



Council

A G E N D A

All Members of Chiltern District Council

Your attendance is requested at a meeting of the Chiltern District Council to be held at **6.30 pm** on **Tuesday, 12 November 2019, Council Chamber, King George V House, King George V Road, Amersham**, when the business below is proposed to be transacted.

Item

1 Evacuation Procedure

2 Presentation from the Chilterns Conservation Board

To receive a presentation from Nick Marriner, Chilterns Conservation Board (AONB).

3 Apologies for Absence

4 Minutes (*Pages 5 - 18*)

To approve the minutes of Full Council held on 23 July 2019.

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 19 - 20)

Leofwine Shield Presentation

To present the Leofwine Shield to Councillor Gordon Patrick, Chairman of Chalfont St Giles Parish Council who is accepting the award on behalf of the village of Jordans. The Shield is awarded annually to the Town or Parish Council in the Chiltern District achieving the highest mark in the Best Kept Village Competition. Jordans is the 2019 winner.

7 Committee Recommendations

There have been no recommendations from Committees of the Council since the last Council meeting held on 23 July 2019.

8 Cabinet Recommendations

To receive and consider the recommendations of the Cabinet for the meeting held on 20 August 2019 and to receive questions and answers on any of those recommendations in accordance with Rule 11.1 of the Procedural Rules.

8.1 Appointment of Leisure Operator (*Pages 21 - 26*)

9 Political Balance (*Pages 27 - 30*)

10 Report on Special Urgency (*Pages 31 - 32*)

11 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 11.1 of the Procedural Rules.

12 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 11.2 of the Council Procedure Rules.

13 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.

14 Joint Arrangements and Outside Organisations (if any)

To receive reports about and receive questions and answers relating to any joint arrangements or external organisations.

15 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 in accordance with Procedure Rule 12.

16 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 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.

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



Steve Bambrick
Acting Chief Executive
Chiltern District Council

Date of next meeting – Tuesday, 7 January 2020

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CHILTERN DISTRICT COUNCIL**MINUTES** of the Meeting of the **CHILTERN DISTRICT COUNCIL**held on **23 JULY 2019**

PRESENT: Councillor G Harris - Chairman of the Council
M Harker - Vice-Chairman of the Council

Councillors:	A Bacon	Councillors:	J Rush
	D Bray		M Shaw
	J Burton		P Shepherd
	I Darby		L Smith
	M Flys		M Smith
	A Garth		N Southworth
	M Harrold		M Stannard
	C Jones		M Titterington
	P Jones		D Varley
	P Martin		N Varley
	V Martin		H Wallace
	D Phillips		E Walsh
	N Rose		

APOLOGIES FOR ABSENCE were received from Councillors J Cook, E Culverhouse, C Ford, J Gladwin, C Jackson, R J Jones, J MacBean, S Patel, C Rouse, J Waters, C Wertheim and F Wilson

9 PRESENTATION FROM CHIEF CONSTABLE

Chief Constable John Campbell, The Deputy Police and Crime Commissioner (DPCC) Matthew Barber, and Superintendent Amy Clements were welcomed to the meeting.

The Deputy Police and Crime Commissioner (DPCC), Matthew Barber, gave a presentation to Council on the role and responsibilities of the PCC and an overview of crime in the Thames Valley area. A PCC's responsibilities included but were not limited to, holding the Chief Constable to account for policing, developing a Police & Crime Plan for the area, setting the policing precept, scrutinising performance, engaging with local communities and supporting services who support victims of crime and restorative justice. It was noted that, with a population of 2.3 million and comprising of 18 local authorities, the Thames Valley area had the largest non-metropolitan police force in the country.

Members were taken through the strategic priorities of the Thames Valley Police and Crime Plan 2017-21 which were prevention and early intervention; vulnerability; police ethics and reform; serious organised crime and terrorism and; reducing re-offending.

Funding highlights included nearly £3 million to support victims of crime across the Thames Valley, £2.7 million for a Community Safety Fund which provided Councils funds to help deliver crime reduction, prevention and support services and £199k awarded from the Police Property Act Fund in 2018/19 to charities and community groups who assist in reducing crime and reoffending.

Council was informed that crime had remained at historically low levels in Thames Valley. There were 21,671 fewer crimes compared to 10 years ago and 41,322 fewer offences compared to 15 years ago. Thames Valley had seen recorded crime increase by 10.3% over the previous year, compared to the national increase of 7%. Violence against the person offences had risen by 40.7% and sexual offences had increased by 16.2% over the past year. Burglary dwelling decreased by 2%, criminal damage and arson decreased by 2.6%, drug offences increased by 9.9% and possession of weapons offences increased by 28.2%.

101 call waiting time was acknowledged as a significant issue and a number of improvements were in the process of being made including streamlined processes and simplified options when someone comes through on the line. In recent months the average time to answer had reduced to 2.5 minutes, and the aim was to improve this towards 2 minutes, then further improve it from there. The increase to the police precept had allowed for significant additional staffing resources, particularly to cover the 101 line and a new contact management system which was being introduced would also aid the improvements.

Chief Constable John Campbell then gave a presentation to Members on policing operations and top priorities, as well as further information on recorded crime and trends for the Thames Valley area. It was explained that whilst there had been an increase in sexual offences, few were stranger offences with the majority being domestic or child related.

The Chief Constable informed Members of the operational and organisational priorities identified in the Strategic Plan 2019/20. These included reducing crime and incidents through targeted and effective problem-solving, bringing more criminals to justice by improving the quality and timeliness of investigations, improving how the police protect the vulnerable by proactively identifying, understanding and reducing risk and harm and increasing the satisfaction of victims and other people in need.

The Chief Constable added to the DPCC's comments on the time to answer 101 calls and displayed a graph which evidenced the improvements over previous months. It was acknowledged that the wait times remained unacceptable to residents; however the focus on improvements was ongoing.

An overview of officers assaulted in 2019 was given, 22 in Chiltern and South Bucks had been assaulted, 404 force-wide in Thames Valley. Officers were receiving additional safety training including an increased usage of their taser.

Superintendent Amy Clements identified the three key local issues which were burglaries, exploiting vulnerable adults and supply of Class A drugs. With all of these issues local intelligence was vital and members and residents were encouraged to share any intelligence with the force to ensure crime could be stopped. There were a range of crime prevention operations underway including collaborating to identify cross border offences and working with local authorities to raise the awareness of financial scams. Positive initiatives highlighted included the force establishing a shop watch and seeking to work in partnership to reduce the number and impact of crime, Public Space Protection Orders to tackle anti-social behaviour and a Facebook page for the Chiltern and South Bucks LPA which people could follow to learn more about local issues.

Force Challenges were also summarised to members and included maintaining the establishment levels across Thames Valley, managing budget shortfalls, ensuring high quality investigations and improving call handling performance.

Following the presentation the Deputy Police and Crime Commissioner, Chief Constable and LPA Commander responded to Members' questions that had been submitted in advance of the meeting.

Question 1 from Councillor P Martin (Little Chalfont Ward): We have a problem with speeding bikers and motorists in Gt Missenden using the A413, its roundabouts and other key roads such as A4128 as race tracks on summer evenings and in the early hours. There has been a report of a group watching cars drifting the wrong way around a roundabout at 1.30 am and residents being woken up by the noise of racing bikers. The evidence of such events is clearly visible with the tyre marks on a Monday morning. We have asked for police action before an accident occurs but have been told due to limited resource this is difficult. Can you help?

Members were advised that where issues such as this were consistent problems this would be investigated either through specialist road policing or through uniformed officers patrolling the identified roads. Residents were encouraged to report incidents and the online reporting tool was a time efficient way to do this. Other policing areas such as Milton Keynes had

introduced car cruising injunctions and the force was aware of the danger these offences could cause.

Question 2 from Councillor S Patel (Seer Green Ward), asked by Councillor C Jones in his absence: Since 2010 there are 20,000 fewer police officers. How many of the police in the area have left following an assault or medically retired on health grounds and is recruitment a problem?

The Chief Constable advised that he was not aware of any officers having left the force due to ill health caused by an assault. Officers were issued with protective equipment and whilst there had been incidents of assault, fortunately these tended to be of a less serious nature and perpetrators were often prosecuted. The force would reach its staffing establishment in September and were introducing a new recruitment process next year to attract the best officers. It was accepted that due to Thames Valley being an expensive place to live and the salaries being on a national pay scale it was often difficult to attract officers. The force also suffered from staff transferring to the London Metropolitan force.

Question 3 from Councillor D Varley (Little Missenden Ward): What are the police doing to discourage and reduce fly-tipping? And how can we and local residents work to protect against fly-tipping?

It was confirmed that fly tipping was a crime, and if the police were aware of and witnessed any incidents they would act and make arrests. There had been an instance where when going through fly-tipped goods, letters with addresses had been found and properties were then subsequently visited. It was emphasised that it was the responsibility of residents to check that whoever is removing their goods has the adequate licenses to do so. Often homeowners were targeted in London and the goods ended up being fly-tipped in this area, this was effectively organised crime which the police were aware of and aiming to bring to an end.

Question 4 from Councillor Vanessa Martin (Great Missenden Ward): I have been approached by residents who have had their post interfered with resulting in fraudulent applications to open bank accounts and /or apply for credit in their names. These individuals have contacted the Police, but the local police do not think there is much they can do as no crime has been committed, and the national Action Fraud team do not appear to be particularly interested until an actual fraud has taken place. I think to the lay person a crime has been committed and it appears there is no obvious remedy to prevent it. What can people do?

Residents were encouraged to report any such issue so that where a crime had occurred the force could investigate the matter. The Superintendent offered to

speak to Councillor V Martin outside of the meeting to gather further information.

Question 5 from Councillor Don Phillips (Little Chalfont Ward): There appears to be an increased level of unauthorised gypsy and traveller arrivals into the District, with associated dumping of refuse and builders' debris, allegations of verbal abuse towards the settled community, and total disregard for Planning controls. There is a perception that the Police would prefer not to become involved in such, despite their authority under S. 61 and S.62A of the Criminal Justice and Public Order Act. Would the Chief Constable please comment, and advise us of just what standing instructions are given to senior Officers in this context?

There had been a reduction seen in unauthorised encampments in the area over recent years, with their being 19 at the present time and partnership work with local authorities ongoing. It was recognised that communication with residents needed to be clearer so that people were aware of the actions the police had taken. Consistency in the way this issue was approached was identified as being key. There was a balancing act to avoid taking excessive people in to custody, particularly as many of these sites involved families and young children. A transit site in each local authority area was an option which would help manage unauthorised encampments, however many local authorities were not supportive of this option. Improvements would continue to be focused on in this area.

Question 6 from Councillor Mimi Harker (Chesham Bois and Weedon Hill Ward): Last year, we asked about the issue of county lines, drug dealings and knife crime especially with reference to Amersham and having listened to the young people in the area and their concerns, I was wondering what updates there have been and what measures have been put into place to deal with this problem, which continues. What do I say when I go into schools and I am asked about this issue?

Council was advised that the national high levels of this type of crime had not been seen in this area, although these offences do exist and the force was not being complacent. Where there was any evidence of young people being involved in these sorts of crime, the force would aim to take preventative measures. There had been youth engagement projects in Beaconsfield which identified children on the cusp of criminality and allowed them to identify the risks themselves. The force employed a schools officer who delivers various training to young people. The MASH referral system was in place for schools to report any safeguarding concerns they had.

Question 7 from Councillor Linda Smith (Chalfont Common Ward): How many PCSOs currently operate in Chiltern District and are there plans to increase this

important additional resource to help combat the rising crime rate in the District?

The importance of PCSOs to local communities was recognised. Their vast local knowledge was acknowledged and the police would maintain this section of the neighbourhood policing structure. There were 12 PCSOs presently operating in the area, many of whom had aspirations to become officers.

Question 8 from Councillor Liz Walsh (Amersham-on-the-Hill Ward: What effect will the new unitary Council in Buckinghamshire have on policing and partnership working? How will it be ensured that smaller communities are not disadvantaged?

The force was aware of the changes being made to local government in the area, although at this stage believed there would be very little difference to the current set up in the Chiltern District. There was no indication that the neighbourhood policing and community safety teams would change, although further details would be known when the structure became clearer.

The Chairman thanked the Police and Crime Commissioner and the Chief Constable for their presentations.

Note 1: Councillor V Martin entered the meeting at 6.42 pm and Councillor A Garth entered the meeting at 7.10 pm

10 MINUTES

The minutes of Full Council held on 15 May 2019 were approved and signed by the Chairman as a correct record.

11 DECLARATIONS OF INTEREST

There were no declarations of interest.

12 ANNOUNCEMENTS

(a) Chairman's Engagements

A list of Engagements carried out by the Chairman and Vice-Chairman of the Council between 8 May and 12 July 2019 had been circulated.

(b) Chairman's Announcements

The Chairman had no announcements to make.

(c) Announcements from the Leader of the Cabinet

The Leader of the Cabinet had no announcements to make.

(d) Announcements from the Head of Paid Service

The Chief Executive reported that there would be a Cross Council debate held on 25 July, 11.30am – 1pm at the Oculus, Aylesbury Vale District Council. Any members who wished to attend were asked to book a place by e-mailing Democratic Services. Further, Council was reminded that an additional Cabinet meeting would be taking place on 20 August at 6.30pm with the main focus of business being the final business case and appointment of leisure operator contract for the Chiltern Lifestyle Centre.

13 COUNCIL PLANNING APPLICATION - PLANNING COMMITTEE - 10 JUNE 2019

Full Council had before it a report which detailed the recommendation of the Planning Committee from its meeting on 10 June 2019 that planning application PL/18/4593/RC for the demolition of existing buildings and construction of a replacement leisure, sports and community building, together with external sports equipment, MUGA, play areas and associated parking and landscaping on the Council's own land in Chiltern Avenue, King George V Road and King George V Playing Fields, Amersham be approved subject to referral to Full Council and conditions including a revised condition dealing with external materials.

The Council's Constitution required all planning applications relating to Council owned land to be considered by the Planning Committee for a recommendation to Council. The officer's reports presented to Planning Committee were appended to the report on pages 37-94 of the reports pack.

Councillor D Phillips spoke against the planning application, citing that it failed to satisfy a number of material planning issues. Councillor Phillips noted that this was a substantially large project, with a proposed floor area increase of 100% on the present facility and this would significantly impact the local community for many years to come. Councillor Phillips voted against the proposal and requested that his objection be noted.

It was moved by Councillor M Titterington, seconded by Councillor J Burton and

RESOLVED

That application PL/18/4593/RC for the demolition of existing buildings, a replacement leisure, sport and community building, together with external sports equipment, MUGA, play areas and associated parking and landscaping on the Council's land in Chiltern Avenue, King George V Road and King George V Playing Fields be approved subject to the conditions set out on pages 38-44 of the original case officer report attached at appendix 2 and including the following revision to the wording of condition 16 (external materials):-

Before any construction work commences above ground, a sample panel of all external materials are to be erected on site (including mortar mix and pointing profile) including named types of samples of all the facing and roofing materials to be used for the external construction of the development hereby permitted, details of this shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be fully implemented in accordance with the approved details unless alternative materials details are submitted to and agreed in writing by the Local Planning Authority.

Note 2: Councillor M Shaw left the meeting at 7.52pm

14 CABINET RECOMMENDATIONS

CHALFONT ST GILES NEIGHBOURHOOD PLAN CONSIDERATION OF REFERENDUM RESULT

Full Council considered a report which noted the result of the Chalfont St Giles Neighbourhood Plan Referendum. Given that the referendum result was in favour of the plan, the next stage would be for the Council to 'make' the plan, following which it would become part of the Development Plan for the Chalfont St Giles Parish area. At its meeting on 9 July 2019, Cabinet recommended that the Neighbourhood Plan be made, subject to any legal challenge being lodged.

Council noted that 91.6% of voters supported the Neighbourhood Plan and further recognised the efforts that the Parish Council and local community of Chalfont St Giles had made in achieving this result.

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

RESOLVED

That Council make the Chalfont St Giles Neighbourhood Plan subject to any legal challenge being made.

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

a) Councillor I Darby – Leader of the Cabinet

Councillor I Darby advised that work on the unitary authority transition continued with informal meetings of the Shadow Executive taking place weekly and formal meetings three weekly. In addition to this there were many other member working groups and engagements arising from the transition.

Councillor Darby reported that Rachael Shimmin had been appointed as the Chief Executive for the Buckinghamshire Council and congratulated her on the appointment. Many officers and members continued to work on the transition and thanks were given to all involved for working collaboratively and engaging positively with the process, working toward a successful transition.

b) Councillor M Stannard – Deputy Leader and Portfolio Holder for Support Services

Councillor M Stannard reported that each year the Authority was required to produce a formal audited Statement of Accounts document in accordance with the Accounts and Audit Regulations. However, the Council's appointed auditor, Ernst & Young had been unable to provide a team to achieve this by the 31 July deadline due to issues out of the Council's controls. This had affected all neighbouring Bucks districts. Therefore, the Council would be publishing unaudited accounts on this date. Assurances had been provided that the external audit would be completed by the end of September.

c) Councillor C Jones – Portfolio Holder for Environment

Councillor C Jones reported that the decision had been taken to reduce recycling centres in the district to three, with a robust plan in place to advise residents on other options available to them including kerbside collection. Officers would work to promote these other options by actively visiting these sites, using social media and responding to any issues from residents. Parish Councils were also engaging with the project.

Further, the Joint Waste Collection Committee at its most recent meeting requested a statistical analysis of the fly tipping happening across the three Councils and this would be shared with Members when available. Thanks were also given to officers from the waste service for their support at the Amersham Festival.

d) Councillor P Martin – Portfolio Holder for Planning and Economic Development

Councillor P Martin reported that as a consequence of communication issues, the Local Plan consultation had been extended to 23 August 2019 to ensure that residents and businesses had sufficient time to respond. To date, 528 individual responses had been received and a further 670 emails were due to be processed. There had been six responses to the Community Infrastructure Levy consultation to date. To deal with the extensive workload, additional staffing resources had been secured.

e) Councillor J Rush – Portfolio Holder for Customer Services

Councillor J Rush reported that the Customer Account had gone live in June and to date 1,900 residents had registered to the service. Improvements continued to be made and residents were encouraged to register for the service which aimed to make communicating with the Council easier and quicker.

f) Councillor L Walsh – Portfolio Holder for Healthy Communities

Councillor L Walsh reported that applications to the small community grants scheme had now closed and these applications would be assessed in due course. The Large Projects Fund was open to applications; proposed projects must be supported by the community and may link to identified need such as those detailed in the Council's Open Space Strategy, Indoor Sports and Leisure Facility Strategy and the Playing Pitch Strategy. The closing date for applications was midnight, 4 August 2019.

16 QUESTIONS WITH NOTICE (IF ANY)

There were no questions.

17 PETITIONS (IF ANY)

Ms A Vldar presented the following petition to the Chairman on behalf of local residents:

"Road and Footpath Safety Petition for Chalfont St Peter"

Chiltern District Council have been responsible for approving large office and housing developments in Chalfont St Peter. Chiltern District Council has a circa £1.4 million surplus from car parking revenues.

The impact of these developments on both road and footpath safety has become a major concern for the people who live and work in our village.

We hereby petition Chiltern District Council to allocate both time and financial resources to directly assist with the road safety and parking issues in Chalfont St Peter.

The petition contained 254 signatures.

Ms Vldar summarised the concerns which led to the petition. Chalfont St Peter had seen various developments throughout recent years and it was felt that there had not been enough consideration for parking and traffic increases. Numerous meetings had been held with a range of agencies and the Chalfonts Local Area Forum had agreed to introduce a traffic regulation order, however Transport for Buckinghamshire who would implement the order required match funding to be secured to progress this further. A small grants application had been made to the Council and Members were urged to support this.

Councillor J Rush thanked Ms Vldar and recognised the time and effort she had put in to organise the petition. Councillor Rush noted that whilst not the responsible highways authority, as the local planning authority, the Council did have a moral responsibility to its residents to ensure no injuries occur as a result of poor parking management. Officers were urged to review the petition sympathetically and to support securing the remainder of the funding required.

It was confirmed that the petition would be dealt with in line with the Council's petition scheme.

18 JOINT ARRANGEMENTS AND OUTSIDE ORGANISATIONS (IF ANY)

There were no reports.

19 MOTIONS

In accordance with Rule 12 of the Council Procedural Rules, the following Motion had been submitted by and was consequently moved by Councillor P Jones, and seconded by Councillor C Jones:

The Council agrees to note that:

(a) the recent 2018 Intergovernmental Panel on Climate Change (IPCC) report states that we have just 12 years to act on climate change if global temperature rises are to be kept within the recommended 1.5 degrees Celsius;

(b) all governments (national, regional and local) have a duty to limit the negative impacts on climate breakdown. UK county, district and local councils need to commit to realistic reduction targets and carbon neutrality as quickly as possible;

(c) the Local Government Association has voted to "declare a climate emergency and commits to supporting councils in their work to tackle climate change"

In the light of the above, the Council therefore agrees to:

(1) Join other councils in declaring a Climate Emergency;

(2) use all practical means to reduce any negative impact of Council services on the environment, with an aspiration to be carbon neutral by 2030;

(3) ask officers to ensure that specific consideration is given to how policies and our related decisions and actions, affect our contribution to climate change, and take action as appropriate;

(4) continue to work with partners (including local residents and businesses) inside and outside the community to deliver widespread carbon reductions.

Councillor P Jones explained the motion to those present and acknowledged that the Council had a responsibility to work together with the wider country and further beyond to find solutions to the climate change emergency.

Councillor C Jones seconded the motion noting that the Council recognised climate change and understood the importance of addressing issues so that future generations would not suffer.

During the ensuing discussion, Councillor P Martin advised that the Local Plan which was currently being consulted on included policies to encourage responsive developments. Developers planning developments exceeding ten properties or 1000 square metres would need to demonstrate how they responded positively to the issues of climate change. Smaller developments were also expected to incorporate design features responsive to climate change issues.

Councillor L Walsh reminded Members that the Council had signed the original Climate Change Declaration in 2008. Since then the Council had continued to work hard to reduce CO2 emissions from local authority operations by 42%. The Council reported its annual performance on fuel and energy across its buildings and activities annually and further, undertook activities and projects that would help reduce the amount of energy and resources that it used as well as working with residents and local groups to highlight how they could reduce their costs and energy use.

Highlighted to Council were:

- Large scale solar photo voltaic (PV) which contributed to renewable energy for both of the Council Offices, Amersham multi-storey car park and Chesham Leisure Centre.
- Working with leisure providers, waste teams and crematorium to improve energy efficiency and reduce fuel use
- Business support had worked hard to reduce energy use of Council systems, servers and IT equipment.
- The Council had fitted electric vehicle charging points in the majority of its car park and was trialling a 100% electric waste collection vehicle.
- Battery, paper and printer toner recycling was provided at the Council officers.
- Each Committee report included a section for the consideration of sustainability and climate change in relation to a project or activity and a Sustainable Construction and Renewable Energy Supplementary planning document had been adopted.
- Information was provided to homeowners on grants, saving energy and sustainable building. Further, 'collective switching' opportunities were promoted to save residents' money on fuel bills and neighbouring authorities were being engaged with on wider initiatives.

It was noted that the proposed Chiltern Lifestyle Centre would further reduce CO2 emissions by approximately 12% and the building design would enable further opportunities to consider PV and Battery energy storage options to enable greater CO2 reductions. The proposed infrastructure would enable further opportunities for increased cycling, walking, and electric vehicle charging. The design also incorporated sustainable drainage systems which would allow the rain water to percolate back into local aquifers and avoid the impact of flooding. The opportunities to redevelop the current Chiltern Pools would allow more sustainable building on the site again reducing CO2 emissions. The Council continued to advocate and support householders to improve domestic energy efficiency and would work to maximise opportunities to reduce energy and CO2 emissions through promoting the Government policies as they developed.

On being put to the vote, the motion was declared carried by the Chairman, following which it was

RESOLVED:

That the Motion be carried.

20 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.

21 STAFFING (CONFIDENTIAL) - JOINT STAFFING COMMITTEE - 9 JULY 2019

Full Council considered a report on the compulsory redundancy and the proposed exit date of the Councils' Chief Executive and Head of Paid Service, and the division of his responsibilities between the existing Directors and Head of Legal and Democratic Services. This report had been considered by the Joint Staffing Committee on 9 July 2019.

The report detailed the costs and savings associated with the exit of the Chief Executive and after due consideration, it was unanimously

Moved by Councillor I Darby, seconded by Councillor P Jones and

RESOLVED

- 1. That the Council (the employing authority) approve the compulsory redundancy and proposed exit date and contractual exit payment of the Chief Executive and Head of Paid Service on the terms set out in the Committee report.**
- 2. That the Council approve the proposed delegation of duties and interim structural changes to ensure all statutory functions at the Council were fulfilled until 31 March 2020.**
- 3. That from 1 September 2019 to 31 March 2020 the Director of Resources, Jim Burness, be appointed as the Council's statutory Head of Paid Service, the Director of Services, Steve Bambrick, be designated as Acting CEO and the Head of Legal and Democratic Services and Monitoring Officer, Joanna Swift, be appointed as the Council's statutory Electoral Registration Officer and Returning Officer.**

The meeting ended at 8.25 pm

CHAIRMAN'S DIARY	
13 JULY 2019 to 31 OCTOBER 2019	
14 July	Buckinghamshire Scouts Awards Presentation, Aylesbury
14 July	Beaconsfield Town Mayor Civic Service, Beaconsfield (attended by Vice Chairman)
24 July	Scout Funding Event, Beech House, Amersham
7 August	Amersham and District Community Association AGM, Amersham
11 September	Action4Youth Big Night Out, Aylesbury (attended by Vice Chairman)
14 September	Hearts of Bucks Annual Reception, Beaconsfield
25 September	BBC 3 Counties Radio People Awards, Dunstable
9 October	Bucks Business First Presentation, Aylesbury
19 October	Queens Award for Voluntary Service Presentation, Amersham
24 October	Hightown Housing Stakeholder Presentation, Heme;l Hempstead
24 October	Young People & Volunteers of Chalfont St Giles Youth Club, Chalfont St Giles
24 October	SERFCA Presentation of Awards Ceremony, Aylesbury

SUBJECT:	<i>Appointment of Leisure Operator</i>
RELEVANT MEMBER:	<i>Councillor Liz Walsh, Portfolio Holder for Healthy Communities</i>
RESPONSIBLE OFFICER:	<i>Martin Holt, Head of Healthy Communities</i>
REPORT AUTHOR:	<i>Martin Holt; martin.holt@chilternandsouthbucks.gov.uk</i>
WARD/S AFFECTED:	<i>(All Wards);</i>

1. Purpose of Report

The purpose of this report is to inform Members of the outcome of the Cabinet meeting on 20 August 2019 and the Buckinghamshire Council Shadow Executive meeting on 10 September and to note the capital investment in the Chiltern Lifestyle Centre, Chesham and Chalfont Leisure Centres proposed by the leisure operator.

RECOMMENDATION TO COUNCIL

To note that £5.664M has been added to the Buckinghamshire Council capital programme to enable capital investment in the Chiltern Lifestyle Centre, Chesham and Chalfont leisure centres to be made by the leisure operator.

Agreed by Cabinet on 20 August 2019:

- That Cabinet note the current position regarding the procurement of the Chiltern leisure operator contract
- That Cabinet agrees that the leisure operator contract for the operation of the Chiltern Lifestyle Centre, Chesham and Chalfont leisure centres and interim operation of the Chiltern Pools can be awarded to the most economically advantageous tender
- That Cabinet agrees to enter in to leases with the leisure operator to occupy the Chiltern Lifestyle Centre, Chesham and Chalfont leisure centres and the Chiltern Pools.
- That delegated authority is given to the Head of Healthy communities to agree the final terms of the leisure operator contract and leases.

Agreed by the Buckinghamshire Shadow Executive on 10 September 2019:

- That the proposal to develop the Chiltern Lifestyle Centre be agreed.
- That net expenditure of £33,500,000 as included in the current Chiltern District Council capital programme for the construction of this project, to be funded from borrowing, as agreed.

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- That the appointment of the Leisure operator to manage the new Leisure facilities from 1st April 2020 be agreed.
 - That it be agreed that additional expenditure for the refurbishment of Chalfont and Chesham leisure centres and the Furniture, Fixture and Equipment costs of the Chiltern Lifestyle Centre, as contained within the tender of the appointed leisure operator, be funded from borrowing.
 - That the setting aside of £2.26M from General Reserves to cover the three year initial revenue costs be agreed. This is to be replenished during the 15 year contract period, ensuring the Chiltern Lifestyle Centre is delivered at no cost to the Council Tax payer.

2. Content of the Report

- 2.1. At the Cabinet meeting on 26th June 2018 a decision was made to procure the leisure operator contract to manage the Council's current leisure centres and the proposed Chiltern Lifestyle Centre subject to its development.
- 2.2. The approach taken was to tender for a Mandatory Solution of operating the Chiltern Lifestyle Centre and the Chesham and Chalfont Leisure Centres for a 15 year period from 1st April 2020 with the option to extend the contract by 5 years.
- 2.3. A Mandatory Variant Solution was also sought to enable the Council to appoint a leisure operator to manage the existing leisure centres for a 15 year period from 1st April 2020, should the Chiltern Lifestyle Centre not be developed. The Mandatory Variant Solutions only being evaluated if the decision is to maintain the continued operation of the Chiltern Pools for 15 years.
- 2.4. This approach assisted the Council in testing the validity of the business case, produced by Knight Kavanagh and Page (KKP), as to the operation of the proposed Chiltern Lifestyle Centre.
- 2.5. The Bidders were also instructed to put forward investment proposals for the Chesham and Chalfont Leisure Centres to be delivered within the first year of the contract. This would enable the centres to remain vibrant and continue to attract market share. The Council will pay for the investment, but the fee payable by the operator will repay the cost of the loan to the Council
- 2.6. The highest scoring tender was submitted by Sport and Leisure Management Ltd (SLM) who trade as Everyone Active. At the time the report was submitted to Cabinet the successful Bidder could not be identified in accordance with the procurement governance procedures. The decision requiring approval by the Shadow Executive of Buckinghamshire Council.

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- 2.7. The procurement exceeded the threshold income target of providing the Council with an average guaranteed net income of £1.2M/annum over a 15 year contract to operate the Chiltern Lifestyle Centre, and Chesham and Chalfont Leisure centres.
 - 2.8. The management fee to be paid by SLM to the Council will fully fund the cost of borrowing, and lifecycle repairs to external structural elements of the buildings for which the Council retains responsibility.
 - 2.9. SLM are an established leisure operator with a good financial standing and have operated in the market for 25+ years and each manage over 180 centres across the nation. Should the operator enter in to liquidation then the parent company guarantee would be activated under the contract.
 - 2.10. SLM proposes to invest £4,659,000 in the Chesham and Chalfont leisure centres and £1,005,000 for the Furniture, Fittings and Equipment fit out at the Chiltern Lifestyle Centre. The works proposed will refresh these two centres creating new market opportunities offsetting the risk of trade being lost to the Chiltern Lifestyle Centre.
 - 2.11. The Chiltern Lifestyle Centre Scrutiny Committee and Cabinet agreed that the investment proposed by SLM meets the Councils aspirations to invest in Chesham and Chalfont leisure centres and the cost of borrowing is met by the management fee paid to the Council.
 - 2.12. The Shadow Executive of Buckinghamshire Council at its meeting 10th September agreed the appointment of the leisure operator and that £5,664,000 is added to the capital programme for 2020/21
 - 2.13. This report is to note that £5,664,000 has been added to the 2020/21 Buckinghamshire Council capital programme to enable capital investment in the Chiltern Lifestyle Centre, Chesham and Chalfont leisure centres to be made by the leisure operator

Chiltern Lifestyle Scrutiny Committee

Members of the Chiltern Lifestyle Scrutiny Committee considered the report and the Private Business Case and loan repayment spreadsheet on 7 August 2019 and advised it be amended to reflect interest payments and changes to car parking income.

Members of the Chiltern Lifestyle Scrutiny Committee recommended:

1. That Cabinet note the current position regarding the procurement of the Chiltern leisure operator contract
2. That Cabinet agrees that the leisure operator contract for the operation of the Chiltern Lifestyle Centre, Chesham and Chalfont leisure centres and interim

operation of the Chiltern Pools can be awarded to the most economically advantageous tender

3. That Cabinet recommends to Council that a sum to be agreed to be added to the capital programme to enable capital investment in the Chiltern Lifestyle Centre, Chesham and Chalfont leisure centres to be made by the leisure operator.
4. That Cabinet agrees to enter in to leases with the leisure operator to occupy the Chiltern Lifestyle Centre, Chesham and Chalfont leisure centres and the Chiltern Pools.
5. That delegated authority is given to the Head of Healthy communities to agree the final terms of the leisure operator contract and leases.

3. Corporate Implications

6.1 Financial – the bids have been evaluated against a Public Works Loan Board repayment rate of 2%. The rate has increased to 2.76% since the appointment of the leisure operator.

The Bidders have provided a return based on current prices however the Business Case takes in to account likely inflationary increases in payments from contractor

Following all income and expenditure as part of the Contract the Council will be £300k/annum better than its current expenditure on leisure.

SLM proposes to invest £4,659,000 in the Chesham and Chalfont leisure centres and £1,005,000 for the Furniture, Fittings and Equipment fit out at the Chiltern Lifestyle Centre. The Buckinghamshire Council Shadow Executive has agreed that £5,664,000 is added to the capital programme to enable capital investment in the Chiltern Lifestyle Centre, Chesham and Chalfont leisure centres to be made by the leisure operator

6.2 Legal - Procurement of services is regulated by the Public Contracts Regulations 2015 (the Regulations) and this procurement has taken place under the regulations controlling Competitive Procedure with Negotiation (CPN). The contract was advertised in the Official Journal of the European Union (OJEU) on 19th October 2018

4. Links to Council Policy Objectives

- Delivering cost- effective, customer- focused services.
- Working towards safe and healthier local communities.
- Striving to conserve the environment and promote sustainability.

5. Next Steps

Contracts to be signed with the Contractor and Leisure Operator in November
Improvements to Chesham and Chalfont to occur in the first year of the leisure contract
following hand over 1st April 2020

Background Papers:	Planning Application. Cabinet and Chiltern Lifestyle Centre Scrutiny Reports as referred to in the report.
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SUBJECT	Political Balance
REPORT OF	Steve Bambrick, Acting Chief Executive
RESPONSIBLE OFFICER	Joanna Swift, Head of Legal and Democratic Services
REPORT AUTHOR	Mat Bloxham, 01494 732143; Mathew.bloxham@chilternandsouthbucks.gov.uk
WARD/S AFFECTED	Not ward specific

1. Purpose of Report

To note the change to the political balance of the Council.

RECOMMENDATIONS:

- 1. That the Council's political balance be noted.**

2. Reasons for Recommendations

Councillor Titterington resigned from the Conservative Group on 26 September 2019. Councillor Shepherd resigned from the Conservative Group on 30 October 2019. The Council is therefore required to consider a report on the resulting change to the political balance of the Council.

3. Political Balance

3.1. The Council's political balance from 30 October 2019 is as follows:

Conservatives – 36 Councillors
 Liberal Democrat – 2 Councillors
 Independent Conservative (not a political group) – 1 Councillor
 Independent (not a political group) – 1 Councillor

3.2. The total number of seats to be allocated to the Conservative group is 90%; with the Liberal Democrat group allocated 5%.

3.3. As a political group requires a minimum of two members, Councillors Titterington (Independent Conservative), and Shepherd (Independent) for political balance purposes, are treated as non-aligned councillors. Regulation 16 of the Local Government (Committees and Political Groups) Regulations 1990 modifies sections 15 and 16 of Local Government and Housing Act 1989 to require a proportional allocation of seats to non-aligned Councillors. Councillors Titterington and Shepherd are therefore entitled to 5 seats between them (5% of the Council's 100

committee seats). The selection of which non-aligned councillors fill those seats is up to the Council.

- 3.4. Section 15 of the LGHA 1989 requires seats to be allocated on ordinary Committees and Sub-Committees (where appropriate) in accordance with the following principles:

First Principle

'Not all seats are allocated to the same Political Group'

This means that all ordinary Committees and Sub-Committees must consist of Conservatives and Liberal Democrats.

Second Principle

'The majority of seats are to be allocated to the Majority Political Group'

This means that the majority of seats on ordinary Committees and Sub-Committees are to be allocated to the Conservative Group. It also means a clear majority in practice – without the use of a second vote.

Third Principle

'Subject to the First and Second Principles, the total number of seats each political group has on all ordinary committees shall be in proportion to the proportion of seats that it has on full Council'

This means that for each politically balanced Committee, the Conservatives are entitled to 90% of the seats and the Liberal Democrats are entitled to 5%. The table below details the entitlement of both Political Groups corresponding to the total number of seats available on a Committee.

Committee Seats	Conservative Seats	Lib Dem Seats
100	90.00	5.00
15	13.50	0.75
14	12.60	0.70
13	11.70	0.65
12	10.80	0.60
11	9.90	0.55
10	9.00	0.50
9	8.10	0.45
8	7.20	0.40
7	6.30	0.35
6	5.40	0.30
5	4.50	0.25
4	3.60	0.20
3	2.70	0.15

Fourth Principle

'Subject to the First, Second and Third Principles, each political group shall have the same proportion of seats as it holds on the council as a whole'

This means that subject to the other principles, the total seats that each Political Group has shall correspond to the total seats on Full Council.

The following table shows the proposed allocation of seats for both the Conservative Group and the Liberal Democrat Group.

	40	Conservative			Lib Dems			Non-aligned Councillors		
		Seats		36	Seats		2	Seats		2
		%		90.00%	%		5.00%	%		5.00%
		Places	Proposed	Ent.	Round	Proposed	Ent.	Round	Proposed	Ent.
Appeals and Complaints	11	9	9.90	10	1	0.55	1	1	0.55	1
Audit and Standards	9	8	8.10	8	1	0.45	1	0	0.45	0
Governance and Electoral Arrangements	11	10	9.90	10	1	0.55	1	0	0.55	1
Licensing	15	13	13.50	14	1	0.75	1	1	0.75	1
Resources Overview	15	14	13.50	14	1	0.75	1	0	0.75	1
Services Overview	15	12	13.50	14	1	0.75	1	2	0.75	1
Planning	13	11	11.70	12	1	0.65	1	1	0.65	1
Joint Staffing	6	5	5.40	5	1	0.30	1	0	0.30	0
Joint Overview	5	4	4.50	5	1	0.25	1	0	0.25	0
TOTALS	100	86	90.00	92	9	5.00	9	5	5.00	6
ACTUAL TOTALS	100	86	86%		9	9%		5 *	5% *	

*Although the non-aligned Councillors are not a political group there is a requirement for non-aligned Councillors to have the same proportion of seats on Committees as they have seats on the Council. It is for Council to decide how seats for non-aligned Councillors are allocated. The table above reflects the current allocation of seats.

7. Corporate Implications

7.1 Financial

The recommendation in this report has no direct financial implications and can be met within existing budgets.

7.2 Legal

The Council is required to review the allocation of seats to committees whenever there is a change to political balance.

8. Links to Council Policy Objectives

Ensuring representation on the Council's Committees, outside bodies and informal meetings supports the delivery of the Council's key objectives.

9. Next Steps

If required, the record of appointments to committees will be updated accordingly.

Background Papers:	None other than those referred to in the report.
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SUBJECT	Report on Special Urgency
RELEVANT MEMBER	Councillor I Darby, Leader of the Council
RESPONSIBLE OFFICER	Steve Bambrick, Acting Chief Executive
REPORT AUTHOR	Mathew Bloxham, Democratic & Electoral Services Manager; Mathew.bloxham@chilternandsouthbucks.gov.uk
WARD/S AFFECTED	Not Ward Specific

1. Purpose of Report

To report to full Council the urgent items considered by the Extraordinary Cabinet meeting held on 27 August, as required by Section 12.4 of the Council's Overview and Scrutiny Procedure Rules.

RECOMMENDATION:

That Full Council note the report.

2. Reasons for Recommendations

As set out in section 12.4 of the Council's Overview and Scrutiny Procedure Rules, decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.

3. Content of Report

Details of the decisions and reasons for urgency are included below. The relevant notices were published to the Council's website in advance of the meetings.

27 August 2019 – Extraordinary Cabinet

Decision:

At its meeting on 27 August 2019 It was resolved by Cabinet that:-

1. the Shadow Executive of Buckinghamshire Council's preferred option for the delivery of the relevant services was noted.
2. authority be delegated to the Acting Chief Executive and Director of Services to decide whether to implement the Shadow Executive's preferred option in consultation with the Leader and the Portfolio Holder for Environment.
3. authority be delegated to the Head of Environment to progress the decision of the Acting Chief Executive and Director of Services, including negotiating and concluding the final terms of any necessary documentation.

Reasons for Urgency: Under Rule 12.2 of the Council's Overview and Scrutiny Procedure Rules the Chairman of Services Overview Committee agreed to urgent implementation of the Cabinet's decision without the call-in procedure applying because implementation was required as a matter of urgency in order to comply with procurement timescales. A delay in implementation would prejudice the Council's interests.

4. Consultation

In accordance with the Council's Overview and Scrutiny Procedure Rules, as detailed above, the Chairman of the Services Overview Committee was consulted prior to the decisions being dealt with as a matter of urgency.

7. Corporate Implications

- 7.1 Financial: None arising from this report, the reports from the Extraordinary Cabinet meeting can be viewed on the Council's website.
- 7.2 Legal: This report has been provided in accordance with the Council's Overview and Scrutiny Procedure Rules which require decisions taken as a matter of urgency to be reported to the next available meeting of the Council, together with the reasons for urgency.

8. Next Steps

This report is to be noted by full Council at the meeting on 12 November 2019.

Background Papers:	CDC Extraordinary Cabinet 27 August 2019
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