



CHILTERN
District Council

Council

Tuesday 12th November 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
CHILTERN LIFESTYLE CENTRE SCRUTINY SUB-COMMITTEE
held on **31 JULY 2019**

PRESENT: Councillor N Varley - Chairman

Councillors: J Burton
J Gladwin
P Jones
D Phillips
N Rose
L Smith

APOLOGIES FOR ABSENCE were received from Councillor V Martin; Councillor J Gladwin apologised for lateness.

ALSO IN ATTENDANCE: Councillors M Harker, J Cook, G Harris, M Stannard and E Walsh

15 MINUTES

The minutes of the meeting held on 11 April 2019 were noted.

16 DECLARATIONS OF INTEREST

There were no declarations of interest.

17 WORK PROGRAMME

The Committee considered the work programme attached to the reports pack. Members were informed that the pre-construction site preparation would not be available for the meeting on 7th August, however this was covered by a planning condition.

RESOLVED

That the work programme be noted.

18 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).

19 FINAL CHILTERN LIFESTYLE BUSINESS PLAN

The Committee received a report which presented the final business case for the proposed Chiltern Lifestyle Centre and associated car park redevelopment. Officers highlighted the key points from the report and provided a detailed breakdown of the figures included in the appendices.

The design has been tested for its buildability and cost of build by the Council undertaking a Pre-Construction Service Agreement with BAM. BAM have confirmed a build programme and are continuing to work on the detailed building design to deliver a fixed cost for a Design and Build proposal for the centre.

The fixed price proposal has been slightly delayed but the current update from BAM is that the scheme will be brought in under an estimate of £36M.

Within that £36M is the cost of the

- Car Park £2.3M,
- Library and community facilities £5.13M and
- Leisure facility £28M

The business case considers the worst case on build costs of £36M and the worst case on income provided to the Council at an average guaranteed net income of £1.25M/annum over a 15 year contract.

Members were informed that the facility mix had attracted significant interest from leisure operators in the market and competitive bids had been received. The Committee would be updated at the meeting on 7th August with details of the highest scoring bidder following completion of the evaluation process. It was noted that the figures included in the supplementary appendix 4 were examples based on a worst case scenario, and it was expected that these would be exceeded by the appointed operator.

Questions raised by Members during the discussion included the following:

- It was queried whether surplus profit generated by the operator would be shared with the Council. Officers confirmed profits exceeding the

agreed amount set out in the contract would be shared 50/50 between the operator and the Council.

- A Member raised concerns regarding the fees and overheads charged to the existing community organisations leasing the existing community facilities when they move in to the new centre. It was clarified in response that organisations leasing the existing facilities would be in no worse position when taking in to account lease and overhead costs for using the new centre, although this could be reviewed as necessary going forward.
- A Member queried whether there would be other commercial outlets in the centre, in addition to the café. It was advised in response that the contractor would have a small commercial offering of sports equipment and there was provision for pop-up stalls and booths which could be used for promotions by the Council or community groups; however there would be no other commercial outlets.
- It was queried whether the contractors had carried out their own research into the expected number of visitors to the centre and if they would be able to walk away from the contract if these expectations were not met. Officers confirmed that the bidders had carried out their own extensive research into the expected number of visitors and were confident of reaching targets. Once the contract with the operator was signed they would be committed to delivering the agreed financial return to the Council for the duration of the contract.

A number of Members indicated their support for the business case and were pleased that the Council would be in a stronger financial position as a result of the project. It was also considered positive that the leisure centres in Chesham and Chalfont would benefit from the project. It was felt that the new centre would be important in attracting new visitors to Amersham and it was hoped that this would translate into more visitors to the high street.

A Member raised strong concerns regarding the environmental impact of the project on the area surrounding the new centre. These concerns included the negative effect that the increased number of visitors would have on residents living around the centre, the loss of a quarter of King George V playing field, and the overall size of the design.

RESOLVED to recommend to Cabinet

- 1. That the current position be noted.**
- 2. That the final business case and proposals for the Chiltern Lifestyle Centre project be agreed.**
- 3. That Cabinet agrees to utilise the £33m in the capital programme for the construction of this project and allocate £500,000 from reserves to the project to cover the contingency sum.**
- 4. Subject to the Full Council decision on the planning application for**

the Chiltern Lifestyle Centre, to authorise the Head of Healthy Communities, in consultation with the Portfolio Holder and Director of Services, to conclude the delivery agreement between BAM and the Council for the final construction phase.

- 5. That the Head of Finance be authorised to negotiate and conclude any necessary agreements to allow the development to proceed through to completion.**
- 6. That the loss in revenue income arising from the discontinuation of the Library car park from October 2019 be noted.**
- 7. To note and agree the re-phasing of the pre-construction costs of this project from £1,750,000 to £2,421,381 to avoid future costs arising from a delay to the build programme.**

Note 1: Councillor M Harker entered the meeting at 6.54pm

Note 2: Councillor J Gladwin entered the meeting 7.19pm

The meeting ended at 7.20 pm

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the CHILTERN LIFESTYLE CENTRE SCRUTINY SUB-COMMITTEE held on 7 AUGUST 2019

PRESENT: Councillor N Varley - Chairman

Councillors: J Burton
J Gladwin
V Martin
D Phillips
N Rose
L Smith

APOLOGIES FOR ABSENCE were received from Councillors C Ford, P Jones and C Rouse

ALSO IN ATTENDANCE: Councillors I Darby, M Stannard, E Walsh and J Cook

20 MINUTES

The minutes of the meeting held on 31 July 2019 were noted.

21 DECLARATIONS OF INTEREST

There were no declarations of interest.

22 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).

23 APPOINTMENT OF LEISURE OPERATOR

The Committee received a report which provided an update on the current position regarding the procurement of the Chiltern leisure operator contract and sought approval to amend the capital programme 2020/21 to undertake

the capital investment in the Chesham and Chalfont leisure centres; to enter in to leases with the chosen leisure operator to occupy the Chiltern Lifestyle Centre, Chesham and Chalfont leisure centres and the Chiltern Pools and; for the new leisure operator contract for the operation of the centres to be signed.

The sub-committee was advised that 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 1 April 2020 with the option to extend the contract by 5 years. 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 1 April 2020, should the Chiltern Lifestyle Centre not be developed, however this option would only have been evaluated if the decision was to maintain the continued operation of the Chiltern Pools for 15 years.

Bidders had been 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 would pay for the investment, however the fee payable by the operator would repay the cost of the loan to the Council.

Members were advised that the procurement of the Chiltern Leisure Operator contract had reached a satisfactory conclusion with Bidders exceeding 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. All final tenders were fully compliant with the member policy decisions. If the highest scoring tender was accepted, the management fee to be paid by the leisure operator to the Council would fully fund the cost of borrowing, and lifecycle repairs to external structural elements of the building for which the Council would retain responsibility.

It was clarified that should the selected operator enter liquidation at any point during the term of the contract then either an insurance backed bond or parent company guarantee would be activated by the contract.

The Committee was taken through the key commitments and deliverables from bids received, and how estimated usage figures affected the business case. A detailed presentation was provided to the Committee and contained the proposals from the highest scoring bidder along with the proposed design and layout to each of the Chalfont and Chesham centres.

Members were encouraged by the proposed improvements to the centres at Chesham and Chalfont and recognised that these would help to offset potential customer loss to the proposed Chiltern Lifestyle Centre. With the

improvements proposed an increased throughput to both centres had also been predicted by bidders.

A Member queried whether the interest the balance of the loan would accrue in the Council's deposit accounts had been factored in to the business case. It was said that presently this was around 1% and had not been included at this stage. In addition, whilst the cost of build of the car park had been included in the business case presented, the potential income had not. It was explained that the income could be used to help offset the cost of the car park and the business case would be updated ahead of the Cabinet meeting to reflect this.

In response to a concern raised, it was explained that in the initial years there would be a cost to the Council whilst the proposed Lifestyle Centre was in its development phase; however from year 4 onwards an income was projected.

It was confirmed that an annual amount of £100k had been set aside for any structural maintenance which the Council would remain responsible for. The build would be to a high standard, new build guarantees would be in place and whilst there can be no guarantee there was not a likelihood of structural repairs being required within the first 15 years of the proposed centre's lifespan.

The sub-committee acknowledged that the business case was viable and recognised that as well as improving leisure provision; it would also improve Council finances at no additional cost to the taxpayer and the leisure operator bids received further strengthened the business case.

The sub-committee agreed that the recommendations outlined in the report should go on to Cabinet. Should Cabinet agree the recommendations at its meeting on 20 August 2019, the business case would then be considered by the Shadow Executive of the Shadow Buckinghamshire Council on 10 September 2019.

RESOLVED to RECOMMEND to Cabinet

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 be given to the Head of Healthy communities to agree the final terms of the leisure operator contract and leases.

The meeting ended at 7.32 pm

**Publication
Date
13
September
2019**

CHILTERN DISTRICT COUNCIL

**MINUTES of the CABINET
held on 20 AUGUST 2019**

PRESENT Councillors I Darby - Leader
M Stannard - Deputy Leader
C Jones
P Martin
J Rush
E Walsh

APOLOGIES FOR ABSENCE were received from Councillor F Wilson

ALSO IN ATTENDANCE: Councillors P Jones and P Shepherd

16 MINUTES

The minutes of the Cabinet held on 9 July 2019 were approved and signed by the Chairman as a correct record.

17 DECLARATIONS OF INTEREST

There were no declarations of interest.

18 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 16 September 2019.

RESOLVED –

That the Draft 28-Day Notice / Forward Plan, to be published on 16 September 2019, be noted.

19 CURRENT ISSUES

(i) Councillor I Darby -

Councillor I Darby reported that the nominated representatives on the Shadow Executive of the Shadow Buckinghamshire Council had continued to meet informally on a weekly basis, with formal meetings taking place every three weeks. Councillor Darby advised that formal meetings of the Shadow Executive were webcast online for those who were interested. There remained a large range of tasks to be addressed as part of the transition to Buckinghamshire Council and continued thanks were given to all staff that were engaged with the various unitary projects and who continued to offer their time willingly and engage positively with the transition.

20 INTER AUTHORITY AGREEMENT FOR BUCKS COUNTY COUNCIL LEGAL SERVICES

The Cabinet were asked to consider a report on the Chiltern and South Bucks joint Legal Service carrying out legal work for Buckinghamshire County Council from 1 October 2019 to 31 March 2020 together with Wycombe District Council. This would facilitate the re-establishment of an in-house legal service for Buckinghamshire County Council following termination of their external legal services contract with HB Public Law on 30 September 2019 and minimise redundancies across all organisations during the transition to a unitary council.

RESOLVED

- 1. That Chiltern District Council enters into an Inter Authority Agreement with South Bucks District Council and Wycombe District Council for the provision of legal services to Buckinghamshire County Council from 1 October 2019 to 31 March 2020.**
- 2. That the Head of Legal and Democratic Services be authorised to agree the final terms and conditions of the IAA.**

21 CHILTERN LIFESTYLE CENTRE SCRUTINY SUB-COMMITTEE COMMENTS AND RECOMMENDATIONS

Cabinet received a report from the Chiltern Lifestyle Centre Scrutiny Sub-committee which detailed comments and recommendations following a series of meetings held between February and August 2019 where the business case and associated reports on the proposed Chiltern Lifestyle Centre were scrutinised.

Cabinet noted the report which summarised the sub-committee's findings that the existing Chiltern pools were no longer fit for purpose and recognised that the Chiltern Lifestyle Centre was the best possible solution whilst being of no additional cost to the taxpayer. Further, the sub-committee had acknowledged that benefits would spread wider than the proposed new centre with planned upgrade works to the existing centres at Chalfont St Peter and Chesham being an integral part of the project. Cabinet thanked the sub-committee members for their time and valuable input.

RESOLVED

- 1. That Cabinet's thanks to the sub-committee be noted.**
- 2. That the report and recommendations be noted.**

22 CABINET REPORTS FROM POLICY ADVISORY GROUPS:

There were no reports to consider from Policy Advisory Groups since the last meeting of Cabinet on 9 July 2019.

23 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)

24 CHILTERN LIFESTYLE CENTRE BUSINESS CASE

Cabinet considered a report which contained the final business case for the proposed Chiltern Lifestyle Centre and associated car park redevelopment. The key points of the report were highlighted and detailed breakdowns of the figures that form the business case were included in the appendices.

The final fixed project cost of the Chiltern Lifestyle Centre was c£36m. It was proposed that this would be financed by way of loan from the Public Works Loan Board.

Cabinet noted that there would be a cost to the Council during 2020/21 to continue the operation of the existing facility during the construction phase, following which the Council would then receive an income generated from the proposed centre. As the years progressed this income would increase. On the assumption that bids of a similar level were received to operate the centres at the time the leisure operator contract was up for renewal from year 16 onwards, over the 40 year period a significant profit for Buckinghamshire Council was predicted and deemed realistic.

Factored in to the business case was an annualised capital cost of £100k to deal with any structural repairs or external maintenance. Rental income would continue at the existing rate for the nursery and community centre to ensure that they were in no worse position, these lease agreements would be subject to a five yearly review.

It was proposed that an agreement be entered into with Sport England to draw down the Strategic Facilities grant of £1.5m and to use this funding in addition to the current capital programme.

Councillor M Stannard advised of the significant amount of time and work that had gone into the project over the past five years and spoke positively of the effect the proposed new lifestyle centre and proposed improvements at the centres at Chesham and Chalfont would have on residents of not only the Chilterns, but the whole county. The proposals before Cabinet would deliver a first class facility which would have something inside for every resident. The proposed lifestyle centre would deliver revenue to Buckinghamshire Council and could improve many residents' health and wellbeing.

Cabinet recorded its thanks to Councillor Stannard for his dedication, determination and time committed in supporting the project to reach this stage. Further, officers were thanked for their time and commitment given to the project with each stage having been carried out meticulously and professionally, and hundreds of hours work having been put in. Cabinet agreed that this would be a flagship centre for the entire county and residents would be delighted to use the new facilities in the knowledge that they were cost effective.

The Leader welcomed comments from non-cabinet members. Councillor P Jones emphasised that it was key that designs of the proposed centre were not changed as this could significantly increase costs to the Council. In addition, whilst recognising that this risk would lie with the operator, Councillor P Jones said that the estimated number of visits remained optimistic and should be treated with caution and queried the evidence behind it. Councillor P Jones added that at each of the Chiltern Lifestyle Centre Scrutiny Sub-committee meetings he had attended, members had been very thorough in their questioning and officers had answered questions in detail and in honesty which instilled confidence that building a top class facility was the best option.

Councillor N Shepherd agreed that the proposal before Cabinet was the best option for Buckinghamshire Council, he emphasised the importance of marketing and promoting the project which would excite so many residents and was such a good reflection of the work the Council does.

In response to Councillor P Jones concern, Councillor Stannard explained that experienced leisure operators who had carried out extensive research had guaranteed their number of visitors to the proposed centre as part of their bid for the operator contract, so if this number was not met, the risk was theirs rather than the Council's. If the operator was to outperform its targets, the Council would receive 50% of the extra funds generated.

The Leader acknowledged that whilst the project had been initiated by this Council, at the time of the proposed centre being opened, Buckinghamshire Council would be the responsible authority. The proposed centre was described as a facility which residents of the Chilterns and Buckinghamshire could be proud of. The Leader re-iterated that this would be a flagship project for the new Council and further thanks to Councillor Stannard and the team of officers behind the project were noted.

With Cabinet support, the business case would be considered by the Shadow Executive of the Shadow Buckinghamshire Council on 10 September 2019.

RESOLVED

- 1. That the current position be noted.**
- 2. That Cabinet agree the final business case and proposals for the Chiltern Lifestyle Centre project.**
- 3. That Cabinet agrees to utilise the £33m in capital programme for the construction of this project and allocate £500,000 from reserves to the project to cover the contingency sum.**
- 4. To authorise the Head of Healthy Communities, in consultation with the Portfolio Holder and Director of Services, to conclude the delivery agreement between BAM and the Council for the construction phase.**
- 5. That the Head of Finance be authorised to carry out the necessary arrangements to obtain the loan finance.**
- 6. That the Head of Healthy Communities be authorised to negotiate and conclude any necessary agreements including with Sport England to allow the development to proceed through to completion.**
- 7. That Cabinet note the loss in revenue income arising from the discontinuation of the Library car park from October 2019.**
- 8. To note and agree the re-phasing of the pre-construction costs of this project from £1,750,000 to £2,421,381 to avoid future costs arising from a delay to the build programme.**
- 9. To agree to set aside reserves to cover the three year initial revenue costs, these to be replenished during the 15 year contract period, ensuring the Chiltern Lifestyle Centre is delivered at no cost to the Council Tax payer.**

25 APPOINTMENT OF LEISURE OPERATOR

Cabinet considered a report which detailed the outcome of the procurement exercise to appoint a leisure operator to operate the proposed Chiltern Lifestyle Centre, Chesham and Chalfont leisure centres and interim operation of the Chiltern Pools. The report requested that Cabinet consider amending the capital programme 2020/21 to undertake the capital investment in the Chesham and Chalfont leisure centres; to enter in to leases with the chosen

leisure operator to occupy the Chiltern Lifestyle Centre, Chesham and Chalfont leisure centres and the Chiltern Pools and; for the new leisure operator contract for the operation of the centres to be signed.

The procurement of the Chiltern Leisure Operator contract had reached a satisfactory conclusion with bidders having 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. If the highest scoring tender was accepted, the management fee to be paid by the leisure operator to the Council would fully fund the cost of borrowing, and lifecycle repairs to external structural elements of the building, an area which the Council would retain responsibility for.

Cabinet was taken through the key proposals of the highest bid received, and a detailed presentation was provided in the reports pack which contained the proposed design and layout to each of the centres at Chalfont and Chesham.

The positive environmental impact was also recognised with planned reductions to energy consumption and carbon emissions.

Cabinet recognised the importance of the proposed improvements to the leisure centres at Chesham and Chalfont, having been acutely aware of the risk that customers would migrate from these centres to the proposed new centre in Amersham when the build had completed. The proposals for these centres were described as exciting and having exceeded expectations. Young people of the Chilterns would be particularly encouraged to use the centres, although each of the centres included activities for all age groups.

The Leader noted that the bids received had been strong and had met all of the desired needs for a new leisure facility; in addition impressive improvements to the leisure centres at Chesham and Chalfont would further excite residents. The Leader recognised that each centre would encourage a significant number of residents to visit, particularly those who were not currently using any leisure facility, or even engaging in no exercise at all. This vastly improved leisure provision would promote residents to lead healthier, more fulfilled lives and would greatly benefit Buckinghamshire Council.

RESOLVED

- 1. That Cabinet notes 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 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.**
- 4. That delegated authority is given to the Head of Healthy Communities to agree the final terms of the leisure operator contract and leases.**

And RESOLVED to recommend to Council

That a sum to be agreed 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.

The meeting ended at 7.33 pm

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the CABINET

held on **27 AUGUST 2019**

PRESENT: Councillor I Darby - Leader
M Stannard - Deputy Leader

Councillors: M Stannard
C Jones
P Martin
J Rush
E Walsh

APOLOGIES FOR ABSENCE were received from Councillors F Wilson

ALSO IN ATTENDANCE: Councillor J Gladwin

26 DECLARATIONS OF INTEREST

There were no declarations of interest.

27 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 persons

Paragraph 5 – Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings

28 JOINT WASTE PROCUREMENT

The Cabinet decision is required to be implemented as a matter of urgency in order to ensure continuity of service provision and comply with procurement timescales. A delay in implementation would prejudice the Council's interests. For this reason the Chairman of Services Overview Committee has agreed to the following:

- to the urgent implementation of the Cabinet's Decision without the call-in procedure in Rule 11 applying, under Rule 12.2 of the Council's Overview and Scrutiny Procedure Rules; and,
- that the Cabinet's decision is urgent and it is therefore impractical to provide the required 28 day notice of the decision as required under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

The Cabinet was given an update on the current situation with the procurement project and the view expressed by the Shadow Executive, and was asked to consider how the waste and recycling collection and cleansing services should be procured and delivered to ensure continuity of service provision after the expiry of the current contract with Serco. The risks and issues were set out in the officers' report and the supplemental appendices.

RESOLVED 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 that 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.

The meeting ended at 8.30 pm

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the PLANNING COMMITTEE held on 12 SEPTEMBER 2019

PRESENT:

Councillors: M Harrold
P Jones
S Patel
N Rose
J Cook

APOLOGIES FOR ABSENCE were received from Councillors D Phillips, M Titterington, J Burton, J Gladwin, C Jones, J MacBean, J Rush, J Waters and C Wertheim

78 ELECTION OF CHAIRMAN

It was proposed by Councillor P Jones and seconded by Councillor M Harrold that Councillor N Rose be Chairman for the meeting.

79 MINUTES

The Minutes of the meeting of the Planning Committee held on 18 July 2019, copies of which had been previously circulated, were approved by the Committee and signed by the Chairman as a correct record.

80 DECLARATIONS OF INTEREST

There were no declarations of interest.

81 ITEMS FOR NOTING

RESOLVED -

That the reports be noted.

82 REPORT ON MAIN LIST OF APPLICATIONS

RESOLVED -

1. That the planning applications be determined in the manner

indicated below.

2. **That the Head of Planning and Economic Development be authorised to include in the decision notices such Planning Conditions and reasons for approval, or reasons for refusal as appropriate, bearing in mind the recommendations in the officer's report and the Committee discussion.**

APPLICATIONS

PL/19/0592/FA Cherry Orchards, Cholesbury Road, Cholesbury,
Buckinghamshire, HP23 6ND

Speaking for the Objectors, Isobel Clark
Speaking for the application, Alistair Langan

Officers advised Members that there had been one additional letter of objection received relating to the use of stained cladding. Officers confirmed that the Councils Listed Building and Conservation Area Officer had submitted a formal response to the proposal, outlined in paragraph 11 of the Report.

Officers also confirmed that the Applicant had agreed to the proposed pre-commencement conditions. It was also explained that the site location plan needed to be amended and resubmitted as the red edge of the application site did not extend to the highway. The necessary revised certificate and Notice No.1 therefore need to be completed and served and interested parties notified. The recommendation was amended to reflect this.

The Listed Building and Conservation Area Officer explained to Members in response to a question his reasons for not supporting the application.

RESOLVED

DEFER – Minded to approve, decision deferred and delegated to the Head of Planning & Economic Development subject to appropriate conditions including

an amendment to Condition 6 to require all windows on the south eastern flank elevation to be obscured glazed and an additional condition requiring the removal of Permitted Development rights, the required notification of interested parties and no new material planning considerations being raised, the provision of appropriate certificates and an amended location plan. If new material considerations are raised then the application be reported back to Planning Committee.

PL/19/1724/FA

Tier Cottage, Dibden Hill, Chalfont St Giles, Buckinghamshire, HP8 4RD

Speaking for the Parish Council, Councillor Jackie Lomas

Speaking for the Objectors, Bernard Bedford

Speaking as the agent for the applicant, Richard Turnbull

Officers confirmed that a photograph of Dibden Hill had been sent to the Members of the Committee by a local resident. Officers advised Members that two further letters of objection had been received relating to concerns of suitability and ownership of the access and adjacent road network. Members were also advised that Officers had had sight of an illustrative plan indicatively showing a proposed routing agreement, however, any such plan or agreement would be expected to form part of any Transport Management Plan, which forms the basis of proposed Condition No.4. Officers also referred to typographical errors in proposed Condition 9 (reference to condition 1 should read condition 7 and reference to condition 6 should read condition 8). It was recommended that a considerate contractor informative also be added to the grant of any planning permission. . With regard to Affordable Housing Members were advised that whilst the site may ultimately be capable of accommodating more than 10 units – thus invoking considerations as to the provision of affordable housing - factors pertaining to this particular site are such that the scheme as submitted is considered to be acceptable. An increase in density would result in an increase in traffic, and any additional built form or wider land use could potentially materially impact on the openness of the GB,

which the current scheme is not considered to do.
It was confirmed that the applicant agreed to all of the proposed pre-commencement conditions.

RESOLVED

Conditional Permission with Condition 4 amended to include “plan to be implemented as approved”, an additional condition requiring details of a bin storage/enclosure scheme to be submitted to and approved by the Council before commencement of development and then implemented, an amendment to numbering in condition 9 and an informative relating to considerate contractor.

PL/19/2029/TP

3 Fairhaven, Chalfont St Peter, Buckinghamshire, SL9 9JE

RESOLVED

Conditional Consent

PL/19/2428/FA

20 Hivings Park, Chesham, Buckinghamshire, HP5 2LF

Speaking as the agent for the application, Graham Gamell.

Officers referred Members to page 26 of the Agenda and confirmed that the Highways Officer had no objections to the proposal

RESOLVED

Permission Refused

The meeting ended at 7.32 pm

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the **SERVICES OVERVIEW COMMITTEE** held on **19 SEPTEMBER 2019**

PRESENT: Councillor J Burton - Chairman
"

Councillors: D Bray
E Culverhouse
M Flys
P Hudson
P Jones
S Patel
L Smith

APOLOGIES FOR ABSENCE were received from Councillors N Varley, M Titterington, C Jackson, C Rouse and P Shepherd

ALSO IN ATTENDANCE: Councillors I Darby and E Walsh

107 PRESENTATION FROM CHILTERN CITIZENS ADVICE BUREAU

Kristle Barker Chair of Citizens Advice Bureau (CAB) presented their Annual Review for 2018/19. Also in attendance were Claire Seaward (Trustee and Global campaigner) and Jane Morris (Chief Supervisor). The Chair gave an overview of activities and achievements including supporting 4,342 clients with 17,070 problems and achieving £7.4m financial benefits to clients, £1.5 m value to other stakeholders and £8.3m public value to society (through keeping people in work, reducing homelessness and home evictions and getting mental/physical health support.)

The Trustee, Claire Seaward provided information on the clients age distribution, how clients accessed their service and a breakdown of advice issues. The Chief Supervisor provided Members with some case studies about how they had helped people including debt and eviction issues. A Member asked how frequently they gave advice in this area and was informed that there were one – two cases per week and that they had seen a recent rise in repossession threats. The Chair also mentioned the rise in complex problems with 4,000 clients having 17,000 problems which were dealt with by 13 specialist case workers and around 50 generalist advisors. There has been an increase in demand for advice with the introduction of universal credit and an increase in debt with residents not being able to pay basic costs. Coinciding with this was a 45% increase in food bank referrals. A Member asked if the

increase in debt had plateaued out since universal credit had started and the Chief Supervisor reported that this was hard to assess with fluctuations in figures.

In terms of budget the Council gave CAB £150,000 grant and CAB also raised £125,000 through other sources. In relation to the new Buckinghamshire Council, Chiltern had strong collaborative links with other CABs in Buckinghamshire and they were engaging at County level, through senior officers and Members. Councils across Buckinghamshire supported all their local CABs and it was important that this funding commitment continued with the new Council. Chiltern DC had allocated funding for three years to ensure that financing was secure until 2022. The Head of Healthy Communities was working with colleagues looking at commissioning for the new Buckinghamshire Council, which included supporting the voluntary and community sector.

Members thanked CAB for their incredible work with residents.

108 MINUTES

The minutes of the Services Overview Committee held on 13 June 2019 were approved and signed by the Chairman as a correct record.

109 DECLARATIONS OF INTEREST

There were no declarations of interest.

110 28 DAY NOTICE

The Committee received the 28 day Notice of executive decisions to be made by Cabinet on 15 October 2019. Members noted that the report on the review of recycling centres would be submitted to the next cycle of meetings.

RESOLVED

That the 28 Day Notice be noted.

111 PERFORMANCE REPORT - Q1 2019/20

The Committee received a report outlining the annual performance of Council services against pre-agreed performance indicators and service objectives for Quarter 1 of 2019/20. Members noted that the number of missed assisted containers was over target of 170 at 316 at the end of quarter 1. Further to the quarter, this had been raised as an area of operational focus for SERCO, resulting in a reduction to 140 in July and 69 in August, bringing the indicator back under target. The PI regarding speed of processing for new Housing

Benefit/Council Tax Benefit claims had been over target as the team were left with the more complex claims around the rollout of universal credit. The Committee were informed that this was now under target at 19.72 days.

RESOLVED

That the performance reports be noted.

112 CHILTERN DIAL A RIDE REPORT

The Committee received a report which asked for a grant to Chilterns Dial a Ride for the purchase of a new vehicle with a recommendation to use £39,378 from general reserves to support this funding application. Dial a Ride delivered valued community transport services across the District assisting vulnerable disabled and infirm clients and this service was oversubscribed. The aim was to use this extra vehicle to expand the Great Get Together (accessing day trips for older people).

Whilst Members were supportive of this initiative they expressed concern about the costs of the new vehicle and whether there were cheaper alternatives. The Head of Healthy Communities reported that it cost £30 a year membership and that they had purchased a mix of vehicles. He commented that a number of taxis were not wheel chair friendly. Another Member referred to cuts to bus services in their area which would increase demand for the use of this new vehicle.

Members asked for further information on the business case to be reported to the next meeting of this Committee which they would be happy to support if proved viable and affordable to residents. A number of local groups had commented that the service was not value for money, and more expensive than taxis, therefore information would be sought from Dial a Ride as to their journey costs.

RECOMMENDATION to Cabinet

That a grant of £39,378 to Chiltern Dial a Ride for the purchase of a new vehicle be awarded, pending further information on the business case.

113 FOOD AND HEALTH AND SAFETY SERVICE PLAN

The Committee received a report and supplementary appendix which sought approval for the adoption of the Joint Food and Health and Safety Service Plan and Food and Health and Safety Enforcement Policies for the year 2019/2020. The Action Plans contained within the appendices highlight key areas which would be focussed on in the coming year to increase performance

standards. This included guidance on Brexit and preparing for the new Buckinghamshire Council. Following a question Members commented that only food businesses with four/five star ratings tended to display their certificate. Reference was made to the increase of food delivery businesses and the need to ensure the right standards were maintained and the Principal Environmental Health Officer confirmed that these services were being monitored.

RECOMMENDATION to Cabinet:-

1 to approve the Joint Food and Health and Safety Service Plan

2 to approve the Food and Health and Safety Enforcement Policies

114 PUBLIC SPACES PROTECTION ORDERS

The Committee received a report on the review of the current Public Spaces Protection Orders relating to alcohol restriction within Chiltern District and were asked to consider the responses to the consultation. The Principal Environmental Health Officer reported that this was a three year review. There were currently five PSPOs with alcohol restrictions and it was proposed that these Orders be discharged and where there was sufficient evidence to support alcohol restrictions that these be included in a new, single PSPO, attached as an Appendix.

Members noted that there was not any evidence to support the inclusion of Seer Green within the new PSPO and Parsonage Wood, Amersham. However, analysis of anti-social behaviour reports would support the inclusion of the other areas. It was also recommended that Amersham Station Forecourt be included.

In terms of anti-social behaviour a Member referred to the rise in use of nitrous oxide and whether this could be included in the Order. 200 capsules could be picked up a week in a local park. The Principal Environmental Health Officer reported that Thames Valley Police were very aware of this problem but it would not be appropriate to include this in the PSPO as it was more of a littering issue. Evidence would need to be provided that taking nitrous oxide was causing harm to others. He also referred to some local authorities being criticised for including issues in PSPOs such as rough sleeping and street begging which were not crimes and not classified as anti-social behaviour.

RECOMMENDATION to Cabinet:-

- 1. To consider the outcome of the consultation on the existing PSPOs which provide the Police with powers to require any person to stop drinking and surrender alcohol if they are causing or likely to cause anti-social behaviour (ASB) in the following areas:**
 - a- Chesham Cemetery**
 - b- Chesham Town Centre High Street and The Meades Water Garden**
 - c- Amersham-on-the-Hill and Old Amersham**
 - d- Seer Green**
 - e- Land at Roundwood Road and Station Forecourt, Amersham**
- 2. Where there is supporting evidence for restrictions to be in place in a specific area, to approve the addition of this within a single PSPO.**
- 3. Where there is no supporting evidence for restrictions to be in place in a specific area, to approve the discharge of that PSPO and instruct the Head of Healthy Communities to remove any associated signage.**

115 PROPOSED OPTIONS FOR THE ST JOHNS AMBULANCE SITE

The Committee received a report which sought support to progress the recommendations below in relation to the possible future of the former St Johns Ambulance building. This building was purchased as a development site to provide social housing but it was understood at the time that planning guidelines would require ongoing provision of a 'community use' on some of the site. At the time of purchase a community group approached the Council who had been seeking a suitable permanent site for a place of worship. The report outlines the other options that have been considered such as the use of the building by the youth club. However the prospect of attracting a community use which could also fund the development of their facility was unlikely and it would also be more appropriate for the youth club and other community groups to use the new Lifestyle Centre. Members supported the recommendations.

RECOMMENDATION to Cabinet

- 1. To progress to a formal planning application for the demolition of the existing building and its replacement with a ground floor place of worship/community facility with Social Housing over.**
- 2. To formalise working with stakeholders via a Project Board with agreed terms of reference, objectives and funding structure to create a place of worship/ground floor community facility with social housing over.**
- 3. To agree with key stakeholders that as part of the formal project board objectives, we ensure that the Chiltern Youth Centre operator and the Gateway Club are provided with future bases of operation at the new place of worship/community facility.**
- 4. To progress to Heads of Terms the occupancy arrangements of the place of worship/community facility and other parties.**
- 5. To bring forward a further report following the conclusion of the planning application**
- 6. To draw down £50,000 from the General Reserves for the necessary pre planning application surveys**
- 7. To draw down funding from the current Capital programme to support the planning application**

The meeting ended at 7.31 pm

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the **RESOURCES OVERVIEW COMMITTEE** held on **25 SEPTEMBER 2019**

PRESENT: Councillor N Rose - Chairman
V Martin - Vice Chairman

Councillors: A Bacon
A Garth
M Harrold
D Phillips
N Southworth
J Waters
C Wertheim

APOLOGIES FOR ABSENCE were received from Councillors C Ford, J Gladwin, R J Jones, J MacBean, M Smith and D Varley

ALSO IN ATTENDANCE: Councillors M Stannard

17 MINUTES

The minutes of the Resources Overview Committee held on 18 June 2019 were approved and signed by the Chairman as a correct record.

18 DECLARATIONS OF INTEREST

There were no declarations of interest.

19 28 DAY NOTICE

The Resources Director informed the Committee that the reduced number of key decisions was due to the upcoming unitary creation, as any decisions affecting future years would be taken by the new Council. Major financial decisions and significant projects affecting the current year are likely to go to the Shadow Executive. Members were advised future meetings would continue as normal up until 1st April 2020 unless the Chairman agreed with officers that the meeting would be cancelled.

20 PERFORMANCE REPORT - Q1 2019/20

The Committee received a report which outlined the annual performance of the Council against pre-agreed performance indicators and service objectives for Quarter 1 of 2019-2020.

The Resources Director advised that there is an established managed process in place to deal with short term and long term absences. The Revenues Operations Manager reported that the Speed of Processing new Housing Benefit claims is measured in days and is the cumulative average across all claims.

The Performance & Policy Officer reported that the figures for July and August for number of missed assisted containers was 140 and 69 respectively and therefore was back on target. It was clarified that figures are collected quarterly and therefore figures for July and August are not present in the report.

Members requested further details with regards to the total number planning enforcement cases open at the end of the period, to be included in future reports.

21 WRITE OFF REPORT 2018/2019

The committee received a report which detailed the final position for write offs for the full year 2018/2019. The Revenues Operations Manager advised that Absconders were difficult to trace as they are often transient populations who do not give forwarding addresses. There were many methods used to reclaim lost revenue, including credit agencies. It was clarified that it is a very minute percentage of total council tax revenue lost to Absconders. Members congratulated officers for their work.

The meeting ended at 6.58 pm

CHILTERN DISTRICT COUNCIL

**MINUTES of the CABINET
held on 15 OCTOBER 2019**

PRESENT Councillors I Darby - Leader
C Jones
P Martin
J Rush
E Walsh
F Wilson

APOLOGIES FOR ABSENCE were received from Councillor M Stannard

29 MINUTES

The minutes of the Cabinet held on 20 and 27 August 2019 were approved and signed by the Chairman as a correct record.

30 DECLARATIONS OF INTEREST

The following declarations of personal interest were made:-

Community Grants

Cllr Darby declared an interest as a Member of Chalfont St Peter (CSP) Neighbourhood Action Group and as Independent Examiner of the Youth Centre.

Cllr P Martin declared an interest as a Member of Prestwood Colts and Girls Football Club, Great Missenden and Prestwood Revitalisation Group and Missenden Walled Garden.

Cllr Rush declared an interest as a Member of Chalfont St Peter Neighbourhood Action Group.

Large Project Fund

Cllrs Darby and Rush declared an interest as a Member of Chalfont St Peter Parish Council and Cllr Martin declared an interest as his wife is a Member of Great Missenden Parish Council

Cllr Wilson declared an interest as a Member of Chesham Town Council and also declared that his wife was a governor at Chesham Grammar School.

31 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 by 8 November 2019. An additional meeting was being arranged for 7 January 2019 to consider a report on approving the Community Infrastructure Levy Charging Schedule.

RESOLVED –

That the Draft 28-Day Notice / Forward Plan, to be published by 8 November 2019, be noted.

32 CURRENT ISSUES

(i) Councillor P Martin -

Councillor Martin reported with regard to the Community Infrastructure Charging Schedule that the consultation had concluded on 23 August 2019 and now they would need to submit the Charging Schedule for examination. The Intelligent Plans and Examinations (IPe) had been appointed to sit on 5 November 2019 at 10am at South Bucks District Council and was expected to last one day. The Examiner's report was expected in December to then be considered at Cabinet and Council on 7 January 2020.

33 PERFORMANCE REPORT - Q1 2019/20

Cabinet received a report which outlined the annual performance of Council services against pre-agreed performance indicators and service objectives for Quarter 1 of 2019-20.

RESOLVED that the performance reports be noted.

34 TREASURY MANAGEMENT QUARTERLY REPORT QUARTER 2 2019/20

Cabinet received a report which detailed the Treasury Management performance of the Council for 2019/20 as required by the Code of Practice on Treasury Management. With reference to the graph on the loans outstanding Members noted that there was a sufficient level of cash reserves to meet immediate short term cash requirements.

The current cash flow assumed that the Council would not borrow funds during 2019/20 to fund the Chiltern Lifestyle Centre Development which was reflected in the decrease in forecast cash by year end in the graph at 3.5 of the report. The Head of Paid Service reported that it was up to the new Buckinghamshire Council to determine the level of sufficient cash reserves and that the Section 151 Officer was minded to not allow external borrowing but this would be a decision of the Shadow Authority when they considered their Treasury Management Strategy. The new Authority would have approximately £90 million and Members would need to consider how this funding should be used to finance expenditure, including Chiltern Lifestyle Centre as part of the budget setting process.

RESOLVED that the report be noted.

35 REVIEW OF ALCOHOL RESTRICTIONS PUBLIC SPACES PROTECTION ORDERS

The Cabinet reviewed the current Public Spaces Protection Orders (PSPO) relating to alcohol restriction within Chiltern District Council and the responses to the consultation.

The Principal Environmental Health Officer reported that this was a three year review. There were currently five PSPOs with alcohol restrictions and it was proposed that these Orders be discharged and where there was sufficient evidence to support alcohol restrictions that these be included in a new, single PSPO, attached as an Appendix.

Members noted that there was not any evidence to support the inclusion of Seer Green within the new PSPO and Parsonage Wood, Amersham. The problems previously experienced in Seer Green were no longer an issue due to a change in the management of the local pub. However, analysis of anti-social behaviour reports would support the inclusion of the other areas. It was also recommended that Amersham Station Forecourt be included as Hill Avenue and Chiltern Avenue do experience anti-social behaviour.

A Member asked if any issues did arise in a particular area how quickly a PSPO could be put in place and noted that it was not a quick process as evidence would need to be gathered over a period of time and then there would need to be a consultation process.

RESOLVED

1. **that the outcome of the consultation on the existing Public Space Protection Orders which provide the Police with powers to require any person to stop drinking and surrender alcohol if they are causing or likely to cause anti-social behaviour (ASB) was noted in the following areas:**
 - a- **Chesham Cemetery**
 - b- **Chesham Town Centre High Street and The Meades Water Garden**
 - c- **Amersham-on-the-Hill and Old Amersham**
 - d- **Seer Green**
 - e- **Land at Roundwood Road and Station Forecourt, Amersham**
2. **that where there is supporting evidence for restrictions to be in place in a specific area, that the addition of this within a single PSPO be approved.**
3. **that where there is no supporting evidence for restrictions to be in place in a specific area, to approve the discharge of that PSPO and instruct the Head of Healthy Communities to remove any associated signage.**

36 FOOD AND HEALTH AND SAFETY BUSINESS PLANS

The Cabinet received a report which sought approval for the adoption of the Joint Food and Health and Safety Service Plan 2019/20, the Food Policy 2019/20 and the Health and Safety Enforcement Policy 2019/20. The Action Plans contained within the appendices highlight key areas which would be focussed on in the coming year to increase performance standards.

The Food Standards Agency's (FSA) Code of Practice and the Health and Safety Executive (HSE) require local authorities to produce and publish an annual service plan that demonstrates how the authorities were working to deliver its food safety and health and safety services. The Office for Product Safety and Standards also required local authorities to produce and publish their enforcement policies and to ensure that they comply with The Regulator's Code.

The percentage of all eligible rated food premises (rating of 3 or better) continued to increase and was currently 96% for Chiltern. In 2018/19 significant enforcement activity took place and four food businesses were successfully prosecuted with fines being issued in the Crown Court of up to

£33,000 and substantial costs being awarded. Members commented that this must have been a serious breach and were informed that officers work with organisations as much as they could to help improve standards.

The Principal Environmental Health Officer made reference to an additional action on reporting to the Food Standards Agency via the statutory return the percentage of businesses that were broadly compliant. This could be undertaken by a self-assessment questionnaire being sent to relevant organisations such as pharmacies and shops.

RESOLVED that the Joint Food and Health and Safety Service Plan 2019/20, the Food Policy 2019/20 and the Health and Safety Enforcement Policy 2019/20 be approved.

37 CHILTERN DIAL A RIDE REPORT

The Cabinet received a report which asked the Cabinet to award a grant of £39,378 to Chiltern Dial a Ride for the purchase of a new vehicle with a recommendation to use general reserves to support this funding application. Dial a Ride delivered valued community transport services across the District assisting vulnerable disabled and infirm clients and this service was oversubscribed. The aim was to use this extra vehicle for the Great Get Together (accessing day trips for older people).

The Head of Healthy Communities reported that it cost £30 a year membership and that they had purchased a mix of vehicles. Some of the vehicles had less seats in them as they needed room for wheelchairs. In addition carers may also be using the vehicle as well. He informed Members that there was also a mix of paid and volunteer drivers; paid drivers were required to provide cover for essential services. Dial A Ride provided a valuable service to vulnerable and isolated people. He commented that a number of taxis were not wheel chair friendly.

Following a question Members were informed that Dial A Ride would provide a contribution of £17,666 to the purchase of the new vehicle. A further question was asked on whether the vehicle would be environmentally friendly and they were informed that they were considering a diesel hybrid.

Cabinet Members asked for further information on the business case to be considered by the Portfolio Holder which they would be happy to support if proved viable and affordable to residents. Consideration would also be given to additional costs for an environmentally friendly vehicle.

RECOMMENDED to Council

That Cabinet are minded to recommend that a grant of £39,378 be awarded to Chiltern Dial A Ride for the purchase of a new vehicle including consideration of potential additional funding for an environmentally friendly vehicle, subject to confirmation as to the amount of the recommended grant to Council by the Portfolio Holder after consideration of further financial information to support the business case.

38 CHILTERN COMMUNITY GRANT AWARDS 2019-20

The Cabinet received a report which asked for agreement to fund grant awards for the Council's 2019/2020 Community Grant Aid Scheme as detailed in Appendix 1 of the report. Members noted that this year's scheme had been further strengthened by increasing the level of grant funding from £32k to £80K and also raising the maximum amount of grant award from £2,000 to £5,000. 51 applications had been received that collectively requested funding of £171,195. All applications were assessed which resulted in a recommendation to award £82,438 to 40 different community organisations. In response to a question Members noted that where bids were unsuccessful the organisation could look at alternative options of grant awards to community groups such as the lottery.

RESOLVED that the allocation of funding awards from the 2019/20 Community Grant Aid Scheme as detailed in Appendix 1 be agreed.

39 CHILTERN LARGE PROJECTS FUND 2019-2020

The Cabinet received a report for approval to fund grant awards from the 2019/20 Large Project Fund Grant Scheme. This Scheme was established this year to support voluntary groups and Town and Parish Councils to provide a lasting legacy for the residents of Chiltern. The Large Project Scheme attracted funding requests totalling £858,435 from a total available grant pot allocation of £160,000. This funding was within budget and additionally the proposed range of applications lever in a significant amount of external funds into the local voluntary sector with a total of £5.4 million funding being available. Members were referred to paragraph 5.7 of the report which showed how funding was allocated so that smaller parishes received a higher percentage of their grant request. Members welcomed this initiative.

RESOLVED that the Council's Large Project Fund be allocated as detailed in Appendix 2 of the report.

40 PROPOSAL FOR THE FORMER ST JOHNS AMBULANCE SITE, AMERSHAM

The Cabinet received a report which sought Members approval on the possible future uses of the former St John Ambulance building. This building was purchased as a development site to provide social housing but it was understood at the time that planning guidelines would require ongoing provision of a 'community use' on some of the site. At the time of purchase a community group approached the Council who had been seeking a suitable permanent site for a place of worship. The report outlines the other options that have been considered such as the use of the building by the youth club. A business case would be submitted to the new Buckinghamshire Council as part of the wider development in April 2020. Members welcomed the report and the provision of a valuable multi-use community facility as well as social housing.

RESOLVED that

- 1. a formal planning application be progressed for the demolition of the existing building and its replacement with a ground floor place of worship/community facility with Social Housing over.**
- 2. the work with stakeholders be formalised via a Project Board with agreed terms of reference, objectives and funding structure to create a place of worship/ground floor community facility with social housing over.**
- 3. an agreement be made with key stakeholders that as part of the formal project board objectives, the Council ensure that the Chiltern Youth Centre operator and the Gateway Club are provided with future bases of operation at the new place of worship/community facility.**
- 4. the occupancy arrangements of the place of worship/community facility and other parties be progressed to Heads of Terms.**
- 5. a further report be brought forward following the conclusion of the planning application**
- 6. £50,000 be drawn down from the General Reserves for the necessary pre planning application surveys**
- 7. funding be drawn down from the current Capital programme to support the planning application.**

41 MINUTES OF JOINT EXECUTIVE COMMITTEES

RESOLVED

That the following notes from Joint Executive Committees be noted:

Chiltern, South Bucks and Wycombe Joint Waste Collection – 22 July 2019

Aylesbury Vale, Chiltern and Wycombe Districts Crematoria Joint Committee – 5 September 2019

42 CABINET REPORTS FROM POLICY ADVISORY GROUPS:

RESOLVED that the following reports from Policy Advisory Groups be noted:-

Healthy Communities PAG – 16 September 2019

Planning and Economic Development PAG – 11 September 2019

The meeting ended at 5.43 pm

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the **AUDIT AND STANDARDS COMMITTEE** held on **16 OCTOBER 2019**

PRESENT: Councillor: J Gladwin (Chairman)

Councillors: A Bacon
C Jackson
R J Jones
D Phillips
C Wertheim

Independent Member: E Jones

APOLOGIES FOR ABSENCE were received from Councillors C Ford, V Martin and N Varley

67 MINUTES

The Minutes of the meeting of the Audit and Standards Committee held on 16 July 2019 were approved by the Committee and signed by the Chairman as a correct record subject to it being made clear in apologies for absence that E Jones is an independent member and not a councillor.

68 DECLARATIONS OF INTEREST

There were no declarations of interest.

69 ANNUAL REVIEW OF CODE OF CONDUCT AND COMPLAINTS PROCEDURE

The Committee considered a report which considered whether the code of conduct and complaints procedures adopted by the Council in accordance with the Localism Act in 2011, remained fit for purpose.

The Committee was advised that the Code of Conduct, attached as Appendix 1, was first adopted by the Council in July 2012 and amended in February 2018 to include clarification that members who declare a personal interest may still speak and vote on the item of business concerned.

The Council's current Complaints Procedure was reviewed and revised by the Committee last January and was attached as Appendix 2. Members were advised that the Monitoring Officer has received one formal complaint in the current financial year which did not proceed past Stage 2. Members noted

that the Monitoring Officer was satisfied that the procedure remains fit for purpose.

RESOLVED

That the report be noted and no changes should be made to the Council's current code of conduct and complaints procedure.

70 COMMITTEE FOR STANDARDS IN PUBLIC LIFE ANNUAL REPORT

The Committee considered the Committee on Standards in Public Life (CSPL) Annual Report for 2018-19.

The CSPL is an independent advisory, non-departmental body which advises the Prime Minister on ethical standards across the whole of public life in England. It monitors and reports on issues relating to the standards of conduct of all public office holders including members of local authorities. The CSPL publishes an annual report and an extract from its 2018 -19 report was attached as an appendix. This contained the Foreword by the Chairman, an overview of work undertaken during the year and the Committee's current work plan.

RESOLVED

That the report be noted.

71 STANDARDS WORK PROGRAMME

The Committee received the Standards Work Programme. A question was raised by Elizabeth Jones (Independent Person) as to whether independent persons would be consulted with on the drafting of the new Code of Conduct and complaints procedures for Buckinghamshire Council. Edwina Adefehinti, Locum Corporate Solicitor & Deputy Monitoring Officer, explained that she believed that independent persons would be consulted with but that she would check this with the Monitoring Officer and would let Elizabeth Jones know the Monitoring Officer's response via email.

RESOLVED

That the Standards Work Programme be agreed.

72 ANNUAL FRAUD REPORT 2018-19

The Committee considered a report which detailed the anti-fraud and error reduction activity undertaken in 2018/19 in relation to Housing Benefit, Council Tax and Housing. The Revenues Fraud and Error Reduction Team are responsible for carrying out anti-fraud activity in relation to Housing Benefit and Local Council Tax Support. The Team also provide assistance to Internal Audit, and all other service areas providing the main resource for fraud and irregularity matters.

The Committee noted that South Bucks District Council in 2018/19 had awarded £14,532,903 in Housing Benefit rather than £14,352,903 as was stated in the report.

In the discussion which followed, the Committee were advised that the Fraud Team maintains close links with Paradigm Housing Association and provides investigative assistance with tenancy fraud issues. Two cases were referred for investigation, following which Paradigm recovered two tenancies.

RESOLVED

That the report be noted.

73 INTERNAL AUDIT COMPARISON REPORT - 16 OCTOBER 2019

The Committee considered a report which provided a comparison of assurance levels over time so that any trends or measures which may have impacted upon the control framework at the Council could be identified.

Members were advised that whilst the assurance level for the waste services – health and safety audit was 'limited' in 2017/18, things had improved and that the area will be audited again in January 2020.

Following a query as to what will happen to internal audit work following the establishment of the new Buckinghamshire Council, the Director of Resources explained that any outstanding audit recommendations would be part of the handover arrangements to the new Council's auditors. TIAA were working to get all draft reports finalised by the end of March 2020.

RESOLVED

That the report be noted

74 INTERNAL AUDIT PROGRESS REPORT

The Committee received the Internal Audit progress report from TIAA which showed the progress of audits since the previous meeting.

The Committee noted that no emerging risks has been identified which could impact on the overall effectiveness of the governance, risk and internal control framework of the Council. There had not been any Priority 1 recommendations made since the previous Progress Report.

With regards to the Contractor Health & Safety audit, the Committee were advised that a report would be coming to the next Audit and Standards Committee.

In relation to the Housing Section 106 audit recommendations, the Planning Enforcement Manager advised that the Council had appointed a Section 106 Officer who specialised in CIL and that the Section 106 master spreadsheets were being updated regularly. The Director of Resources suggested that room be made on the internal audit programme to follow up on the issues raised in the original audit and that the outcome of this be reported to the Committee along with an update on Section 106 outstanding payments.

RESOLVED

That the report be noted and that an update report on Section 106 outstanding payments be submitted to the next meeting of the Committee.

75 UNDERSTANDING HOW THE AUDIT & STANDARDS COMMITTEE GAINS ASSURANCE FROM MANAGEMENT

To consider the response to the External Auditor's request for information on how the Audit & Standards Committee gains assurance from Management.

Auditing standards require the Council's auditors (Ernst & Young) to formally update their understanding of Chiltern's management processes at least annually. As part of this they formally request that the section 151 officer (the Director of Resources), the Monitoring Officer (Head of Legal & Democratic Services), and the chair of the Audit & Standards Committee provide written responses to various questions about the Council's management processes. The formal request to the Chairman of the Audit & Standards Committee was included as Appendix 1 and the proposed response was included as Appendix 2.

RESOLVED

That the proposed response to the External Auditor's letter, as set out in Appendix 2, requesting information on how the Audit & Standards Committee gains assurance from Management be agreed.

76 2018/19 STATEMENT OF ACCOUNTS

Members received a report which presented the Statement of Accounts for 2018/19, which could be seen at Appendix 1 on pages 103-182 of the agenda pack. Note 9, Property Plant and Equipment, of the Financial Statement 2018/19 had been amended to reflect the figures in the main statements and was tabled at the meeting (see supplementary). The changes were to the classification of revaluation costs and depreciation for land & buildings and had no effect on the net book value at 31 March 2019.

Some of the key points raised on the Statement of Accounts were as follows:

- The net cost of services for the year was £21,366,000, income from Council Tax was £11,161,000, and income from business rates was £1,822,000.
- The General Fund Balance reduced by £215,000 to £6,432,000 and earmarked reserves had reduced by £1,006,000 to £11,525,000.
- The key movement in the Council's unusable reserves were as follows:
 - The Revaluation Reserve decreased by £1,202,000. This is due to the downwards revaluation of the Amersham multi storey car park.
 - The Pension deficit reduced by £915,000. The accumulated estimated pension fund deficit was now at £43,700,000.
- Total capital expenditure for the year amounted to £8,059,000 which was financed from capital receipts, Government grants and contributions.

In the discussion which followed, Members were advised that a revaluation of the Amersham multi storey car park had been carried out in September 2019 and that the Council's external auditors still needed to confirm the revised valuation. The valuation of the car park was now £8,140,000 compared to the previous valuation which was £6,399,600.

With regards to what would happen to the Council's reserves post the establishment of the new Buckinghamshire Council from 1 April 2020, the Director of Resources explained that as part of the budget setting process, the new authority will decide what reserves should be earmarked for the new authority.

The Committee and the Head of Finance thanked the Finance Team for their hard work in preparing the accounts.

RESOLVED

That the final 2018/19 Statement of Accounts be approved subject to the Council's external auditors (Ernst and Young) confirming the revised valuation, carried out in September 2019, of the Amersham multi storey car park and that delegated authority be given to the Chairman of the Audit and Standards Committee and the Director of Resources to sign the Statement of Accounts in accordance with the Accounts and Audit Regulations.

77 ERNST AND YOUNG 2018/19 ACCOUNTS AUDIT REPORT

Members considered the Annual Results Report from external auditors Ernst & Young (EY). The executive summary covered the key areas and the Committee was pleased to be informed that subject to the satisfactory completion of the outstanding items set out in appendix B of the audit report, EY expected to issue an unqualified opinion on the Authority's financial statements and that no significant issues had been discovered.

The Committee noted that with regards to the revaluation of Amersham multi-storey car park carried out in September 2019, EY still needed to verify the accounting and valuation assumptions made as part of that valuation.

EY thanked the Finance Team for their hard work and assistance in dealing with queries.

RESOLVED

That the report be noted.

78 AUDIT COMMITTEE WORK PROGRAMME

RESOLVED

That the work programme for the Audit Committee be agreed.

The meeting ended at 7.45 pm

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the GOVERNANCE AND ELECTORAL ARRANGEMENTS COMMITTEE held on 22 OCTOBER 2019

PRESENT: Councillor D Varley - Chairman

Councillors: D Bray
J Burton
I Darby
N Rose
M Shaw
H Wallace
E Walsh
J Waters

APOLOGIES FOR ABSENCE were received from Councillors P Jones and M Stannard

14 MINUTES

The minutes of the meetings of the Governance and Electoral Arrangements Committee held on 27 June 2018 and 15 May 2019 were agreed as a correct record and signed by the Chairman.

15 DECLARATIONS OF INTEREST

There were no declarations of interest.

16 PREPARATION FOR POSSIBLE SNAP ELECTION

The Committee received a verbal update on the preparations being made for an unscheduled election. The Democratic and Electoral Services Team had drafted an election project plan and risk register which had been informed by Electoral Commission guidance. Despite the uncertainty around a possible election date the project plan set out key election activities that would need to be carried out in the lead up to an election. Regular meetings were taking place between the Democratic and Electoral Services Manager, Returning Officer, Acting Chief Executive and Head of Paid Service to review the draft project plan, risk register and discuss preparations. The timing of an unscheduled election also had implications on the Annual Canvass which was currently being carried out prior to the publication of the revised register on 1 December 2019. Activities to mitigate this were noted. Officers were also working closely with electoral colleagues in other councils, in particular neighbouring authorities, and regularly reviewing available guidance.

17 POLLING DISTRICT AND POLLING PLACES REVIEW FINAL RECOMMENDATIONS

As required by the Electoral Registration and Administration Act 2013 a review of polling districts and polling places commenced on 8 February 2019. Public comments and submissions were invited until 22 March. The Acting Returning Officer's (ARO) recommendations were published on 21 June with public representations sought by 12 August 2019. The Committee considered the responses received during the public consultations.

In response to questions from members, it was clarified that the Gold Hill Baptist Church Polling Station was relocated to Chalfront St Peter Leisure Centre, Nicol Road due to anticipated redevelopment. This ensures electors are able to adapt to the new Polling Station location for future elections.

It was **RESOLVED** that the designations of polling districts and polling places as set out in the appendix be agreed.

The meeting ended at 6.39 pm