



**CHILTERN**  
District Council

## **Council**

**Wednesday, 15th May, 2019**

**At**

**6.30 pm**

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

**S U P P L E M E N T**

**Minutes Set**



**CHILTERN DISTRICT COUNCIL**

**MINUTES** of the Meeting of the  
**LICENSING COMMITTEE**  
held on **4 APRIL 2019**

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

Councillors: G Harris  
M Harrold  
M Harker  
P Jones  
N Varley  
H Wallace  
J Waters  
F Wilson

**APOLOGIES FOR ABSENCE** were received from Councillors C Jones, R J Jones and C Rouse

**4 MINUTES**

The minutes of the Licensing Committee held on 10 July 2018 were approved and signed by the Chairman as a correct record.

**5 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**6 TAXI LICENSING UPDATE AND CONSULTATION ON STATUTORY GUIDANCE**

Members were informed of a consultation exercise undertaken by the Department for Transport regarding Hackney Carriage and Private Hire statutory guidance. Members were asked to approve the proposed Chiltern District Council (CDC) response to the consultation which was at Appendix 4 to the report.

A report of the Task and Finish Group on Taxi and Private Hire Vehicle Licensing was at Appendix 1. Members were advised that the Task and Finish Group was formed in September 2017 and that the membership of the Group comprised of MPs, local authority representatives and industry experts. It was noted that the Group's Chairman was not involved in the Taxi and Private Hire industry in order to bring an impartial view to matters. The government's response to the Group's report was at Appendix 2.

The Committee were informed that the government first issued best practice guidance on the regulation of taxi and private hire vehicles (PHV) in 2006, which was then amended in 2010. The Policing and Crime Act 2017 enabled the Secretary of State for Transport to issue further guidance on protecting users. The guidance had been put in place to create a national minimum standard for local authorities. In February 2019, the government launched a consultation on the statutory guidance for Licensing Authorities on protecting users of taxi and PHVs, attached at Appendix 3.

Largely the Committee supported the officer's proposed responses to the consultation document, with many of the proposed draft statutory guidance recommendations already being in line with the CDC policy. However, the Committee commented on and proposed amendments to the following responses:

### Response 4

The response to this question should be "yes" rather than "no comment". Members felt that it should be explicitly stated that the existing CDC structure including the use of Licensing Sub-Committees is best practice.

### Response 11

That this response be amended from "yes" to "no". Current CDC policy required a Certificate of Good Character when an individual had spent a period of more than 3 continuous months outside the UK within the last 3 years. It was felt that the draft statutory guidance recommendation was impracticable for some applicants, and that the recommendation as it stood would disadvantage applicants who could not provide the Certificate.

*Note 1: M Harrold entered the meeting at 18.48.*

### Response 16

Members agreed that guidance for passengers on making complaints directly to the licensing authority should be displayed in licensed vehicles, however this should be in a more accessible form for instance, a sticker. Members opposed a requirement for the full guidance document to be on display in licensed vehicles. Suitable wording to be added to the comments already made regarding the use of stickers.

### Response 18

It was noted that in general there had been no feedback with regards to drivers' communication in the English language.

### Response 26

Members discussed at length the recommendation asking licensing authorities to consider mandating CCTV provision in taxis and PHVs. It was noted that

current CDC policy meant that a driver had to apply to the Council to install CCTV in their vehicle, and that this would need to be approved by the Council. The Committee were advised that the policy could be amended at any time with the Committee's approval. Members agreed that mandating CCTV provision could be considered.

### Response 27

The Committee were advised that the CDC policy contained guidance as to how the Council would compliance check these vehicles. Further, that the Individual Vehicle Approval Certificate is a new certificate and not referred to in legislation. Members agreed with the officer's proposed response to the question, and the need for more information on the matter before an opinion could be given. Reference to be added to the comments about the legal status of the certificates.

### Response 28

It was noted that the guidance did not include information in the case of multiple convictions or non-conviction information. A Member raised a concern about the possibility of the guidance becoming too comprehensive that flexibility is removed from licensing authorities in the determining of cases. It was noted in response that including this information within the guidance would help to clarify national guidance on convictions and standardise practice in licensing authorities across the country. In addition, having the information could support Member decision-making when determining cases. Members agreed to submit the officer's proposed response.

### **RESOLVED:**

- 1. that the content of the Department for Transport consultation relating to taxi and private hire licensing be noted; and**
- 2. that subject to changes made by the Licensing Committee, the officer's provisional response attached at Appendix 4 be deemed final, approved and submitted to the Department of Transport.**

**The meeting ended at 7.26 pm**



## **CHILTERN DISTRICT COUNCIL**

### **MINUTES** of the Meeting of the **AUDIT AND STANDARDS COMMITTEE** held on **10 APRIL 2019**

**PRESENT:** Councillor J Gladwin - Chairman

Councillors: A Bacon  
C Ford  
C Jackson  
R J Jones  
V Martin  
D Phillips  
N Varley  
C Wertheim

E Jones (Independent Person)

#### **APOLOGIES FOR ABSENCE** None

The Chairman welcomed Paul King of Ernst & Young and Chris Harris of TIAA to the meeting.

#### **42 MINUTES**

The Minutes of the meeting of the Audit and Standards Committee held on 24 January 2019 were approved by the Committee and signed by the Chairman as a correct record.

#### **43 DECLARATIONS OF INTEREST**

There were no declarations of interest.

#### **44 UPDATE ON STANDARDS FRAMEWORK**

The Committee considered a report of the Monitoring Officer (MO) on the recommendations made by the Committee of Standards in Public Life (CSPL) following their review on local government ethical standards. The Committee's recommendations were in full at Appendix 1 to the report. The following key points were highlighted:

- Councillor register of interest forms were up to date, and Members were able to update their interests via the Extranet or by contacting Democratic Services.

- The Council kept a record of Town and Parish Councillor register of interests which had been largely complied with. Democratic Services reminded Clerks regularly to provide up to date register of interest forms for their Town/ Parish Councillors. These forms were published on the District and relevant Town/ Parish website.
- Some of the key recommendations of the CSPL were highlighted at section 3.5 of the Monitoring Officer's report.
- The CSPL found that the majority of Councillors and officer's maintain high standards of conduct.
- Where there was misconduct, this was usually due to social media use, bullying and harassment.
- There was considerable variation in codes of conduct nationally, and some of the codes failed to adequately address social media, bullying, harassment or other disruptive behaviour.
- The role of the Independent Person was an important safeguard in the current system, and the CSPL felt that the role should be strengthened and clarified.
- The current sanctions available to Local Authorities were deemed insufficient by the CSPL.
- The CSPL made 26 recommendations largely directed at central government as legislation would be required to make the changes.
- A national model code of conduct was suggested to ensure consistency in codes nationally. This was previously a requirement under the Local Government Act 2000, repealed by the 2011 Localism Act which gave authorities discretion over wording.
- The CSPL recommended that the current rules on declaring interests be repealed and replaced with an objective test. It was noted that Scotland and Wales have this provision.
- Further, that Councils be given discretion to establish standards committees with voting Independent Members and voting Members from dependant Parishes. The 2011 Localism Act repealed a similar requirement in the Local Government Act 2000.
- It was recommended that powers to suspend councillors be given back to Councils for a period of up to 6 months and with agreement of the

Independent Person. Councillors should be given the right of appeal to the Local Government Ombudsman.

- Parish Councils should be required to adopt the code of their principal authority (or the new model code).
- Monitoring Officers should be provided with adequate training, support and resources to undertake their role.
- Town and Parish Clerks should hold an appropriate qualification.
- Some of the recommendations were aimed at political groups; asking them to set clear expectations of their Members, and require Members to attend code of conduct training.

It was reported that a recommendation of a previous CSPL report on Intimidation in Public Life had now been implemented by the government, who had recently changed the rules that apply to local government elections. A Candidate or Councillor's home address was no longer required to be in the public domain during the election process.

The CSPL's best practice recommendations were detailed in the table at 3.6 of the report, reviewed and given a RAG status by the MO. It was noted that the gifts and hospitality register was not published quarterly as very few entries were made in the register.

Members were asked to consider whether formal standards complaints about the conduct of a Parish Councillor towards a Clerk should be made by the Chairman or Parish Council as a whole, rather than the Clerk in all but exceptional circumstances. However, Members felt that introducing this element into the complaints procedure could make the process of making a complaint more difficult for Clerks, and dissuade them from making formal complaints. The Audit and Standards Committee agreed that this recommendation should not be taken forward.

A question was asked as to how the Council audits the standards and performance of Council departments, and it was noted that the audit assurance for these issues was covered by compliance with the Code of Corporate Governance covered under agenda item 11. The Chairman advised that the Council's performance is regularly reviewed by the Resources and Services Overview Committees.

**RESOLVED:**

**to note the current position and the recommendations made by the Committee on Standards in Public Life in their report on ethical standards in local government.**

**45 STANDARDS WORK PROGRAMME**

Members were informed that standards work relating to the new Buckinghamshire Council would be considered by Members at future meetings of the Audit and Standards Committee.

It was noted that Chiltern, South Bucks and Wycombe District Council's legal departments would be assisting in aspects of Buckinghamshire County Council's (BCC) legal work when the County Council bring their legal service back in house from 1 October 2019. Members were pleased that this would support the saving of public funds.

**RESOLVED:**

**that the work programme of the Audit and Standards Committee be agreed.**

**46 INTERNAL AUDIT PROGRESS REPORT**

Members received a progress report on the internal audit work at Chiltern District Council (CDC) for 2018/ 2019. The progress of the work against the Annual Plan for 2018-2019 was set out in Appendix A. The review of contractor's health and safety arrangements was at Appendix B. The following key points were highlighted on the overall progress with the Plan:

- 6 audits were brought to conclusion during this period, including 5 substantial and 1 advisory. The HR absence management audit had been completed in 2018.
- 3 deferred audits would be taking place in 2019/20 Quarter 1: Benefits, Council Tax Support and Council Tax NDR due to bringing the South Bucks District Council (SBDC) Revenues and Benefits Service in house, as well as the arrangements of the new Buckinghamshire Council from April 2020. It was noted that these audits would not be repeated at the end of the period due to the move to the new authority.
- Work in the final Quarter of 2019/2020 would look at finalising all work over the period in readiness for the new authority.

It was noted that all audits were moving forward at pace. It was clarified that the Chiltern Pools audit would look at how the Chiltern Pools programme for the new leisure facility was managed. It was also noted that the finalising of the Counter Fraud and Payroll audits were imminent.

In relation to Appendix B, a concern was raised about the health and safety policies and procedures on the Intranet being out of date in respect of contractors working on construction projects. It was suggested that all policies have a review date on them, and there be a central register of policy review dates. The Director of Resources advised that all policies had a review date on them, and that it was the responsibility of the policy owner to review the policy at the appropriate date. Members were advised that the Councils' Health and Safety Committee would be reviewing this particular part of the policy, and that the Intranet page would be updated with the revised policy and procedures. A progress update on this matter would be brought to the next meeting of the Committee.

In response to a question, Members were advised that all departments across the Council were currently reviewing the names of all computer files, and that renaming of files would be completed by the end of the year.

**RESOLVED:**

**that the report be noted.**

#### **47 INTERNAL AUDIT ANNUAL REPORT**

The Committee received the Internal Audit Annual Report 2018/2019. The report summarised the outcomes of the reviews carried out on the organisation's framework of governance, risk management and control.

It was noted that the majority of audits were highlighted as substantial, and that there was a positive opinion of the year overall. There was a discrepancy in the tables shown on pages 40 and 41, which would be corrected and circulated to the Chairman. In response to a question, Members were advised that 'Substantial' and 'Reasonable' were deemed positive opinions.

**RESOLVED:**

**that the report be noted.**

#### **48 EY ANNUAL CERTIFICATION REPORT**

Members received the Ernst & Young (EY) certification of claims and returns annual report 2017-18.

- The work carried out on the housing benefit subsidy claim was summarised on page 50 of the report.
- It was noted that the DWP were currently considering the results reported to them, and that a letter relating to the determination of the amount of subsidy and whether there would be any adjustments had not yet been received by the Council, but the DWP historically took a lot of time to consider such matters. .
- Members were advised that some errors were made in terms of assessing claimants' level of income, but that this was common across all Local Authorities as authorities are dependent on the claimant notifying the Council of any changes to their circumstances in a timely manner. This was a difficult area to address due to more people working variable hours which affects their entitlements but the Council were taking steps to ensure claimants receive the benefits they are due and did not face unnecessary hardship.

**RESOLVED:**

**that the report be noted.**

**49 EY ANNUAL AUDIT PLAN**

The Committee received the EY annual audit plan report for year end 31 March 2019. The plan summarised the initial assessment of the key risks driving the development of an effective audit for the Council, and outlined the planned audit strategy in response to those risks.

It was noted that the overall materiality was largely unchanged from the previous year. In response to a question, Members were advised that information relating to valuations would be brought to a future meeting of the Committee. In terms of value for money, it was considered that the move to a single unitary authority was one potential significant risk for 2019/20.

Members were advised that there had been a 23% reduction in fees for 2018/19 due to Public Sector Audit Appointments Ltd (PSAA) who determine the fees, publishing a new scale fee, which was detailed in Appendix A to the report.

**RESOLVED:**

**that the report be noted.**

**50 ANNUAL GOVERNANCE STATEMENT 18/19**

The Committee were asked to consider and approve the Annual Governance Statement 2018/19. The statement was at Appendix 4 to the report.

It was noted that there had been little change from the past year. It was felt that the Council operated good governance processes and the Head of Finance advised Members of various ways in which Members could be assured of this. The Head of Finance proposed an amendment to the issue at section 6 of the statement to read:

*'The main governance issue facing the authority is that, in its last year of existence, key controls and governance processes fail to an extent that creates material risks for Chiltern District Council and the new Council.'*

It was noted that, subject to the Committee's approval, the statement is then submitted to the Council's Chief Executive and Leader for approval.

It was asked as to whether recruitment had been challenging in light of the unitary decision, and it was noted that officers were making sure that the Council had the resources necessary to continue to deliver services, and that this was being kept under close review.

A question was asked as to how Members can gain assurance that the Council is receiving value for money, and it was advised that there were a number of routes in which assurance could be gained. These included but were not limited to, reports to the Resources and Services Overview Committee, as well as the Audit and Standards Committee. A concern was raised as to the external appearance of the Amersham Multi-Story Car Park, and the Chairman advised that the business case for the car park was effectively reviewed by Members.

A question was asked as to the transition strategy for members of staff into the new unitary authority. It was noted that a key piece of work was being undertaken on this currently, and that all staff below senior tiers of management would be TUPE transferred into the new council on 1 April 2020. Members were advised that there also were new opportunities for members of staff to apply for roles in transformational work.

*Note 1: Councillor R Jones leaves the meeting at 19.59.*

#### **RESOLVED:**

- **to review the assurances provided;**
- **to consider whether there are any other significant gaps in control / assurance; and**
- **that the Annual Governance Statement be approved.**

Members of the Committee received a report with information on the procurement card processes. Guidance of the use of procurement cards, documents for staff, names of the members of staff who held cards and their limits, and analysis of card spend for 2017 – 2018 was at Appendices 1 – 4. This information was published online quarterly. Every transaction is reviewed by a Finance Officer, and then by the Head of Finance prior to the information being published.

A concern was raised as to the spend by the Golf Club, and it was advised that the analysis also contained spend by South Bucks District Council (SBDC) as well as CDC, that SBDC own a golf club, and that the spend related to the running of the club. Members also noted that members of staff were given the opportunity to have a Council funded backpack or trolley due to the new hot-desking and mobile working arrangements.

**RESOLVED:**

**that the report be noted.**

## **52 AUDIT WORK PROGRAMME**

**RESOLVED:**

**that the work programme of the Audit Committee be agreed.**

**The meeting ended at 8.17 pm**

## **CHILTERN DISTRICT COUNCIL**

### **MINUTES** of the Meeting of the **CHILTERN LIFESTYLE CENTRE SCRUTINY SUB-COMMITTEE** held on **11 APRIL 2019**

**PRESENT:** Councillor N Varley - Chairman

Councillors: J Gladwin  
M Harker  
G Harris  
V Martin  
D Phillips  
N Rose  
L Smith

**APOLOGIES FOR ABSENCE** were received from Councillors J Burton and P Jones

**ALSO IN ATTENDANCE:** Councillors I Darby, P Martin, S Patel, M Stannard, E Walsh and C Wertheim

#### **7 DECLARATIONS OF INTEREST**

There were no declarations of interest.

#### **8 MINUTES**

The minutes of the meeting held on 18 February 2019 were noted.

#### **9 WORK PROGRAMME**

The Committee considered the work programme attached to the reports pack.

#### **RESOLVED**

**That the work programme be noted**

#### **10 EXCLUSION OF THE PUBLIC**

#### **RESOLVED**

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

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

**11 BUSINESS CASE UPDATE**

At its previous meeting, the Committee sought clarity over a number of points in relation to the Chiltern Lifestyle Centre Business Plan. The report and appendix attached to the agenda pack provided responses to these points.

The following issues were highlighted by Members and discussed:

- In relation to the £4m gap in funding noted in the previous meetings reports pack it was explained that a residual land value of 2.4m had been identified for enabling development and a potential option for Sport England to grant aid on the basis of adding value to the project which could significantly help to bridge the £1.6m funding gap. Based on a depreciation and replacement value the value of the current centre had been valued at £4m with the land valued at £1.4m and the building £2.6m. It was clarified that £2.6m was not the market value of the building, this would be significantly less. It had been a prudent assumption to write down the value of £9m which had been given in April 2016.
- Discussions had continued with the County Council over the library; however it was noted that as both assets would be held by the new unitary authority from April 2020 there would not be the requirement to surrender current leases after that time.
- The decision on the final business case, appointment of leisure operator and main contractor would be referred to the Shadow Executive in autumn 2019 for agreement to whatever the Council decides. It was clarified that following scrutiny at this sub-committee, the reports would be considered by Cabinet prior to going on to the Shadow Executive shortly after. This would feed in to the Medium Term Financial Strategy of the new authority. It was suggested that the presentation to the Shadow Executive be added to the work programme. At the time of the next meeting the calendar of meetings for the Shadow Executive would be known.
- It was confirmed that the leisure operators were bidding for each leisure centre as part of a whole bid and were also required to present a variant bid for the existing portfolio for the next 15 years. The estimated costs detailed in the current business case for extending the life of Chiltern Pools by 15 years were a £600k annual management fee as well as annual capital costs of £200k.

- It was clarified that the present membership level for Chiltern Pools was approximately 2000. A latent demand survey identified that the year 3 membership level of the new facility would be 3,413, whilst soft market testing indicated 4,400 was achievable. The large increase was expected due to the increased range of facilities. Indicative bids submitted supported these assumptions.
- It was reaffirmed to Members that the risk would lay with the leisure operator should the number of members differ significantly to those estimated in their bids. The procurement process was robust and due diligence would be used when assessing market history, financial strength, track record, and quality of those companies who had made bids. The weighting framework which was considered when awarding a contract was detailed to Members, and reflected an appropriate balance of price and quality.
- The 800,000 estimated users of the centre per annum were leisure centre users and did not account for users of the community facilities. Additionally no rental income from the community facilities had been accounted for in the business case, although there would be income received from these. It was explained that the increased offer was the factor behind the significant user increase estimate.
- Concern was raised around differing loan payback periods. It was explained that no decision had yet been made on the exact length. The 45 year period had been used as a guide and this could change when the final bids were received. Additionally the amount requested from the Public Works Loan Board could vary dependant on the operator bids received. Any works identified to improve user take up of the offers at Chesham and Chalfont would be factored in to this loan amount. This information would be reported back to members as part of the final business case.
- Additionally the leisure operator contract length was queried, it was confirmed operators were bidding for a 15 year contract with the option of a 5 year extension. The proposed contract would not have a break clause and required a parent company guarantee against failure to deliver against the contract for the full 15 years. The 5 year extension would only apply on satisfactory performance against the contract.
- Members raised concern that the procurement process from year 16 or year 21 would be more difficult. It was said that this was why importance must be placed on building high quality facilities. There were spaces accounted for in the centre that could be re-purposed over time to match what was popular at that time in the leisure market. It was expected that there would not be a decline in people seeking use of leisure facilities over the next 30/40 years with the agenda being pushed so much nationally to combat poor health and save NHS outlay in the long term.
- The bid to Sport England would be submitted to their June board and the grant could be between £500k and £2m dependant on the proposal

and project concerned. Sport England had been very supportive of the project to date and would only invite organisations to bid who they were keen to support.

- Concern remained over parking. This would be addressed at the Planning Committee meeting in May/June 2019. Early indications were that sufficient additional parking was accounted for and would not impact the potential value of enabling development land. The report on enabling development would be available at the next meeting. Members identified that parking was also a valuable income stream to consider and should not be left out of the business plan.
- It was confirmed that 4,855 responses had been received to three rounds of public consultation. This took place at the tube station, various supermarkets, town and parish meetings and revitalisation group meetings.
- Members identified that construction issues such as contamination risks could expose the Council to further risk. It was explained that the contractor would be required to undertake as much survey work as possible so that by the time a final cost was reached this would be more or less fixed.

## **RESOLVED**

**That the report be noted.**

*Note: Councillor M Harker entered the meeting at 6.51pm*

## **12 REFURBISHMENT OPTIONS FOR THE CHILTERN POOLS**

The Committee was presented with a report which detailed the refurbishment options for the Chiltern Pools and comments were invited to assist in making recommended future actions for Cabinet consideration.

The following issues were discussed:

- As noted above, extending the life of the existing centre had estimated costs of £600k annual management and a £200k annual fee. Urgent works had been identified as being required to curtain walling, defects to the pool tank and surrounds, replacement heating system, replacement of the domestic hot and water system, new ventilation system, replacement moveable floor to the diving/teaching pool, and new roof coverings and insulation which would result in a significant loss of income to the operator for the time closed.
- A specialist leisure consultant had identified a range of refurbishment options and these were detailed in the confidential report provided to Members. All options involved the creation of a single new entrance to

the centre to improve user flow and maximise entry control and differed in scale, price and viability.

- The most financially viable option would cost in the region of £14.5m to deliver. However the access arrangements would cause a complex customer journey and would present a challenge for wheelchair users and adults accompanying small children. There would also be an estimated project shortfall of approximately £3.93 million.
- Any refurbishment would not be eligible for Sport England funding nor redevelopment of the site for residential purposes.
- It was questioned whether all activities needed to be included in the offer and a Member queried whether the climbing wall provided economic value. The climbing wall was said to be a key attraction in bringing people to the centre and other members identified that with proper marketing, and the introduction of climbing as an Olympic sport take up would increase.
- With aging equipment and facilities, unexpected costs could also arise. An example of a crack in the pool tank which resulted in it being closed pending investigation at the time of this meeting.
- It was recognised that were the unitary authority faced with annual £800k costs to keep the centre in operation there was a realistic risk that Amersham would lose its leisure facilities.
- Members accepted that should the business model for a new centre be viable and cover costs, as well as provide an income this would be supported over refurbishing the existing centre. Members further praised the current operator for keeping the centre in operation for as long as it had.

## **RESOLVED**

**That the report be noted.**

### **13 CHALFONT AND CHESHAM LEISURE CENTRE REVIEW**

A report was considered which detailed the refurbishment options available to the Council with regards to the Chesham and Chalfont leisure facilities to mitigate the potential loss of customer base to the Chiltern Lifestyle Centre. A specialist leisure consultant had undertaken a review of existing centres and the procurement of the Chiltern leisure operator contract required bidders to provide detailed plans as to how they will invest in the two centres to mitigate the impact of the proposed new Chiltern Lifestyle Centre.

Members discussed the contents of the leisure consultant's detailed report and noted that any cost of remodelling the centres would be included in the loan requested from the Public Works Loan Board.

Following a query from a Member, it was confirmed that each centre does have dual use arrangements with its local school although this was not presently taken up at the Chalfont centre. Further conversations would be held to encourage this.

Members further recognised that there were a range of marketing opportunities in the local areas and marketed correctly this could prevent a significant loss of user numbers to the new centre.

## **RESOLVED**

**That the report be noted**

### **14 KING GEORGE V PLAYING FIELDS**

A report was considered which sought Cabinet permission to undertake a public consultation to appropriate the marked site at King George V Playing Fields and the site to the rear of the electricity substation on Chiltern Avenue from open space to a planning purpose, subject to the grant of planning permission by the Planning Committee and consideration by Cabinet of any representations made during the public consultation. The land was in the ownership of the Council, designated as Public Open Space and would require appropriation as set out in section 122 of the Local Government Act 1972 to change the purpose of land to enable the development to proceed. Appropriation would override any third party rights and easements over the land.

Members noted that the Council would advertise its intention to appropriate for two consecutive weeks by placing a notice in the local press and placing a notice on the adjacent land. The public consultation period required was at least 21 days. Cabinet would then consider any objections following the consultation.

#### **RESOLVED to recommend to Cabinet**

**That public consultation be undertaken to appropriate the land marked on the plan appended to the report forming part of King George V Playing Fields and to the rear of the electricity substation on Chiltern Avenue from open space to a planning purpose, subject to the grant of planning permission and consideration by Cabinet of any representations made during the public consultation.**

**The meeting ended at 8.27 pm**

**Publication  
Date  
29 April  
2019**

## **CHILTERN DISTRICT COUNCIL**

### **MINUTES of the CABINET held on 23 APRIL 2019**

**PRESENT** Councillors I Darby - Leader  
M Stannard - Deputy Leader  
P Martin  
M Smith  
E Walsh  
F Wilson

**ALSO IN ATTENDANCE:** Councillors C Jones and J Rush

#### **192 MINUTES**

The minutes of the Cabinet held on 19 March 2019 were approved and signed by the Chairman as a correct record.

#### **193 DECLARATIONS OF INTEREST**

There were declarations of interest from Councillors I Darby, M Smith, L Walsh and F Wilson who declared a personal interest under the Council's Code of Conduct in item 7 (Community Infrastructure Levy) as members of Town and Parish Councils.

#### **194 28-DAY NOTICE**

The Cabinet received a report attaching the draft 28-Day Notice which provided a forward look at the Agenda for the next meeting of the Cabinet. The Notice would be published on 10 June 2019. The Cabinet also received the 28-Day Notice for the Chiltern and South Bucks Joint Committee which would be held on 1 May 2019. The Chiltern and South Bucks Joint Local Plan submission which would be considered at that meeting was highlighted.

#### **RESOLVED –**

**That the Draft 28-Day Notice / Forward Plan, to be published on 10 June 2019, and the 28-Day Notice for the Chiltern and South Bucks Joint Committee on 1 May 2019, be noted.**

## **195 CURRENT ISSUES**

### **(i) Councillor M Smith -**

Councillor M Smith reported that the new crematorium in Bierton, Aylesbury had opened on 23 April 2019. A formal opening event would be arranged in due course. Cabinet gave thanks to Councillor Smith and the officers involved throughout the project for their effort and commitment in creating this legacy for the Council.

## **196 COMMUNITY INFRASTRUCTURE LEVY (CIL) DRAFT CHARGING SCHEDULE**

The Cabinet received a report which recommended that the Community Infrastructure Levy (CIL) Draft Charging Schedule (DCS) was issued for consultation and submitted to an Examiner for an Examination in Public.

The preliminary draft charging schedule consultation period ended in December 2018 with 56 responses received and 99 individual comments from a range of organisations and individuals, providing overall support for implementing CIL. The proposed CIL rates remained unchanged following the consultation. Cabinet was advised that the evidence base, which included the viability assessments, funding gap and infrastructure delivery plan, plus the consideration of which types of infrastructure would be funded through CIL or Section 106 would continue to be developed up until the point of submission.

An independent examiner had been reserved and an experienced programme officer appointed to act as an intermediary between the Councils and examiner. Whilst the public consultation would run parallel with that of the Joint Local Plan, the ambition was to introduce CIL as soon as possible to capture funds from developments to benefit the districts' residents.

Cabinet noted the frustrations from residents who regularly made the point that smaller developments provide no contribution to infrastructure and the introduction of CIL was welcomed to ensure infrastructure needs were met where smaller scale developments were being built. It was further welcomed that a certain percentage would go to Town and Parish Councils, who often know their local areas and infrastructure needs best.

## **RESOLVED**

- 1. That the Community Infrastructure Levy – Draft Charging Schedule be published and consulted on.**
- 2. That authority be delegated to the Head of Planning and Economic Development, in consultation with the Portfolio Holder for Planning and Economic Development, to make minor editorial changes and corrections to the Community Infrastructure Levy – Draft Charging Schedule and supporting documents prior to consultation.**
- 3. That in light of responses to the consultation, authority be delegated to the Head of Planning and Economic Development in consultation with the Portfolio Holder for Planning and Economic Development, to make minor amendments to the Draft Charging Schedule and supporting documents prior to the submission for examination.**
- 4. That the Community Infrastructure Levy - Draft Charging Schedule consultation documents and any responses be submitted to an independent examiner for an Examination in Public.**

## **197 COMMUNITY PROJECTS RESERVE**

The Cabinet received a report which advised on the recommendations of the Healthy Communities Policy Advisory Group following a review of the expenditure options for the new Community Projects Reserve which was agreed at the Council meeting held on 26 February 2019.

Cabinet noted that the expenditure options were considered at length by the Healthy Communities Policy Advisory Group and the recommendations made could be seen in detail in the report on pages 57-65 of the reports pack. The options not supported by the Policy Advisory Group were also detailed in the report.

The options recommended were Social Prescribing, increasing the 2019/20 Community Grant budget and having a Large Projects Grant.

Cabinet commented on all options being of great benefit to residents and these being a great investment to provide a positive base for the new unitary authority, Public Health and the Chiltern Clinical Commissioning Group to

build on. Further, social prescribing was recognised as an excellent way of linking people to schemes to improve residents' health and wellbeing and reduce stress on the NHS.

## **RESOLVED**

- 1. That the recommendations of the Healthy Communities Policy Advisory Group following the review of the expenditure options for the new Community Projects Reserve be noted.**
- 2. That expenditure of up to £250,000 from the Community Project Reserve be brought forward for the following;**
  - To increase the community grant budget by £40,000 and to increase to £5,000 the maximum grant award available.**
  - To allocate £160,000 for a Large Projects Grant with a £40,000 maximum grant award available for individual schemes requesting funding.**
  - To allocate £50,000 for Social Prescribing to support the development of a database of local organisations that are able to work with the Social Prescribing referral mechanism to be established in partnership with Buckinghamshire County Council, the Chiltern CCG and Public Health.**
- 3. That the Head of Healthy Communities in consultation with the Portfolio Holder for Healthy Communities be authorised to finalise the procedure for the award of the Large Projects grants.**

## **198 KING GEORGE V PLAYING FIELDS**

The Cabinet received a report which sought authority to undertake a public consultation to appropriate the marked site at King George V Playing Fields and the site to the rear of the electricity substation on Chiltern Avenue from open space to a planning purpose, subject to the grant of planning permission and consideration by Cabinet of any representations made during the public consultation.

The Planning Committee would consider the revised application for the Chiltern Lifestyle Centre at its meeting on 10 June 2019. The minimum public consultation period required for the proposed appropriation was 21 days, following which a further report would be presented to Cabinet for consideration outlining any objections received during the consultation period and seeking a decision on whether to proceed with the appropriation.

## **RESOLVED**

**That public consultation be undertaken to appropriate the land marked on the plan appended to the report forming part of King George V Playing Fields and land to the rear of the electricity substation on Chiltern Avenue from open space to a planning purpose, subject to the grant of planning permission and consideration by Cabinet of any representations made during the public consultation.**

### **199 CHILTERN AND SOUTH BUCKS LEISURE ADVISORY BOARD TERMS OF REFERENCE**

Cabinet were asked to consider a proposal to change the name of the Joint Leisure Advisory Board (LAB) to the Active Life Advisory Board, and amend the group's Terms of Reference accordingly.

Cabinet noted that the Board not only focused on leisure and had the aim of working with partnership agencies to encourage non-active people to live a healthier lifestyle.

## **RESOLVED**

**That the name of the Joint Leisure Advisory Board be amended to the Active Life Advisory Board and the Terms of Reference be amended accordingly.**

### **200 MINUTES OF JOINT EXECUTIVE COMMITTEES**

There had been no Joint Executive meetings held since the last meeting of Cabinet on 19 March 2019.

### **201 EXCLUSION OF THE PUBLIC**

## **RESOLVED –**

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

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

**202 CABINET REPORTS FROM POLICY ADVISORY GROUPS:**

**RESOLVED:**

**That the confidential notes from the following PAG meetings be noted:**

- 1. Planning and Economic Development PAG 3 April 2019**
- 2. Healthy Communities PAG 8 April 2019**

**The meeting ended at 6.21 pm**