of the construction.

Whilst it was agreed by the Members that more car parking capacity was needed, there was concern about the cost of the project and whether the cost was likely to escalate. It was noted that the previously planned project to provide a roof for the multi-storey had now been superseded by this project to expand the car park, and this had been discussed previously at CAMG, and agreed by the Cabinet in April 2016. It was advised that it was uncommon for car parks to have roofs. The funds approved for the initial plans for this car park were now being applied to cover the costs to the stage of preparing the business case and detailed construction estimates.

The current estimate for the construction work was £8.8 million which would be paid for by a 40 year loan from the Public Loans Board. Planning permission would be sought and final costings obtained so that Councillors would be able to reach a decision about the project in February 2017. It was noted that some preconstruction costs had already been incurred in line with approval from the Cabinet in April.

Members felt it was important to keep all members informed of progress on major projects like this or the Amersham leisure project and consideration be given to ways in which this could be done.

64. Amersham Multi-Storey Car Park

This item was discussed previously with Minute 60.

CAMG RESOLVED

- The progress of the project was noted by the group.
- To recommend to Cabinet that the project be highlighted at full Council.

Minutes Cabinet – 13.12.2016

177. AMERSHAM MULTI STOREY CAR PARK DEVELOPMENT PROJECT

Cabinet Members were asked to note the progress made on the project to provide additional car parking at Amersham Multi Storey Car Park (AMSCP) and to note the spend on consultancy costs to enable the project to proceed through planning, detailed design and costings to allow the full business case to be presented to Councillors in April 2017. Whilst being supportive of the project to provide additional car parking at the multi-storey some members expressed their concerns as to how this project now appeared to supersede the original decision of Cabinet to fund and proceed with an over-roof of the existing car park and associated installation of photo-voltaic cells. A further report on this matter was requested.

Members Resolved

- That the spend on consultancy to date of £199,950 be noted and that the on-going commitment of £591,000 be approved to complete the detailed design, specification and costings to enable planning consent to be obtained and the full business case to be prepared for submission to Cabinet. Monies to be contained within the existing capital programme.
- With regard to the sums allocated to the Amersham Multi Storey Car Park Over-roofing and Photo Voltaic System projects in the approved Capital Programme a report be submitted to the next meeting of Cabinet regarding the need, or otherwise, for these works in the light of (i) above.
- That the full business case will be reported to Cabinet for their decision in April 2017; and
- That the Interim Director of Services be authorised to negotiate any necessary agreements to enable this project to progress as indicated within the report and to conclude any necessary documentation.

Minutes Cabinet – 07.02.2017

195. Amersham Multi-Storey Car Park Update pdf icon

The Cabinet considered a report that sought to provide clarification on the decision making process to date regarding the Amersham Multi-Storey Car Park Project (AMSCP). In response to a question it was clarified that the current proposals being put forward, which would be subject to Cabinet approval of the business case at the next meeting on 4 April, still involved a level of protection being provided for the existing structure. The earlier proposals, considered by the Cabinet, had been amended due to the impact on the number of car parking spaces that could be provided, and the advice of the professional advisers to the construction project.

Members Resolved

- That the contents of the report be noted.
- That the scope of the Amersham Multi Storey Car Park (AMSCP) project does not include an over roof, additional Photo Voltaic systems or new guttering for the existing multi storey car park, as detailed within the report.

Appendix D: AMSCP Assumptions and Sensitivity Analysis

Assumptions

The base model has been based on various assumptions as follows:

- The cost is £10,800,000 excluding VAT.
- Inflation is 3% a year and this is also the discount rate used.
- The financing cost is based on borrowing from the PWLB, on an annuity basis, over 40 years.
- Car park charges are increased in line with inflation ie 3% a year.
- The standard initial daily car park fee is £6 per day.
- There is an immediate increase in useage of 10% of the new spaces and a 5% increase yearly thereafter (based on average of last 3 years growth).

Note: Although the build / design life for the car park is in excess of 40 years, all figures have been based on a 40 year timeframe.

Sensitivity Analysis

However the financial model is only an estimate.

Changing any of the assumptions will effect the return.

For instance

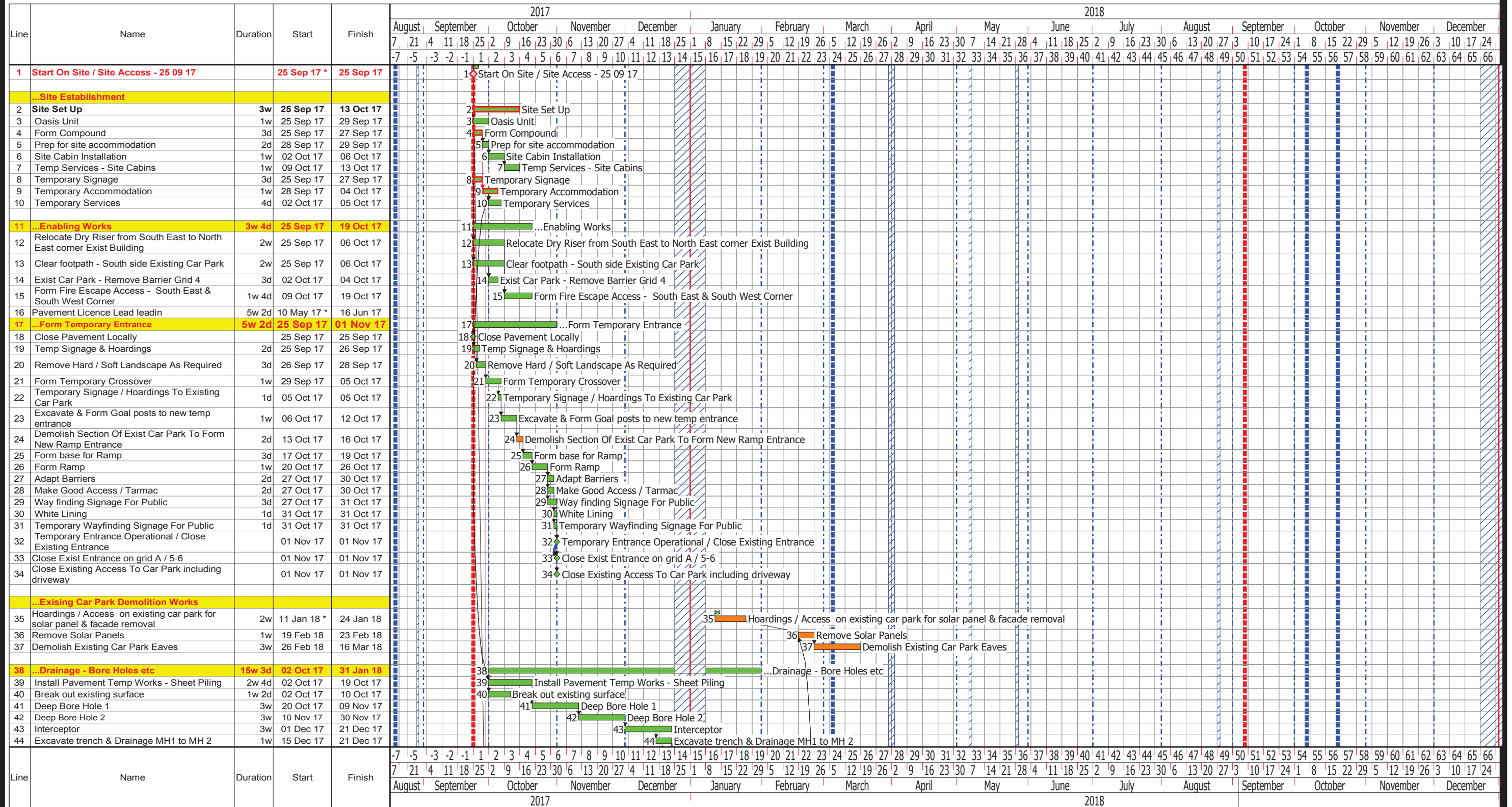
- If the build cost goes up, the profitability goes down.
- If the loan rate goes up the profitability goes down.
- If we increase the charges, the profitability goes up.
- If we increase the take up assumptions, the profitability goes up.

And of course vice versa.

The following table therefore shows the effect on the Net Present Value and Profitability figures if we change some of these assumptions.

	Base Model	Cost increase due to £370k risk element	Loan rate 0.5% higher	Increase in car park fee rpi -0.5%	Increase in car park fee rpi +0.5%
Total Cost	£10,800,000	£11,170,000	£10,800,000	£10,800,000	£10,800,000
Loan Interest Rate	2.59%	2.59%	3.09%	2.59%	2.59%
Increase in car park charge	RPI	RPI	RPI	RPI -0.5%	RPI +0.5%
Net Present Value over 40 years (Negative is good)	-£88,534	£432,398	£906,721	£1,687,063	-£2,099,905
Total Profit over 40 years (Negative is good)	-£14,056,493	-£13,453,543	-£12,536,881	-£9,917,589	-£18,795,097
IRR	4.74%	4.58%	4.74%	4.17%	5.31%

CRWT0505 - Amersham Car Park Construction Programme - Rev 1 - 11 05 17



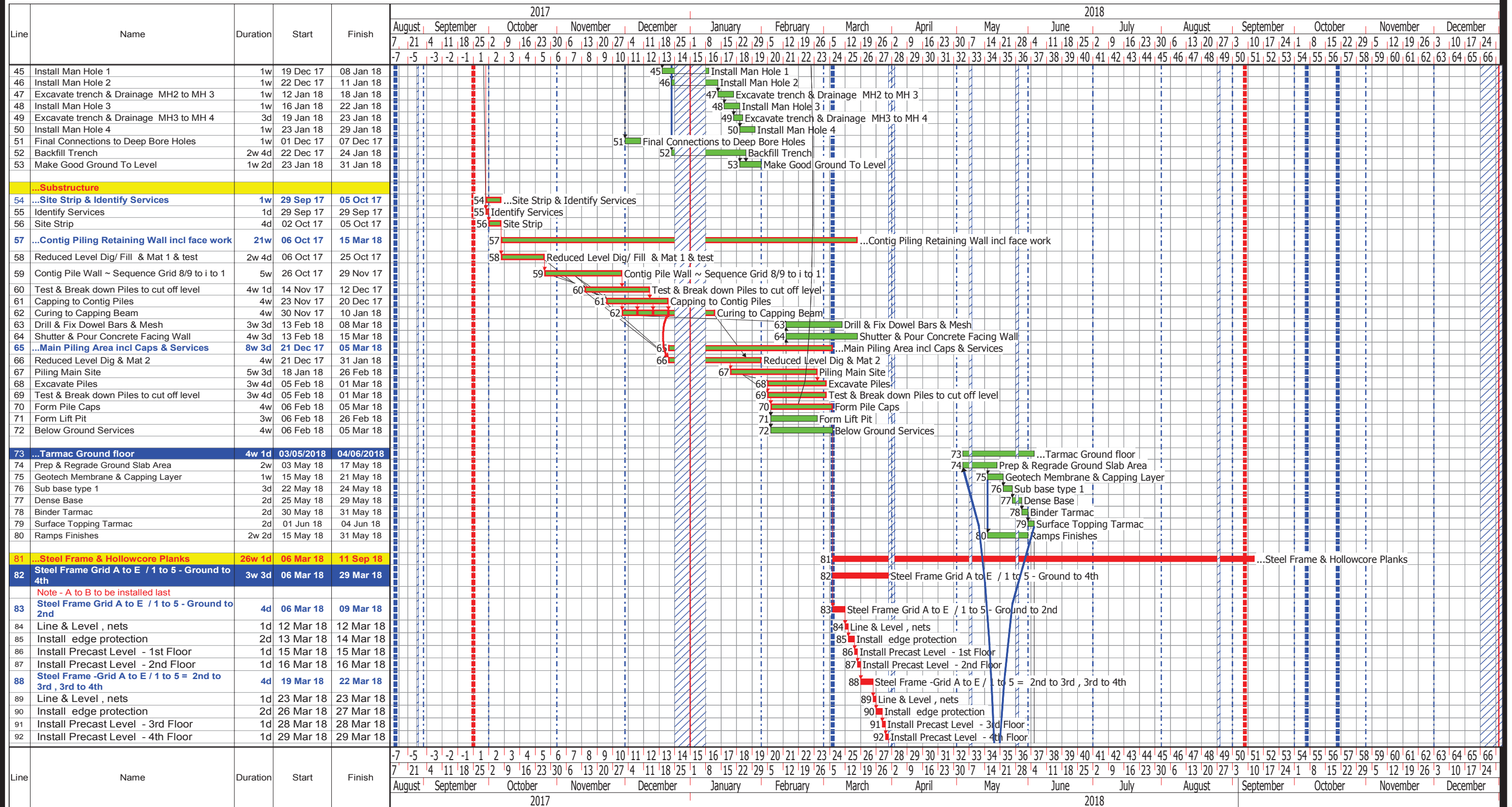
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CRWT0505 - Amersham Car Park Construction Programme - Rev 1 - 11 05 17

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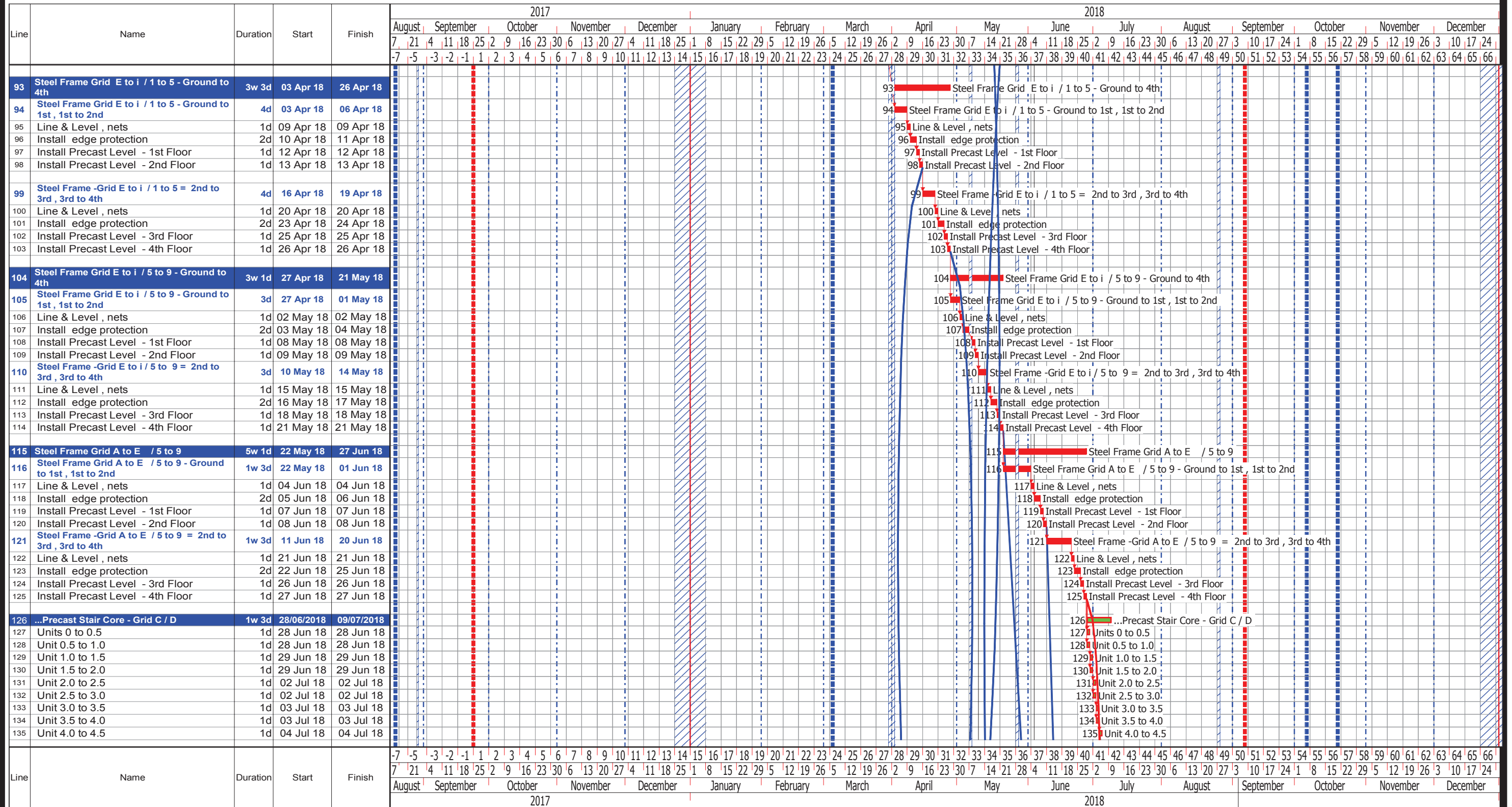
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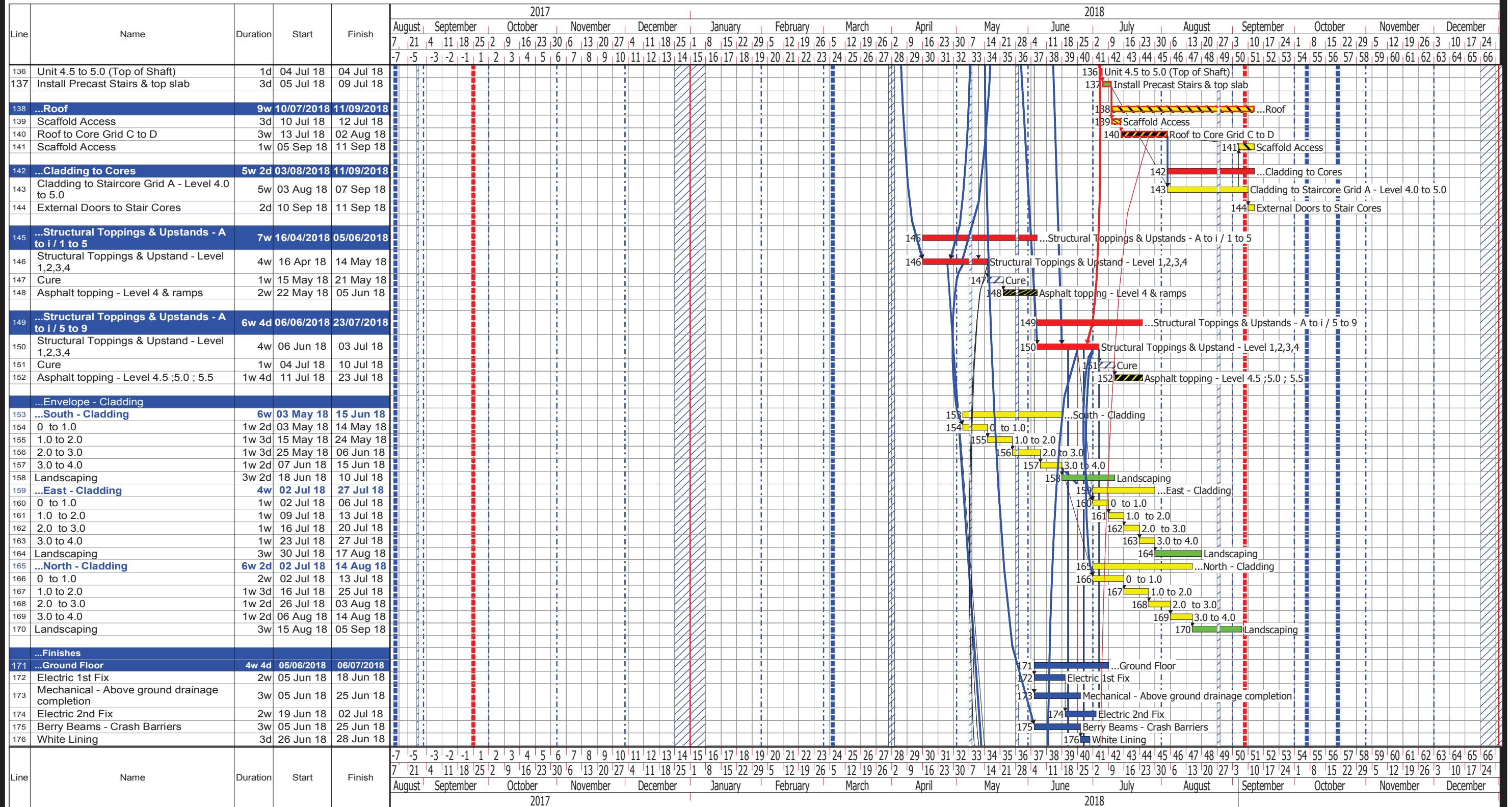
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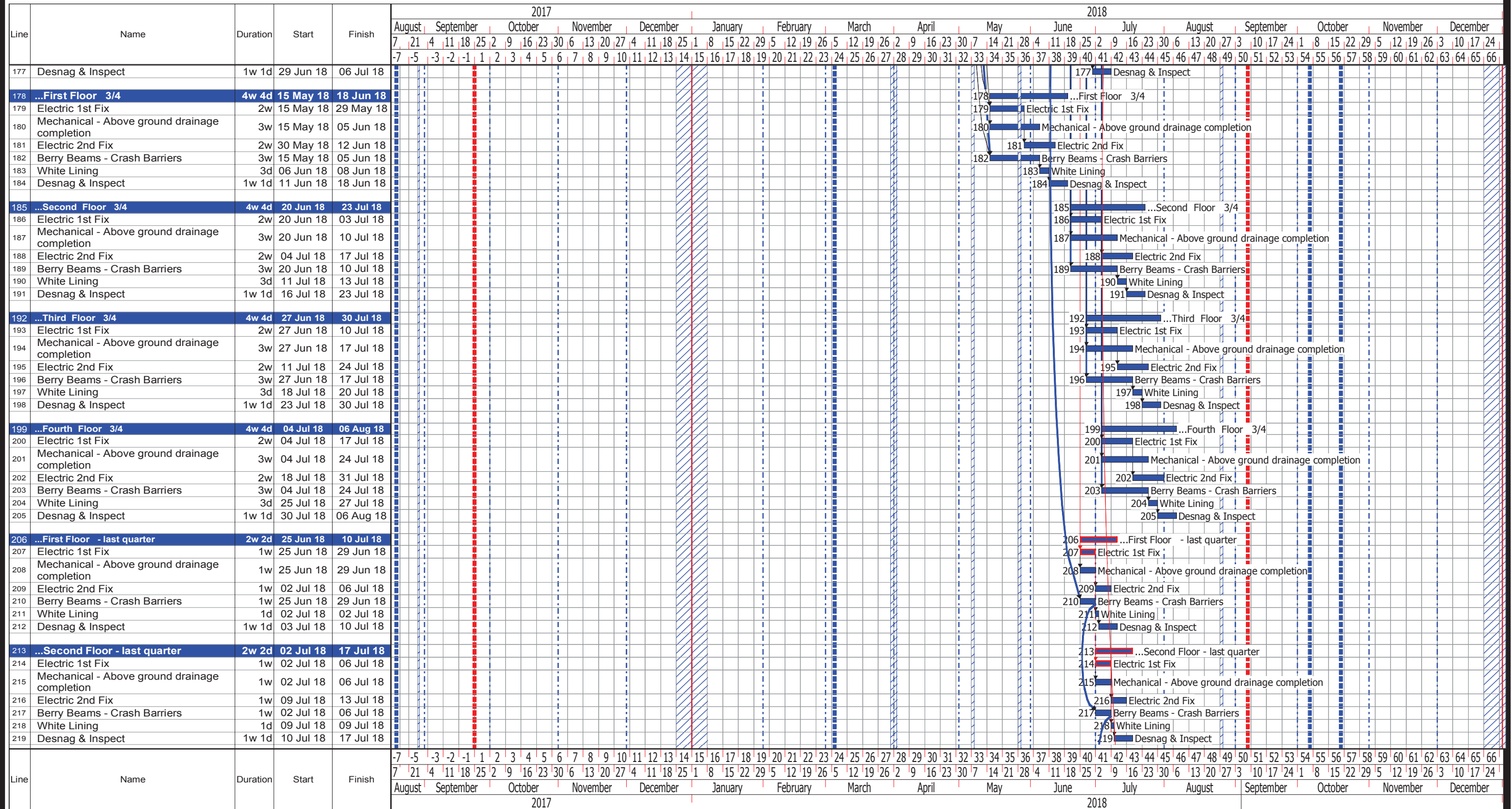
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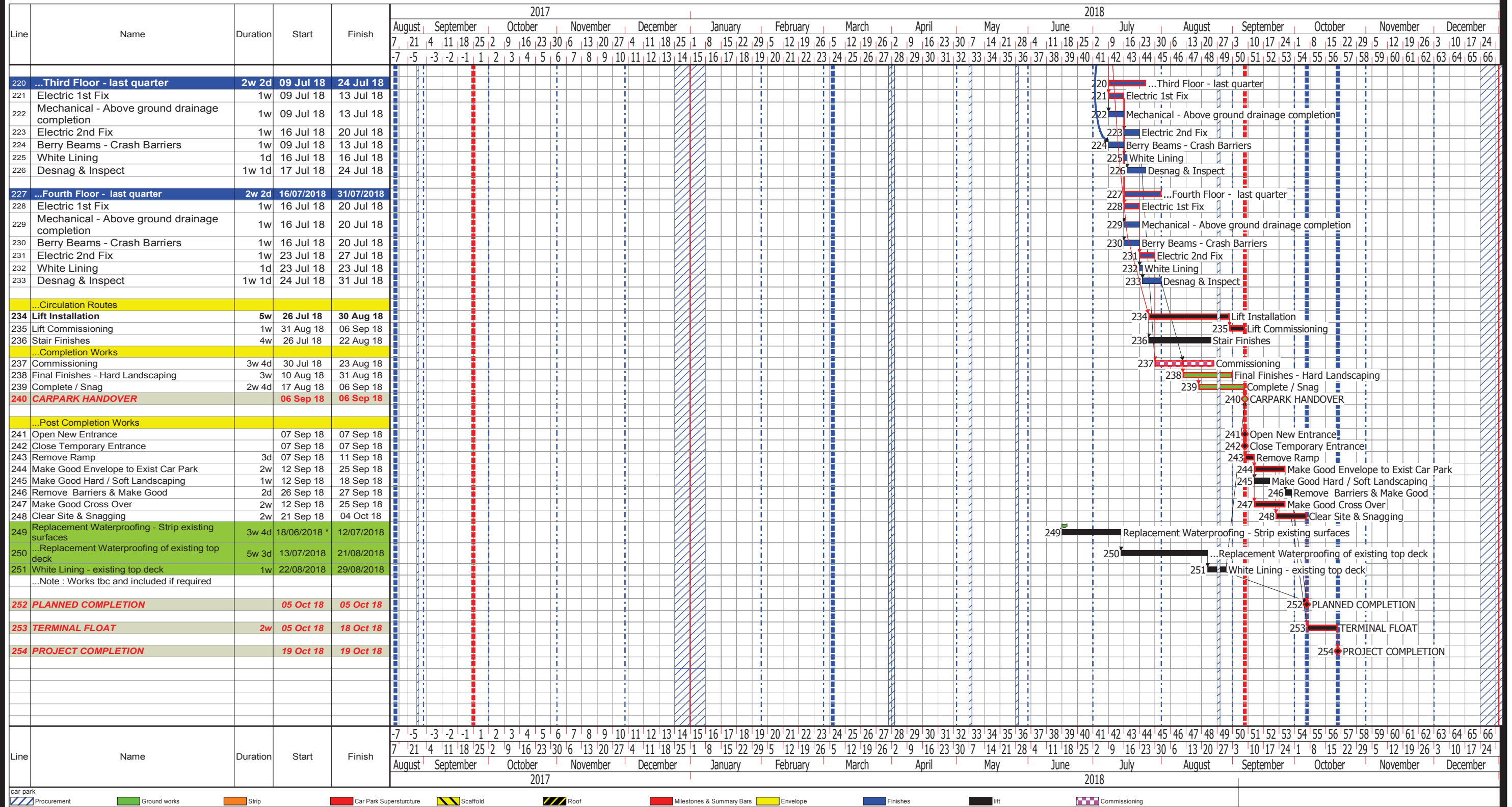
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CONSTRUCTION

Appendix E

Chiltern District Council
King George V House
King George V Road
Amersham
HP6 5AW

24th May 2017

For the Attention of Chris Marchant

Dear Chris,

AMERSHAM MULTI-STOREY CAR PARK, KING GEORGE V ROAD, AMERSHAM

The advice as to the approach that has delivered best value for the project.

The design meets the criteria set and minimises costs with PM and QS independent advice from Pick Everard as to overall costs, programme and other essential deliverables for a successful project.

The Scape process that has been employed on the Chiltern DC Amersham MSCP project is a proven method of ensuring the client receives best value from inception to completion.

The original budgets contained within the feasibility clearly outlined the design, cost and programme parameters known at that time, and the client can be confident that they have been compiled using recently acquired market data.

The selection of the Design Team is carried out using a competitive market-tested arena, and the client has full visibility of the quotations, correspondence and dialogue at all times, allowing the client to intervene and challenge at any time throughout the procurement process.

The ethos of Scape is collaboration, with regular fortnightly progress meetings from inception to Stage 4 Gateway 4 - Pre-Construction Phase - in an open honest and transparent approach to design, selection, procurement and planning.

The client has been fully engaged in the initial design criteria, producing and issuing the contractor with a Project Brief encapsulating all of their requirements, including design life span and any project nuances particular to that site. This Project Brief is then used by the Design Team as the basis for all design development throughout the Pre-Construction Phase.

The client, through Pick Everard, was involved in the selection of the supply chain, along with the Contractor, and has the ability to contribute and direct the contractor to a number of suppliers to compliment the Scape philosophy of using local labour and suppliers where possible, which the Contractor is measured against under a Key Performance Indicator.

During the design process, the client attended and actively contributed to design matters, including the appointment of a design 'checker' where deemed necessary for complex projects.

Some changes became necessary due to design development and change requests from Chiltern CDC. These changes increased the costs from the feasibility and can be summarised as below.

Client change requests

- Additional deck which was implemented
- Relocation of the existing PV Cells

Design Development

- Removal of existing soakways and provision of new deep bore soakaways due to existing ground conditions and insufficient existing infrastructure drainage for the new car park
- Extensive site investigation and searches on the available utilities required for the car park
- Ground conditions affecting the substructure design
- Market testing and the difference between the feasibility budget and the tendered prices

In addition delays were incurred in the planning process due to BCC Highways requiring information relating to traffic movements and studies which did not form part of the original brief and was not planned for. These delays incurred additional costs due to extending the accepted programme and resultant contractors preliminary prices

The total of the changes are £1,339,000 from the feasibility budget of £ 8,900,000. The total of the construction cost at Stage 4 is £10,245,000 which provides 100% cost certainty. These sums exclude Chiltern DC internal costs and fees. There is a Chiltern DC risk allowance of £370,000.

The Pick Everard Financial Report nr 5 dated 22nd May 2017 has been published and provides a detailed commentary on the financial information.

To ensure best value to the client in terms of financial viability, the transparent and open-book Scape process ensures that the client is given copies of tender enquiries, query correspondence and subcontract quotations. A final independent check has

[Type text]

been carried out by the client's own project consultant manager and cost consultant, Pick Everard, to guarantee that any normalisation, risks or exclusions are acceptable.

A cost comparison with a similar car park constructed by Balfour Beatty has been included in the table below.

Car Park	Wokingham Multi-Storey Car Park	Amersham Car Park
Construction Cost	£11,156,000.00	£9,755,027.00
Spaces	529	501
m2 area	14800	13064
Cost / space	£21,088.85	£19,471.11
Cost / m2	£753.78	£746.71

Throughout the entire Scape process, the client was encouraged to participate and challenge any aspect of the Pre-Construction phase that they are not happy with, and the Contractor provides not only a Project Manager and Pre-Construction Manager as a regular point of contact, but also a Scape Framework Director to discuss matters at a strategic level.

I trust the above meets with your expectations.

Yours faithfully



David Gear
Project Manager

SUBJECT:	CORPORATE ENFORCEMENT POLICY
REPORT OF:	<i>Community, Health and Housing – Councillor Liz Walsh Healthy Communities – Councillor Paul Kelly</i>
RESPONSIBLE OFFICER	<i>Anita Cacchioli, Interim Director of Services Martin Holt, Head of Healthy Communities</i>
REPORT AUTHOR	<i>Ian Snudden, 01494 732057, isnudden@chiltern.gov.uk</i>
WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

To obtain Members' approval for the draft Corporate Enforcement Policy

RECOMMENDATIONS

- To approve the draft Corporate Enforcement Policy for regulatory compliance and enforcement services at Appendix 1.**

2. Reasons for Recommendations

The Regulators' Code came into statutory effect on 6 April 2014. A key action required to comply with the Code is to have an enforcement policy explaining how the local authority responds to regulatory non-compliance. With the majority of services now being shared across both Chiltern and South Bucks District Councils it is appropriate at this time to review the enforcement policies and to publish a joint Corporate Enforcement Policy that sets out the guiding principles of how regulatory services will engage with those they regulate.

3. Report

The government is committed to reducing regulatory burdens on business and supporting the growth of compliant businesses through open and constructive relationships between regulators and those they regulate.

The Regulators' Code came into statutory effect on 6 April 2014, replacing the Regulators' Compliance Code. It provides a principles-based framework for how regulators should engage with those they regulate. The specific local authority services covered by the regulatory code are all within the Services Directorate (food safety, environmental protection, health and safety, private sector housing, public health, waste and licensing). There are also a number of other regulatory and enforcement services which are not covered by the code most notably Planning, Building Control, Revenues and Benefits and Parking Services enforcement. However the broad principles contained within the draft enforcement policy are equally applicable to all council enforcement services and it is therefore recommended that this is adopted as a corporate approach to enforcement.

Local authorities need to have regard to the Code when developing standards, policies or procedures that either guide their regulatory activities with business or apply to other regulators.

The Regulator's Code

The Regulator's Code is based on 6 broad principles which are set out below. The Code contains a section on each of these which sets out what is expected of the regulator in each case:

- Regulators should carry out their activities in a way that supports those they regulate to comply and grow;
- Regulators should provide straightforward ways to engage with those they regulate and hear their views;
- Regulators should base their regulatory activities on risk;
- Regulators should share information about compliance and risk;
- Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply
- Regulators should ensure that their approach to their regulatory activities is transparent.

A key action required to ensure compliance with the Code is to have an enforcement policy explaining how the local authority responds to non-compliance. The majority of regulatory services are now within shared services across Chiltern and South Bucks District Councils and so it is an opportune time to develop a joint Corporate Enforcement Policy that sets out the main principles of enforcement for all regulatory compliance and enforcement services.

It is also a requirement of the Code that mechanisms are put in place to engage with those they regulate including engagement in the development and review of policies and service standards.

Overview of the Enforcement Policy

Chiltern and South Bucks District Councils carry out a wide range of regulatory roles in meeting its many statutory duties of protecting the public, individuals and the environment. These functions are discharged through a combination of programmed inspections, responding to complaints, issuing licences and offering advice. This policy is an overarching policy that applies to all the Councils' services with enforcement duties but it should be noted that various additional service specific enforcement requirements may also apply.

The enforcement policy is intended to protect the public, the environment, consumers and workers through:

- Enforcing the law in a fair, equitable and consistent manner;
- Assisting broadly compliant businesses to meet their legal obligations;
- Taking firm action against those who flout the law or act irresponsibly.

The policy sets out the broad approach that the Councils will take to enforcement which takes account of the Regulator's Code and commits us to being:

- *Proportionate* – our activities will reflect the level of risk to the public and enforcement action taken will relate to the seriousness of the offence;
- *Accountable* – our activities will be open to public scrutiny, with clear and accessible policies, and fair and efficient complaints procedures;
- *Consistent* – our advice to those we regulate will be robust and reliable and we will respect advice provided by others;
- *Transparent* – we will ensure that those we regulate are able to understand what is expected of them and what they can anticipate in return, and
- *Targeted* – we will focus our resources on higher risk enterprises and activities.

Services covered by the policy will work with and consult other council services, partners and other regulators where there is a shared or complementary enforcement role to ensure a consistent approach to enforcement and to avoid duplication.

The policy sets out the levels of enforcement action available to the councils, how we will determine which action is appropriate in the event of non-compliance and how we will conduct our investigations.

4. Consultation

The draft enforcement policy has been consulted upon internally with other regulatory services and externally with trade representative bodies. This took the form of an online survey advertised through the Councils' websites and specific email contact with local Chambers of Commerce, Revitalisation groups and Bucks Business First.

Two responses were received, both in support of the policy. The policy has been slightly amended at 3.8 in response to a comment to make it clearer when correspondence is posted to help those who have been asked to respond back to the councils.

5. Options

No alternative options have been identified which would secure compliance with the Regulators' Code

7. Corporate Implications

Reports must include specific comments addressing the following implications;

3.1 Financial - none

3.2 Legal – local authorities with enforcement and regulatory services are required to have enforcement policies that comply with the Regulator's Code

8. Links to Council Policy Objectives

This policy contributes to the key aims and objectives of:

1. Delivering cost- effective, customer- focused services
2. Working towards safe and healthier local communities and the Joint Business Plan 2016-20

9. Next Step

When approved, the Corporate Enforcement Policy will be published on the Councils' websites. Staff briefings will be held to promote the principles within the corporate policy and Heads of Service will be required to have regard to it when developing their own service plans.

Background Papers:	Regulator's Code
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**CHILTERN DISTRICT COUNCIL
and
SOUTH BUCKS DISTRICT COUNCIL**

CORPORATE ENFORCEMENT POLICY

DRAFT



Approved June 2016
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ENFORCEMENT POLICY

1. INTRODUCTION

- 1.1 A Joint Sustainable Community Strategy 2013-2026, has been produced by the Chiltern and South Bucks Strategic Partnership and sets out the long-term aspirations and vision of the communities in Chiltern and South Bucks. One aspect of the Partnership's joint vision is for *'Chiltern and South Bucks Districts to be places with prosperous and diverse economies that encourage local employers and small businesses so we can protect the areas' economy for the future and achieve a better balance between the jobs available and the people to fill them;'*
- 1.2 To this end, regulatory services within both councils will work in partnership with businesses and organisations to achieve this. However it is recognised that enforcement action plays a part in this, ensuring not only legal compliance and safeguards, but also a fair and equal business environment in which those that seek to gain economic advantage through illegal means are appropriately dealt with. Therefore in circumstances where enforcement is necessary the councils will use appropriate powers to achieve legal compliance.
- 1.3 This policy is also designed to address residents or businesses who contravene legislation in terms of, for example, food and health and safety, environmental protection, council tax fraud, housing benefit fraud, non-domestic rates debts, non-payment of council tax and non-compliance with planning and building control requirements, car parking contraventions and fraudulently obtaining council services.
- 1.4 The aim for both councils is to ensure clear and consistent enforcement which takes account of national guidance and good practice in terms of decision-making and enforcement practise. All enforcement decisions will be made in accordance with this Policy. Whilst some areas of work have more detailed enforcement arrangements and specific policies, the principles of this policy will continue to apply.
- 1.5 This Policy is intended to provide general guidance for officers, businesses, consumers and the public as regards the approach that will normally be taken in relation to the enforcement of the relevant statutory provisions. It does not fetter the discretion of the councils to take legal proceedings where this is considered to be in the public interest.

2. MEANING OF 'ENFORCEMENT'

- 2.1 Whilst the Regulator's Code only applies to enforcement activities undertaken in respect of environmental health and licensing services, the overriding principles of the Code will also be applied to others with enforcement responsibilities.
- 2.2 'Enforcement' includes any action taken by officers including both criminal and civil action aimed at ensuring that individuals or businesses comply with the law and is not limited to formal enforcement action such as prosecution.
- 2.3 The term 'enforcement action' has been defined as any action:
 - (a) to secure compliance with a restriction, requirement or condition in relation to a breach or supposed breach;

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- (b) taken in connection with imposing a sanction for an act or omission; and
- (c) taken in connection with the pursuit of a statutory remedy for an act or omission.

2.4 The councils require its officers to interpret and apply relevant legal requirements and enforcement policies fairly and consistently between like-regulated entities in similar situations.

2.5 Whilst not a direct form of enforcement, officers will seek to raise awareness and increase compliance levels by making public details of evidence of unlawful practice and any legal action taken where in their opinion it is appropriate to do so.

3. ENFORCEMENT PRINCIPLES

3.1 Prevention is better than cure and the approach to be taken includes working with businesses and individuals to advise on and assist with compliance. Where formal action is considered necessary each case will be considered on its own merits. However, there are general principles that apply to the way each case must be approached. These are set out in this Policy.

3.2 The principles of enforcement outlined in this policy will be applied equally in all cases, irrespective of whether enforcement action is against individuals or organisations,

3.3 Enforcement decisions will be fair, independent and objective and will not be influenced by issues such as ethnicity or national origin, gender, religious beliefs, political views or the sexual orientation of the suspect, victim, witness or offender. Such decisions will not be affected by improper or undue pressure from any source.

3.4 Where enforcement is necessary it will be undertaken without fear or favour, will be impartial and objective, and comply with the requirements of relevant legislation and codes of practice which protect the rights of the individual and guide enforcement action and in particular, the Equality Act 2010, Human Rights Act 1998, Regulation of Investigatory Powers Act 2000 and The Protection of Freedoms Act 2012.

3.5 Wherever practicable, the councils will ensure that enforcement actions will:-

- aim to eliminate any financial gain or benefit from non-compliance;
- aim to change the behaviour of the offender;
- provide an opportunity for the person to put things right where possible and appropriate;
- be responsive and consider what is appropriate for the particular offender and regulatory issue, which can include punishment;
- be proportionate to the nature of the offence and the harm caused;
- aim to restore the harm caused by regulatory non-compliance, where appropriate;
- aim to deter future non-compliance;
- ensure that no improper/undue pressure from any source inside or outside the councils affect those decisions; and
- ensure that all relevant information is given to the Defendant and to the Court as appropriate.

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3.6 The general principles to be applied are informed by The Regulators' Code and the Guidance of the Better Regulation Delivery Office. The six principles of the Regulators Code are:

- Regulators should carry out their activities in a way that supports those they regulate to comply and grow.
- Regulators should provide simple and straightforward ways to engage with those they regulate and hear their views.
- Regulators should base regulatory activities on risk.
- Regulators should share information about compliance and risk.
- Regulators should ensure that clear information, guidance and advice are available to help those they regulate meet their responsibilities to comply.
- Regulators should ensure that their approach to their regulatory activities is transparent.

Economic growth and business support

3.7 This Enforcement Policy helps to promote efficient and effective approaches to regulatory inspection and enforcement, which improve regulatory outcomes without imposing unnecessary burdens. The councils' services have a positive impact on the economic progress and growth of the local economy and it is part of the councils' role to encourage and support the growth of legitimate business activity within the legal framework provided by central government.

Communication

3.8 Communication from officers will be clear and simple and will normally be confirmed in writing, including electronic communication, explaining why any work or actions may be necessary and stating the timescale for progress and completion. A clear distinction will be made between legal requirements and best or desirable practice.

[All official communication should have a 'date when mailed' mark so that recipients who have been asked to 'respond within XX days' know when that response date should be.](#)

Comment [IS1]: From consultation response

Prior to formal action being taken i.e. any enforcement process defined in legislation, opportunities will be provided for individuals or organisations to resolve the issues in question. This can take the form of face to face meetings, telephone conversations, correspondence or, in cases of debt recovery, reminder letters **unless** immediate action is required (for example a serious risk to health and safety or to prevent evidence being destroyed). In circumstances where immediate action is necessary a verbal explanation of why such action was required will be given at the time or, if this is not practical, as soon as is practicable. In some cases such as the service of a Fixed Penalty Notice or Penalty Charge Notice a written explanation is not considered necessary.

Where there are rights of appeal against specific actions, advice on the mechanism to be followed will be given in writing and where possible this will be included with the enforcement notice or other documentation.

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Risk based activity

3.9 Resources will be targeted where they will be most effective and intelligence and a privacy risk assessment will inform all aspects of the approach to regulatory activity, including:

- Data collection and other information requirements;
- Inspection programmes;
- Advice and support programmes;
- Enforcement activity and sanctions.

When determining risk, the following will be considered:

- Compliance history and potential future risks
- The existence of effective management systems
- Evidence of recognised external accreditation
- Management competence and willingness to comply

Relevant intelligence will be used to direct inspection based projects and target enforcement where there are known issues. A complaint may also trigger a visit if that is the most appropriate response. The approach to regulatory activities will be reviewed from time to time, in order to remove any unnecessary burdens from businesses.

Information sharing

3.10 Where legislation permits information sharing between enforcement agencies and in other circumstances where appropriate information sharing protocols are in place, the authorities will take a proactive approach to data matching and the sharing of information via agreed secure mechanisms with other regulatory agencies and local authorities about businesses and individuals to help target resources and activities and to minimise duplication of enforcement activity.

Personal information will be held by enforcement agencies and will only be shared in accordance with the relevant information sharing protocol or legislation. When sharing information, a clear distinction will be made between the offender/perpetrator and the complainant/victim. Confidentiality will be maintained unless with the express agreement of the individual or in circumstances to safeguard the health and wellbeing of an individual.

Where a Primary Authority** agreement exists, the authorities will share information about businesses with that primary authority as appropriate and with other authorities when acting as a Primary Authority.

Advice and Guidance

3.11 General information, advice and guidance will be provided to make it easier for individuals and businesses to understand and meet their obligations. This will be provided promptly, in clear, concise and accessible language, using a range of appropriate formats and media. Information will cover all legal requirements relating to the councils' regulatory activities, as

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well as changes to legal requirements. Where changes are of great significance, the councils will look at the best ways of informing businesses of the changes e.g. through newsletters, mail-shots or seminars.

Targeted and practical advice will be provided through personal visits, telephone and the promotion of self service via the website. The councils will try to maximise the accessibility and effectiveness of advice to ensure efficient use of resources.

When offering advice, a clear distinction between statutory requirements and advice or guidance aimed at improvements above minimum legal standards will be given. The councils will seek to provide proportionate advice, the content of which will help achieve compliance but impose the minimum burden required on the business or individual concerned. Advice will be confirmed in writing, if requested.

Where a business or individual knows they have a problem and seeks advice to remedy the situation, it will not normally trigger enforcement action. Where appropriate the councils will seek to support the remedial action to prevent future problems but reserve the right to take enforcement action in serious cases.

4. ENFORCEMENT ACTIONS

The councils are committed to delivering their statutory enforcement duties consistently although they recognise that individual circumstances may modify the action to be taken. Actions will be delivered within the framework outlined below although some discretion may be required dependent on local circumstances. All enforcement officers will receive appropriate training and supervision to support them in their application of this policy and be appropriately authorised. Investigations and formal proceedings will be undertaken in line with the Police and Criminal Evidence Act 1984 and Criminal Procedure and Investigations Act 1996, Regulation of Investigatory Powers Act 2000 and associated Codes of Practice.

Transparency

- 4.1 Information and advice will be published in plain language concerning the legislation which the councils are applying. Officers will be open about the work required, including any financial costs in complying, and consultation will take place as appropriate. Discussion will take place concerning general enforcement issues, specific compliance failures or problems with anyone who is experiencing difficulties. In addition interpretation services can be provided for anyone whose first language is not English if required.

Helpfulness

- 4.2 Officers will provide a courteous and efficient enforcement service and individual officers will identify themselves by name. A contact telephone number and an e-mail address will be provided for on-going discussions. Businesses and individuals will be actively encouraged to seek advice and information relating to the councils' enforcement role.

Proportionality

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4.3 Costs of compliance are to be minimised to ensure that any actions required by the councils are proportional to the risks involved e.g. risk to public health and/or the environment and the scale, seriousness and intentionality of any non-compliance. Where the law allows, officers will take account of the circumstances of a case and the offender's attitude when considering the level of enforcement action. Except in the most serious of cases or where advice/warnings have not been heeded, the level of enforcement taken will be the minimum at which a satisfactory and timely solution is thought to be achievable.

Consistency

4.4 Consistency means taking a similar approach in similar circumstances to achieve similar ends. The aim is to achieve consistency in the advice given, the response to incidents and the ways in which statutory powers are used. Consistency does not mean simple uniformity and officers will need to take into account many variables such as the scale of the risk, the attitude and actions of those involved and history of compliance, whether positive or negative.

Decisions on enforcement action are a matter of professional judgement and officers will frequently be required to use discretion in prioritisation and in actions taken. Enforcement priorities may be determined in order to meet local circumstances or to address a specific local need. However the overarching principles in this policy will be followed at all times to maintain a consistent approach and where necessary corporate guidance will be provided. Efforts will continue in order to develop arrangements for promoting consistency including effective arrangements for liaison with neighbouring authorities and other enforcing agencies.

Some activities may require investigations by different sections of the councils or other agencies at the same time. In these circumstances activity will be co-ordinated wherever possible to maximise effectiveness in dealing with these issues and reduce legislative burden for business operating in the districts. Also enforcement intelligence and any successful actions will be shared with other enforcing authorities or agencies where appropriate, subject to statutory constraints.

5. ASSESSING APPROPRIATE ACTION

Informal Action

5.1 The councils aim to resolve the vast majority of cases informally through negotiation, discussion or advice, providing the breach is a first occurrence, does not result in a serious risk to public health, safety, amenity or the environment and the officer is confident that informal action will be effective.

Informal Action can be of one or more of the following:

- Verbal advice;
- Verbal request for action;
- Written request for action; and/or
- Written warning of formal action, if contraventions are not corrected.

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Officers will clearly identify those matters that are contraventions of the law and those that are simply recommendations reflecting good practice. Recipients of informal action will be given the opportunity to discuss the requirements with the investigating officer and agree an appropriate programme of work and a suitable timetable for completion. Regular contact with the investigating officer will be encouraged.

However when informal action is not successful or not appropriate, for example Council Tax and Non-Domestic Rates debt recovery, a range of other formal enforcement actions are available. The final action will depend on any modifying or mitigating factors present and account will be taken of any national or local guidance available.

In some circumstances contraventions may not warrant any action for example where the cost of compliance outweighs the detrimental impact of the contravention on the community. A decision of no action may also be taken where formal enforcement is inappropriate in the circumstances, such as where a trader has ceased to trade. A decision to take no action will be recorded in writing and will take into account the overall implications of the contravention.

Formal Action

5.2 A range of formal actions are available to the councils which will normally be instigated where one or more of the following apply:-

- It is prescribed by law as obligatory;
- Informal approaches have failed or are not appropriate;
- The matter is of such seriousness or urgency that an informal approach is inappropriate;
- Enforcement is necessary to remedy an unsatisfactory condition relating to health, safety, amenity or the environment;
- There is a need to ensure a decision or policy of the councils is enforced.

Formal Action consists of one or more of the following:

- The service of statutory notices and orders;
- The issue of simple cautions;
- Prosecution;
- Application for injunction or Criminal Behaviour Orders;
- Debt recovery work or possession action;
- Council Tax Administrative Penalties;
- Council Tax and NNDR Recovery Processes;
- Issue of licenses, approvals or registrations;
- Issue fixed penalty notices and penalty charge notice;
- Use of other enforcement powers by officers authorised by specific legislation (e.g. detention of food, sampling of food or substances, seizure of equipment or food, prohibition of processes or activities).

For the purposes of this policy formal action includes written warnings, notices, simple cautions, fixed penalty notices, penalty charge notices, prosecutions and civil proceedings.

Written Warnings

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5.3 A written warning will:-

- clearly state the nature of the problem and suggest either specific remedies or a standard to be achieved;
- state the actions which may follow if matters do not improve;
- designate a named officer as point of contact;
- clearly distinguish between a legal requirement and 'desirable standard';
- indicate any follow-up action intended (e.g. a re-visit within a specified period of time); and,
- where possible point the way to specialist advice or additional information.

Notices

5.4 Some legislation allows for the service of a statutory notice to secure compliance. The method of service of a formal notice may be specified in individual legislation and in such cases that method of service will be followed. Notices will be in the required format and contain the information required by law.

Simple Cautions

5.5 A 'Simple Caution' is one of a range of out-of-court disposals that provides an effective, swift and speedy resolution in appropriate cases. It aims to divert offenders away from Court, and to reduce the likelihood that they will offend again and is a formal mechanism that can be offered as an alternative to prosecution by the councils. The caution is offered in writing and if accepted will be administered at a formal interview. If it is not accepted then a prosecution will usually be undertaken. A simple caution is not a criminal conviction, but a record will be kept and it may be used in Court as evidence when making relevant representations to the Court on sentencing for any subsequent prosecution.

The councils can/will only issue a Simple Caution if:

- there is evidence an offender is guilty
- the offender is 18 years of age or over
- the offender admits they committed the crime
- the offender agrees to be given a caution – if the offender does not accept the Caution, then a prosecution will generally be undertaken

When deciding whether to offer a Simple Caution, the following factors may be considered:

- The offence is relatively minor and any Court sentence is likely to be minimal
- The loss to public funds is small
- Any alternative penalty appropriate to the alleged offence is considered unsuitable
- Whether the offender has any unspent previous convictions, cautions or administrative penalties
- Relevant guidance issued by the Home Office, the Crown Prosecution Service or other national agencies

Fixed Penalty Notices/Penalty Charge Notices

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5.6 Some legislation allows for Fixed Penalty Notices (FPN) or Penalty Charge Notices (PCN) to be issued against someone who has committed a specific offence. These offer the individual the opportunity not to be prosecuted for that offence by payment of a penalty set out in the relevant legislation. No further legal proceedings will be taken by the councils for the offence if the individual pays the penalty within the required time period set out in the notice. The individual will be liable to prosecution for the offence if the penalty is not paid within the required time period.

Prosecution

5.7 The decision to prosecute is not taken lightly. Each case is unique and will be processed according to its own merits. There is no suggestion that prosecution will automatically follow the discovery of an alleged offence. The decision whether to prosecute will be kept under review.

The other formal actions detailed above may be taken in addition to or as an alternative to prosecution if considered to be an appropriate sanction.

Before a decision to prosecute is taken the case must satisfy the evidential test. This means there must be enough evidence to provide a "realistic prospect of conviction". If this is satisfied, then the public interest test is applied in accordance with the Code for Crown Prosecutors.

In appropriate cases an application under the Proceeds of Crime Act 2002 may be made to the Court to restrain and/or confiscate the assets of an offender. The recovery of costs incurred as a consequence of legal action will be applied for where appropriate. Similarly, where appropriate, an application for a Criminal Behaviour Order will be made under the Anti-social Behaviour, Crime and Policing Act 2014.

Officers undertake enforcement on behalf of the public at large and not just in the interests of any particular individual or group. When determining the public interest test, the consequences of the decision whether or not and how to take enforcement action on those affected by the offence and any views expressed by those affected, will be considered.

In dealing with minors (less than 18 years of age) officers will consider the age of the offender in deciding whether it is in the public interest to prosecute. However prosecution will not be avoided simply because of the defendant's age. The seriousness of the offence or examination of past behaviour is equally important.

Cases involving minors are usually only referred for prosecution if the young person has already received a reprimand and final warning, unless the offence is so serious that neither of these were appropriate or he/she does not admit committing the offence. Reprimands and final warnings are intended to prevent re-offending. Further offences indicate that attempts to keep the young person out of the court system have proven ineffective. In such cases the public interest test may require prosecution.

The Code for Crown Prosecutors will also be followed for:-

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- Accepting guilty pleas; and,
- Re-starting a prosecution.

Civil Proceedings

5.8 Civil proceedings cover a variety of actions including applications for Injunctions, debt recovery or possession actions. In deciding to begin civil proceedings the councils will consider the evidence available and the range of enforcement options that are available to us in each case.

The councils must be satisfied there is enough usable evidence for the case to succeed on the civil standard of proof (namely on the balance of probabilities) and that proceedings are expedient for the promotion or protection of the interest of the councils and the residents of their areas. Once these points have been satisfied and there is sufficient evidence for a case to proceed consideration may be given to the following options:

- the possibilities for the matter to be remedied without further action;
- the likelihood of the Defendant having the means to meet the claim, e.g. a debtor having the means to pay;
- the length of time between the events giving rise to the case and the decision to take legal action;
- the nature of the Defendant (their age, health, etc.); and
- the consequences of the matter for the councils (e.g. the size of the debt).

Having considered the above and having decided to proceed with some form of formal action, the councils will consider what civil remedy to use.

6. MONITORING

The councils are committed to making sure its Enforcement Policy is effective. The councils welcome information from businesses, regulated bodies and residents should they believe that officers have not acted in accordance with the Policy and its supporting standards.

Comments, Compliments or Complaints

If an individual or business is unhappy with the outcome of enforcement proceedings taken by the councils, then immediate independent legal advice should be sought. If the concern is with the way in which the councils have handled their case, then the councils have a formal complaints procedure, which can be used.

The procedure is published on the website at www.chiltern.gov.uk or www.southbucks.gov.uk

Footnote **

Regardless of its size, a business operating across council boundaries can form a **primary authority partnership** with a single local authority in relation to regulatory compliance. These partnerships can cover environmental health and trading standards legislation, or specific functions such as food safety or petroleum licensing.

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Businesses should be able to rely on the environmental health, licensing and trading standards advice received from local authorities, in the knowledge that it is expert opinion and a secure basis for investment and operational decisions. Primary Authority addresses inconsistency and delivers assured advice for other councils to take into account when carrying out inspections or dealing with non-compliance.

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Department
for Business
Innovation & Skills

Better
Regulation
Delivery Office

Regulators' Code

April 2014

Foreword



In the Autumn Statement 2012 Government announced that it would introduce a package of measures to improve the way regulation is delivered at the frontline such as the Focus on Enforcement review of appeals, the proposed Growth Duty for non-economic regulators and the Accountability for Regulator Impact measure.

This Government is committed to reducing regulatory burdens and supporting compliant business growth through the development of an open and constructive relationship between regulators and those they regulate. The Regulators' Code provides a flexible, principles based framework for regulatory delivery that supports and enables regulators to design their service and enforcement policies in a manner that best suits the needs of businesses and other regulated entities.

Our expectation is that by clarifying the provisions contained in the previous Regulators' Compliance Code, in a shorter and accessible format, regulators and those they regulate will have a clear understanding of the services that can be expected and will feel able to challenge if these are not being fulfilled.

Regulators within scope of the Regulators' Code are diverse but they share a common primary purpose – to regulate for the protection of the vulnerable, the environment, social or other objective. This Code does not detract from these core purposes but seeks to promote proportionate, consistent and targeted regulatory activity through the development of transparent and effective dialogue and understanding between regulators and those they regulate.

I believe the Regulators' Code will support a positive shift in how regulation is delivered by setting clear expectations and promising open dialogue. Ultimately this will give businesses greater confidence to invest and grow.

A handwritten signature in black ink that reads "Michael Fallon". The signature is written in a cursive style with a horizontal line underneath the name.

Michael Fallon
Minister of State for Business and Enterprise
Department for Business, Innovation and Skills

Regulators' Code

This Code was laid before Parliament in accordance with section 23 of the Legislative and Regulatory Reform Act 2006 ("the Act"). Regulators whose functions are specified by order under section 24(2) of the Act **must** have regard to the Code when developing policies and operational procedures that guide their regulatory activities. Regulators must equally have regard to the Code when setting standards or giving guidance which will guide the regulatory activities of other regulators. If a regulator concludes, on the basis of material evidence, that a specific provision of the Code is either not applicable or is outweighed by another relevant consideration, the regulator is not bound to follow that provision, but should record that decision and the reasons for it.

1. Regulators should carry out their activities in a way that supports those they regulate to comply and grow

1.1 Regulators should avoid imposing unnecessary regulatory burdens through their regulatory activities¹ and should assess whether similar social, environmental and economic outcomes could be achieved by less burdensome means. Regulators should choose proportionate approaches to those they regulate, based on relevant factors including, for example, business size and capacity.

1.2 When designing and reviewing policies, operational procedures and practices, regulators should consider how they might support or enable economic growth for compliant businesses and other regulated entities², for example, by considering how they can best:

- understand and minimise negative economic impacts of their regulatory activities;
- minimising the costs of compliance for those they regulate;
- improve confidence in compliance for those they regulate, by providing greater certainty; and
- encourage and promote compliance.

1.3 Regulators should ensure that their officers have the necessary knowledge and skills to support those they regulate, including having an understanding of those they regulate that enables them to choose proportionate and effective approaches.

1.4 Regulators should ensure that their officers understand the statutory principles of good regulation³ and of this Code, and how the regulator delivers its activities in accordance with them.

2. Regulators should provide simple and straightforward ways to engage with those they regulate and hear their views

2.1 Regulators should have mechanisms in place to engage those they regulate, citizens and others to offer views and contribute to the development of their policies and service standards. Before changing policies, practices or service standards, regulators should consider the impact on business and engage with business representatives.

¹ The term 'regulatory activities' refers to the whole range of regulatory options and interventions available to regulators.

² The terms 'business or businesses' is used throughout this document to refer to businesses and other regulated entities.

³ The statutory principles of good regulation can be viewed in Part 2 (21) on page 12: http://www.legislation.gov.uk/ukpga/2006/51/pdfs/ukpga_20060051_en.pdf.

- 2.2 In responding to non-compliance that they identify, regulators should clearly explain what the non-compliant item or activity is, the advice being given, actions required or decisions taken, and the reasons for these. Regulators should provide an opportunity for dialogue in relation to the advice, requirements or decisions, with a view to ensuring that they are acting in a way that is proportionate and consistent.

This paragraph does not apply where the regulator can demonstrate that immediate enforcement action is required to prevent or respond to a serious breach or where providing such an opportunity would be likely to defeat the purpose of the proposed enforcement action.

- 2.3 Regulators should provide an impartial and clearly explained route to appeal against a regulatory decision or a failure to act in accordance with this Code. Individual officers of the regulator who took the decision or action against which the appeal is being made should not be involved in considering the appeal. This route to appeal should be publicised to those who are regulated.
- 2.4 Regulators should provide a timely explanation in writing of any right to representation or right to appeal. This explanation should be in plain language and include practical information on the process involved.
- 2.5 Regulators should make available to those they regulate, clearly explained complaints procedures, allowing them to easily make a complaint about the conduct of the regulator.
- 2.6 Regulators should have a range of mechanisms to enable and regularly invite, receive and take on board customer feedback, including, for example, through customer satisfaction surveys of those they regulate⁴.

3. Regulators should base their regulatory activities on risk

- 3.1 Regulators should take an evidence based approach to determining the priority risks in their area of responsibility, and should allocate resources where they would be most effective in addressing those priority risks.
- 3.2 Regulators should consider risk at every stage of their decision-making processes, including choosing the most appropriate type of intervention or way of working with those regulated; targeting checks on compliance; and when taking enforcement action.
- 3.3 Regulators designing a risk assessment framework⁵, for their own use or for use by others, should have mechanisms in place to consult on the design with those affected, and to review it regularly.
- 3.4 Regulators, in making their assessment of risk, should recognise the compliance record of those they regulate, including using earned recognition approaches and should consider all available and relevant data on compliance, including evidence of relevant external verification.
- 3.5 Regulators should review the effectiveness of their chosen regulatory activities in delivering the desired outcomes and make any necessary adjustments accordingly.

⁴ The Government will discuss with national regulators a common approach to surveys to support benchmarking of their performance.

⁵ The term 'risk assessment framework' encompasses any model, scheme, methodology or risk rating approach that is used to inform risk-based targeting of regulatory activities in relation to individual businesses or other regulated entities.

4. Regulators should share information about compliance and risk

- 4.1 Regulators should collectively follow the principle of “collect once, use many times” when requesting information from those they regulate.
- 4.2 When the law allows, regulators should agree secure mechanisms to share information with each other about businesses and other bodies they regulate, to help target resources and activities and minimise duplication.

5. Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply

- 5.1 Regulators should provide advice and guidance that is focused on assisting those they regulate to understand and meet their responsibilities. When providing advice and guidance, legal requirements should be distinguished from suggested good practice and the impact of the advice or guidance should be considered so that it does not impose unnecessary burdens in itself.
- 5.2 Regulators should publish guidance, and information in a clear, accessible, concise format, using media appropriate to the target audience and written in plain language for the audience.
- 5.3 Regulators should have mechanisms in place to consult those they regulate in relation to the guidance they produce to ensure that it meets their needs.
- 5.4 Regulators should seek to create an environment in which those they regulate have confidence in the advice they receive and feel able to seek advice without fear of triggering enforcement action.
- 5.5 In responding to requests for advice, a regulator's primary concerns should be to provide the advice necessary to support compliance, and to ensure that the advice can be relied on.
- 5.6 Regulators should have mechanisms to work collaboratively to assist those regulated by more than one regulator. Regulators should consider advice provided by other regulators and, where there is disagreement about the advice provided, this should be discussed with the other regulator to reach agreement.

6. Regulators should ensure that their approach to their regulatory activities is transparent

- 6.1 Regulators should publish a set of clear service standards, setting out what those they regulate should expect from them.
- 6.2 Regulators' published service standards should include clear information on:
 - a) how they communicate with those they regulate and how they can be contacted;
 - b) their approach to providing information, guidance and advice;
 - c) their approach to checks on compliance⁶, including details of the risk assessment framework used to target those checks as well as protocols for their conduct, clearly setting out what those they regulate should expect;

⁶ Including inspections, audit, monitoring and sampling visits, and test purchases.

- d) their enforcement policy, explaining how they respond to non-compliance;
 - e) their fees and charges, if any. This information should clearly explain the basis on which these are calculated, and should include an explanation of whether compliance will affect fees and charges; and
 - f) how to comment or complain about the service provided and routes to appeal.
- 6.3 Information published to meet the provisions of this Code should be easily accessible, including being available at a single point⁷ on the regulator's website that is clearly signposted, and it should be kept up to date.
- 6.4 Regulators should have mechanisms in place to ensure that their officers act in accordance with their published service standards, including their enforcement policy.
- 6.5 Regulators should publish, on a regular basis, details of their performance against their service standards, including feedback received from those they regulate, such as customer satisfaction surveys, and data relating to complaints about them and appeals against their decisions.

⁷ This requirement may be satisfied by providing a single web page that includes links to information published elsewhere.

Monitoring the effectiveness of the Regulators' Code

The Government is committed to making sure the Regulators' Code is effective. To make sure that the Code is being used effectively, we want businesses, regulated bodies and citizens to challenge regulators who they believe are not acting in accordance with their published policies and standards. It is in the wider public interest that regulators are transparent and proportionate in their approaches to regulation.

The Government will monitor published policies and standards of regulators subject to the Regulators' Code, and will challenge regulators where there is evidence that policies and standards are not in line with the Code or are not followed.

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SUBJECT:	<i>Chiltern District Revitalisation Groups Annual Report & Capital Grant Request 2016 - 2017</i>
REPORT OF:	<i>Councillor Liz Walsh – Cabinet Member for Community, Health & Housing</i>
RESPONSIBLE OFFICER	<i>Martin Holt – Head of Healthy Communities</i>
REPORT AUTHORS	<i>David Gardner (01494) 732759 dgardner@chiltern.gov.uk and Paul Nanji (01494 732110) pnanji@chiltern.gov.uk</i>
WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

The Cabinet meeting on 27 June agreed that the following projects be supported and recommend that Full Council approve that £7,800 from the Capital Reserves be transferred into the approval Capital Programme list.

RECOMMENDATION

It is proposed that £7,800 from the Capital Reserves be transferred into the approved Capital Programme list and be used to support the Chiltern District's Revitalisation Groups projects which are presented in more detail in Appendix 1

- a) **Little Chalfont – village centre notice boards project (£3,000)**
- b) **Chalfont St Giles – contribution to Milton's Cottage secondary glazing (£2,800)**
- c) **Great Missenden & Prestwood villages – community cycle parking project (£2000)**

All awards will be subject to planning consent if required; and confirmation that on-going maintenance and insurance obligations will not be the responsibility of the Council.

2. Reasons for Recommendations

For over twenty years Chiltern's Revitalisation Groups have had a strong track record of facilitating community participation, encouraging residents to help shape and improve their own communities.

The groups continue to develop community led facilities and a range of important services/festivals across Chiltern's towns and villages. Examples include libraries and visitor information centres, intergenerational heritage projects, riverside walks, a

nature park and High Street festivals. Revitalisation groups have also helped to fund raise for and develop new small voluntary groups which support all sections of the community including isolated older people, youth clubs and mums & toddler groups. Details of the projects recently delivered are detailed in **Appendix 2**.

It is anticipated that the proposed £7,800 funding will help to lever in partnership project funding of nearly £10,000 into Chiltern District from other stakeholders and will help to deliver the work of the Revitalisation Groups.

3. Content of Report

3.1 The Revitalisation Groups are independent voluntary organisations which work closely with parish, town, district councils and the county council.

3.2 The Council established these groups in the 1990s and continues to support their development. Working directly with residents and all councils the groups help determine key local priorities for residents in the towns and villages. The community projects which they initiate impact positively on residents' wellbeing.

3.3 An important function of the groups' working practice is to encourage a closer working relationship directly with shops and small businesses and the chambers of trade and commerce. The groups support town and village centre festivals and carnivals which improve footfall into the high street. In 2015/16 examples include Chalfont St Giles Music and Beer festival, Chesham's Chinese New Year and St George's Day street festivals. In the run up to Christmas it is the Revitalisation Groups which lead and co-ordinate the High Street lights "switch ons", and the "late night" shopping events and community festivals.

3.4 All groups took part in Small Business Saturday 2016. This is a nationwide grass roots campaign which promotes small businesses and high street retailers. It is supported by local authorities across the country. This Council provides publicity, helps to stage local events and provides free parking on the first Saturday in December.

3.5 Each revitalisation group receives an annual grant of £2,000 from the Council. Groups must allocate some to meet its running costs including meeting room hire, website maintenance, public events insurance. Most support local community led projects and the smaller voluntary groups. Examples from each group are detailed in **Appendix 2**.

3.6 The Revitalisation groups have a proven record in delivering large scale capital projects. In 2016 they updated visitor and amenity signage in Chesham High Street and provided a play area Amersham Old Town.

4. Consultation

The Revitalisation groups aim to be fully inclusive in their decision making. They seek the widest possible representation from voluntary organisations and service providers which include Police, social housing landlords and health agencies. The local councils are invited for consultation and advice, and to participate in projects.

5. Corporate Implications

5.1 Financial

£7,800 is sought from the Council's capital reserves to support the various community led capital projects detailed in the report.

The groups have been invited to apply for some of this funding to support local projects which encourage closer working between voluntary groups and local business, encourage diversification in the high street, and support speciality markets which collectively improve the local economy.

Appendix 2 details the proposed projects requesting funding from Chiltern District Council.

5.2 Environmental

Projects have a positive impact on the environment, including developing more energy efficient community facilities, offering educational opportunities to improve awareness and understanding of the local natural environment;

5.3 Equalities

The proposed funding will directly support the voluntary sector to assist a diverse range of residents including the elderly and vulnerable, young people, disabled residents and socially disadvantaged.

6 Links to Council Policy Objectives

Work towards safer and healthier local communities

Improve community safety

- Work with partners to reduce crime, fear of crime and anti-social behaviour
- Work with young people at risk of becoming involved with crime

Promote healthier communities

- Address the needs of the elderly and those who are vulnerable

Promote local communities

- Support the voluntary sector and promote volunteering
- Engage with parish and town councils
- Engage with local neighbourhoods
- Support diversification and increased footfall in local high streets

Conserve the environment

- Conserve local heritage including the CAONB
- Promote energy efficiency and encourage the reduction of carbon emissions

7 Conclusion

7.1 Financial support of £7,800 will enhance the local environment, support the provision of community assets; encourage an uplift to the local economy and help attract new investment into the District.

APPENDIX 1**REVITALISATION GROUPS CAPITAL PROJECTS FUNDING PROPOSALS 2016****A) Little Chalfont – Rearrangement of the village community notice boards**

The Little Chalfont community action plan is committed to improving the centre of the village.

This project will rearrange the village centre notice boards. It will provide a new community notice board; will refurbish and re-position the Churches Together noticeboard; and remove the other adjacent notice boards which after many years service are no longer fit for purpose.

A hard standing area is to be laid in front of each notice board to avoid damage to the grass and eliminate a muddy area for viewers.

Total project cost is £4,857.00

A grant of £3,000 is recommended

B) Chalfont St Giles - Milton's Cottage Secondary Glazing

Milton's Cottage is a Grade I listed 16th century cottage and is open to the public as a museum. It holds one of the world's most important collections of Milton's first editions on public display and also provides an important educational resource for local children and young people.

It is important that items of such significant heritage value are displayed in a way that prevents unnecessary deterioration. The historic nature of the building places constraints on caring for its irreplaceable collection. A key concern is that the original loose-fitting, metal-framed, diamond-lead windows do not provide adequate protection for the collection from external moisture, dust and light. Grade I status does not permit replacement windows but allows only for installation of interior secondary glazing. This will provide the required protected environment for the cottage, museum and its priceless contents.

Milton's Cottage is an important part of the local community and helps give Chalfont St. Giles its distinct identity, as outlined in the most recent Market Town Health Check for the Parish of Chalfont St. Giles (2008) (Revised 2013). The local area plan

for Chalfont St. Giles is currently being developed and it is anticipated that it will also cite the importance of Milton's Cottage to the environment of the village.

As a unique literary heritage destination, Milton's Cottage attracts visitors from around the world, which benefits the community by generating increased spend in village shops, pubs and eateries. Moreover, improvements made to retain heat within the building will make it more family-friendly for visitors throughout the year. This will also help to improve the organisation's work with local schools and community groups outside of the main spring and summer visitor season.

The day-to-day running costs of Milton's Cottage Trust are funded by entrance fees, sale of souvenirs and small, unspecified donations. However, these are insufficient to cover the cost of this major improvement project in its entirety. Milton's Cottage Trust is making a financial contribution of just over 50% of the project costs. This will enable the installation of secondary glazing in 4 out of 7 rooms. The bid is for funding to complete the work in the remaining 3 rooms.

Total project cost approx. £6, 500

A grant of £2,800 is recommended

C Great Missenden, Prestwood and the villages – community cycle parking project

Many of the visitors to the villages are cyclists. There is little appropriate secure bicycle parking at all in Great Missenden and Prestwood.

The Great Missenden Parish Revitalisation group which includes Prestwood, and the surrounding villages wishes to undertake an audit of cycle parking spaces and then to address the need for more.

There are also safety issues to be addressed. Some cyclists are parking their cycles quite randomly in the villages utilising street furniture such as railings which may not be safe or appropriate for that purpose. Cycles are parked often without the permission of the landowner. Where pavements are narrow cycle parking is impeding safe pedestrian access.

This will be achieved with the support of partners and local stakeholders including the parish council, CDC, cyclists organisations; village halls and churches, visitor attractions, retailers and business, schools, railway station, Great Missenden Abbey, etc.

- This project will aim to provide secure cycle parking (estimated between 30 and 50 secure cycles spaces across the parish) for adults, juniors, trikes, cargo bikes, and tandems.
- To consider and provide if appropriate 24-hour access and covered parking
- To consider and provide if appropriate bike pump and repair stands

GMPRG will be undertaking a visitor strategy to identify how to improve the offering to visitors, and also to improve footfall for the benefit of visitor attractions, retailers, including village pubs and restaurants.

Total project cost estimate at £6,000

A grant of £2000 is recommended

APPENDIX 2**COMMUNITY PROJECTS DELIVERED & GROUP ACTIVITIES in 2016 by the
CHILTERN DISTRICT REVITALISATION GROUPS**

1 Amersham Action Group – Small Business Saturday; Christmas town centre festival; summer carnival; continued lobbying for step free access with passenger lift at Amersham Station; community representation during the Chiltern Pools & associated community facilities development consultation; lobbying to encourage appropriate and sustainable commercial interests in the town centre.

2 Amersham Old Town – a social club for very elderly people; a “space for all” and play area in an isolated neighbourhood; Small Business Saturday; support for Old Amersham Business Association events; Christmas shopping and community festival;

3 Chesham - bespoke special events aimed at increasing footfall to the high street ;events included Small Business Saturday, Chinese New Year, St George’s Day; the pre-Christmas high street festival; a pop up shop for designer makers and crafts; the group supported youth groups and youth music events;

4 Chalfont St Giles – runs the community library and visitor centre; maintains the Misbourne pathway; supports the village youth club and runs a successful literary festival; and an annual beer and music festival.

5 Chalfont St Peter – supports several volunteer led action groups which organise projects and run popular organisations including an older people action group (the largest in Buckinghamshire) and the village youth club. The group’s flagship project is to build and landscape a public garden in the parish church yard. Youth groups and schools, older residents and the armed services charities are involved in the project. This village memorial, meeting place and peace garden will to remember the fallen in both World Wars and all subsequent conflicts.

6 Great Missenden and Prestwood - Small Business Saturday; Christmas shopping & street lights switch on event; the group offers small grants to youth and older people clubs; supports the Prestwood action group and its road calming proposals; continues to help represent residents views and to run a proactive anti HS2 lobby

7 Little Chalfont Community Association - has provided a nature park to help protect and to celebrate the natural environment; supports the community led library; provides the annual village show

Item 15

By virtue of paragraph(s) 4 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

