



Cabinet

Wednesday, 17 October 2018 at 6.00 pm

Room 6, Capswood, Oxford Road, Denham

A G E N D A

Item

1. Evacuation Procedure
2. Apologies for Absence
3. Minutes (*Pages 6 - 22*)

To approve the minutes of the Cabinet held on 27 June 2018
4. Declarations of Interest

A. LEADER'S REPORTS
5. 28 Day Notice of Executive Decisions

Appendix A: Cabinet 28 Day Notice (Pages 23 - 29)
- 5.1 Performance Report Quarter 1 2018-19 (*Pages 30 - 32*)

Appendix A: Priority PIs Q1 2018-19 (Pages 33 - 34)

Appendix B: Corporate PIs Q1 2018-19 (Pages 35 - 37)

Appendix C: Data Only PIs Q1 2018-19 (Page 38)

B. REPORTS OF THE PORTFOLIO HOLDERS

- 6. Planning and Economic Development
 - 6.1 Delegation Arrangements in Planning Enforcement (*Pages 39 - 41*)
Appendix: Revised delegations - planning enforcement (Pages 42 - 44)
 - 6.2 The Environmental Assessment of Plans and Programmes Regulations 2004 - delegated powers (*Pages 45 - 49*)
 - 6.3 Community Infrastructure Levy (*Pages 50 - 55*)
 - 6.4 Heathrow Airport Update (*Pages 56 - 60*)
- 7. Healthy Communities
 - 7.1 Joint Housing Strategy (*Pages 61 - 63*)
Appendix: Joint Housing Strategy (Affordable Housing and Homelessness) 2018-2021 (Pages 64 - 122)
 - 7.2 Chiltern and South Bucks Playing Pitch Strategy (*Pages 123 - 128*)
The Appendix is included in the Supplement Pack
 - 7.3 Chiltern and South Bucks Open Space Strategy (*Pages 129 - 134*)
The Appendix is included in the Supplement Pack
 - 7.4 Gambling Act 2005 - Statement of Principles Review (*Pages 135 - 136*)
Appendix 1 - Draft Statement of Principles (Pages 137 - 172)
- 8. Resources
 - 8.1 Gerrards Cross Car Park (*Pages 173 - 182*)
Appendix A Site Plan (Page 183)
Appendix B Business Case (Page 184)
Appendix C Communication Plan (Page 185)

8.2 Redevelopment of Gerrards Cross Police Station (*Pages 186 - 194*)

Appendix A Site Plan (Page 195)

Appendix B Business Case (Page 196)

Appendix C Communications Plan (Page 197)

8.3 Policy Advisory Group Minutes (available in supplement pack)

9. Exclusion of Public

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.

Paragraph 1 Information relating to any individual

Paragraph 2 Information which is likely to reveal the identity of any individual.

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

9.1 HS2 Update Report (*Pages 198 - 207*)

Reasons for restriction: Paragraph(s) 3

9.2 Application for Discretionary Rate Relief (1) (*Pages 208 - 210*)

Reasons for restriction: Paragraph(s) 3

Appendix 1 (Pages 211 - 218)

Appendix 2 (Pages 219 - 224)

9.3 Application for Discretionary Rate Relief (2) (*Pages 225 - 228*)

Reasons for restriction: Paragraph(s) 3

Appendix A (Pages 229 - 234)

Appendix B (Pages 235 - 296)

9.4 Bad Debt Write Off Request (*Pages 297 - 301*)

Reasons for restriction: Paragraph(s) 2

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

Membership: Cabinet

Councillors: B Gibbs
P Hogan
N Naylor
J Read
D Smith
L Sullivan

Date of next meeting – Wednesday, 12 December 2018

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CABINET**Meeting - 27 June 2018**

Present: B Gibbs, P Hogan, N Naylor, J Read, D Smith and L Sullivan

135. MINUTES

The minutes of the meeting of Cabinet held on 17 April 2018 were approved and signed by the Cabinet Leader as a correct record.

136. DECLARATIONS OF INTEREST

There were no declarations of interest.

137. RECOMMENDATIONS OF THE OVERVIEW & SCRUTINY TASK & FINISH GROUP - MEDIUM TERM FINANCIAL STRATEGY

The Cabinet received a presentation which set out the recommendations of the Task and Finish Group established by the Overview and Scrutiny Committee following their review of the Financial Strategy. The Director of Resources reported that over the next few years the Council could face a funding gap because of the reduction in Government funding to local authorities.

The Task and Finish Group had considered the following elements and the basis of the assumptions underpinning them:-

- External Funding – Government Tariff payments, Business Rates, New Homes Grant
- Expenditure pressures
- Savings plans – a) Corporate b) Service specific

Cabinet noted the need to maximise income from the New Homes Bonus/Business Rates Retention Scheme and in particular whether the Council should adopt a more enabling approach to encouraging housing and business growth in the District. Reference was made to the recent development in Pinewood which produced the highest business rates and also further development was expected.

One of the recommendations related to Cabinet reviewing the use of recycling facilities in car parks as this space could generate extra income. The Cabinet Member for Environment made reference to a public consultation which was being carried out in the Autumn on recycling facilities which would support this recommendation.

In relation to the recommendation relating to the development of Consilio, Cabinet Members recognised that it was an ambitious programme and that it was important that it was resourced appropriately to ensure the right professional advice could be given on increasing returns and taking advantage of market opportunities.

The report asked for a response in writing to each of the recommendations referred to in the presentation by the beginning of September to allow the response to be considered at the October meeting of the Committee.

The Leader expressed his thanks to the Members of the Financial Strategy Task and Finish Group for their Inquiry work and the thorough nature of their investigation. He commented that Cabinet Members would look at the recommendations in more detail to report back in the Autumn. A Cabinet Member commented that it would be helpful to have some timelines from officers of when future strategies would be discussed at Cabinet so that this could be fed back to the Overview and Scrutiny Committee.

RESOLVED that

- 1) A written response to each of the recommendations made by the Task and Finish Group in the report be given by the beginning of September to allow the response to be considered at the October meeting of the Overview and Scrutiny Committee.
- 2) A challenge/scrutiny session with Portfolio holders be agreed. This could be achieved by the Portfolio Holders discussing with Overview and Scrutiny members their draft budgets that will be presented to the PAGs. Part of this process could include the extent to which they have taken on board the recommendations of the Task and Finish Group.
- 3) That the Joint Overview and Scrutiny Committee establish a Work Programme which could include a review of all Joint Service arrangements to clarify whether the project outcomes have been achieved and to monitor new joint working programmes e.g. Customer Experience Strategy and ICT Strategy.

138. 28 DAY NOTICES OF EXECUTIVE DECISIONS

The Cabinet received a copy of the 28 day Notice and Forward Plan prepared in accordance with Regulation 9 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 setting out the key (and non-key) decisions the Cabinet was intending to make at public and private meetings.

The Cabinet also received a copy of the 28 day Notice setting out the key (and non-key) decisions the Chiltern and South Bucks Joint Committee were intending to make at public and private meetings.

RESOLVED that the 28 day Notices and Forward Plan be noted.

139. **CABINET APPOINTMENTS**

The Cabinet received a list of Cabinet appointments to be confirmed by Cabinet.

RESOLVED that

- a) the following Cabinet appointments be confirmed:

Representation of Joint Committees and other bodies:

Chiltern and South Bucks Joint Committee ~

1. B. Gibbs
2. P. Hogan
3. N. Naylor
4. J. Read
5. D. Smith
6. L. Sullivan

(Plus CDC Members, see CDC appointments)

The Cabinet Leader of the Council hosting the meeting will chair the meeting

Joint Waste Collection Committee ~

1. (Cabinet Member) Luisa Sullivan
2. (Non-Cabinet Member) – Vacancy

(Plus CDC and WDC Members)

Chairman/Vice-Chairman to be elected at the first meeting of the Municipal Year, except where an appointment has been made for two years

Evreham Sports Centre Joint Management Committee ~

- | | |
|------------------------------|--|
| South Bucks representatives: | <ol style="list-style-type: none"> 1. J. Jordan 2. P. Hogan (Portfolio Holder) 3. R. Sangster |
|------------------------------|--|

Buckinghamshire County

- | | |
|------------------|--|
| Representatives: | <ol style="list-style-type: none"> 1. Require confirmation from Bucks County Council 2. Require confirmation from Bucks County Council |
|------------------|--|

Chairman/Vice-Chairman to be elected at the first meeting of the Municipal Year

The South Buckinghamshire Members Advisory Panel (8) ~

1. J. Read (Chairman)
2. R. Bagge
3. M. Bradford
4. T. Egleton
5. B. Gibbs
6. L. Hazell
7. P. Hogan
8. N. Naylor

OUTSIDE BODIES

Outside Body <i>Executive functions ~</i>	Representative[s]	Relevant Portfolio	Officer Contact
Buckinghamshire Advantage	Nick Naylor	Leader	Bob Smith
District Council's Network	Nick Naylor	Leader	Bob Smith
Buckinghamshire Thames Valley Local Enterprise Partnership	Nick Naylor	Leader	Bob Smith
Bucks Planning Group	John Read	Planning and Economic Development	Andrew Ashcroft (Interim)
Chiltern and South Bucks Strategic Partnership	Nick Naylor Paul Kelly Ralph Bagge John Read	Leader	Rachel Prance
Colne Valley Park Community Interest Company	Luisa Sullivan	Environment	Chris Marchant
Country Parks and Green Spaces Liaison Group	Luisa Sullivan	Environment	Chris Marchant
Groundwork South Trust Ltd	Luisa Sullivan	Environment	Simon Gray
Healthy Communities Partnership	Patrick Hogan	Healthy Communities	Martin Holt
Heathrow Airport Community Engagement Board	John Read	Planning and Economic Development	Tracy Farrell
Local Government Association	Nick Naylor John Read (Deputy)	Leader	Bob Smith
L & Q Shires Neighbourhood Committee	Patrick Hogan	Healthy Communities	Michael Veryard

Outside Body <i>Executive functions ~</i>	Representative[s]	Relevant Portfolio	Officer Contact
Natural Environment Partnership	Luisa Sullivan	Environment	Chris Marchant
New Denham Minerals Liaison Group	Luisa Sullivan	Environment	Tracy Farrell
Padstones	Patrick Hogan Wendy Matthews [Deputy]	Healthy Communities	Michael Veryard
Park Lodge Farm Liaison Committee	Luisa Sullivan	Environment	Tracy Farrell
Pinewood Community Liaison Group	Ralph Bagge Malcolm Bradford Wendy Matthews Luisa Sullivan	Leader	Bob Smith
South East England's Council	Ralph Bagge <i>on behalf of Leader</i>	Leader	Bob Smith

140. **REVIEW OF THE COUNCIL'S CONSTITUTION**

The Cabinet received a report asking for agreement to the rules and delegations in the revised Constitution that relate to executive (Cabinet) functions following Full Council approval on 27 February to the overall Constitution. The Head of Legal and Democratic Services outlined the changes including the revision to the Protocol on the operation of Policy Advisory Groups to clarify that PAGs could now comprise of up to five Members, updating the Framework to refer to the new Joint Policy documents and changes to the Schemes of Delegations.

The Cabinet expressed their thanks to the Governance and Electoral Arrangements Committee which was chaired by Cllr Hogan for their work on the constitution.

RESOLVED that the proposed revisions to the Constitution relating to Cabinet functions as recommended by Governance and Electoral Arrangements Committee be agreed.

141. **REFRESHED JOINT BUSINESS PLAN 2018-19**

The Cabinet received a report which sought approval for the refreshed Joint Business Plan 2018 – 2019 as set out in the Appendix to the report. Members noted that as this was part of the budget and policy framework this would need to be recommended to Council for approval. A Cabinet Member asked that the new Head of Planning photograph be updated for the structure chart.

RECOMMENDED to Council that the refreshed Joint Business Plan be approved.

142. **2017/18 END OF YEAR PERFORMANCE REPORT**

Cabinet receive a report which outlines the annual performance of Council services against pre-agreed performance indicators and service objectives for Quarter 4 and end of year for 2017-18.

The Quarter 4 Priority and Corporate PIs were at Appendices A and B respectively. Members noted that priority PI relating to household waste sent for reuse, recycling and composting was slightly under the target of 53% at 52.7%. Further, that the long-term absence cases detailed at 4.2.1 had been resolved. Through the survey feedback, it is apparent that the Licensing team were working hard to provide good customer service. However, as the response level to the survey was low officers would do more to publicise the survey the following year. Availability of ICT systems to staff was under target because of issues with vWorkspace, however these issues have now been resolved. The Leader asked Cabinet Members to look at their own service areas to identify performance improvements where required.

Cabinet Members were pleased to note the new format of the Annual Report at Appendix C of the report.

RESOLVED that Cabinet note the performance reports.

143. **PLANNING AND ECONOMIC DEVELOPMENT**

(a) Western Rail Link to Heathrow (WRLtH) Consultation

The Cabinet received a report which provided additional technical comments in response to the WRLtH consultation. The PAG 11 June 2018 report attached at Appendix 1 to the report provides the necessary background to the consultation.

The Director of Services reported that this was a significant infrastructure project which would have an impact on South Bucks District Council and in particular would affect Iver. The response had included the impact on Iver, including the cumulative impact of other projects in the area and it was important to ensure that there was appropriate mitigation from Network Rail such as a contribution to the Iver Relief Road. He referred to the proposed closure of Hollow Hill Lane which would have a significant impact on traffic in this and surrounding areas as local roads were already congested. The response commented that Network Rail should undertake model runs using the Chiltern and South Bucks model to test impacts from construction traffic.

The Cabinet Members welcomed the proposed response and continued dialogue with Network Rail. The Council would work in partnership with Network Rail to try and minimise the impact on the community.

RESOLVED that

- 1 the proposed response to the WRLtH consultation outlined in the report and appendices together with any comments made by the Planning and Economic Development PAG be agreed.
- 2 the final wording of the response be delegated to the Director of Services in consultation with the Portfolio Holder for Planning and Economic Development based on the comments raised by the Cabinet and PAG.

144. **CUSTOMER SERVICES AND BUSINESS SUPPORT**(a) South Bucks District Council Arrears Collection Project

Cabinet received a report to update Members on the progress of the project to recover arrears of Council Tax, Business Rates and Housing Benefit overpayments.

The Director of Resources updated Cabinet Members on the progress of the project to recover arrears of Council Tax, Business Rates and Housing Benefit overpayments. When the business case for the Joint Service was submitted in November 2015 the estimated income to be achieved was £98,096. The project commenced in August 2016 and was planned to last two years. At the final stages of the project the total net income is £140,000 and the expected income figure has been exceeded by over 42%. However, in some circumstances the only option available to the Council is to write the debt off as the companies in question no-longer exist and the debtors cannot be traced. Members were asked to write off 19 non domestic rates debts that have a balance outstanding of over £10,000 each as set out in the confidential appendix.

The Leader asked that the Joint Customer Services Team be thanked for their hard work on this project which had exceeded targets in a difficult area of work.

RESOLVED that

1. the progress of the South Bucks District Council Recovery Project be noted
2. the write off of specified non domestic rates debts with values over £10,000 where all previous recovery attempts have failed and there are no further routes of recovery as set out in the confidential appendix be authorised.

(b) Credit Card Payments for Council Tax and Business Rates

Cabinet received a report to ask Members to consider revising the current policy not to accept credit card payments in respect of Council Tax and Business Rates.

The Director of Resources informed Cabinet of the reasons to revise the current policy not to accept credit card payments in respect of Council Tax and Business Rates. Historically this Council have had a policy not to accept credit cards and in addition it previously attracted an additional charge. However, in response to the views of some taxpayers on the desirability of having the option to pay by credit card it would be consistent with the Customer Experience strategy to offer this choice, alongside all the other payment means.

RESOLVED that credit card payments in respect of Council Tax and Business Rates be accepted.

145. **ENVIRONMENT**

(a) Waste Contract - Joint Working

The Cabinet received a report which sought approval of the Cabinet for South Bucks District Council, Chiltern District Council and Wycombe District Council to work together to procure the delivery of waste collection, recycling and street cleansing services at the expiry of the current contracts with Serco and Biffa. The Cabinet Member for Environment commented that these recommendations aligned with one of the recommendations in the Overview and Scrutiny Financial Strategy review.

RESOLVED that

- (i) the report is noted;
- (ii) the longer term strategy to procure a three way single joint contract for South Bucks District Council, Chiltern District Council and Wycombe District Council be agreed;
- (iii) an Inter District Authority Agreement (IDAA) reflecting the Heads of Terms at Appendix 1 of the report be agreed;
- (iv) authority be delegated to the Head of Environment in consultation with the Head of Legal and Democratic Services and the relevant Portfolio Holder to approve the detailed terms of the IDAA.

146. **HEALTHY COMMUNITIES**

(a) Designation of an Air Quality Management Area (AQMA) In Iver

In 2017, the Healthy Communities Policy Advisory Group received an update on air quality where it was noted that further additional monitoring in the Iver area was required to confirm the requirement for an Air Quality Management Area (AQMA).

Upon conclusion of the additional monitoring, the findings were debated at the PAG of 22nd February 2018 where 3 options for an AQMA were considered, with a

Cabinet - 27 June 2018

recommendation for a parish wide AQMA being taken forward to formal consultation. This consultation ran from the 1st March to the 31st March 2018.

Over 90% of respondents agreed that the boundary should be aligned with the Parish Boundary, However, in light of two supplementary responses, the matter returned back to the PAG on the 12th June 2018 to allow the full range of consultation responses to be considered by Members. At this PAG after further careful consideration it was agreed that the parish wide AQMA remained the best option based on local circumstances to present to Cabinet for approval.

Cabinet Members referred back to the item on Network Rail and the cumulative impact from infrastructure projects that were impacting on Iver. They also commented on the AQMA on the M25 and the need to be co-terminous. Members agreed that this report was very timely and referred to the high response from residents on this issue.

RESOLVED that an AQMA be declared based on the Iver Parish boundary as consulted upon under section 83 (1) of the Environment Act 1995 with the final wording of the necessary order be delegated to the Head of Legal & Democratic Services.

(b) Joint Food and Health and Safety Business Plan

The Cabinet received a report 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 2018/2019.

The Food Standards Agency's (FSA) Code of Practice and the Health and Safety Executive (HSE) required local authorities to produce and publish an annual service plan that demonstrated 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 complied with the Regulator's Code.

RESOLVED that the joint Food and Health and Safety Service Plan and the Food and Health and Safety Enforcement Policies be approved.

(c) Unauthorised encampments

The Cabinet received a report which sought approval for the adoption of the Thames Valley police and Buckinghamshire County Council protocols for dealing with unauthorised encampments. The Director of Services reported that this protocol should clarify responsibilities from different agencies and stated that District Councils had limited powers in this area. With reference to identifying a tolerated temporary site this could be anywhere in Buckinghamshire and would provide an area for police

to move travellers onto should there be an incursion on private land which would be beneficial for residents.

Cabinet Members commented on the clarity of the flowchart diagram for unauthorised encampments. Members also welcomed the multi agency approach to this issue in dealing with unauthorised encampments in communities swiftly and sensitively.

RESOLVED that

1. the final decision to adopt the Thames Valley Police (TVP) and Local Authority Joint Protocol and the Buckinghamshire Councils' and TVP Memorandum of Understanding on unauthorised encampments be delegated to the Head of Healthy Communities in consultation with the Portfolio Holder for Healthy Communities.

2 the Council works with all Bucks authorities to see if there is any scope to identify a tolerated temporary site(s) somewhere in Bucks to support the move on of unauthorised encampments

(d) Asylum Seekers

The Cabinet received a report which sought approval to adopting an agreement in principle with the Home Office to accommodate Asylum Seekers. All Local Authorities were required to participate in the resettlement programme.

RESOLVED that the final decision to adopt an 'in principle agreement' with the Home Office to accommodate Asylum Seekers be delegated to the Head of Healthy Communities in consultation with the Portfolio Holder for Healthy Communities.

(e) 2017/18 Grant funding review and future proposals

The Cabinet received a report with information on the 2017/18 grants programme and which also sought approval to introduce Crowdfunder as an additional mechanism to increase funding to local community groups. Cabinet welcomed this innovative project which would provide improved opportunities for communities.

RESOLVED that

1. the 2018/19 grant funding through Heart of Bucks continue to be delivered with a contribution of £10,000 to be match funded
2. a project to deliver a crowd funding initiative in South Bucks in partnership with Heart of Bucks and Chiltern District Council be established to enable improved opportunities for the community, to be funded from resources within the existing community projects budget.

(f) Leisure Centre Operator Contract Renewal

The Cabinet received a report informing Members of the requirement to commence with the process of retendering the leisure centre operator contract and advise the way forward in order to secure best value in appointing the next operator. If a joint procurement with Chiltern District Council is advised, a further recommendation to agree to a formal joint procurement would be required by both Councils. Following specialist advice a report would be brought back to Cabinet.

RESOLVED to seek specialist advice on whether integrating the retendering of the next leisure centre operator contract with the Chiltern District Council procurement framework would secure best value for the Council.

(g) Dog and Pest Control Contract

The Cabinet received a report which sought approval to continue with the joint arrangements with the other Buckinghamshire authorities for dog control, stray dog collection and kennelling and pest control and to tender for a new Framework Agreement to commence in June 2019.

RESOLVED that

1. a new Service Level Agreement for services be called off under the existing terms and conditions comprising dog control, stray dog collection and pest control from the existing Framework Agreement between Chiltern DC, Aylesbury Vale DC, Wycombe DC and South Bucks DC.
2. the development of a new joint Buckinghamshire Framework Agreement between Chiltern DC, Aylesbury Vale DC, Wycombe DC and South Bucks DC for services comprising dog control, stray dog collection, kennelling and rehoming and pest control be approved to commence from 1st June 2019.
3. the Council agrees to enter into an Inter District Authority Agreement (IAA) reflecting the Heads of Terms to be agreed by the Head of Healthy Communities in consultation with the Head of Legal and Democratic Services and the relevant Portfolio Holder. To note the principles of the apportionment of procurement costs are within existing budgets and if additional funds are required then further approval is sought from Members.
4. delegated authority be given to the Head of Healthy Communities in consultation with the Head of Legal and Democratic Services and the relevant Portfolio Holder to approve the detailed terms of the IAA.
5. a four year Framework Agreement be tendered for to commence from 1st June 2019 with the ability to call off Service Level Agreements for dog control, stray dog collection, kennelling and rehoming and pest control services.
6. the Head of Healthy Communities be authorised to draw up tender documents for the agreed services to commence from 1st June 2019.
7. the Head of Healthy Communities, in consultation with the Portfolio Holder for Healthy Communities, be authorised to accept the tender that represents best value and to call off specific Service Level Agreements for dog control, stray dog collection, kennelling and rehoming and pest control services.
8. That the Head of Healthy Communities, in consultation with the Portfolio Holder for Healthy Communities be authorised to call off additional Service Level Agreements for dog control, stray dog collection, kennelling and rehoming and pest control services within the period of the Framework Agreement on receipt of good performance.

(h) Affordable Housing Contributions Update

The Cabinet received a report which provided an update of the receipt and expenditure of section 106 Affordable Housing Contributions (AHCs), and to identify funds that are available for opportunities to deliver affordable housing, temporary or move-on accommodation.

An area of focus was to explore affordable housing opportunities and ways to move people out of temporary nightly paid accommodation and this was welcomed by

Cabinet Members. The recommendation had been amended to also include consultation with the Cabinet Member for Resources which was agreed.

RESOLVED that

1. the update on receipt and expenditure of Affordable Housing Contributions and the status of the existing schemes be noted
2. £358,248 of allocated funding be withdrawn as it is no longer required by existing schemes.
3. £462,636 be allocated to temporary or move-on accommodation initiatives subject to final decisions on schemes including the terms of any necessary funding agreements with Housing Associations being delegated to the Head of Healthy Communities in consultation with the Portfolio Holders for Healthy Communities and Resources.

147. **RESOURCES**

(a) Redevelopment of former Gerrards Cross Police Station site

The Cabinet received a report which update Members on key matters of concern regarding construction cost reported to the SBDC joint Resource PAG 22 Mar 2018 and Cabinet 17 April 2018. Cabinet Members clarified the increase in recommendation 4 and were reassured that this was not extra funding but was a timing issue to move the project forward. The final business case would be submitted to Cabinet at a future meeting.

RESOLVED that

1. the current position be noted.
2. the draft business case for the project be noted.
3. the anticipated fixed cost of £7,831,569 is in line with the amount approved in the current Capital Programme.
4. the current approved pre-construction budget be increased from £800,000 to £950,000 to allow detail design to be developed. However, this does not reflect an increase in the total estimated project cost but is merely a timing issue to allow the works to proceed to programme.

(b) Treasury Management Annual Report 2017/18

The Cabinet received a report on the Treasury Management performance of the Council for 2017/18 as required under the Code of Practice for Treasury Management. The Director of Resources highlighted that the weighted average interest rate earned on fixed rate investments in the year was 0.58% and that there was an underachievement of £37k from the budget during 2017/18.

RESOLVED that the Treasury Management performance for 2017/18 as required by the Code of Practice for Treasury Management be noted.

(c) Farnham Park Playing Fields Strategy

The Cabinet received a report which set out the recommendations of the South Buckinghamshire Panel for the future of the Farnham Park Playing Fields. It seeks agreement for funding to undertake some initial work related to the recommendation. Members of the South Buckinghamshire Panel were strongly of the view that they would like to the Playing Fields to continue as a public sports facility, despite the need for significant investment to improve its usage and to be financially sustainable. However, this would be challenging as the whole site is in the Green Belt and it would be necessary to argue very special circumstances for any enabling development. Therefore if Members were minded to consider the enabling development a specialist planning consultant would need to be appointed to put forward a case on how a development would link to re-providing sporting facilities to improve usage and sustainability.

Cabinet Members supported this proposal as this was an important community asset, and important in the context of the Open Spaces and Playing Fields Strategy, including being used by people outside the area.

RESOLVED that

1. the options considered by the Panel and their recommended course of action be noted.

RECOMMENDED to Council that

2. a budget of up to £50,000 funded from the General Reserve, to explore the feasibility of an enabling development be agreed.

148. **POLICY ADVISORY GROUP MINUTES**

The Policy Advisory Group Minutes were noted as follows:-

Environment PAG – 7 June 2018

Planning and Economic Development PAG – 11 June 2018

Healthy Communities PAG – 12 June 2018

Resources PAG – 13 June 2018

Customer Services and Business Support PAG – 18 June 2018

149. **EXCLUSION OF 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.

150. **WASTE CONTRACT OPTIONS APPRAISAL**

The Cabinet received a report on the options for procuring the delivery of waste collection, recycling and street cleansing services at the expiry of the current contracts with Serco and Biffa.

The report had been considered by the Chiltern, South Bucks & Wycombe Joint Waste Collection Committee on 23 April 2018. The Joint Waste team currently managed two contracts and agreement was sought for a long-term strategy for a 3 way contract. A contract option review had been carried out by independent consultants and the results presented to Portfolio Holders in March 2018. It was noted that the current contract with Biffa would expire in October 2021 and could not be extended. Chiltern and Wycombe's contract would end earlier in March 2020, although there was a possibility of extension. The benefits of a 3 way Inter District Authority Agreement (IDAA) included cost efficiencies, risk sharing (particularly regarding the sale of recyclables) and economies of scale that would make the contract more attractive to bidders.

The IDAA is the formal governance mechanism that covers 3 phases; the pre contract phase, the active procurement phase and post contract operational commencement. This would set out the way costs would be apportioned and mutual indemnity.

RESOLVED that:

1.
 - (i) Chiltern and Wycombe should negotiate a contract extension with Serco until the end of October 2021 to align the termination date with the South Bucks/Biffa contract, provided that such extension is compliant with the Public Contract Regulations 2015, and the three Councils should commence the procurement of a single joint three-way contract to commence in November 2021. However, if the said negotiations are unsuccessful, to commence the procurement of a single joint three-way contract with a staggered commencement of March 2020 in Chiltern and Wycombe and November 2021 in South Bucks.
 - (ii) authority be delegated to the Head of Environment, in consultation with the Head of Legal and Democratic Services, Head of Finance and the relevant Portfolio Holder, to take the steps necessary to progress the option selected under Recommendation (i) above.
 - (iii) authority be delegated to the Head of Environment in consultation with the Portfolio Holder to finalise the specification of the services to be delivered.
 - (iv) authority be delegated to the Head of Environment in consultation with the Head of Legal and Democratic Services and the relevant Portfolio Holder to determine the procurement method under the Public Contract Regulations 2015.
- RECOMMENDED** to Council
- (v) that an initial budget of up to £300,000 be approved to fund the

resources referred to in 2 (i) below, to be funded by the three Authorities in proportion to the number of households in each district (SBDC - 20.46%; CDC - 28.12%; WDC - 51.42%), with the release of funds to be delegated to the Head of Environment and Head of Finance in consultation with the relevant Portfolio Holder.

2. the decision of the Chiltern, South Bucks & Wycombe Joint Waste Collection Committee be noted and that:
 - (i) authority be delegated to the Head of Environment to procure sufficient professional and technical resources to enter into initial discussions and to prepare for and support the procurement project/s.

151. APPLICATION FOR DISCRETIONARY RATE RELIEF (1)

The Cabinet received a report which sought approval for an application for rate relief on hardship grounds.

RESOLVED that relief should not be awarded in this instance.

152. APPLICATIONS FOR DISCRETIONARY RATE RELIEF (2)

The Cabinet received a report to consider an application for Discretionary Rate Relief in respect of two premises occupied by the organisation.

RESOLVED

Reference 21108673

that an award of £19,763.38 be made under S49 LGFA 1989 in respect of periods prior to 1 April 2017

that 50% Discretionary Rate Relief be awarded under S47 LGFA 1989 from 1 April 2017

Reference 21108666

That an award of £21,968.78 be made under S49 LGFA 1989 in respect of periods prior to 1 April 2017

that 50% Discretionary Rate Relief be awarded under S47 LGFA 1989 from 1 April 2017

The meeting terminated at 7.52 pm



SOUTH BUCKS District Council

28 DAY NOTICE

LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS) (MEETINGS AND ACCESS TO INFORMATION (ENGLAND) REGULATIONS 2012)

This notice, published in accordance with Regulation 9 and Regulation 5 of the above Regulations, sets out the key decisions (and non-key decisions) that the Council's Cabinet intends to make at public or private meetings to be held within the next 28 days and beyond.

A further notice - [called the Agenda](#) – setting out the items to be considered (public and private) will be available no less than 5 working days before the meeting.

Key Decision (Y/N)	Report Title & Summary	Date Decision to be taken	Decision to be taken by	Consultation	Private Report	Lead Officer
Leader (Councillor Nick Naylor)						
Y	Performance Report Quarter 1 2018-19 Performance Report Quarter 1 2018-19	For information only	For information only	Overview and Scrutiny Committee 8 Oct 2018	Open	Ani Sultan Ani.sultan@southbucks.gov.uk
Planning and Economic Development (Councillor John Read)						
Y	Delegation arrangements in Planning Enforcement To review the delegation arrangements in Planning Enforcement	17 October 2018 14 November 2018	Cabinet Council	Planning and Economic Development Policy Advisory Group 13 Sep 2018 Planning Committee 10 Oct 2018	Open	Mark Jaggard mark.jaggard@southbucks.gov.uk

N	Enforcement Update To receive an update on enforcement matters <i>Item added 15 Aug 2018</i>		For information	Planning and Economic Development Policy Advisory Group 13 Sep 2018	Open	Mark Jaggard mark.jaggard@southbucks.gov.uk
N	Planning Service Update To receive an update on the planning service <i>Item added 15 Aug 2018</i>		For information	Planning and Economic Development Policy Advisory Group 13 Sep 2018	Open	Mark Jaggard mark.jaggard@southbucks.gov.uk
Y	The Environmental Assessment of Plans and Programmes Regulations 2004 – delegated powers To seek delegated powers for officers to determine the need for environmental assessment of Neighbourhood Plans or Local Plans	17 October 2018 14 November 2018	Cabinet Council	Planning and Economic Development Policy Advisory Group 13 Sep 2018	Open	David Waker, Graham Winwright dwaker@children.gov.uk, graham.winwright@southbucks.gov.uk
Y	HS2 Update Report To provide update to Members on the work being undertaken by the Council as the HS2 project progresses	17 October 2018	Cabinet	Planning and Economic Development Policy Advisory Group 13 Sep 2018	Fully exempt (Para 3)	Ifath Nawaz Ifath.Nawaz@southbucks.gov.uk
N	S106 Review update To receive an update on the S106 review <i>Item added 22 Aug 2018</i>		For information	Planning and Economic Development Policy Advisory Group 13 Sep 2018	Open	Mitchell Kitts Mitchell.Kitts@southbucks.gov.uk
N	Community Infrastructure Levy To receive a report seeking authority to submit the CIL to public consultation <i>Item added 4 Sept 2018</i>	17 October 2018	Cabinet	Planning and Economic Development Policy Advisory Group 13 Sep 2018	Open	Mark Jaggard Mark.Jaggard@southbucks.gov.uk

Y	Heathrow Airport Update To receive an update on the expansion proposals of Heathrow Airport Ltd (HAL) outlining the Council's stance on expansion and the mitigations and opportunities the Council seeks. <i>Item added 12 Sept 2018</i>	17 October 2018	Cabinet	Planning and Economic Development Policy Advisory Group 13 Sep 2018	Open	Mark Jaggard Mark.Jaggard@southbucks.gov.uk
Customer Services and Business Support (Councillor Duncan Smith)						
N	Applications for Discretionary Rate Relief To consider applications for Discretionary Rate Relief	17 October 2018	Cabinet	Customer Services and Business Support Policy Advisory Group 17 Sep 2018	Fully exempt (para 3)	Neil Berry Neil.berry@southbucks.gov.uk
Healthy Communities (Councillor Patrick Hogan)						
N	Bucks Home Choice Allocation Policy To agree the revised Bucks Home Choice allocation policy for consultation		Cabinet Member - Healthy Communities	Healthy Communities Policy Advisory Group 2 Oct 2018	Open	Michael Veryard Michael.veryard@southbucks.gov.uk
Y	Housing Strategy Approval and adoption of the joint Chiltern and South Bucks Housing (Affordable Housing and Homelessness) Strategy	17 October 2018 14 November 2018	Cabinet Council	Healthy Communities Policy Advisory Group 2 Oct 2018	Open	Martin Holt martin.holt@southbucks.gov.uk
Y	Open Spaces and Playing Pitch Strategy To approve the strategy following consultation	17 October 2018	Cabinet	Healthy Communities Policy Advisory Group 2 Oct 2018	Open	Martin Holt martin.holt@southbucks.gov.uk
Y	Bath Road Depot Update on the delivery of 12 affordable housing units <i>Item amended - PAG information report only</i>	17 October 2018	Cabinet	Healthy Communities Policy Advisory Group 2 Oct 2018	Open	Martin Holt martin.holt@southbucks.gov.uk

Y	Performance of the leisure provider: annual report To report on the performance of the leisure provider	For information	For information	Healthy Communities Policy Advisory Group 2 Oct 2018	Open	Martin Holt martin.holt@southbucks.gov.uk
Y	Review of the Gambling Act 2005 Statement of Principles Review of the Gambling Act 2005 Statement of Principles following consultation and approval by Licensing Committee <i>Item added 2 Oct 2018</i>	17 Oct 2018 14 Nov 2018	Cabinet Council		Open	Charlie Robinson crobinson@chiltern.gov.uk
N	Community Lottery Review Review the progress and report key outcomes of the Chiltern and South Bucks Lottery scheme	21 Nov 2018	Healthy Communities Policy Advisory Group		Open	Martin Holt martin.holt@southbucks.gov.uk
Y	Community Wellbeing Plans Annual Review to review and report on the outcomes of the Community and Wellbeing Plans 2017/18	12 Dec 2018	Cabinet	Healthy Communities Policy Advisory Group 21 Nov 2018	Open	Martin Holt martin.holt@southbucks.gov.uk
Y	Bucks Home Choice Allocation Policy To adopt the Bucks Home Choice Allocation Policy following consultation	13 March 2019 16 April 2019	Cabinet Council	Healthy Communities Policy Advisory Group 28 Feb 2019	Open	Martin Holt martin.holt@southbucks.gov.uk
Y	Air Quality Action Plan To adopt the Air Quality Action Plan for Iver	13 March 2019	Cabinet	Healthy Communities Policy Advisory Group 28 Feb 2019	Open	Martin Holt martin.holt@southbucks.gov.uk
Environment (Councillor Luisa Sullivan)						

N	Waste Contract Update To receive an update on the waste contract <i>Item amended JWCC information report only 5/09/18</i>	17 October 2018	Cabinet	Joint Waste Collection Committee 3 October 18	Private	Sue Markham sue.markham@southbucks.gov.uk
Y	Review of remaining recycling centres To consider approaches for the removal of the remaining recycling centres <i>Item amended 24/08/18</i>	3 October 2018	Joint Waste Collection Committee	Environment PAG 20 Nov 2018	Open	Chris Marchant chris.marchant@southbucks.gov.uk

Resources (Councillor Barbara Gibbs)

Y	Redevelopment of Gerrards Cross Police Station To approve the business case for the redevelopment project	17 October 2018 14 November 2018	Cabinet Council	Resources Policy Advisory Group 25 Sep 2018	Open	Chris Marchant chris.marchant@southbucks.gov.uk
Y	Gerrards Cross Car Park To approve the business case for the Gerrards Cross Car Park project	17 October 2018 14 Nov 2018	Cabinet Council	Resources Policy Advisory Group 25 Sep 2018	Open	Chris Marchant chris.marchant@southbucks.gov.uk
Y	Land at Bath Road To approve the purchase of land at Bath Road <i>Item added 17 Aug 2018</i> <i>Item removed 10 Sept 18</i>	17 October 2018	Cabinet	Resources Policy Advisory Group 25 Sep 2018	Fully exempt	Chris Marchant Chris.marchant@southbucks.gov.uk
Y	South Bucks County Park To consider the proposal to commence construction following Planning Committee outcome, and to recommend that Council designate the site a County Park <i>Item deferred (2 Oct 18)</i>	17 October 2018 14 November 2018	Cabinet Council	South Bucks Advisory Panel	Open	Jim Burness Jim.Burness@southbucks.gov.uk
N	Bad Debt Write Off Request To request Cabinet approval to write off a debt <i>Item added 10 Sept 18</i>	17 October 2018	Cabinet	Resources Policy Advisory Group 25 Sep 2018	Fully exempt (para 3)	Rodney Fincham Rodney.Fincham@southbucks.gov.uk

N	Treasury Management Quarterly Report Quarter 1 2018/19 To note quarter 1 performance	For Information	For Information	Resources Policy Advisory Group 25 Sep 2018	Open	Helen O'Keeffe Helen O'Keeffe@SouthBucks.gov.uk
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Key Decision

The Regulations explains a "key decision" as an executive decision which is likely:-

- (a) to result in the local authority incurring expenditure which is, or the making of savings which are significant having regard to the relevant authority's budget for the service or function to which the decision relates; or
- (b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the relevant authority.

With regard to (a) a key is a decision which has income or expenditure effect of £50,000 or more but excludes contracts for and expenditure on repairs, maintenance and improvements works within budget provision and approved policy where the contract or expenditure has either been properly and specifically approved by or on behalf of the Cabinet or by an Officer acting under delegated powers, save where Contract Standing Orders require the Cabinet itself to authorise acceptance of a tender and such acceptance has not previously been authorised or delegated by the Cabinet.

Report Title and Summary

A summary and title of a report is listed in this column. Reports that will be considered at a meeting will be available 5 working dates before the meeting at <http://www.sbdcspider2.southbucks.gov.uk/democracy/uuCoverPage.aspx?bcr=1>

Decision Maker & Date

This column shows by whom the Decision will be taken and the date the Decision is due to be taken.

Consultation – How and When

This column shows the process of consultation, which takes place prior to Cabinet. To support the role of the Portfolio Holders, Policy Advisory Groups (PAGs) have been set up to provide advice and guidance. A report is submitted to the PAG for its consideration, following which the minutes of the PAG are submitted to Cabinet. Cabinet considers the advice of the Portfolio Holder and the PAG when making a decision. The dates of PAGs are shown on the following notice. Whilst meetings of the PAGs are not open to the public the agenda papers and reports (except those subject to prohibition or restriction) are published on the Council's website.

Private Report and Reason Private

Members of the public are welcome to attend meetings of the Cabinet, however the public can be excluded for an item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 1, subject to the qualifications and interpretations in Parts 2 and 3, of Schedule 12A to the Local Government Act 1972 (as amended). The relevant paragraphs are listed in the table below:

Paragraph	
1.	Information relating to any individual.
2.	Information which is likely to reveal the identity of any individual.
3.	Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4.	Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5.	Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6.	Information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.

7.	Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.
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Making Representations

If you wish to make representations about why a meeting should not take place in private then submit your representations at least 10 clear working days before the meeting to Democratic and Electoral Services, South Bucks District Council, Capswood, Oxford Road, Uxbridge, UB9 4LH - email democraticservices@southbucks.gov.uk so that they can be included in this further notice along with a statement of response to the representations as required under Regulation 5.

REPORT SUBJECT:	<i>South Bucks District Council Performance Report Q1 2018-19</i>
REPORT OF:	<i>Leader of the Council – Councillor Nick Naylor</i>
RESPONSIBLE OFFICER	<i>Chief Executive – Bob Smith</i>
REPORT AUTHOR	<i>Ani Sultan (01494 586 800)</i>
WARD(S) AFFECTED	<i>Report applies to whole district</i>

1. Purpose of Report

This report outlines the annual performance of Council services against pre-agreed performance indicators and service objectives for Quarter 1 of 2018-19.

RECOMMENDATION

Cabinet is asked to note the performance reports.

2. Executive Summary

Overview of **Quarter 1 2019-19** performance indicators (PIs) against targets across the Council:

Portfolio	No of PIs	PI on target □	PI slightly below target □	PI off target □	Not reported this quarter/ not used	Awaiting data
Leader's	3	3	0	0	0	0
Resources	4	4	0	0	0	0
Healthy communities	10	5	0	1	4	0
Planning & Economic development	15	10	0	0	5	0
Environment	4	2	0	1	1	0
Customer & Business Support	9	5	1	0	3	0
Total PIs	45	29	1	2	13	0

3. Reasons for Recommendations

3.1. This report details factual performance against pre-agreed targets.

3.2. Management Team, Cabinet and Overview & Scrutiny Committee receive regular updates detailing progress towards service plan objectives, performance targets and strategic risks, in line with our Performance and Improvement Framework.

3.3. Three detailed performance tables accompany this report:

- **Appendix A – Priority PIs Quarter 1 2018-19**
- **Appendix B – Corporate PIs Quarter 1 2018-19**
- **Appendix C – Data Only PIs Quarter 1 2018-19**

4. Key points to note:

4.1. All PIs data has been received.

4.2. All priority PIs are on target.

4.2.1. **Leaders:** All Priority and Corporate PIs within the Leader's portfolio are on target.

4.2.2. **Resources:** All PIs for this portfolio are on target.

4.2.3. **Healthy Communities:** SbEH1 - Percentage of food hygiene inspections of category A – D food businesses achieved against the inspections due by quarter – was under target of 91%, at 80.4%. During quarter 1, officers have had to undertake significant enforcement for poor standards of hygiene at a number of premises. One case was successfully heard by the Magistrates' Court, with fine and costs awarded in excess of £2,000. Further cases are pending. Due to time spent on these cases, resources have been depleted within day-to-day work.

4.2.4. **Planning & Economic Development:** The PIs are on target for this portfolio, with performance above the target set.

4.2.5. **Environment:** Percentage of household waste sent for reuse, recycling and composting is above target of 53%, at 58%. SbWR1 – household refuse collections, number of containers missed – is over target of 100 at 135: the increase in temperature has led to the crews working more slowly, meaning that rounds have been taking longer. Crew holidays, and the use of agency staff has further contributed to this.

4.2.6. **Customer & Business Support:** all PIs in this portfolio are above target, excepting the Corporate PI JtBS2, percentage of calls to ICT helpdesk resolves within agreed timescales (by period), which is slightly under the target of 95% at 93.5% (improved from previous quarters), due to resources being pulled from the team to cope with vworkspace rollout.

5. Consultation

Not applicable.

6. Options

Not applicable.

7. Corporate Implications

7.1 Financial - Performance Management assists in identifying value for money.

7.2 Legal – None specific to this report.

7.3 Crime and Disorder, Environmental Issues, ICT, Partnership, Procurement, Social Inclusion, Sustainability – reports on aspects of performance in these areas.

8. Links to Council Policy Objectives

Performance management helps to ensure that performance targets set through the service planning process are met, and that any dips in performance are identified and resolved in a timely manner.

This report links to all three of the Council's objectives, listed below:

Objective 1 - Efficient and effective customer focused services

Objective 2 - Safe, healthy and cohesive communities

Objective 3 - Conserve the environment and promote sustainability

9. Next Step

Once approved, this report and appendices will be published on the website.

Background Papers:	N/A
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Appendix A - Priority PIs 2018-19 - SBDC

Code	Title	Target 2018/19 (YTD)	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Traffic Light	Target 2018/19	Comments
Leader's portfolio																	
JtHR1	Working days lost due to sickness absence	10	5.76	6.3	6.28										☑	10	152.50 working days lost for June + 310.50 days lost (April - May) = 463 days lost. 463 / 295.50 (average FTE figure) = 1.57 / 3 x 12 = 6.28 average working days lost to sickness absence (cumulative). These figures relate to absence days from 30 employees
JtHR12	Working days lost due to short term sickness absence (up to 20 working days)	5	2.76	2.7	2.36										☑	5	40.50 working days lost for June + 132.50 days lost (April - May) = 173 days lost. 173 / 295.50 (average FTE figure) = 0.59 / 3 x 12 = 2.36 average working days lost to short term sickness absence (cumulative). The figures related to absence from 24 employees
JtHR13	Working days lost due to long term sickness absence (more than 20 working days)	5	3	3.6	3.92										☑	5	112 working days lost for June + 178 days lost (April - May) = 290 days lost. 290 / 295.50 (average FTE figure) = 0.98 / 3 x 12 = 3.92 average working days lost to long term sickness absence (cumulative). This absence relates to 6 employees
Resources																	
SbRB1	Speed of processing - new HB/CTB claims (cumulative)	19	17.87	17.74	17.88										☑	18	Target achieved.
SbRB2	Speed of processing - changes of circumstances for HB/CTB claims (cumulative)	8	6.22	6.05	6.01										☑	8	Target achieved.
SbRB3	Percentage of Council Tax collected (cumulative)	98%	11.4%	20.8%	30%										☑	98.0%	Quarter 1 target is 25%, therefore target has been achieved.
SbRB4	Percentage of non-domestic rates collected (cumulative)	98.8%	12.2%	21.1%	30.1%										☑	98.8%	Quarter 1 target is 25%, therefore target has been achieved.
Healthy Communities																	
SbHS1	Number of applicants with/expecting children who have been in B & B accommodation for longer than 6 weeks (snapshot figure at end of month)	18	3	2	2										☑	18	1 of these households has subsequently had B&B placement cancelled. The other household is being moved to a PSLS (Private Sector Leasing Scheme) property.

Page 22

Appendix A

Code	Title	Target 2017/18 (YTD)	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18	Traffic Light	Target 2018/19	Comments
SbHS7	Number of households living in temporary accommodation (snapshot at the end of the month)	68	60	57	55										☑	68	This includes 5 household in PSLS (Private Sector Leasing Scheme). More clients being moved from nightly booked to PSLS accommodation as well as working to reduce overall TA figure. Since this end of quarter snapshot, total number in TA has reduced to 50 (at 12/7/18) with further 8 of these clients due to move onto social housing tenancies or PSLS.
Planning and Economic Development																	
SbPED9	Processing of planning applications: major applications processed within 13 weeks (cumulative)	90%			100%										☑	90%	1 out of 1 application determined cumulatively.
SbPED10	Processing of planning applications: minor applications processed within 8 weeks (cumulative)	85%			93.67%										☑	85%	74 out of 79 application determined cumulatively.
SbPED11	Processing of planning applications: other applications processed within 8 weeks (cumulative)	85%			93.61%										☑	85%	205 out of 219 application determined cumulatively.
Environment																	
SbWR2	Percentage of household waste sent for reuse, recycling and composting (cumulative)	55%	52.44%	55.25%	58.18%										☑	53%	This figure is provisional as still waiting on data from BCC and waste contractors and others

Page 33

Appendix B - Corporate PIs 2018-19 - SBDC

Code	Title	Target 2017/18 (YTD)	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Traffic Light	Target 2018/19	Comments
Leader's Portfolio																	
Customer and Business Support																	
JtBS1 (C)	Availability of ICT systems to staff from 8am to 6pm (by period)	99.5%			99.8%										✓	99.5%	Crematorium down for 8 hours this Quarter.
JtBS2 (C)	Percentage of calls to ICT helpdesk resolved within agreed timescales (by period)	95%			93.5%										⚠	95%	An increase in calls - mainly regarding Vworkspace being down - plus the team attempting to rectify the Vworkspace situation, meant less capacity to answer calls.
SbBS3	Percentage of responses to FOI requests sent within 20 working days (by month)	90%	98.5%	98.4%	97.6%										✓	90%	On target.
SbCS1	Number of complaints received (cumulative, quarterly)	80			9										✓	80	On target.
SbCS2	New measure for compliments - t.b.a.	TBA	NA	NA	NA										NA	TBA	Placeholder for PI for when Customer Experience Strategy is implemented
JtLD1 (C)	Client satisfaction with the shared service. Percentage satisfied or very satisfied.	98%													NA	98%	Reported 6-monthly.
SbLD1	Percentage of canvass forms returned	94%													NA	94%	Yearly PI.
SbLD2	Standard searches carried out within 5 working days (cumulative)	100%	100%	100%	100%										✓	100%	Target achieved.
SbLD3	Standard searches carried out within 10 working days (cumulative)	100%	100%	100%	100%										✓	100%	Target achieved.
Healthy communities																	
SoCL1a	Customer satisfaction rating at the Beacon Centre.	83%													NA	84%	Yearly PI.
SoCL1b	Customer satisfaction rating at the Ereham Centre.	80%													NA	82%	Yearly PI.
JtLI1 (C)	Percentage of customers satisfied with the licensing service received (annual)	89%													NA	80%	Yearly PI.
JtLI2 (C)	Percentages of licences received and issued/renewed within statutory or policy deadlines (cumulative).	97%			98.6%										✓	97.0%	Target achieved.
SbEH1	Percentage of food hygiene inspections of category A – D food businesses achieved against the inspections due by quarter	91%			80.4%										✗	91%	During Q1, officers have had to undertake significant enforcement for poor standards of hygiene at a number of premises. One case was successfully heard by the Magistrates' Court during Q1 with fine and costs awarded in excess of £2,000. Further cases are pending. The time spent by officers on these cases meant that less resources were available for inspections.
SbHS2	Number of affordable homes delivered by (i) new build (ii) vacancies generated by local authority scheme (iii) acquisition of existing properties for social housing (cumulative)	22			13										✓	22 5.5/qtr	Total comprises (i) 12 x Taplow new build properties (Housing Solutions) (ii) 0 and (iii) 1 x acquisition by L&Q
SbHS3	Average Length of stay in B & B temporary accommodation for all households (snapshot at end of period)	22			12										✓	22	Total of 7 B&B placements ended during quarter. Overall average stay inflated by one long term complex case which required a longer stay in B&B
SbHS4	Number of private sector dwellings vacant for more than 6 months and returned to occupation following local authority intervention	15													NA	15	Yearly PI.
Planning and Economic Development																	
JtBC1 (C)	Applications checked within 10 working days (cumulative)	92%	100%	98.4%	98.2%										✓	92%	Target achieved.

Appendix B

Code	Title	Target 2017/18 (YTD)	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Traffic Light	Target 2018/19	Comments	
JtBC2 (C)	Customer satisfaction with the building control service. (cumulative)	92%	100%	100%	100%										☑	92%	Target achieved.	
SbPED1	Percentage of planning applicants who are satisfied or very satisfied with the planning service	80%			NA										NA	85%	Survey has not been carried out - looking to make survey more relevant to service.	
SbPED2	Planning appeals allowed (cumulative)	35%			33.3%										☑	35%	3 allowed or part allowed of 9 appeals decided (cumulative total) Note: How this indicator is calculated has been revised. This includes, all appeal types. Appeals against -Refusal of planning permission, -Imposition of conditions -Non-determination -Enforcement notices All applications that have development types that are reported to the Government on the PS2 return and PS1, questions 6 and 7 and all appeals against enforcement	
SbPED41	2019 Majors speed of planning decisions - special measures 2 year assessment period ending Sep 2018 (cumulative monthly)	60%	87.1%	87.1%	87.1%										☑	60%	This is a measure of our performance on major applications for the two year period 1/10/16 - 30/9/18 and is this is therefore 21 months through the 24 month period (27/31)	
SbPED42	2019 Non-Majors speed of planning decisions - special measures 2 year assessment period ending Sep 2018 (cumulative monthly)	70%	90.0%	90.3%	90.4%										☑	70%	This is a measure of our performance on major applications for the two year period 1/10/16 - 30/9/18 and is this is therefore 21 months through the 24 month period (1918/2122)	
SbPED43	2019 Majors quality of planning decisions - special measures 2 year & 9 month assessment period ending Dec 2018 (cumulative monthly)	9.99%	7.89%	7.89%	7.89%										☑	9.99%	This calculation is based on the number of major appeals lost between 1/4/16 - 31/12/18 on major applications decided between 1/4/16 - 31/3/18 (3/38). Please note that the denominator is now fixed.	
SbPED44	2019 Non-Majors quality of planning decisions - special measures 2 year & 9 month assessment period ending Dec 2018 (cumulative monthly)	9.99%	1.12%	1.12%	1.12%										☑	9.99%	This calculation is based on the number of non-major appeals lost between 1/4/16 - 31/12/18 on non-major applications decided between 1/4/16 - 31/3/18 (28/2499). Please note that the denominator is now set.	
SbPED45	2020 Majors speed of planning decisions - special measures 2 year assessment period ending Sep 19 (cumulative monthly)	60%															60%	Figures have started to be recorded, will be entered in next quarter.
SbPED46	2020 Non-Majors speed of planning decisions - special measures 2 year assessment ending September 2019 (cumulative, monthly)	70%															70%	Figures have started to be recorded, will be entered in next quarter.
SbPED47	2020 Majors quality of planning decisions - special measures 2 year and 9 month assessment period ending December 2019 (cumulative monthly)	9.99%															9.99%	Figures have started to be recorded, will be entered in next quarter.
SbPED48	2020 Non-Majors quality of planning decisions - special measures 2 year and 9 month assessment period ending December 2019 (cumulative, monthly)	9.99%															9.99%	Figures have started to be recorded, will be entered in next quarter.
Environment																		
SbWR1	Household refuse collections, number of containers missed per month (calculated by P&C team on weekly basis)	100	129	100	135										☒	100	Increase in temperature has led to the crews working more slowly, meaning that rounds have been taking longer. Crew holidays, and the use of agency staff has further contributed to this.	

Page 35

Appendix B

Code	Title	Target 2017/18 (YTD)	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Traffic Light	Target 2018/19	Comments
SbWR4	No of missed assisted containers (monthly)	NEW PI	47	26	30										<input checked="" type="checkbox"/>	35	On target.
SbSE1	Cumulative CO2 reduction from local authority operations from base year of 2008/09	NEW PI												NA	12%	Yearly PI.	

Appendix C - Data Only PIs - SBDC

Code	Title	Target 2017/18 (YTD)	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Trend	Comments
Leader's Portfolio																
SbCP1 (C)	Number of unique visitors to the main website (monthly by period and annual)	Data Only	84463	82821	71933											
JtHR2 (C)	Voluntary leavers as a % of workforce (extrapolated for the year)	16%			6%											
Healthy Communities																
SbCmSf1 (C)	Percentage reduction in burglaries from dwelling, rolling year on year (quarterly)	Data Only			15%											South Bucks saw a 15% reduction in burglary offences when compared to the previous year. (51 compared to 60)
SbCmSf2 (C)	Percentage reduction in violent offences against a person, year on year (quarterly)	Data Only			-79.4%											South Bucks saw an increase in recorded violence against a person offences. This increased to 384 from 214 the previous year. It is expected that the number of offences recorded will continue to increase with the improvement in recording standards
SbCL3a (C)	Total attendance at Evreham Centre (quarterly)				12,906											
SbCL3b (C)	Total attendance at Beacon Centre				36,893											
Planning and Economic Development																
JtENF1(C)	Number of new enforcement cases received (monthly)	NEW PI	23	30	25										^	
JtENF2 (C)	Number of closed cases (monthly)	NEW PI	5	215	45										^	
JtENF3 (C)	Number of PCNs (or S330s) issued (monthly)	NEW PI	0	0	0										-	
JtENF4 (C)	Number of notices served (monthly)	NEW PI	0	0	0										-	

SUBJECT	Delegation Arrangements on Planning Enforcement
REPORT OF	Cllr John Read
RESPONSIBLE OFFICER	Steve Bambrick
REPORT AUTHOR	Joanna Swift
WARD/S AFFECTED	All wards

1. Purpose of Report

To recommend changes to the delegation arrangements on Planning Enforcement matters to take account of the recent approval of the Local Enforcement Plan.

RECOMMENDATION

That the revised delegations as set out in the Appendix to the report be agreed and recommended to Full Council for approval.

2. Reasons for Recommendations

The recommended revised arrangements will provide the mechanism for the effective delivery of the Local Enforcement Plan.

3. Content of Report

- 3.1. The Local Enforcement Plan was approved at Cabinet on 17 April 2018.
- 3.2. The Plan brings about significant changes to the processes that will be followed in receiving and assessing information about alleged breaches of planning control.
- 3.3. The current delegated arrangements give officers authority to serve requisitions for information about ownership of land and Planning Contravention Notices. In cases of urgency the Head of Legal and Democratic Services has power in consultation with the Head of Planning and Economic Development and Chairman of the Planning Committee to serve a range of enforcement notices and apply for injunctions. The Head of Planning and Economic Development also has power to take direct action to remove offending development with the action taken being reported to the next meeting of the Planning Committee. Apart from these delegations the current arrangements require all enforcement action to be authorised by Planning Committee.
- 3.4. In order to ensure the efficient operation of the recently approved Local Enforcement Plan it is considered the current arrangements require review. In particular, the requirement for the planning committee to authorise the service of enforcement notices adds time and operational costs to the wider process. Current work on assessing the backlog of enforcement activity indicates that there will be a significant increase in the service of notices in the coming months. Plainly, this pipeline of work will stretch the current arrangements even further.

- 3.5. The new arrangements proposed would give delegated authority to the Head of Planning and Economic Development on all enforcement matters with a requirement for consultation with the Head of Legal and Democratic Services on the service of notices and instigation of legal proceedings. The decision to serve a Stop Notice, Temporary Stop Notice or to apply for an injunction would be made in consultation with the Chairman of Planning Committee (or in his absence the Vice – Chairman). Any direct action taken would continue to be reported to the next Planning Committee as required under the current delegations. A service level agreement would be prepared between the Planning service and the Legal service. This agreement would identify the timescales for undertaking consultation and providing legal advice. This is intended to ensure legal issues are properly considered when issuing notices and instituting proceedings but allow more streamlined decision - making particularly on the serving of enforcement notices. This revised process would also address many of the current issues and complaints about the enforcement service which focus on the time taken for notices to be served where necessary.
- 3.6 Whilst the proposed revised delegations are directly to officers, it is acknowledged that members of the Planning Committee and local members will continue to expect a degree of engagement in the wider process. It is on this basis that senior officers will ensure that they raise issues with ward members as would be appropriate to the proposed notice or action concerned.
- 3.7 A similar report is being submitted to the Cabinet and Planning Committee at South Bucks seeking views on the proposed new arrangements.

4. Consultation

The contents of this report have been discussed with the Portfolio Holder and Chairman of the Planning Committee.

5. Options (if any)

There are a variety of options for delegating decision-making for enforcement matters based on a combination of factors including the ability of officers to serve an extensive or a more restrictive range of notices. The proposed delegations are based on national best practice and seek to ensure the Council can deliver the recently introduced Local Enforcement Plan in an effective and timely manner.

6. Corporate Implications

- 6.1 Financial – There are no direct financial implications from this report.
- 6.2 Legal – Enforcing breaches of planning and advertisement control is a statutory power which requires investigation of factual and legal issues to determine whether a breach has taken place, as well as a decision as to whether it is expedient to take action having regard to relevant planning policy considerations.

6.3 Whilst the report does not have any direct implications on any other corporate matters, it has the potential to send out very strong signals about the Council’s willingness to take positive and proportionate enforcement action where necessary.

7. Links to Council Policy Objectives

The proposal supports the objectives of conserving the environment and promoting sustainability as well as delivering cost-effective, customer-focused services.

8. Next Steps

Following consideration by Planning Committee and Cabinet the proposed revisions to the Scheme of Delegations will be reported to Full Council for approval and the Constitution updated accordingly.

Background Papers:	None other than referred to in this report
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SDBC Constitution Section F – Scheme of Delegations to Officers

Planning Committee

Delegations to Officers

~~(11) Planning and Compensation Act 1991~~

- | | |
|---|--|
| <p>(a) Authority to issue planning contravention notices.</p> | <p>Head of Planning and Economic Development (in consultation with the Head of Legal & Democratic Services where appropriate) and the Head of Legal & Democratic Services</p> |
| <p>(b) Power to issue Breach of Condition Notice under Section 187A.</p> | <p>Head of Planning and Economic Development in consultation with the Head of Legal & Democratic Services, (notices to be issued in the name of the Head of Legal & Democratic Services)</p> |

(13) Enforcement

- | | |
|--|---|
| <p>(a) Authority to decide whether it is expedient to take enforcement action and to prepare, issue, serve, amend or withdraw, or, in case of injunctions, apply for:</p> <p>(i) Enforcement Notices, including Listed Building Enforcement Notices;</p> <p>(ii) Stop Notices including Temporary Stop Notices;</p> <p>(iii) Injunctions restraining breaches of Planning Control;</p> <p>(iv) Notices under Section 215 of the Town and Country Planning Act 1990 Act relating to untidy land;</p> <p>(v) Breach of Condition Notices under Section 187A of the Town and Country Planning Act 1990; and</p> <p>(vi) Planning Contravention Notices under Section 171 C of the Town and Country Planning Act 1990.</p> <p>Power to issue an enforcement notice under the Town & Country Planning Acts In cases where the contravention has been the subject of a previous refusal of planning consent, and further that if necessary, legal proceedings be instituted to secure compliance.</p> | <p>Head of Planning and Economic Development in consultation with the Head of Legal & Democratic Services and in respect of Stop Notices, Temporary Stop Notices and Injunctions after consultation with the Chairman of Planning Committee (or in his/her absence the Vice-Chairman).</p> <p>;(notices to be issued in the name of the Head of Legal & Democratic Services)</p> |
| <p>(b) Authority to take any necessary follow up action including the administration of a simple caution and instituting prosecution proceedings for non-compliance with any enforcement action. decide when it is not considered expedient to take enforcement action.</p> | <p>Head of Planning and Economic Development with any prosecution proceedings to be instituted in consultation with the Head of Legal & Democratic Services</p> |
| <p>(c) Authority to serve a notice requiring contravening work to be pulled down, removed or altered or taking other direct</p> | <p>Head of Planning and Economic Development with any action taken</p> |

~~action in respect of a breach of planning control. consider the evidential and public interest tests as to whether or not a prosecution should be commenced for breach of a planning control related offence under prior authority from the Committee.~~ being reported to the next meeting of the Planning Committee

- (d) Authority to defer enforcement action pending an appeal against a refusal of planning permission Head of Planning and Economic Development

~~Authority to determine that a Simple Caution be offered and administered as opposed to a prosecution for relevant planning control related offences (whether already delegated or authorised by Committee or pending a report for specific authority for a prosecution) where the circumstances support this way forward (the administering of a Simple Caution to be reported to the next available Planning Committee).~~

- (e) Authority to administer the Simple Caution, where a Simple Caution is considered to be the appropriate course of action. Head of Legal & Democratic Services

(16) Town and Country Planning Act 1990

- (a) Powers under Section 330 to require information about ownership, use and occupation of land. Head of Planning and Economic Development and Head of Legal & Democratic Services concurrently
- (b) Exercising powers to control the display of advertisements in breach of the Town and Country Planning (Control of Advertisements) Regulations 1992 and fly-posting under Sections 224 and 225 of the Town & Country Planning Act 1990, including power to arrange for removal of offending advertisements and/or prosecution. Head of Planning and Economic Development with any prosecution proceedings to be instituted in consultation with the Head of Legal & Democratic Services

B. Delegations to Officers – Subject to Consultation with Consultative Body

Matter Delegated

- ~~(1) Authority to serve Enforcement Notices and Stop Notices in cases of urgency.~~
- ~~(12) Authority to take proceedings for breach of any notice or order within the work of the Committee not referred to in Part A above.~~
- ~~(23) Matters of routine business and those requiring urgent decisions between meetings.~~
- ~~(6) Temporary Stop Notices~~
 Authority to issue a Temporary Stop Notice, such Notice to be issued in the name of the Head of Legal Services.

Officer

- ~~Head of Planning and Economic Development in consultation with the Head of Legal & Democratic Services~~
- Head of Planning and Economic Development in consultation with the Head of Legal & Democratic Services
- ~~Director of Services Appropriate Chief Officer~~
- Head of Planning and Economic Development in consultation with the Head of Legal & Democratic Services

C. Delegations from Buckinghamshire County Council**Matter Delegated**

Authority to remove flyposting on the highway / verge /affixed to Bucks County Council street furniture (S. 132 of Highways Act 1980).

Officer

Director of Services

SUBJECT	The Environmental Assessment of Plans and Programmes Regulations 2004 – delegated powers
REPORT OF	Councillor John Read (SBDC) and Councillor Peter Martin (CDC) - Planning and Economic Development portfolio holders
RESPONSIBLE OFFICER	Steve Bambrick Director/ Mark Jaggard Head of Service
REPORT AUTHOR	David Waker, 01494 732267; dwaker@chiltern.gov.uk
WARD/S AFFECTED	All

1. Purpose of Report

To seek delegated authority to determine the need for environmental assessment of plans, specifically neighbourhood plans.

RECOMMENDATION:

- That the statutory requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 in relation to neighbourhood planning are delegated to the Head of Planning and Economic Development in consultation with the Portfolio Holder for Planning and Economic Development.**

2. Executive Summary

The Council has a duty to undertake environmental assessments for neighbourhood plans within their area. The technical nature of the determination and short timeframes required mean decisions are unlikely to neatly fit with Cabinet meetings timetables. The environmental assessment process is related to neighbourhood planning but doesn't form part of the neighbourhood planning legislation and is thus not covered by the existing delegated powers for the neighbourhood planning process. Neighbourhood planning remains a Council specific function with neighbourhood plans needing to be processed and approved (made) by each respective sovereign council.

3. Reasons for Recommendations

The Council is required to undertake environmental assessment of neighbourhood plans. The timing of neighbourhood plan production is in the hands of the neighbourhood plan groups and as such whilst the district councils have a duty to assist and to make decisions within timeframes as set within the regulations it is difficult to programme the need for an environmental determination decision into a Cabinet meeting timetables. Most other aspects of neighbourhood planning as defined in the Localism Act have been delegated already. Therefore it is logical and practicable to include environmental assessment of plans in the scheme of delegation.

4. Content of Report

- 4.1. The Environmental Assessment of Plans and Programmes Regulations are the UK government's interpretation of European law. The legislation is similar to the requirement to undertake an Environmental Impact Assessment of a planning application. Whilst the regulations have been in force since 2004 and apply equally to local plan documents decisions related to the progression of the local plan are delegated to the Joint Committee and the environmental assessment of the local plan is usually tied in with the overall evidence base of the local plan including the Sustainability Appraisal (SA) of the plan and the Habitats Regulations Assessment (HRA) of the implications of the proposed local plan on the designated European sites e.g. Special Areas of Conservation (SAC) such as Burnham Beeches. Therefore this report concentrates on the role of environmental assessment in the neighbourhood plan process and a similar report is being made to Chiltern for consistency in delivering a shared service.
- 4.2. Across Chiltern and South Bucks there has so far been one neighbourhood plan made (note under the legislation neighbourhood plans are 'Made' rather than adopted by the local planning authority and if they pass a referendum and are made become a part of the development plan.) Officers are currently progressing the Chalfont St Giles Neighbourhood Plan through the formal process and there are a further 8 designated neighbourhood areas (one in Chiltern District and seven in South Bucks District) where we can expect a neighbourhood plan to be developed in the future.
- 4.3. Delegated powers - Neighbourhood planning remains a Council specific function with each sovereign council needing to determine and 'make' neighbourhood plans submitted in their own respective area. As members will be aware most of the procedural stages of the neighbourhood plan process and other neighbourhood related planning functions are delegated to officers with or without the need to consult with local ward members and or the relevant portfolio holder. However these delegations relate solely to the neighbourhood planning related parts of the Localism Act 2011 and the associated regulations. (See minute 31 SBDC Cabinet 13th October 2015 and Minute 27 CDC Cabinet September 2014). Although the Environmental Assessment of Plans and Programmes Regulations 2004 (the 2004 regulations) were in effect at the time the neighbourhood plan schemes of delegation were considered the specific requirement for neighbourhood plan groups to include an environmental assessment was only added by an amendment to the Neighbourhood Plan Regulations made in January 2015. This makes it a requirement for the neighbourhood plan group submitting a neighbourhood plan to include an environmental statement made under the 2004 regulations. Those 2004 regulations in turn make it a requirement for the responsible authority, the

district council in this case, to undertake the environmental determination and to carry out the formal procedures associated with the determination process.

- 4.4. As part of the progression of the Chalfont St Giles Neighbourhood Plan, the first neighbourhood plan to be progressed since the change in the regulations, it was identified that there was no formal delegation for the requirements of the 2004 regulations. Under the 2004 regulations once a neighbourhood plan is proposed the district council should consider whether the plan is likely to have a significant environmental effect. Before making the determination that the plan will or will not have an environmental effect the council has to consult the statutory consultation bodies. These are Historic England, Natural England and the Environment Agency. Once the council has made a determination that the plan would not have an environmental impact it has to produce a statement setting out its reasons for the determination. It then has to send a copy of the statement to the consultation bodies and make it publically available. If however, it is considered the plan would have an environmental impact the council has to prepare an environmental report which sets out the likely significant effects of the plan and consult the consultation bodies and people likely to be affected by the adoption of the plan. The consultation to be for a reasonable period to allow people to respond.
- 4.5. Under the Neighbourhood Plan Regulations, as amended, the neighbourhood plan group are required to submit with their neighbourhood plan at examination stage either a copy of the district council's statement that the plan would not have a significant environmental impact or a copy of the environmental report which sets out how the plan would have a significant impact on the environment. This report or statement will form part of the examination of the plan to ensure the neighbourhood plan complies with the European regulations. In turn before the council 'make' (adopt) the neighbourhood plan they have a duty to ensure the correct documents were submitted with the neighbourhood plan and that European laws have not been broken.
- 4.6. Reason for seeking delegated powers – Firstly the assessment of a plan is largely a technical exercise, it is a Council duty for the assessment to be made, but there is no political steer required. The Council view on the impact of the plan on the environment has to be shared with the expert consultation bodies that will use their particular expertise and either agree with the opinion or disagree and state why in their response. As such there appears to be little risk to the council of making an incorrect decision. Secondly although neighbourhood plan groups are often working with officers of the two district councils, on their emerging neighbourhood plans, officers cannot determine when the neighbourhood plans will come forward or when they would have enough information on the content of the proposed plan to be able to make a determination under the 2004 regulations. In addition, there is a need to consult with the consultation bodies and give them the opportunity to respond, this would make the timing of any determination, consultation and actual

cabinet decision timing difficult to plan for and most likely any determination would be unlikely to neatly fit within the Cabinet calendar of meetings. As such if not delegated any determination under the 2004 regulations may require a special meeting of the Cabinet to be called to make the formal council decision.

4.7. Given the above reasoning the recommendation to Cabinet is that the process of undertaking an environmental assessment of the impact of a neighbourhood plan on the environment, under the 2004 regulations, should be delegated to the Head of Planning and Economic Development. Ultimately following the environmental determination, involving the statutory bodies, the neighbourhood plan is examined by an independent examiner, has to pass a referendum and finally has to be 'made' by the local planning authority as such it is considered sufficient safeguards remain to allow delegation of one stage in the bigger neighbourhood plan process.

5. Consultation

Not Applicable

6. Options (if any)

No delegation – if powers are not delegated all environmental assessment determinations of neighbourhood plans would need to be determined by the Cabinet. This requirement will relate to all neighbourhood plans being proposed, any revisions to existing neighbourhood plans and could also be required should a neighbourhood plan examiner recommend modifications a neighbourhood plan prior to referendum which would alter its environmental impact. Due to the need to meet certain timeframes in the neighbourhood planning process this could mean the need for special Cabinets to be called to deal with the issue within the timeframe. Given the technical nature of the determination and the timeframes involved this is not seen as a practicable option.

Delegation to Portfolio holders – delegation could be made to the relevant portfolio holder who would more likely be able to make a quick decision within a tight timeframe. However the determination is a technical decision based on the content of the proposed neighbourhood plan and as such it is not thought necessary to seek portfolio holder agreement.

Delegation to Officers – as set out in the report this it's a technical determination required in a set timeframe – the councils have to consult expert statutory bodies on the outcome of their determination meaning there remains a statutory overview of the councils decision. Delegation to officers would allow the Council to meet their statutory duties to assist the neighbourhood planning process and the need to seek agreement of the consultation bodies would avoid any risk to the council of potentially allowing a plan to proceed that could have an environmental impact.

7. Corporate Implications

- 7.1 Financial – there should be no financial impacts other than officer time to make the necessary determinations and or produce an environmental impact assessment report.
- 7.2 Legal – it is a legal requirement for the responsible authority to determine if a plan or programme would have a significant environmental effect.
- 7.3 Environmental Issues – the SEA process is designed to protect the environment by limiting plans that could harm the environment; Partnership; neighbourhood planning and in particular the need to undertake an environmental assessment of the neighbourhood plan working with the parish council is an example of partnership working at a local level; Sustainability - having an up-to-date Development Plan in place, of which neighbourhood plans form part at a local community level, can help to improve sustainability.

8. Links to Council Policy Objectives

We will work towards safer and healthier local communities 3. Promote cohesive communities - Engage with Parish and Town Councils and local neighbourhoods We will strive to conserve the environment and promote sustainability. The environmental assessment of a neighbourhood plan is part of the process for making a neighbourhood plan. The neighbourhood plan will help establish a safer and healthy community, bring the community together conserve the environment and the plan will promote sustainability.

9. Next Steps

Assuming delegated powers are granted to officers, in the future when draft neighbourhood plans are submitted, to either council, officers will work with the neighbourhood plan group to assess the environmental implications of the proposed plan and will undertake the necessary formal procedures to enable the neighbourhood plan to proceed.

Background Papers:	The Environmental Assessment of Plans and Programmes regulations 2004 - http://www.legislation.gov.uk/ukxi/2004/1633/contents/made The Neighbourhood Planning(General) (Amendment) Regulations 2015 - http://www.legislation.gov.uk/ukxi/2015/20/contents/made
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SUBJECT:	Community Infrastructure Levy (CIL)
REPORT OF:	Cllr John Read / Cllr Peter Martin
RESPONSIBLE OFFICER	Mark Jaggard Head of Planning and Economic Development
REPORT AUTHOR	Mark Jaggard
WARD/S AFFECTED	All or specify individual wards affected by the item of report

1. Purpose of Report

The purpose of this report is to seek the agreement of the Cabinet to consult on the Community Infrastructure Levy Preliminary Draft Charging Schedule with the aim to consult later this year.

RECOMMENDATION to Cabinet

- To agree to consult on Community Infrastructure Levy Preliminary Draft Charging Schedule.**

2. Reasons for Recommendations

- In 2010 the Government introduced the Community Infrastructure Levy (CIL) as the preferred mechanism for securing developer contributions towards infrastructure to support growth in an area. The regulations which introduced CIL also require planning obligations to be scaled back to cover only site-specific obligations. The Community Infrastructure Levy (CIL) is a tool for local authorities to help deliver infrastructure to support new development. CIL is a mandatory charge levied on new developments that involve an increase of 100m² or more of additional floor space, or that involves the creation of a new residential unit.
- The District Councils are in the process of producing a new combined Local Plan 2036. It is therefore prudent to introduce CIL at the current time so that it can be demonstrated how the CIL and associated Regulation 123 list will support delivery of the Local Plan 2036.

3. Content of Report

- The Community Infrastructure Levy is a tariff in the form of a standard charge on new development, which is set by the District Councils to help the funding of infrastructure. It is intended to supplement, or top up, other sources of funding to widen infrastructure delivery.
- Most development has some impact on infrastructure and should contribute to the cost of providing or improving infrastructure. The principle behind CIL is for those who benefit financially from a planning permission to pay towards the cost of funding the infrastructure needed to support development.
- CIL will improve the Councils' ability to mitigate the cumulative impacts on infrastructure from most developments; unlike the former system of planning obligations which tended to affect mainly larger developments. Being charged on a per square metre basis, CIL charges will be proportional to the scale of the development. In investing in the infrastructure of the area, CIL is expected to have a positive economic effect on development in the medium to long term.

- 3.4 The Councils can set CIL rates in a Charging Schedule and can implement these, having undertaken two stages of consultation and an Examination in Public followed by adoption. The 2014 amendments to CIL Regulations Part 3, Regulation 14 mean that when setting CIL rates, the Councils must strike an appropriate balance between the desirability to fund infrastructure through CIL and the potential effect (taken as a whole) of the levy on the economic viability of development in the area where CIL charges apply. When considering infrastructure costs, the Council needs to estimate the cost of infrastructure to support development and take into account other sources of funding.
- 3.5 Regulation 13 of the CIL Regulations 2010 (as amended) makes provision for the setting of differential rates for different geographical areas, different development types/uses, and development size or a combination of them. Any differential rate should be justified by economic viability evidence.
- 3.6 The term 'taken as a whole' indicates that economic viability evidence is used to show that CIL rates can be borne by most development across the Districts. It does not mean that CIL rates can be borne by each and every development. The Councils are using emerging evidence in the Economic Viability Study to inform appropriate CIL rates.

Why introduce Community Infrastructure Levy?

- 3.7 The Councils are in the process of producing the new Local Plan 2036. The Charging Schedule and associated Regulation 123 list will demonstrate how the Local Plan can be delivered and so it is helpful to ensure the Charging Schedule is examined by the Planning Inspectorate (PINS) at the same time as the Local Plan 2036.

Background evidence to support the Preliminary Draft Charging Schedule (PDCS)

- 3.8 The following documents are being produced and will be available for the consultation stage of the PDCS:
- A draft Infrastructure Delivery Plan which sets out infrastructure requirements to support the delivery of the Local Plan 2036. The draft will be informed by the Buckinghamshire Infrastructure Strategy.
 - An Economic Viability Study is being undertaken by consultants and is an important piece of evidence to assist in determining the most appropriate level for the CIL tariff. It considers burdens placed upon new development through the new Local Plan's policies, such as affordable housing requirements and renewable energy.
 - An Infrastructure Funding Gap which will compare the likely CIL income from anticipated new developments with the cost of infrastructure that has been initially identified in the draft Infrastructure Delivery Plan. It is anticipated that CIL will not generate sufficient funds to pay for all the infrastructure identified. The Councils' intention is set the CIL rates to ensure that CIL can make a meaningful and needed contribution to the infrastructure needs across the two Districts.
- 3.9 Initial indications from the Economic Viability Study show that a charge of £150/m² (retail uses, housing, Houses in Multiple Occupation) and £35/m² (employment, hotels, institutions, assembly and leisure and other uses) is, generally, viable for development. This will undergo further sensitivity testing.

The CIL rates proposed in the Preliminary Draft Charging Schedule

- 3.10 The CIL regulations and the National Planning Practice Guidance (NPPG) specify that in setting their levies charging authorities should strike a balance between the need to fund infrastructure and the potential effects of the imposition of CIL on the economic viability of development across their areas. The overarching aim of CIL is to enable the delivery of growth, therefore, CIL should not be set too high.
- 3.11 In determining the appropriate CIL rates, consideration must be had for the financial burden this places on developers in combination with other requirements notably affordable housing provision. Affordable housing is a key priority for both Councils and therefore, through the development of Local Plan 2036 policy approach, affordable housing provision will be maintained and CIL rates will be set at a level that ensures the full affordable housing requirement can generally be achieved.
- 3.12 The infrastructure needs for strategic developments are often more complex and at a grander scale than for smaller sites. For these developments it is also important that funding is in place to deliver their key infrastructure as it will enable development of sites critical to Districts' housing and employment growth. The Councils are proposing a nil CIL rate for strategic sites larger than a particular threshold of number of C3 dwellings or certain site area (hectares) – both to be confirmed.
- 3.13 The proposed CIL rates are shown in the table below which also lists strategic sites subject to nil CIL charges. These strategic sites are expected to contribute towards infrastructure through S106 agreements.

3.14 The Economic Viability Study assesses the viability of development in Chiltern and South Bucks. The Study shows that the ability of development to support a CIL charge varies by type of development. CIL will be charged in pounds sterling (£) at differential rates according to the type of development set out in the schedule below:

Development type (Use Class)	CIL Rate/m²
Retail (A1-A5)	£150
Employment (B1 Business, B2 General industrial, B8 Storage or distribution)	£35
Hotels and Residential Institutions (C1, C2 and C2a)	£35
Housing and HMOs (C3 and C4)	£150
Non-residential institutions and Assembly and leisure (D1-D2)	£35
All development types unless otherwise in this table	£35
Strategic sites - larger than a particular threshold of C3 dwellings or site area (tbc)	£0
C3 includes all self-contained accommodation, including elderly and sheltered accommodation	

CIL rates will undergo further sensitivity testing through the Economic Viability.

CIL and Section 106 and the Regulation 123 List

- 3.15 CIL is the Government's preferred method for collecting pooled contributions to fund infrastructure. There remains a need for S106 obligations, but they must be restricted to the regulation of development and in particular site specific mitigation as their use relates to acceptability of a proposal in planning terms. S106 obligations continue to be the primary mechanism for securing affordable housing through the planning system.
- 3.16 The Regulation 123 list of the Community Infrastructure Levy (CIL) Regulations is a list of infrastructure that will be, or may be, wholly or partly funded by CIL. The effect of the list is to restrict the use of S106 Planning Obligations for infrastructure that will be funded in whole or in part by the CIL. This is to ensure no duplication or double charging towards the same infrastructure project.
- 3.17 The content of the Regulation 123 list will vary between authorities according to their circumstances and their requirements. For some authorities, where there are specific large scale pieces of infrastructure necessary to unlock development across the area, the Regulation 123 list could be very limited and focussed. In other areas where infrastructure requirements result from incremental increases in demand across the board, their list is likely to be more general in nature, enabling them to respond flexibly.
- 3.18 The Regulations require Authorities to publish a draft of their Regulation 123 list in advance of a CIL examination. Through the consultation on the PDCS, the Councils will be asking for opinions on the scope of the Regulation 123 list.

CIL and Section 106 on strategic sites

- 3.19 The PDCS proposes that on strategic sites S106 will be used rather than CIL. Such sites are likely to have major and expensive infrastructure demands which need to be delivered early to enable development to proceed. Where this is the case (and the statutory tests can be met) it is more likely that S106 obligations will be the appropriate delivery mechanism.
- 3.20 S106 could be used to fund specific transport works or other infrastructure such as educational and leisure needs arising as a result of the particular development. These contributions could be pooled with a maximum of four other S106 contributions to the same infrastructure project so careful application of S106 would be required. Contributions could not be combined with CIL spend or on other District wide infrastructure projects.
- 3.21 The case for excluding strategic sites from the CIL regime and using Section 106 procedures in its place will form part of the wider consultation on the PDCS. This reflects the nature of these large scale developments, the piecemeal way that large sites are developed over a number of years, and the need for the delivery of up front infrastructure.
- 3.22 The Regulation 123 list would therefore be reduced in scope to exclude specific strategic infrastructure associated with strategic sites and wider housing and economic growth. The emerging Local Plan will have a policy setting out that sites above a threshold (to be determined) would make contributions through S106 not CIL.

The Neighbourhood Portion of the CIL receipts

- 3.23 CIL receipts are split into 3 portions. 80% of the CIL receipts must be used for *"funding the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of the area"*. 5% of the CIL receipts are spent on administration of the process.
- 3.24 The remaining 15% is known as the Neighbourhood Portion. Where the CIL receipt derives from a development within the area covered by a 'made' Neighbourhood Plan that proportion is up to 25%. There is a cap of £100 (indexed) per dwelling within the area per financial year.
- 3.25 The CIL regulations allow for the Neighbourhood Portion of levy receipts to be used for a slightly wider range of things than the rest of the levy, namely:
- the provision, improvement, replacement, operation or maintenance of infrastructure; or
 - anything else that is concerned with addressing the demands that development places on an area.
- 3.26 All Councils must pass over the Neighbourhood Proportion of levy receipts from development where there is an accountable body. In Chiltern and South Bucks the areas are fully covered by Parish or Town Councils. In this circumstance the money (subject to the cap) would be passed to the relevant Parish or Town Council. The Planning Practice Guidance recommends that the District Council and the receiving Parish or Town Council should engage and work closely to agree with them how best to spend these funds.
- 3.27 There are provisions for the recovery of CIL monies by the District Council if a Parish or Town Council do not spend the Neighbourhood Portion of CIL receipts within 5 years of receiving it.

4. Consultation

- 4.1 Consultation on the Preliminary Draft Charging Schedule will take place for 6 weeks and is likely to be in November / December 2018.
- 4.2 The Councils will consult groups including developers, planning agents, stakeholders, Parish Councils, Residents Groups, the County Council, adjoining Councils, infrastructure providers and other likely interested parties. The consultation will be undertaken in line with the Statement of Community Involvement (SCI).
- 4.3 Likely stages of the process:

Preliminary Draft Charging Schedule (PDCS) Consultation (Reg 15)	Nov/Dec 2018
Draft Charging Schedule (DCS) Consultation (Reg 16)	Feb/Mar 2019
Submit Charging Schedule (CS) to Secretary of State alongside the new Local Plan 2036 (Reg 19)	July 2018
Examination by an independent Inspector (PINS) alongside the	Jan 2019

Local Plan 2036	
Adopt CIL Charging Schedule	June 2020
Update / publish new Supplementary Planning Document	June 2020

5. Options (*if any*)

- 5.1 Do not Introduce Community Infrastructure Levy. This is not recommended as it is important that infrastructure to support the sustainable growth of the Districts is provided in a timely way. CIL is the only mechanism which allows funding for infrastructure to be collected from sites of up to 10 homes. It is also a clear and consistent mechanism for collecting developer contributions which provide certainty to the development industry.

6. Corporate Implications

- 6.1 If the CIL Charging Schedule is adopted this will create a revenue stream to allow the Councils to invest in the infrastructure necessary to support the growth of the Districts.

7. Links to Council Policy Objectives

- 7.1 The implementation of the Community Infrastructure Levy (CIL) will assist in the delivery of:

- Key Theme 1: Thriving Economy
- Key Theme 2: Sustainable Environment
- Key Theme 5: Cohesive and Strong Communities

Key Objectives available here:

<http://www.chiltern.gov.uk/Aims-and-Objectives>

<http://www.southbucks.gov.uk/prioritiesandperformance>

8. Next Step

- 8.1 This will move through to be signed off by both Cabinets and Joint Members Working Group and the key stage will be consultation in November 2018 as referred to in 4.3 above.

Background Papers:	None other than referred to in the report.
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SUBJECT	Heathrow Update Report
REPORT OF	Cllr J Read – Cabinet Member for Planning and Economic Development
RESPONSIBLE OFFICER	Steve Bambrick
REPORT AUTHOR	Sukhi Khull, Tel: 01494 732728, email: SKhull@chiltern.gov.uk
WARD/S AFFECTED	All

1. Purpose of Report

- This report provides an update on the expansion proposals of Heathrow Airport Ltd (HAL);
- sets out the Council's support for expansion and
- the mitigations and opportunities the Council is seeking from HAL.

1.1 The proximity of Heathrow Airport to South Bucks District has a beneficial effect on the local economy through potential job creation and through becoming a catalytic business location. The economic benefit of Heathrow expansion, combined with the green and blue infrastructure and biodiversity gains to be achieved through the scheme's mitigation proposals, present a number of opportunities for the District.

RECOMMENDATIONS:

1. To note the Government's position in regards to Heathrow Airport Limited (HAL) expansion proposals, the Council's position towards this and the areas the Council is seeking mitigation and opportunities from HAL.
2. Noting the above, and on balance, if the local benefits are realised, to consider whether South Bucks District Council wishes to provide support to the HAL expansion proposals
3. The Council invite HAL to continue to actively work with Officers at all levels to ensure that the potential benefits to the District are realised.

2. Reasons for Recommendations

The National Policy Statement has been designated and therefore South Bucks District Council needs to consider what the next steps are in terms of securing maximum gains and mitigation for the District and communities. The Leader and Chief Executive, together with Senior technical staff at the Council continue to work with HAL to ensure

Council objectives are secured. The Council's position in support of expansion is enabling effective gains to be achieved to date. Currently staff are in discussion with the Head of Economic Development at HAL to secure economic development programmes in South Bucks. HAL has recognised the likely implications of expansion on South Bucks and has now expanded its support in this regard to South Bucks District for the first time. This is being developed further by the recently appointed Economic Development Officers.

3. Content of Report

3.1 At their meeting on 17 April Cabinet noted the response submitted by the Director of Services in consultation with the Cabinet member to Consultation 1 held by HAL in February/March 2018.

3.2 On the 5th June 2018, The Prime Minister had a meeting with her ministers on the Cabinet's economic sub-committee and signed off on the Heathrow expansion plan before putting it to her full Cabinet for approval. The Airport's National Policy Statement has been designated (though subject to judicial review), Parliament has therefore presented its support for Heathrow expansion and the policy framework to determine the Development Consent Order (DCO).

3.3 The onus now lies with all statutory parties, HAL, Heathrow Strategic Planning Group (HSPG), the Government, Local Authorities and others, to make sure the scheme is delivered and planned well and is highly sustainable with appropriate mitigations etc. In light of this, and due to the proximity of Heathrow Airport to South Bucks District, the economic benefits present the strongest argument in favour of the Council supporting expansion.

3.4 The Council has a number of key requirements it would expect to be delivered as necessary parts of the HAL expansion project. In broad terms these are matters which are important to the Council and also to achieving a successful development for HAL and adjoining communities both in relation to the development outcome but also importantly during the construction period.

3.5 The areas that the Council is seeking mitigation from HAL include the following:

- Traffic and transport
- Air Quality
- Noise
- Landscape and visual
- Land quality
- Waste and material resources
- Water and Flood
- Rivers, Biodiversity and Green Belt

- Socio-economics
- Heritage
- Ecology
- Community and Community Facilities

3.6 For example, some specifics (not exclusive):

- Significant contribution to an Iver Relief Road.
- Transport strategy to maximise use of internal haul routes and minimise impact of construction including temporary closures and disruption – bringing forward appropriate improvements/alterations.
- Improved connectivity between the Ivers and the Airport.
- Issues in connection with illegal Airport Parking.
- Air quality – put in place an agreed strategy to ensure air quality objectives are met and any negative impact is mitigated appropriately.
- Renovation/restoration and on-going management of Thorney Park to a ‘best practice’ Country Park standard that provides a local amenity that is readily accessible (and is consistent with the current proposal for potential flood relief by HAL).
- Manage and control the impact of noise seeking the best outcome for communities from the “Innovative Noise Envelope” mitigation proposed by the national airports and airspace policy. (N.B. the communities of the Ivers and Richings Park, Taplow and Dorney are in vicinity of the new run way and therefore potentially affected by aircraft take-off and landing noise).
- Landscape and visual screening using natural landforms which enhance the existing resources, with an agreed on-going management/maintenance plan/strategy.
- Landscaping investments should also look to mitigate and where possible create benefits for other environmental factors such as noise alleviation, air quality improvement and carbon reduction.
- Maintenance of public highways, cycle-ways and public rights of way around construction sites and as far as possible avoid their deterioration due to construction traffic.

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- As a first principle, design the proposed scheme to avoid or reduce impacts on habitats, species and other features of ecological value and as far as possible to seek to add to net biodiversity.
 - Green Belt land within the District is affected by the proposals, especially in connection with the Colne Valley Regional Park, and where specifically designated as biological opportunity areas would benefit from improvements in terms of environmental quality and increased accessibility. This is in line with the principles defined in the National Planning Policy Framework, July 2018.
 - Agreement to the principle for HAL to provide an appropriate financial contribution to the Council where the Council incurs costs beyond its statutory functions (e.g. Economic Development staff time and expenses in relation to the HAL project).
 - Assist in job creation in South Bucks associated with the construction, operation and service/support roles for the airport. For example – new facilities in South Bucks based on opportunities being identified as part of the emerging Local Plan and a preference for employment and employment generation rather than a fuel depot in Iver (which would be contrary to the biodiversity gains to be achieved in the District).
 - Opportunities for direct apprenticeships for South Bucks school leavers and through contract arrangements linked to construction and on-going airport operations.
 - Give consideration where the potential exists to compulsory purchase sites and to consolidate land uses that positively alleviates South Bucks residents, particularly the Ivers and Richings Park from the current issues experienced with heavy goods vehicles, journey times, air pollution, poor quality of life due to the permanence of construction projects including HAL expansion.
 - Consider a Community Fund to enable the funding of improvements to public open spaces (including sports pitches and allotments), community facilities in the area and for local programs that seek to undertake local environmental, community, sport improvement, health, job creation, etc. projects.
 - A clearly identified community relations program that includes a community helpline to handle enquiries from the public.

3.7 Senior Council Officers are having bilateral discussions with HAL on these matters and is also working with partners such as Slough Borough Council in respect of transport mitigation and linkages into Heathrow Airport via the Western Rail Link to Heathrow (WRLtH) project for example; and the Colne Valley Regional Park

colleagues to formalise a way forward in regards to the emerging Green and Blue Infrastructure proposals.

3.8 South Bucks Council is continually working with HAL and partners to ensure that the impacts of the expansion benefit our communities and any adverse impacts are mitigated satisfactorily and are appropriately compensated for.

4. Consultation

Not relevant.

5. Options (if any)

Not relevant.

6. Corporate Implications

6.1 Financial – The Council is working with HAL and HSPG. Officers time is reclaimed as part of the agreement. Additional funding has been offered by HAL to use towards further studies, staff, equipment etc. A decision on how to spend and monitor these funds is currently being explored by Senior/CE Officers, Portfolio Holder and the Leader.

6.2 Legal – No implications at this stage but will be relevant as the Development Consent Order progresses and the need for a Memorandum of Understanding or revision of the Statement of Common ground develops.

6.3 Environmental and Economic issues, Social Inclusion, and Sustainability are key issues raised in our correspondence and discussions with HAL.

7. Links to Council Policy Objectives

Key objectives available here:

<http://www.chiltern.gov.uk/Aims-and-Objectives>

<http://www.southbucks.gov.uk/aims-and-objectives>

- Sustainable Environment
- Promote healthier communities
- Protecting our heritage
- Protecting our future

8. Next Steps

The Council will continue to work with Heathrow to ensure that the impacts of the expansion either benefit our communities or at the least are mitigated and compensated for.

SUBJECT:	<i>Chiltern District Council and South Bucks District Council Joint Housing Strategy 2018 - 2021</i>
REPORT OF:	<i>Cabinet Portfolio: Healthy Communities</i>
RESPONSIBLE OFFICER	<i>Head of Healthy Communities – Martin Holt</i>
REPORT AUTHOR	<i>Housing Manager – Michael Veryard – 01494 732200 (mveryard@chiltern.gov.uk)</i>
WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

This report seeks authority to publish and implement the finalised version of the Chiltern District Council and South Bucks District Council Joint Housing Strategy (Affordable Housing and Homelessness) 2018-2021

RECOMMENDATIONS to Cabinet

- 1. That Members consider the final Joint Housing Strategy (Affordable Housing and Homelessness) 2018-2021 document and make any comments**
- 2. That Cabinet recommends that Full Council approve the final Joint Housing Strategy (Affordable Housing and Homelessness) 2018-2021 document**
- 3. That the Head of Healthy Communities be authorised to make any final amendments to the document agreed by members and to publish it in consultation with the Healthy Communities Portfolio Holder**

2. Reasons for Recommendations

The current Housing and Homelessness Strategies for Chiltern District Council and South Bucks District Council need to be reviewed and updated in view of the current housing situation across the two districts and new statutory requirements that have come into force.

3. Content of Report

3.1 The Chiltern District Council and South Bucks District Council Joint Housing Strategy (Affordable Housing and Homelessness) 2018-2021 provides an overview of the work and duties of both authorities in:

- responding to affordable housing need and
- meeting statutory homelessness duties.

The strategy will sit alongside the Joint Private Sector Housing Strategy that was formally adopted in 2017.

3.2 The draft Joint Housing Strategy was first reported to Members last year. The Councils did not proceed to full consultation at that time because the Homelessness Reduction Bill was published soon after and local authorities were advised that they may be subject to new requirements relating to Homelessness Strategies. A new Code of Guidance on Homelessness was subsequently issued in February 2018 and the Homelessness Reduction Act came into force from April 2018.

3.3 The draft Joint Housing Strategy was revised and updated to reflect the new Homelessness Code of Guidance and Act and other updated information. The revised version was approved for consultation by the Healthy Communities Portfolio Holders and further amendments have been made following consultation (see Section 4 below). The draft strategy has also been updated to reflect the recent developments at national Policy level including the newly revised National Planning Policy Framework, Rough Sleeper Strategy and Housing Green Paper (A new deal for social housing).

3.4 The final version of the draft Joint Housing Strategy is in Appendix A. Following the consultation and final amendments, it is now proposed that the Joint Housing Strategy is published and implemented.

4. Consultation

4.1 A 6 week consultation period on the draft strategy ran from 26th June 2018 to 6th August 2018 via the Council websites. All Members were directly notified of the consultation by e-mail (dated 26th June 2018). Direct notifications were also sent to all Town and Parish Councils and key external partner agencies inviting them to submit comments.

4.2 There were 8 responses to the consultation. The draft strategy has been amended to reflect the consultation feedback. The main amendments are:

- Update of the position regarding the emerging Joint Local Plan
- Inclusion of references to Neighbourhood Plans in connection with working with Town and Parish Council
- Increased emphasis on working jointly with Registered Providers on matters such as homelessness prevention, supporting downsizing etc.
- Reference to making representations to Government as and when appropriate on the resources that are required to meet national expectations and regulatory requirements.
- Update and expansion of the statistics in Appendix A.

5. Options (if any)

5.1 The Council has a specific statutory duty to publish a Homelessness Strategy. Therefore, if the Council does not proceed with preparing and authorising this Joint Housing Strategy document then it will still have to draft a Homelessness Strategy.

5.2 The Council could choose instead to continue to operate its own separate Housing strategy and policies. However, operationally, Chiltern District Council and South Bucks District Council are facing many of the same housing issues and there are efficiencies in the authorities taking a joint approach to addressing these issues. If the Council was to continue to operate a separate strategy, this would be out of step with the single shared housing service and other strategy documents which have been published including the Joint Private Sector Housing Strategy

6. Corporate Implications

6.1 **Financial** – The Strategy highlights the potential resources available to support service delivery, but it does not propose any formal funding allocations or additional spending. Individual schemes or funding proposals to meet strategic objectives will be brought forward for consideration on a scheme by scheme basis.

6.2 **Legal** – The Council has a range of statutory housing responsibilities and legal duties and this strategy provides a clear framework for the activities required to meet these duties and responsibilities.

7.Links to Council Policy Objectives

This report relates to the following Aims and Objectives:

- Working towards safe and healthier local communities
- Striving to conserve the environment and promote sustainability

8.Next Step

Following approval by Full Council the finalised Joint Housing Strategy will be published and implemented.

Background Papers:	None other than the legislation, policies and guidance referred to in the report
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CHILTERN DISTRICT COUNCIL
AND
SOUTH BUCKS DISTRICT COUNCIL

JOINT HOUSING STRATEGY
(AFFORDABLE HOUSING AND
HOMELESSNESS)

2018-2021

CHILTERN DISTRICT COUNCIL AND SOUTH BUCKS DISTRICT COUNCIL**JOINT HOUSING STRATEGY 2018-2021****(AFFORDABLE HOUSING AND HOMELESSNESS)**

This Strategy should be read in conjunction with the Chiltern District Council and South Bucks District Council Joint Private Sector Housing Strategy

Table of Contents	
Page	Section
3	1. Introduction
5	2. Background to Joint Housing Strategy
9	3. Housing Service – The Five Main Challenges for 2018-2021
14	4. Funding
16	5. Housing Service Action Plans 2017-2021
17	- Chiltern DC– Affordable Housing Delivery – Action Plan
22	- South Bucks DC –Affordable Housing Delivery– Action Plan
27	- Chiltern DC – Homelessness – Action Plan
33	- South Bucks DC – Homelessness – Action Plan
40	APPENDIX A - Background Statistics
40	A1- Social Housing Lettings
42	A2 - Homelessness
45	A3 – Delivery of Additional Affordable Housing
47	APPENDIX B - Temporary Accommodation Framework

1. INTRODUCTION

- 1.1 Chiltern District Council and South Bucks District Council have a range of statutory and legal housing duties including:
- Assessing current and future need for affordable housing and supporting the delivery of affordable housing to meet local needs
 - Securing that advice and information is available to prevent and reduce homelessness
 - Assessing applications for homelessness assistance and providing advice and support (including the provision of emergency and long term accommodation where appropriate)
 - Operating an allocations scheme to allocate social housing vacancies
 - Tackling poor housing conditions
 - Licensing HMOs (Houses in Multiple Occupation)
 - Supporting households to improve and maintain their homes and install adaptations when necessary
- 1.2 Since April 2014, the Councils have operated a single shared housing service to deliver many of these duties across the two districts. This service is facing significant challenges as it moves forward. The Chiltern and South Bucks districts have some of the highest housing costs in the country (outside London) for buying and renting. This is placing increasing pressure on the Shared Housing Service as more people seek help from the Councils because they cannot afford to secure housing in the private sector. In particular, there is a high demand for homelessness assistance in both districts with a large number of households in temporary accommodation (including bed and breakfast). There is also the increased risk of more landlords letting poor quality accommodation to exploit a market where low income households have no other housing options available to them.
- 1.3 Alongside this, opportunities to secure additional new affordable housing across both districts are being restricted by limited site availability, high land values and some private developers challenging the viability of delivering any affordable housing on site. Government subsidy for affordable rented housing is very limited and many

Registered Providers (the traditional providers of affordable housing for rent and sale) have reviewed their business plans and are re-assessing what type of housing they develop and who they house. Many Registered Providers will no longer develop affordable homes for rent without significant support and incentives from local authorities and some are now refusing to re-house clients perceived to be "high risk". Meanwhile, welfare reforms continue to progress with increasing restrictions on the level of benefits available to support low income and workless households to meet their housing costs.

- 1.4 This Joint Strategy Document sets down how Chiltern District Council and South Bucks District Council are addressing these challenges as both authorities move forward. It should be read in conjunction with the Chiltern District Council and South Bucks District Council Joint Private Sector Housing Strategy which addresses the Council's work around monitoring and enforcing standards in the private sector (including HMO licensing) and in delivering financial assistance including Disabled Facilities Grants.

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2. BACKGROUND TO JOINT HOUSING STRATEGY

2.1 Chiltern District Council and South Bucks District Council share three headline aims:

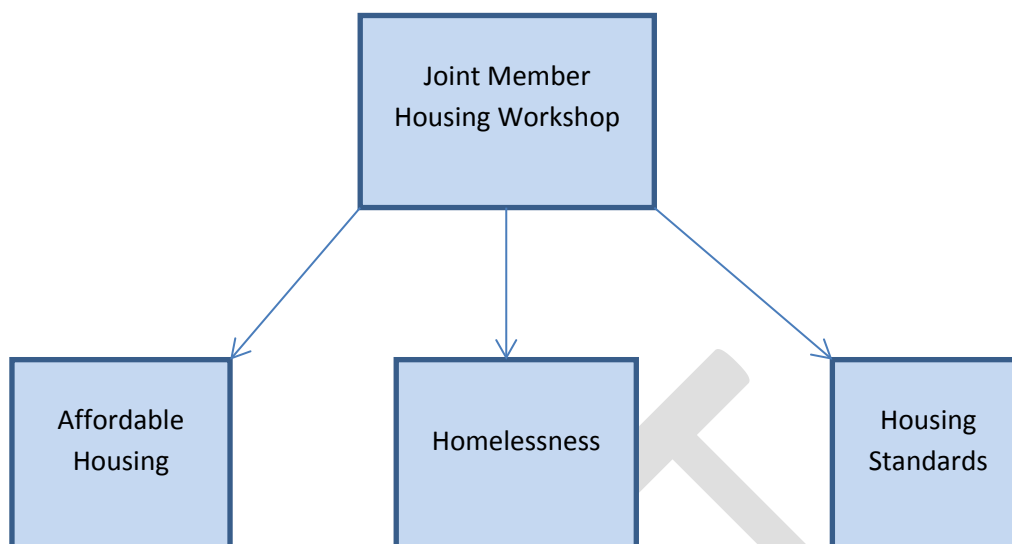
1. Delivering cost-effective, customer-focused services
2. Working towards safe and healthier local communities
3. Striving to conserve the environment and promote sustainability

2.2 The Joint Business Plan 2017-2020 (Stronger in Partnership) sets a number of actions for the Housing service to deliver in order to deliver the shared Aims 2 and 3 of the two Councils:

Aim 2 – We will work towards safe and healthier local communities	
<p>Objective: Promote Healthier Communities</p>	<p>Actions (Housing):</p> <ul style="list-style-type: none"> -Monitor effectiveness of Bucks Home Choice policy -Design and implement a robust Housing Strategy -Develop a joint housing and homelessness strategy to best meet statutory responsibilities and maximise affordable housing provision.
<p>Objective: Promote local communities</p>	<p>Actions (Housing):</p> <ul style="list-style-type: none"> -Work with partners to deliver Disabled Facilities Grants through the Better Care Fund
Aim 3 – We will strive to conserve the environment and promote sustainability	
<p>Objective: Conserve the Environment</p>	<p>Actions (Housing)</p> <ul style="list-style-type: none"> - Develop a joint Local Plan and manage development through the terms set out in it (<i>Housing service will support the development of the Plan in respect of the policies relating to affordable housing</i>) - Improve energy efficiency in dwellings – address fuel poverty and affordable warmth through partnership actions

<p>Objective: Promote sustainability</p>	<p>Actions (Housing):</p> <ul style="list-style-type: none"> - Work with landowners/prospective developers to secure high quality proposals for development opportunity sites -Maintain focused monitoring of homelessness trends and provide feedback to Members and Management Team -Support those residents affected by Housing Benefit reforms in order to limit the impact on homelessness -Facilitate the provision of new affordable housing commensurate with Development Plan projections -Replenish the stock of social and affordable rented property through a targeted programme of acquisition to enable re-letting -Use the Council's property assets for affordable housing where consistent with the Development Plan and supported by local communities - Encourage towns and parishes to come forward with proposals for affordable housing and facilitate their implementation -Use maximum leverage on S106 monies to provide for the needs of local families
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- 2.3 This Joint Housing (Affordable Housing and Homelessness) Strategy Document and the joint Private Sector Housing Strategy set down the activities being undertaken across both Councils to deliver the housing requirements of the shared Joint Business Plan.
- 2.4 The development of this Strategy has its origins in the joint Housing Member Workshop held at South Bucks District Council on Wednesday 3rd February 2016 and attended by over 30 Members from both authorities. The workshop comprised briefings and discussions looking at three key areas of the Housing service:



- 2.5 The workshop produced a wide range of issues and ideas to be taken forward in developing a Chiltern District Council and South Bucks District Council Joint Housing Strategy. Some specific points were directly incorporated into the Joint Business Plan (see above).
- 2.6 Following on from the workshop, the issues and ideas raised for the Housing Standards service area have informed the development of the **Joint Private Sector Housing Strategy 2017-2021** which was formally adopted by both Councils in 2017.
- 2.7 For the other two areas of the service covered at the workshop, Affordable Housing and Homelessness, the development of a formal Joint Strategy was held back while officers considered the implications for the Councils of the Housing and Planning Act 2016 and subsequently the Homelessness Reduction Bill. However, a number of tasks and initiatives have moved forward in the meantime in response to the issues and tasks highlighted in the Workshop and Business Plan. These include:
- Affordable Housing Members Working Group established in Chiltern District Council
 - Joint Temporary Accommodation Framework agreed and put in place
 - Reviews of Council-owned sites undertaken by both Councils
 - Acquisition of Gerrard's Cross Police Station site by South Buck DC and leasing of former police house to Bucks HA as for use as temporary homelessness accommodation
 - Development of modular temporary housing scheme at Bath Road Depot site to provide temporary homelessness accommodation
 - Development of Emerging Joint Local Plan
 - Joint working between Housing and Revenues Teams and key partner agencies to manage impact of welfare reforms on local residents

- Funding support for specific affordable housing developments
- Implementation of a Private rented sector housing leasing scheme with Paradigm Housing
- Agreement to acquire properties in South Bucks subject to business case for the delivery of affordable housing

2.8 After the Homelessness Reduction Bill received Royal Assent on 27th April 2017, a draft Joint Housing Strategy was reported to the Cabinets at Chiltern District Council (27th June 2017) and South Bucks District Council (28th June 2017) with the intention of being issued for wider consultation. However, the Councils did not proceed to full consultation at that time because the advice accompanying the new Homelessness Reduction Act 2017 highlighted that local authorities may be subject to new requirements relating to their Homelessness Strategies. Consequently, the draft strategy has been revised and updated to reflect the homelessness strategy requirements set down in the new Code of Guidance on Homelessness (MHCLG February 2018) and other developments since the original draft.

2.9 This new draft now also incorporates the revised and updated version of the Joint Temporary Housing Framework.

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3. HOUSING SERVICE – THE FIVE MAIN CHALLENGES FOR 2018-2021

At the time of drafting this strategy document, the key affordable housing and homelessness issues facing the Council Housing Service as it moves into the 2018-2021 period can be grouped into five main challenges.

3A. Homelessness Reduction Act

3B. Housing White Paper and National Strategy and Policy

3C. Temporary Accommodation for Homeless Households

3D. Affordable Housing Supply

3E. Other issues impacting on affordability

A brief summary of the each challenge is given below in order to provide some broader context for the Action Plans that follow:

3A. Homelessness Reduction Act

3A.1 The Homelessness Reduction Act was implemented from 3rd April 2018. The Act made significant changes to the Council's statutory homelessness duties within Part 7 of the Housing Act as follows:

- Councils has a duty to provide advice and assistance within 56 days of a household being threatened with homelessness (this was previously 28 days)
- Councils has formal legal duties to prevent and relieve homelessness for all eligible households (regardless of questions of priority need and intentionality)
- Advice services must in particular meet the needs of people released from prison, care leavers, former Armed Forces members, domestic abuse victims, people leaving hospital, those suffering from a mental illness and anyone else identified as particularly at risk of homelessness
- Other public agencies have a statutory duty to refer homeless clients to the Council (from October 2018)

3A.2 It is anticipated that the new Act will see a 26% increase in the homelessness caseload for local authorities (DCLG – New Burdens Funding Assessment – October 2017). Chiltern DC and South Bucks DC need to ensure that the shared housing service has sufficient capacity to meet the new statutory requirements set down in the Act and that its policies and procedures are revised to meet the Act's requirements. Alongside this, they will need to be pro-active in developing more affordable housing options and more support for households in order to prevent or relieve homelessness as much as possible.

3B. Housing White Paper and Nation Strategy and Policy

- 3B.1 The Government's Housing White Paper "Fixing Our Broken Housing Market" was published in February 2017 and has been followed up in 2018 by the publication of the revised National Planning Policy Framework (July 2018). The revised NPPF and the move to a standardised methodology approach to housing needs assessment both impact specifically on the Emerging Chiltern and South Bucks District Council Local Plan (2014-2036). They also impact on the Council's strategic role in supporting new affordable housing delivery with the new NPPF Affordable Housing definition encompassing a wider range of potential affordable housing models including both affordable and social rent, build to rent, discounted market sale and other home ownership. Together with the NPPF requirement that 10% of major residential developments should affordable home ownership, this presents a challenge for Chiltern and South Bucks where high local market costs mean that any form of discounted home ownership or shared ownership will normally be too expensive for households who are homeless or seeking rehousing via the Bucks Home Choice scheme.
- 3B.2 Alongside this, the Government has also putting forward major housing policy announcements in the national Rough Sleeping Strategy (August 2018) and the Housing Green Paper "A New Deal For Social Housing" (August 2018) which both have implications for the Council and its key partners. The Councils needs to consider the impact these and other policy announcements on service delivery and respond accordingly. This includes making representations to Government as and when appropriate on the resources that are required to meet national expectations and regulatory requirements.

3C. Temporary Accommodation

- 3C.1 Part 7 (Homelessness) of the Housing Act 1996 places a statutory duty on the Council to secure that temporary accommodation is available to homeless households in a range of circumstances. Chiltern District Council and South Bucks District Councils are both facing significant pressures on temporary accommodation provision caused by the demand for homelessness assistance and the lack of alternative affordable housing options in both the social and private housing sectors (see statistics in Appendix 1). This has impacts on the welfare of clients and is a major financial cost to both Councils. Alongside this, Statutory Instrument 2003/3326 places a duty on Councils that a household with (or expecting) children should not be placed in bed and breakfast accommodation unless no other accommodation is available and, in any event, the period in B&B should not exceed 6 weeks. The Council is at risk of legal challenge if it breaches this requirement.

3C.2 Against this backdrop, the new Homelessness Reduction Act could potentially see an increase in the number of households that the Councils have to place in temporary accommodation. Going forward, the Councils need to develop more temporary accommodation options in order to reduce the need to utilise bed and breakfast accommodation and minimise the cost. It also needs to ensure wherever possible that it can prevent or relieve homelessness in order to prevent the need for clients to be placed in temporary accommodation. The revised and updated Temporary Accommodation Framework is in Appendix B.

3D. Affordable Housing Supply

3D.1 To date, additional affordable housing properties in Chiltern and South Bucks have been delivered by:

- Planning system (Section 106 agreements requiring that a new development includes a proportion of affordable housing)
- Registered Provider new development programmes
- Street property purchases and equity loans partially funded by commuted sums

3D.2 For the Council's housing service, the key demand is for affordable rented housing. Most households who approach the Council for homelessness assistance or for re-housing via Bucks Home Choice will be unable to afford the cost of shared ownership (i.e. part-buy/part-rent) or other discounted home ownership products.

3D.3 The delivery of additional housing properties in Chiltern and South Bucks has been limited in recent years (see Appendix A) by a range of factors including:

- high land and property values,
- limited development opportunities due to green belt/AONB restrictions,
- viability challenges (whereby developers challenge Section 106 affordable housing requirements by citing that the scheme will be unviable as a result) and
- changes in the Registered Provider sector.

3D.4 On the last point, the combination of limited Government grant funding for rented housing, rent reductions (affecting income streams) and continued welfare reforms means that all Registered Providers are continually reviewing their Business plans and making significant decisions on their future direction and development strategies. In recent years, some Providers shifted their focus onto developing discounted home ownership properties rather than rented housing. There are indications that they are moving back towards delivering more rented housing again following Government

funding announcements which sought to deliver a higher level of affordable rented and social rented housing. However, Registered Providers continue to be heavily reliant on private finance rather than public subsidy and they need to ensure that they are generating sufficient income to cover loans and other costs. This means that many providers have to charge higher rents in order to service loans and some are also becoming more risk averse with regard to who they re-house. They are applying stricter allocation criteria and refusing some nominees on the grounds of affordability, anti-social behaviour or previous poor tenancy history etc.

- 3D.5 The lack of additional affordable housing delivery has significant knock-on effects with homeless households facing longer periods in temporary accommodation (and the consequent cost to the Council) and others facing long periods waiting on the Bucks Home Choice scheme.
- 3D.6 There is also the demand for accommodation for people with care and support needs. This includes older people, people with diagnosed mental health conditions (children and adults), people with disabilities (children and adults) and looked after children and care leavers. These people have a range of care and accommodation needs which are set down in the Buckinghamshire Health and Social Care Market Position Statement (Housing Accommodation Solutions) 2018 – 2022 (published by Bucks Clinical Commissioning Group and Bucks County Council). This will include people with care and support needs who need affordable housing either from within the existing social housing stock or through new provision.

3E. Other Issues Impacting on Affordability

- 3E.1 The problems caused by the restricted amount of additional affordable housing delivery (see above) are exacerbated by the lack of alternative affordable housing options in Chiltern and South Bucks. High private sector rent levels and the continued welfare reforms mean that many low income households simply cannot afford to rent privately within the two districts. The Local Housing Allowance (the cap on Housing Benefit payable on a private sector tenancy) is £400 to £500 below the average market rent for a family home and this gap is likely to grow as LHA rates remain frozen. Some larger families are also impacted by the household Benefit Cap (£20,000 per annum for a family).
- 3E.2 Further impacts will arise from the roll out of UC (Universal Credit) across Chiltern and South Bucks districts from 2018. There will be an increase over time in the proportion of households that receive assistance with their housing costs via UC rather than Housing Benefit. Experience to date in other parts of the country has found that private landlords can be reluctant to let properties to persons claiming UC. It is possible that some of the changes made to UC in late 2017/early 2018 (including changes to the Alternative Payment Arrangement to allow more direct payments to

landlords) may help to mitigate this perceived risk amongst landlords, but the position is uncertain and may make it even harder for low income households to secure private rented housing.

- 3E.3 The outcome of this is that many landlords in Chiltern and South Bucks are unwilling to consider letting tenancies to households on low or even average incomes. This will become even more challenging with the roll-out of Universal Credit across both districts during 2018
- 3E.4 In addition, across Buckinghamshire as a whole we are seeing an increasing number of homeless households being placed in private rented tenancies by other local authorities (predominantly London boroughs) who are making incentive payments direct to landlords. Currently, this is predominantly taking place in other districts within Buckinghamshire with only a small number of recorded placements in Chiltern or South Bucks. However, this will be a growing challenge as other local authorities increasingly use "out-of-borough" accommodation to meet their housing duties. This will directly impact on the private rented market and on landlord expectations on what level of support and payments they will require from us in return for providing a tenancy for a client.
- 3E.5 The ability of the Councils to secure alternative housing for clients in the private rented sector and elsewhere has become even more important in light of the new Homelessness Reduction Act. As stated above, the Act places a clear duty on the Councils to take steps to prevent or relieve homelessness and to secure alternative housing options for clients who are seeking assistance. Without these alternative options being available, the Councils will struggle to fulfil this duty. The outcome of this will be more households having to be placed in temporary accommodation if the Council is unable to source any alternative housing options.

4. FUNDING

The table below gives an overview of some of the funding streams available to the Councils in responding to the challenges highlighted in Section 3 and in taking forward the actions set down in Section 5

FUNDING	CHILTERN DC	SOUTH BUCKS DC
Housing Revenue Budgets	Details in Annual Budget Book	Details in Annual Budget Book
Discretionary Housing Payments (DHP) <ul style="list-style-type: none"> - DHP is available to alleviate financial hardship where a tenant needs additional help to meet rent payments - 	Annual allocation managed by Revenues and Benefits Team	Annual allocation managed by Revenues and Benefits Team
Capital Funding <ul style="list-style-type: none"> - Section 106 Affordable Housing Contributions - Affordable Housing Capital Reserves - Agreement to borrow from the Public Works Loan Board 	Ongoing	Ongoing
MHCLG Flexible Homelessness Support Grant The grant is intended for use by authorities to support a full range of homelessness prevention and support services.	2017/18 = £95,226.02 2018/19 = £109,566.78 2019/20 = £121,905 (No announcement of grant availability 2020/21)	2017/18 = £113,007.38 2018/19 = £130,025.97 2019/20 = £181,783 (No announcement of grant availability in 2020/21)
MHCLG New Burdens Funding – Support to Implement Homelessness Reduction Act 2017 Funding to support authorities to implement the requirement of the new Act	2017/18 = £16,359 2018/19 = £14,985 2019/20 = £15,840	2017/18 = £16,692 2018/19 = £15,233 2019/20 = £16,102

<p>Community Housing Fund In 2016/17 and 2017/18 the Councils received funding to support local communities to develop their capacity and skills in order to be able to lead and deliver new housing schemes for local people. From 2018/19 Homes England operates the fund centrally and invites applications from community groups and others for:</p> <ul style="list-style-type: none"> - revenue funding for capacity building and predevelopment costs, including revenue grants to local authorities to support community groups and -capital bids for associated infrastructure costs which will support community housing development 	<p>2016/17 = £14,596</p> <p>2017/18 = £14,596</p> <p>From 2018/19, this fund is being administered by Homes England</p>	<p>2016/17 = £12,834</p> <p>2017/18 = £12,834</p>
<p>MHCLG Homelessness Prevention Trailblazer</p>	<p>MHCLG awarded £625,998 to support a Trailblazer project in Bucks following the successful County-wide bid led by AVDC. The County-wide "Building Resilience" scheme is being delivered from 2017 to 2019 by Connection Support who will work with statutory agencies (including CDC and SBDC) to deliver early intervention support to prevent homelessness.</p>	

5. HOUSING SERVICE ACTION PLANS 2017-2021

This section contains a series of Action Plans setting down the objectives and associated actions for the Councils in respect of:

- Affordable Housing Delivery
- Homelessness

Each of these two areas has been sub-divided into separate Action Plans for Chiltern District Council and South Bucks District Council. A number of the objectives and actions are common to both districts and in these situations we will explore opportunities for shared working across the two districts to deliver the outcomes that we are seeking.

The objectives and actions within the Plans have been drawn from a range of sources including:

- The outcomes and recommendations of the joint Member Housing Workshop held on 3rd February 2016
- Chiltern District Council and South Bucks District Council Joint Business Plan 2016-2020
- The Chiltern District Council and South Bucks District Council joint Temporary Accommodation Framework document
- Chiltern District Council AHMWG (Affordable Housing Members Working Group) Action Plan
- South Bucks District Council Affordable Housing Action Plan (approved by Cabinet)
- Recommendations of South Bucks District Council Homelessness Task and Finish Group
- Homelessness Reduction Act 2017 and Homelessness Code of Guidance
- Housing White Paper (Fixing our Broken Housing Market) – (Feb 2017)
- National Planning Policy Framework (July 2018)
- Rough Sleeping Strategy (MHCLG - August 2018)
- A New Deal For Social Housing - Green Paper (MGLHG – August 2018)
- Market Position Statement – Housing and Accommodation Needs for People with Care and Support Needs (Bucks CCG and Bucks CC – August 2018)

These Action Plans are specifically referring to objectives and actions for the Council's Housing Service. Some of these objectives and actions will overlap with other services (e.g. Planning, Estates, Finance, Revenues and Benefits etc.) and the Housing Service will work jointly with the services concerned in taking these forward.

To assist in distinguishing the Plans, the numbered actions in the Chiltern District Council Plans are prefaced with the letter C (e.g. C1) and the numbered actions in the South Bucks District Council Plans are prefaced with the letter S (e.g. S1)

CHILTERN DISTRICT COUNCIL – AFFORDABLE HOUSING DELIVERY – ACTION PLAN

	OBJECTIVE	Status at August 2018	Actions	Monitoring
C1	Ensure that CDC works corporately to maximise affordable housing delivery	AHMWG (Affordable Housing Member Working Group) meeting bi-monthly since July 2016	AHMWG to continue to meet bi-monthly	AHMWG meetings and minutes
C2	Support development of the Chiltern and South Bucks Local Plan addresses affordable housing requirements	Development of Emerging Chiltern and South Bucks Local Plan is ongoing and next step is the publication of the Draft Local Plan for consultation prior to submission for an examination. This will set down the Council’s corporate position on affordable housing delivery via the planning system. The Council is awaiting the outcome of the Government’s consultation on a standard methodology for councils to work out housing Objectively Assessed Need (OAN). Chiltern and South Bucks will be affected by the transitional arrangements to the new OAN Methodology subject to the outcome of the consultation.	<ul style="list-style-type: none"> -Housing service to continue to support development of Local Plan -Local Plan to fully address district affordable housing requirements -Secure agreement of cross-district delivery of affordable housing in accordance with Bucks Memorandum of Understanding 	Reports to Joint Planning Policy Member Reference Group

<p>C3</p>	<p>Work with Paradigm Housing to maximise affordable housing delivery on PHG-owned sites and other opportunities</p>	<p>Principles of Co-operation Agreement being put in place between CDC and PHG and grant funding support for some developments on scheme by scheme basis.</p> <p>The Estates Renewal Assessment workshop undertaken with Paradigm identified and review PHG owned sites.</p>	<p>-Implement Principles of Co-operation Agreement</p> <p>-Joint assessment (by CDC and PHG) of opportunities on sites identified by Estates Renewal workshop (including adjacent CDC and PHG owned sites)</p>	<p>AHMWG</p> <p>PAG</p>
<p>C4</p>	<p>Work with Registered Providers to maximise affordable housing delivery</p>	<p>Grant funding support for some developments on scheme by scheme basis</p>	<p>-Assess if Principles of Co-operation Agreement with PHG could be applied to other Registered Providers</p> <p>- Positively encourage and support RPs to bring forward schemes for consideration including opportunities to deliver affordable housing within wider regeneration projects.</p>	<p>AHMWG</p> <p>PAG</p>
<p>C5</p>	<p>Review CDC-owned sites to identify and take forward affordable housing opportunities</p>	<p>Sites reviewed during 2016/17 by AHMWG. Those sites assessed as presenting opportunities are being progressed.</p>	<p>Continue to review sites and bring forward opportunities</p>	<p>AHMWG</p> <p>PAG</p>

C6	Make best use of capital funds from commuted sums and reserves to derive the maximum return from supporting affordable housing delivery (e.g. site assembly, match funding etc.)	Capital funds being allocated on a scheme by scheme basis in accordance with the terms of the Affordable Housing SPD (Supplementary Planning Document)	Continue to identify opportunities for funding and allocate funds as appropriate Identify and review ways to secure other forms of subsidy to support affordable housing delivery.	Quarterly monitoring reports to PAG AHMWG
C7	Work with other public sector bodies who have land and property in Chiltern/South Bucks to explore opportunities to deliver affordable housing	No specific opportunities identified to date.	Liaise with other public sector bodies to review opportunities from land/property in their ownership (by April 2019)	AHMWG PAG
C8	Explore options for Council to lease land and/or property to other agencies (while retaining ownership and receiving an income)	No models identified to date,	Keep under review	AHMWG PAG
C9	Undertake or support a targeted programme of acquisitions and lettings to replenish the stock of social and affordable rented property	Most recent programme of acquisitions was undertaken by Paradigm in 2014.	Keep under review in joint working with Registered Providers (see C3 and C4)	AHMWG PAG

<p>C10</p>	<p>Work with Town and Parishes to promote and support affordable housing schemes targeted at local people</p>	<p>Officers have promoted affordable housing to Town and Parish Councils. National Community-Led Housing Adviser gave a full presentation on the options and support available on 9/10/17. Interest has been limited to date.</p>	<p>Continue to promote opportunities via Town and Parish Council Forum and work with individual councils that want to bring forward schemes and proposals.</p> <p>Target support at Towns and Parishes whose emerging neighbourhood plan policies include meeting identified local affordable housing needs.</p>	<p>AHMWG PAG</p>
<p>C11</p>	<p>Assess opportunities to return empty homes back into use as affordable housing</p>	<p>Council Tax empty property database reviewed by Capacity Grid in 2017. Most long term empty homes present no opportunities (e.g. second homes, beyond repair or are subject to legal processes to resolve ownership)</p>	<p>Review options for targeted work on long term empty homes after Capacity Grid completes review of Council Tax database in 2018.</p> <p>Monitor availability of national funding to support empty homes work and support bids for funding as appropriate.</p>	<p>AHMWG PAG</p>
<p>C12</p>	<p>Assess possibilities of additional/expansion of current Park Home sites</p>	<p>No action to date. Expansion opportunities limited as Park Home Sites are in the Green Belt and would require very special circumstances to justify planning permissions.</p>	<p>Review position by April 2019</p>	<p>AHMWG PAG</p>

C13	Support provision of housing and accommodation solutions for people with care and support needs	Supported development of CCG/Bucks CC Market Position Statement	Identify opportunities to deliver solutions for people with care and support needs within both existing and new housing provisions	AHMWG PAG
C14	Support existing social housing tenants to downsize from family housing	Bucks Home Choice policy prioritises downsizers	<p>Work with RPs to assess extent of under-occupation in social housing tenancies</p> <p>Identify schemes and method that will actively encourage and support under-occupiers to downsize into existing or new social housing</p>	AHMWG PAG
C15	Ensure that CDC and its partners meet the requirements arising from the Housing Green Paper “A New Deal for Social Housing”	Green Paper published in August 2018	<p>Respond to consultation on Green Paper (by 6/11/18)</p> <p>Respond to final policies arising from Green Paper and work with partners to ensure that they are meeting policy requirements</p>	PAG

SOUTH BUCKS DISTRICT COUNCIL – AFFORDABLE HOUSING DELIVERY – ACTION PLAN

	OBJECTIVE	Status at August 2018	Actions	Monitoring
S1	Ensure that SBDC works corporately to maximise affordable housing delivery	<p>Affordable housing delivery is embedded in Joint Business Plan 2017-2020</p> <p>Cross departmental Project Groups for specific schemes (e.g. Gerrards Cross Police Station re-development, Bath Road development etc.) ensuring corporate approach to delivery.</p>	<p>-Continued cross-departmental working on new schemes and initiatives</p> <p>-Ensure Joint Business Plan updates continue to reflect affordable housing needs</p>	PAG Updates
S2	Support development of the Chiltern and South Bucks Local Plan addresses affordable housing requirements	<p>Development of Emerging Chiltern and South Bucks Local Plan is ongoing and next step is the publication of the Draft Local Plan for consultation prior to submission for an examination. This will set down the Council’s corporate position on affordable housing delivery via the planning system. The Council is awaiting the outcome of the Government’s consultation on a standard methodology for councils to work out housing Objectively Assessed Need (OAN). Chiltern and South Bucks will be affected by the transitional arrangements to the new OAN Methodology subject to the outcome of the consultation.</p>	<p>-Housing service to continue to support development of Local Plan</p> <p>-Local Plan to fully address district affordable housing requirements</p> <p>-Secure agreement of cross-district delivery of affordable housing in accordance with Bucks Memorandum of Understanding</p>	Reports to Joint Planning Policy Member Reference Group

<p>S3</p>	<p>Work with L&Q (London and Quadrant) to maximise affordable housing delivery on L&Q owned sites and other opportunities</p>	<p>Grant funding support for some developments on scheme by scheme basis.</p> <p>Ongoing discussions on bringing forward garage and green space sites for development.</p> <p>The Estates Renewal Assessment workshop undertaken with L&Q identified and review PHG owned sites.</p>	<p>-Joint assessment (by SBDC and L&Q) of opportunities on sites identified by Estates Renewal workshop (including adjacent SBDC and PHG owned sites)</p> <p>-Work with L&Q to maximise affordable housing opportunities arising from sheltered housing redevelopment programme</p>	<p>PAG Updates</p> <p>Quarterly liaison meetings between SBDC and L&Q</p>
<p>S4</p>	<p>Work with Registered Providers to maximise affordable housing delivery</p>	<p>Grant funding support for some developments on scheme by scheme basis</p>	<p>-Assess and support schemes on site by site basis</p> <p>- Positively encourage and support RPs to bring forward schemes for consideration including opportunities to deliver affordable housing within wider regeneration projects.</p>	<p>PAG updates</p>
<p>S5</p>	<p>Review SBDC-owned sites to identify and take forward affordable housing opportunities</p>	<p>Sites reviewed in conjunction with Savills during 2016/17.</p> <p>Modular temporary accommodation scheme being developed SBDC-owned former Depot site off Bath Road.</p>	<p>Continue to review sites and bring forward opportunities.</p>	<p>PAG updates</p>

S6	Make best use of capital funds from commuted sums and reserves to derive the maximum return from supporting affordable housing delivery (e.g. site assembly, match funding etc.)	Capital funds being allocated on a scheme by scheme basis in accordance with the terms of the Affordable Housing SPD (Supplementary Planning Document)	Continue to identify opportunities for funding and allocate funds as appropriate Identify and review ways to secure other forms of subsidy to support affordable housing delivery.	Quarterly monitoring reports to PAG
S7	Assess potential for SBDC to acquire and assemble sites for affordable housing	SBDC acquired former-Gerrards Cross Police Station site in April 2017 and has used 8 houses on site to deliver temporary homeless accommodation (via leasing arrangement with Bucks HA) pending site re-development. Re-development now being brought forward for new housing scheme including policy compliant 40% affordable housing. Other potential site acquisitions considered on a scheme by scheme basis	-Redevelopment of Gerrards Cross Police Station site to include 14 affordable homes for rent. -Continue to assess other site acquisition possibilities on scheme by scheme basis (including options to assemble sites in partnership with RPs (see S3 and S4) and acquisition of properties which can help unlock potential sites) -Identify options for Housing Company (Consilio) to support affordable housing delivery	PAG updates
S8	Work with other public sector bodies who have land and property in Chiltern/South Bucks to explore opportunities to deliver affordable housing	No specific opportunities identified to date.	Liaise with other public sector bodies to review opportunities from land/property in their ownership (by April 2019)	PAG updates

<p>S9</p>	<p>Explore options for Council to lease land and/or property to other agencies (while retaining ownership and receiving an income)</p>	<p>SBDC leasing 8 houses (ex-Gerrards Cross Police Houses) to Bucks Housing Association to let as temporary accommodation for homeless households.</p> <p>SBDC is developing options for applying leasing model to other schemes (e.g. proposed temporary accommodation development on Bath Road)</p>	<p>-Agree standardised leasing models that could be applied to different scenarios (e.g. new build, acquisitions, existing SBDC-owned properties etc.)</p> <p>-Assess options to applying leasing models on scheme by scheme basis and implement when appropriate.</p>	<p>PAG updates</p>
<p>S10</p>	<p>Undertake or support a targeted programme of acquisitions and lettings to replenish the stock of social and affordable rented property</p>	<p>SBDC supporting L&Q to acquire properties and let them to SBDC nominees (averaging 3 purchases per annum)</p> <p>SBDC bringing forward proposals to explore options to acquire properties and lease/rent them out (including acquisition of 3 properties by Bucks HA for temporary accommodation)</p>	<p>-Review L&Q purchase programme and confirm if programme should continue (subject to SBDC-funding being available)</p> <p>-Finalise options appraisal and business cases for SBDC to undertake direct acquisitions and implement scheme if agreed.</p>	<p>PAG updates</p>
<p>S11</p>	<p>Work with Town and Parishes to promote and support affordable housing schemes targeted at local people</p>	<p>Officers have promoted affordable housing to Town and Parish Councils. National Community-Led Housing Adviser gave a full presentation on the options and support available on 9/10/17. Interest has been limited to date.</p>	<p>-Continue to promote opportunities via Town and Parish Council Forum and work with individual councils that want to bring forward schemes and proposals (Target support at Towns and Parishes whose emerging neighbourhood plan policies include meeting identified local affordable housing needs)</p>	<p>PAG updates</p>

S12	Assess opportunities to return empty homes back into use as affordable housing	Council Tax empty property database reviewed by Capacity Grid in 2017. Most long term empty homes present no opportunities (e.g. second homes, beyond repair or are subject to legal processes to resolve ownership)	Review options for targeted work on long term empty homes after Capacity Grid completes review of Council Tax database in 2018. Monitor availability of national funding to support empty homes work and support bids for funding as appropriate.	PAG updates
S13	Support provision of housing and accommodation solutions for people with care and support needs	Supported development of CCG/Bucks CC Market Position Statement	Identify opportunities to deliver solutions for people with care and support needs within both existing and new housing provisions	AHMWG PAG
S14	Support existing social housing tenants to downsize from family housing	Bucks Home Choice policy prioritises downsizers SBDC has operated incentive schemes to encourage downsizing (funded from commuted sums) but take up has been limited.	Work with RPs to assess extent of under-occupation in social housing tenancies Identify schemes and method that will actively encourage and support under-occupiers to downsize into existing or new social housing	AHMWG PAG
S15	Ensure that SBDC and its partners meet the requirements arising from the Housing Green Paper "A New Deal for Social Housing"	Green Paper published in August 2018	Respond to consultation on Green Paper (by 6/11/18) Respond to final policies arising from Green Paper and work with partners to ensure that they are meeting policy requirements	PAG

CHILTERN DISTRICT COUNCIL – HOMELESSNESS - ACTION PLAN

	OBJECTIVE	Status at August 2018	Actions	Monitoring
C1	Monitor effectiveness of Bucks Home Choice policy and ensure social housing stock is being used as effectively as possible	<p>CDC/SBDC leads both the BHC Management Board and the Practitioner Group which regularly reviews the operation of the Bucks Home Choice scheme.</p> <p>Allocations Policy being reviewed in light of latest legal judgements and the requirements of the Homelessness Reduction Act 2017.</p>	<p>-Complete review of BHC Allocations and agree proposed amendments</p> <p>-Secure approval to adopt revised policy across the four district councils</p> <p>-Implement revised policy and monitor impact</p>	<p>BHC Management Board and Practitioners Group</p> <p>PAG Updates</p>
C2	Optimise current temporary accommodation provision through Temporary Accommodation Framework	<p>Joint CDC/SBDC Temporary Accommodation Framework agreed in 2017</p>	<p>Revised and updated Temporary Accommodation Framework incorporated into Strategy document</p>	<p>PAG Updates</p>
C3	Ensure all necessary procedures and documentation in place to implement the provisions of the Homelessness Reduction Act 2017	<p>New homelessness procedures in place and being kept under review alongside training for all staff and partner agencies and implementation of new upgraded IT system.</p>	<p>-Complete and implement new procedures</p> <p>-Monthly monitoring of implementation against requirements of HR Act and procedures amended as required</p>	<p>PAG Updates</p> <p>Homelessness Pls</p>

<p>C4</p>	<p>Prevent or relieve homelessness wherever possible to minimise the demand for temporary accommodation</p>	<p>As part of the implementation of the new HR Act (see C3) officers are reviewing the measures available to prevent homelessness and identifying what could be done to increase successful preventions. This will include assessing how we can make best use of the financial resources available to support this, including:</p> <ul style="list-style-type: none"> - CDC Homelessness Prevention Fund (within Housing budget) and Discretionary Housing Payments (administered by Benefits team) - MHCLG Flexible Homelessness Support Grant and New Burdens Funding 	<ul style="list-style-type: none"> -Utilise Locata Toolkit (developed by Andy Gale) and other good practice to inform development of prevention and relief measures -Complete review of available measures and agree toolkit of prevention and relief measures available to officers and partners in working with clients. -Review CDC website and ensure updated, appropriate and realistic homelessness information and advice is available at first point of contact 	<p>PAG Updates</p>
<p>C5</p>	<p>Work with Registered Providers to secure:</p> <ul style="list-style-type: none"> -additional temporary accommodation and - more private rented tenancy options. 	<p>CDC works with Registered Providers to maximise the use of temporary self-contained accommodation within their existing housing stock (including the 20-unit Tom Scott House owned by Paradigm Housing). CDC will continue to look at more temporary accommodation opportunities with Paradigm and other providers.</p>	<ul style="list-style-type: none"> -Agreement between CDC and Paradigm to commence Private Sector Leasing Scheme to deliver temporary accommodation (minimum of 10 units initially) -Review existing temporary accommodation agreement between CDC and Paradigm - Work with RPs to continue to explore other TA options 	<p>CDC/Paradigm monitoring meetings</p> <p>PAG Updates</p>

<p>C6</p>	<p>Working with the private rental sector to secure:</p> <ul style="list-style-type: none"> - temporary accommodation and - private rented tenancies for clients to prevent or relieve homelessness 	<p>CDC has secured an increased supply of self-contained nightly-booked accommodation to provide alternative options to B & B. However, the ability to secure private rented tenancies for clients remains challenging due to high local rent levels and welfare benefits restrictions.</p>	<p>-As part of HR Act implementation, officers are reviewing ways to assist more clients to secure private rented accommodation (linked to C3 and C4 above) including looking at options such as:</p> <ul style="list-style-type: none"> - payments/guarantees to help meet the cost of deposits and rent in advance - funding the shortfall between rent levels and benefit levels - rent guarantees - incentive payments to landlords - use of Credit Union to support clients to meet up front tenancy costs <p>-Any new models can potentially be funded from the resources highlighted in C4 above.</p>	<p>PAG Updates</p>
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<p>C7</p>	<p>Look for opportunities to develop additional temporary accommodation on CDC-owned land (including possible low cost development using off-site construction, pre-fab, mobile homes etc.)</p>	<p>No opportunities have been identified as yet. Any potential scheme will be assessed on an “invest to save” basis looking at an initial investment generating subsequent savings through reduced B&B costs and the possibility of some level of ongoing income generated by the accommodation</p>	<p>Potential schemes to be assessed on an “invest to save” basis looking at an initial investment generating subsequent savings through reduced B&B costs and the possibility of some level of ongoing income generated by the accommodation</p>	<p>PAG Updates AHMWG Corporate Asset Management Group</p>
<p>C8</p>	<p>Explore options to work with South Bucks District Council and other statutory partners to secure additional temporary accommodation provision</p>	<p>Temporary Accommodation Framework makes provision for temporary accommodation provision in CDC to be utilised by SBDC and vice versa (subject to local demands within the host district)</p>	<p>CDC will continue to assess opportunities for the shared housing service to deliver joint provision that can support both authorities. It will also consider any opportunities that arise for joint working with other partners (including Wycombe District Council and Aylesbury Vale District Council) to deliver additional temporary accommodation provision.</p>	<p>PAG Updates AHMWG</p>

<p>C9</p>	<p>Support those residents affected by Housing Benefit reforms in order to limit the impact on homelessness</p>	<p>CDC operates a joint forum between the Housing and Revenues Team and Paradigm Housing to share information, monitor tenants affected by Housing Benefit changes and target intervention as required.</p>	<p>CDC will continue to support clients to mitigate seek to mitigate the impact of Housing Benefit changes by:</p> <ul style="list-style-type: none"> - providing appropriate advice and assistance, - utilising DHP (Discretionary Housing Payments) and other funding (see C4) to support clients as appropriate, and - signposting and referring clients to partner agencies to deliver welfare benefits and debt advice (see C10) 	<p>Quarterly Housing/Revenues meetings</p> <p>PAG Updates</p>
<p>C10</p>	<p>Work in partnership with other agencies to secure suitable advice and support to prevent and relieve homelessness</p>	<p>CDC has Service Level Agreements in place with certain partner agencies (CAB, Housing Interaction Trust, Connection Rough Sleeper Outreach etc.)</p> <p>Partner agencies attended HR Act event on 02/04/18. Database of partner agencies, services and referral routes is being compiled. SLA being reviewed and revised as required</p>	<p>-Work with Registered Providers to ensure early referrals are made to support service to avoid tenants becoming homeless.</p> <p>-Opportunities for further funding of specific services and schemes by CDC to be considered based on needs of district</p>	<p>PAG Updates</p> <p>One to one working with partner agencies (including monitoring against SLA requirements)</p>

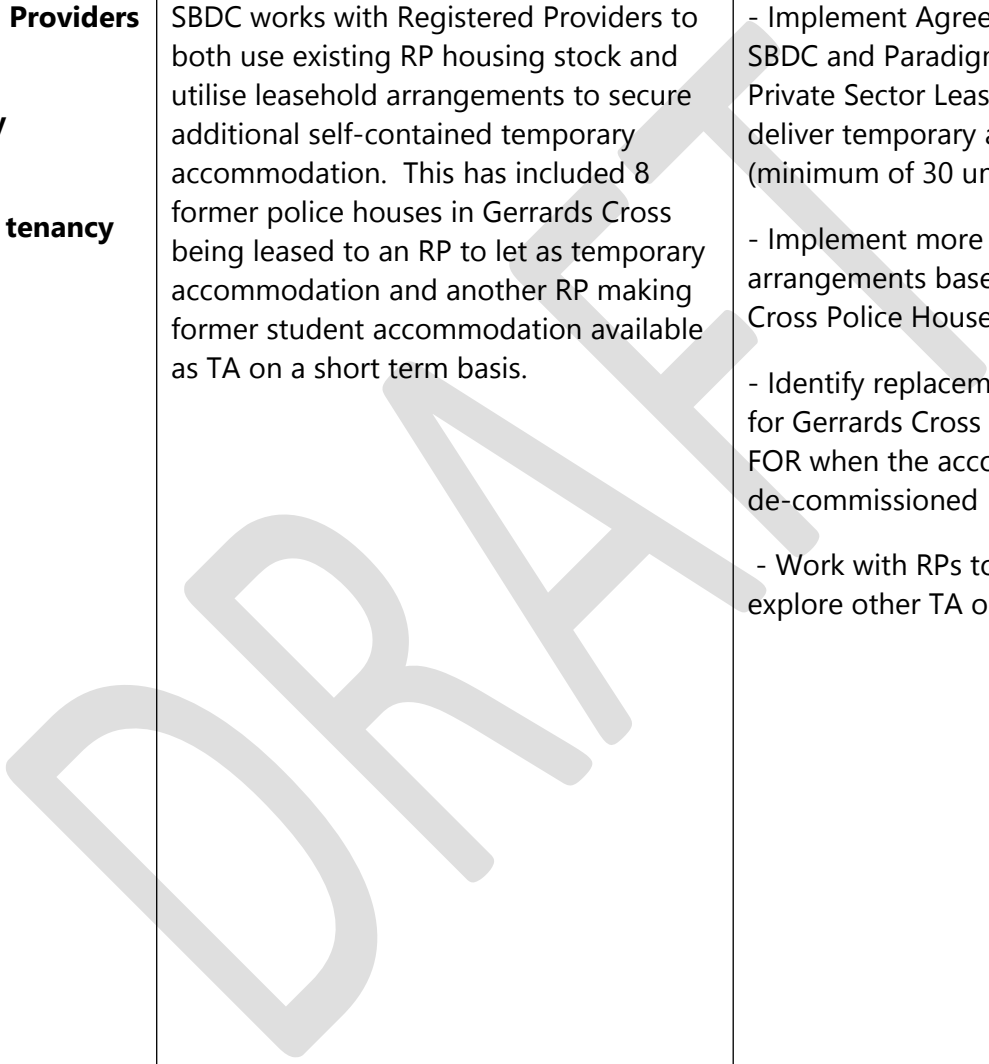
<p>C11</p>	<p>Work with the Connection Support Resilience Service to ensure that early intervention is targeted as effectively as possible in the District.</p>	<p>Connection Support Resilience Service operating since June 2017 funded from MCHLG Homelessness Trailblazer programme. Service delivers early one-to-one intervention with clients to prevent homelessness.</p> <p>CDC part of service Steering Group and monitoring delivery</p>	<p>-Continue to monitor service and ensure referrals being made from Chiltern area (both self-referrals and agency referrals, including CDC). Implement changes as required to maximise intervention and prevention</p> <p>-Work with Bucks CC and other DCs to plan exit strategy for end of MCHLG 2 year funding.</p>	<p>PAG Updates</p> <p>Resilience Service Steering Group</p>
<p>C12</p>	<p>Provide targeted support to resolve or prevent rough sleeping</p>	<p>CDC part-funds the countywide Rough Sleeper Outreach Service which provides one-to-one support to identified rough sleepers</p>	<p>Respond to requirements of MHCLG Rough Sleeping Strategy in including:</p> <ul style="list-style-type: none"> - Developing annual Rough Sleeper Action Plan - Updating Homelessness Strategy in 2019 as "Homelessness and Rough Sleeping Strategy" 	<p>PAG Updates</p>

SOUTH BUCKS DISTRICT COUNCIL – HOMELESSNESS - ACTION PLAN

	<u>OBJECTIVE</u>	<u>Status at August 2018</u>	<u>Actions</u>	<u>Monitoring</u>
S1	Monitor effectiveness of Bucks Home Choice policy and ensure social housing stock is being used as effectively as possible	<p>CDC/SBDC leads both the BHC Management Board and the Practitioner Group which regularly reviews the operation of the Bucks Home Choice scheme.</p> <p>Allocations Policy being reviewed in light of latest legal judgements and the requirements of the Homelessness Reduction Act 2017.</p>	<p>-Complete review of BHC Allocations and agree proposed amendments</p> <p>-Secure approval to adopt revised policy across the four district councils</p> <p>-Implement revised policy and monitor impact</p>	<p>BHC Management Board and Practitioners Group</p> <p>PAG Updates</p>
S2	Optimise current temporary accommodation provision through Temporary Accommodation Framework	<p>Joint CDC/SBDC Temporary Accommodation Framework agreed in 2017</p>	<p>Revised and updated Temporary Accommodation Framework incorporated into Strategy document</p>	<p>PAG Updates</p>
S3	Ensure all necessary procedures and documentation in place to implement the provisions of the Homelessness Reduction Act 2017	<p>Full review of homelessness procedures is underway alongside training for all staff and partner agencies and implementation of new upgraded IT system.</p>	<p>-Complete and implement new procedures</p> <p>-Monthly monitoring of implementation against requirements of HR Act and procedures amended as required</p>	<p>PAG Updates</p> <p>Homelessness PIs</p>

<p>S4</p>	<p>Prevent or relieve homelessness wherever possible to minimise the demand for temporary accommodation</p>	<p>As part of preparation for new HR Act (see S3) officers are reviewing the measures available to prevent homelessness and identifying what could be done to increase successful preventions. This will include assessing how we can make best use of the financial resources available to support this, including:</p> <ul style="list-style-type: none"> - SBDC Homelessness Prevention Fund (within Housing revenue budget) and Discretionary Housing Payments (administered by the Revenues and Benefits team) - MHCLG Flexible Homelessness Support Grant and New Burdens Funding 	<ul style="list-style-type: none"> -Utilise Locata Toolkit (developed by Andy Gale) and other good practice to inform development of prevention and relief measures -Complete review of available measures and agree toolkit of prevention and relief measures available to officers and partners in working with clients. -Review SBDC website and ensure updated, appropriate and realistic homelessness information and advice is available at first point of contact 	<p>PAG Updates</p>
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<p>S5</p>	<p>Work with Registered Providers to secure:</p> <ul style="list-style-type: none"> -additional temporary accommodation and - more private rented tenancy options. 	<p>SBDC works with Registered Providers to both use existing RP housing stock and utilise leasehold arrangements to secure additional self-contained temporary accommodation. This has included 8 former police houses in Gerrards Cross being leased to an RP to let as temporary accommodation and another RP making former student accommodation available as TA on a short term basis.</p>	<ul style="list-style-type: none"> - Implement Agreement between SBDC and Paradigm to commence Private Sector Leasing Scheme to deliver temporary accommodation (minimum of 30 units initially) - Implement more TA leasehold arrangements based on Gerrards Cross Police Houses model - Identify replacement TA provision for Gerrards Cross Police Houses FOR when the accommodation is de-commissioned - Work with RPs to continue to explore other TA options 	<p>Monitoring meetings with RP partners</p> <p>PAG Updates</p>
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<p>S6</p>	<p>Working with the private rental sector to secure:</p> <ul style="list-style-type: none"> - temporary accommodation and - private rented tenancies for clients to prevent or relieve homelessness 	<p>SBDC has secured an increased supply of self-contained nightly-booked accommodation to provide alternative options to B & B. However, the ability to secure private rented tenancies for clients remains challenging due to high local rent levels and welfare benefits restrictions.</p>	<p>-As part of HR Act implementation, officers are reviewing ways to assist more clients to secure private rented accommodation (linked to S3 and S4 above) including looking at options such as:</p> <ul style="list-style-type: none"> - payments/guarantees to help meet the cost of deposits and rent in advance - funding the shortfall between rent levels and benefit levels - rent guarantees - incentive payments to landlords - use of Credit Union to support clients to meet up front tenancy costs <p>-Any new models can potentially be funded from the resources highlighted in S4 above.</p>	<p>PAG Updates</p>
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<p>S7</p>	<p>Look for opportunities to develop additional temporary accommodation on SBDC-owned land (including possible low cost development using off-site construction, pre-fab, mobile homes etc.)</p>	<p>SBDC currently owns and leases former former-Police Houses at Gerrards Cross to RP to let as temporary accommodation (see S5 above)</p> <p>SBDC bringing forward planning application to develop temporary accommodation on former depot site on Bath Road, Taplow, using off-site modular construction.</p>	<ul style="list-style-type: none"> -Develop TA scheme on former depot site in Bath Road (subject to planning permission) -Continue to explore potential schemes using SBDC-owned land or properties (or site acquisition) -Develop standard model to allow proposals to be assessed on an “invest to save” basis looking at an initial investment generating subsequent savings through reduced B&B costs and the possibility of some level of ongoing income generated by the accommodation 	<p>PAG Updates</p>
<p>S8</p>	<p>Explore options to work with Chiltern District Council and other statutory partners to secure additional temporary accommodation provision</p>	<p>Temporary Accommodation Framework makes provision for temporary accommodation provision in SBDC to be utilised by CDC and vice versa (subject to local demands within the host district)</p>	<p>SBDC will continue to assess opportunities for the shared housing service to deliver joint provision that can support both authorities. It will also consider any opportunities that arise for joint working with other partners (including Wycombe District Council and Aylesbury Vale District Council) to deliver additional temporary accommodation provision.</p>	<p>PAG Updates</p>

<p>S9</p>	<p>Support those residents affected by Housing Benefit reforms in order to limit the impact on homelessness</p>	<p>SBDC operates a joint forum between the Housing and Revenues Team to share information, monitor tenants affected by Housing Benefit changes and target intervention as required.</p>	<p>SBDC will continue to support clients to mitigate seek to mitigate the impact of Housing Benefit changes by:</p> <ul style="list-style-type: none"> - providing appropriate advice and assistance, - utilising DHP (Discretionary Housing Payments) and other funding (see C4) to support clients as appropriate, - signposting and referring clients to partner agencies to deliver welfare benefits and debt advice (see S10), and - secure attendance of L&Q at Housing and Revenues Team review meetings. 	<p>Quarterly Housing/Revenues meetings</p> <p>PAG Updates</p>
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<p>S10</p>	<p>Work in partnership with other agencies to secure suitable advice and support to prevent and relieve homelessness</p>	<p>SBDC has Service Level Agreements in place with certain partner agencies (CAB, Connection Rough Sleeper Outreach, Padstones etc.)</p> <p>Partner agencies attended HR Act event on 02/04/18. Database of partner agencies, services and referral routes is being compiled. SLA being reviewed and revised as required</p>	<p>-Work with Registered Providers to ensure early referrals are made to support service to avoid tenants becoming homeless.</p> <p>-Opportunities for further funding of specific services and schemes by SBDC to be considered based on needs of district</p>	<p>PAG Updates</p> <p>One to one working with partner agencies (including monitoring against SLA requirements)</p>
<p>S11</p>	<p>Work with the Connection Support Resilience Service to ensure that early intervention is targeted as effectively as possible in the District.</p>	<p>Connection Support Resilience Service operating since June 2017 funded from MCHLG Homelessness Trailblazer programme. Service delivers early one-to-one intervention with clients to prevent homelessness.</p> <p>SBDC is part of service Steering Group and monitoring delivery</p>	<p>-Continue to monitor service and ensure referrals being made from Chiltern area (both self-referrals and agency referrals, including SBDC). Implement changes as required to maximise intervention and prevention -Work with Bucks CC and other DCs to plan exit strategy for end of MCHLG 2 year funding.</p>	<p>PAG Updates</p> <p>Resilience Service Steering Group</p>
<p>S12</p>	<p>Provide targeted support to resolve or prevent rough sleeping</p>	<p>SBDC part-funds the countywide Rough Sleeper Outreach Service which provides one-to-one support to identified rough sleepers</p>	<p>Respond to requirements of MHCLG Rough Sleeping Strategy in including:</p> <ul style="list-style-type: none"> - Developing annual Rough Sleeper Action Plan - Updating Homelessness Strategy in 2019 as "Homelessness and Rough Sleeping Strategy" 	<p>PAG Updates</p>

APPENDIX A**BACKGROUND STATISTICS****A1. - SOCIAL HOUSING LETTINGS**

Social housing tenancies are allocated via the Bucks Home Choice scheme (for more details please go to www.buckshomechoice.gov.uk)

Number of households seeking a social housing tenancy:

As at 20th August 2018, the number of applicants registered for re-housing on the Bucks Home Choice scheme were as follows:

Property size required	Number of Applicants	
	CDC	SBDC
1 bedroom	311	266
2 bedrooms	54	84
3 bedrooms	100	73
4 bedrooms	4	6
Not known	11	8
Total	469	437

Availability of social housing tenancies (Summary of lettings in 2017/18):

Chiltern District Council – Lettings via Bucks Home Choice 1/4/17 to 31/03/18		
Property Type	Number of lettings	Average time spent on Housing Register for applicant offered tenancy
Sheltered	37	15 months
Studio	3	7 months
1 bedroom general needs	78	9 months
2 bedroom flat/maisonette	68	7 months
2 bedroom house	37	15 months
3 bedroom flat/maisonette	7	8 months
3 bedroom house	22	31 months
4 bedroom or more	0	No lettings
TOTAL LETTINGS	252	

South Bucks District Council – Lettings via Bucks Home Choice 1/04/17 to 31/03/18		
Property Type	Number of lettings	Average time spent on Housing Register for applicant offered tenancy
Sheltered	25	8 months
Studio	4	8 months
1 bedroom general needs	55	18 months
2 bedroom flat/maisonette	48	20 months
2 bedroom house	18	22 months
3 bedroom flat/maisonette	3	20 months
3 bedroom house	20	22 months
4 bedroom or more	0	0
TOTAL LETTINGS	173	

Total Lettings via Bucks Home Choice in previous years		
Year	Chiltern DC	South Bucks DC
2016/17	264	119
2015/16	234	133
2014/15	269	186

Headlines:

- The level of lettings in CDC and SBDC is dependent on turnover in the existing social housing stock (i.e. re-lets) and the provision of additional properties (via new building or buying existing dwellings)
- The average time spent on the Housing Register is broad indicator based on the overall lettings during the year. The Bucks Home Choice scheme prioritises applicants for vacancies based on a combination of factors taking account of housing need, time spent on the Register and the type of property required. Therefore, some households will wait considerably longer than the average waiting time before they have any opportunity to secure a tenancy.
- The availability of larger family-sized housing (i.e. 3 or more bedrooms) across both districts is particularly limited in comparison with demand. This has a particular impact on the ability of both Councils to secure long term accommodation for households who are homeless or threatened with homelessness (with a consequent knock-on effect on the length of time that larger families have to spend in temporary accommodation).

A.2 - HOMELESSNESS**(a) Total Number of Homelessness Applications for Assistance**

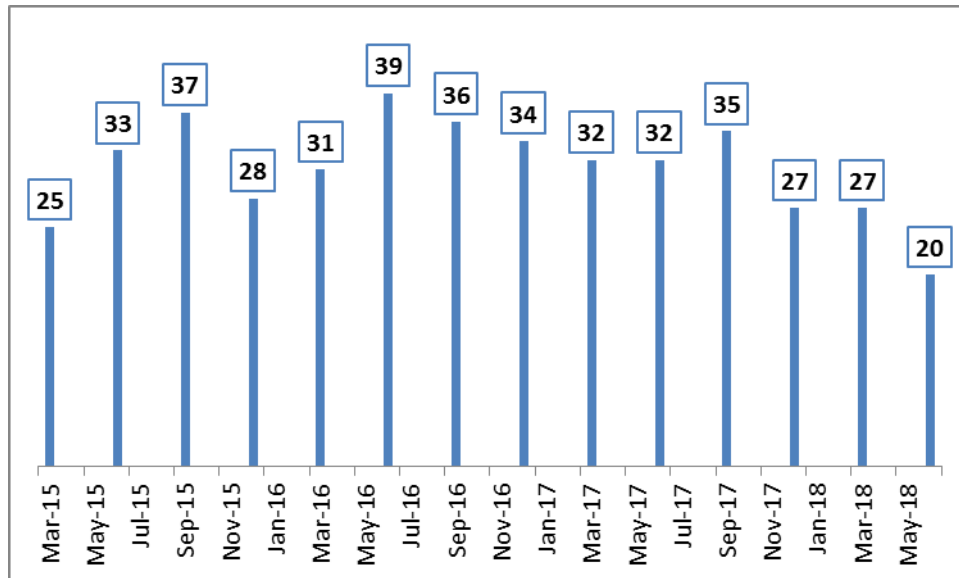
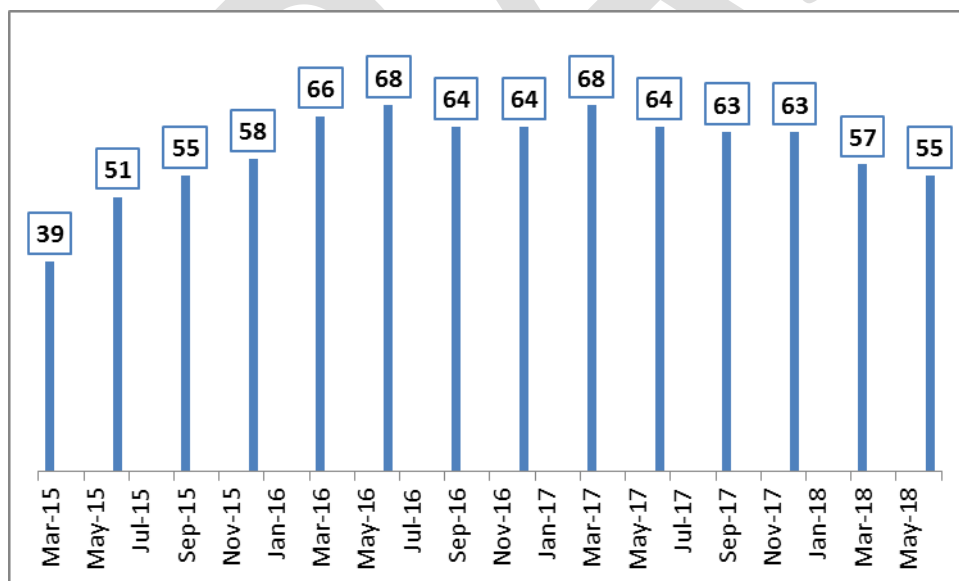
	Year									
	2013/14		2014/15		2015/16		2016/17		2017/18	
	CDC	SBDC	CDC	SBDC	CDC	SBDC	CDC	SBDC	CDC	SBDC
Total number of homeless applications for assistance	56	59	87	75	95	88	80	102	90	102

(This table shows the number of homelessness applications where the Council issued decisions during the year concerned. These were determined prior to the introduction of the new duties in the Homelessness Reduction Act from 3rd April 2018.)

(b) Accepted Homelessness Applications & Reasons

Out of the total number of applications in Table (a) above the following applications were accepted as being subject to the Council's main housing duty to secure accommodation.

Homeless Cases Accepted as Duty to Secure Accommodation										
Reason for Homelessness	Year									
	2013/14		2014/15		2015/16		2016/17		2017/18	
	CDC	SBDC	CDC	SBDC	CDC	SBDC	CDC	SB	CDC	SB
Parents/Family not willing to accommodate	3	25	24	19	21	30	14	27	21	30
End of Tenancy by Landlord	10	14	21	17	22	15	17	18	14	18
Domestic Violence	2	4	7	3	7	6	8	8	8	9
Other Violence/Harassment	1	0	0	1	7	3	0	3	4	5
Rent/Mortgage Arrears	5	0	4	0	1	2	6	2	3	1
Other	3	1	3	7	5	11	5	9	10	11
Total	24	44	59	47	63	67	50	67	60	74

(c) Number of Homeless Households in Temporary Accommodation**Chiltern DC - Quarterly Snapshot of Number of Households in TA****South Bucks DC - Quarterly Snapshot of Number of Households in TA****Headlines:**

- Both Chiltern and South Bucks saw a significant increase in applications for homelessness assistance in 2013/14. The annual rate of increase has subsequently differed between the two districts. South Bucks showing a continued annual upturn until levelling off in in 2017/18 while the position in Chiltern has been more erratic year on year.

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- The main reasons for homelessness across both districts in recent years have been exclusion by family or friends or the ending of a tenancy by a landlord.
- The ongoing demand for temporary accommodation has been considerable higher in South Bucks compared to Chiltern. This is primarily because South Bucks has seen a higher level of homelessness applications and a lower level of turnover in its social housing stock. This means that many homeless households have to spend longer periods in temporary accommodation due to the limited availability of affordable accommodation to move on to.

Future Demand for Homelessness Services

The MHCLG (formerly DCLG) has estimated that the new Homelessness Reduction Act 2017 could see a 26% increase in the homelessness caseload for local authorities (DCLG – New Burdens Funding Assessment – October 2017). If this increase is applied to the 2017/18 caseload levels, this will result in anticipated levels as follows:

Council	Caseload per annum (Total homelessness cases)		Demand for Temporary Accommodation	
	Current level (2017/18)	Estimated demand (2018/19)	Current demand (Average number in TA during 2017/18)	Estimated demand (2018/19)
Chiltern DC	102	129	34 units	42 units
South Bucks DC	90	114	65 units	82 units

(The above estimates are based on a 26% upturn on the average number of TA placements at any one time during 2017. However, other factors including homelessness prevention levels under the new Act's provisions and new affordable housing developments will impact on this figure).

Rough Sleepers

Chiltern DC and South Bucks DC have generally recorded low levels of rough sleeping within the districts. The figures from the last 4 annual rough sleeper counts/estimates are:

	2014	2015	2016	2017
Chiltern	3	1	1	1
South Bucks	0	0	4	1

However, these are snapshot figures collected once a year as part of the national rough sleeper estimate. There is evidence to suggest that there are regular reported instances of rough sleeping in the two districts. The Rough Sleeper Outreach Service operated by

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Connection Support received 53 reports of rough sleepers in Chiltern or South Bucks during the 12 month period from July 2017 to June 2018 and the service subsequently verified 10 of these.

The Councils will be reviewing the extent of rough sleeping across the districts and the support services that are in place as part of the response to the Government's Rough Sleeping Strategy.

A3 - DELIVERY OF ADDITIONAL AFFORDABLE HOUSING

Number of additional affordable homes (rented or shared ownership) delivered since 2011/12

The table below summarises the number of additional affordable homes delivered by Registered Providers in Chiltern and South Bucks since 2011/12:

YEAR	DISTRICT							
	CHILTERN				SOUTH BUCKS			
	New Build Rent	New Build S/Owners	Purchases	Other	New Build Rent	New Build S/Owners	Purchases	Other (Equity Loan)
2011/12	26	3	0	0	15	0	9	9
2012/13	57	35	0	0	7	17	4	8
2013/14	6	0	8	0	12	3	4	3
2014/15	34	0	7	0	6	0	10	0
2015/16	18	4	0	0	0	0	2	3
2016/17	26	9	0	0	4	0	5	2
2017/18	56	24	0	0	21	7	1	0

Headlines:

- The level of new build rented affordable housing has fluctuated from year to year and has been particularly limited in South Bucks in recent years. This is due to a range of factors including (i) limited development opportunities coupled with high land values, (ii) changes in the funding arrangements for Registered Providers and (iii) increasing numbers of housing developers challenging the viability of delivering affordable housing on site and instead paying an affordable housing contribution (or no contribution)
- The purchase of existing properties by registered providers has contributed to delivering additional affordable homes across both districts. However, this has declined in recent years due to rising house prices and the increasing levels of subsidy required to make such schemes viable.

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APPENDIX B**Chiltern District Council****and****South Bucks District Council****TEMPORARY ACCOMMODATION FRAMEWORK****CONTENTS**

Content	Page
1. Purpose	47
2. Background	47
3. Principles of Framework	48
4. Current Provision	48
5. Current and Future Demand	48
6. Bed and Breakfast Accommodation	49
7. Location of Accommodation	49
8. Allocation of Accommodation	49
9. Cross District Provision	50
10. Charging for Temporary Accommodation	51
11. Maintaining and Increasing Supply	51
12. Review of Framework	52
Appendix B1 – Duty to Secure Temporary Accommodation	53
Appendix B2 – Current Provision	56
Appendix B3 – Process for Allocating Self Contained Temporary Accommodation	59

Chiltern District Council**and****South Bucks District Council****TEMPORARY ACCOMMODATION FRAMEWORK 2018/19****1. Purpose**

- 1.1 The purpose of this framework is to:
- 1.1.1 Ensure that each Council fulfils its statutory duties under Part 7 of the Housing Act 1996 to secure temporary accommodation and
 - 1.1.2 Provide a clear and transparent framework for each Council for securing and allocating temporary accommodation

2. Background

- 2.1 Part 7 (Homelessness) of the Housing Act 1996 places a statutory duty on the Council to secure that temporary accommodation is available to homeless households in a range of circumstances. Details of the relevant statutory duties and related guidance are summarised in **Appendix B1**.
- 2.2 The Council must secure sufficient temporary accommodation to meet its statutory duty. This accommodation must be utilised and allocated correctly.
- 2.3 The Supreme Court in the case of *Nzolameso v Westminster City Council* (2015) (UKSC 22, (2015) HLR 22) advised that each local authority should have a clear statement on how it procures and allocates temporary accommodation.
- 2.4 In light of the above, this framework has been drafted to provide a clear statement to Members, officers, clients and partner agencies on how the Council secures and allocates temporary accommodation.
- 2.5 Chiltern District Council and South Bucks District Council operate a shared housing service which includes a shared housing options and homelessness service. Therefore, this Framework has been drafted as a joint document to be shared by both Councils. Any reference to "the Council" in this Framework document should be taken to mean both Chiltern District Council and South Bucks District Council and their respective duties.

3. Principles of the Framework

The Council will:

3.1 Secure temporary accommodation in compliance with its statutory duties under Part 7 of the Housing Act 1996

3.2 Secure self-contained temporary accommodation wherever possible and only secure B&B (Bed and Breakfast) accommodation when no other suitable self-contained temporary accommodation is available

3.3 Minimise the length of time that any household with family commitments has to spend in B&B accommodation

3.4 Secure temporary accommodation within the district whenever possible

3.5 Ensure that temporary accommodation meets appropriate standards of suitability and fitness

3.6 Minimise the cost of temporary accommodation provision to the Council and maximise income to offset costs where possible

4. Temporary Accommodation – Current Provision

4.1 Appendix B1 lists the temporary accommodation that is currently utilised by Chiltern District and South Bucks District Council.

5. Temporary Accommodation – Current and Future Demand

5.1 Appendix A2 in this Strategy document (Pages 39 to 41) shows the demand for temporary accommodation in Chiltern District Council and South Bucks District Council since 1st April 2014 and the projections for future demand following the implementation of the Homelessness Reduction Act 2017 from 3rd April 2018. It is estimated that the Councils will need to ensure that the following levels of temporary accommodation are available at any one time during 2018/19:

Chiltern DC	=	Maximum of 42 units
South Bucks DC	=	Maximum of 82 units

6. Use of Bed and Breakfast Accommodation

6.1 The Council recognises that B&B (Bed and Breakfast) is not suitable as temporary accommodation for households with family commitments (i.e. households who have or are expecting dependent children). Where possible, it will avoid placing such a household in B&B. However, the high demand for temporary accommodation means that there will be occasions when the Council has no option other than to secure B&B in order to meet its statutory duty.

6.2 When the Council has to place a household with family commitments in B&B, it will take full account of the provisions in Statutory Instrument 2003/3326 that the period in B&B should not exceed 6 weeks. The Council will seek to move the household on to alternative self-contained accommodation as soon as possible. These households will be prioritised for a move from B&B as and when suitable self-contained temporary accommodation becomes available for occupation. The process for this is summarised in Appendix B3.

7. Location of Accommodation

7.1 The Council will aim to secure temporary accommodation within its district. However, the high demand for temporary accommodation means that it may be necessary for the Council to secure accommodation that is located in another district. In this event, the Council will aim to minimise the distance between the district and the location of the temporary accommodation.

8. Allocation of Temporary Accommodation

8.1 Self-contained temporary accommodation will normally be allocated on the day that it becomes available and using the process summarised in Appendix D

8.2 When self-contained temporary accommodation becomes available, existing households with family commitments in B&B will be prioritised over households who have not yet been placed in temporary accommodation.

8.3 If no self-contained temporary accommodation is available for a household on the date that the household becomes homeless then the Council will secure bed and breakfast accommodation (see 6.1 above) subject to availability. If no bed and breakfast accommodation is available on the date concerned then the Council may have to utilise hotel accommodation on a short term basis until bed and breakfast or other alternative temporary accommodation becomes available.

8.4 The Council will make every effort to secure temporary accommodation that is a suitable size, type and location for the household concerned. In doing so, the Council will have regard to the relevant statutory requirements and guidance (see Appendix B1). However, this must be balanced against the demands on the Council's service for homelessness assistance and the pressures on temporary accommodation. The Council's primary focus

is to secure accommodation that meets its duties under Part 7 of the Housing Act 1996 even if the household concerned considers that it may not be suitable.

8.5 A household may request a review of the suitability of the temporary accommodation secured by the Council if a review is permitted under Part 7 of the Housing Act 1996.

8.6 In exceptional circumstances, the Council may depart from the allocation process set down in this Framework. This may arise because of reasons such as:

- safeguarding issues,
- personal safety concerns,
- medical issues,
- household size, or
- the household has been deemed intentionally homeless and/or has a review or appeal pending into the Council's decision.

Any exceptional allocation will be subject to the agreement of the Senior Housing Options Officer (or the Housing Manager in the absence of the Senior Housing Options Officer).

9. Chiltern District Council and South Bucks District Council – Cross District Provision

9.1 Chiltern District Council and South Bucks District Council operate a shared housing service. Each Council retains its own separate statutory responsibility to fulfil its duties under Part 7 of the Housing Act 1996.

9.2 There may be occasions where one of the Councils (Chiltern District Council or South Bucks District Council) has available capacity within its temporary accommodation while the other authority is facing significant pressures to secure sufficient accommodation. In this situation, the Council with available capacity may make its temporary accommodation available to the other authority to utilise in order to fulfil its Part 7 duties (i.e. Chiltern DC would make its temporary accommodation available to be utilised by South Bucks DC or vice versa).

9.3 The provisions in paragraph 9.2 would be subject to:

- consideration of current and future temporary accommodation demands for both Councils,
- confirmation that the Council which makes the temporary accommodation available will not suffer any detriment to its service delivery or budget as a result, and
- the placement being reviewed on a weekly basis and ending as and when the temporary accommodation is again required by the Council which has made it available.

10. Charging for Temporary Accommodation

10.1 The Council reserves the right to require a household to pay a reasonable charge in respect of the temporary accommodation that has been secured for them. In making any charge, the Council will have regard to the statutory requirement that the temporary accommodation must be affordable to the household concerned.

11. Maintaining and Increasing the Supply of Temporary Accommodation

11.1 The Council will explore the following options over the next 12 months to help maintain and increase the supply of temporary accommodation to meet the current and future needs highlighted in Section 5.

11.1.1 Prevent Homelessness wherever possible to minimise the demand for temporary accommodation

The Council continues to review its housing options service to ensure that all available options are explored to help prevent or relieve homelessness before a client becomes homeless. The Homelessness Reduction Act 2017 has placed increased emphasis on this.

11.1.2 Optimise current temporary accommodation provision

The Council will ensure that it makes the best use of the available temporary accommodation by making appropriate allocations, minimising the time spent by households in B&B and ensuring that households are moved on in a timely and efficient manner to longer term accommodation when possible.

11.1.3 Secure temporary accommodation from Registered Provider stock

The Council will continue to work with Registered Providers to maximise the use of temporary self-contained accommodation from within their existing housing stock and through other initiative and schemes (e.g. new build, private sector leasing etc.)

11.1.4 Explore options for new developments to incorporate new temporary accommodation provision.

The Council will monitor development opportunities on its own land and elsewhere

11.1.5 Explore options for working with the private rental sector to secure temporary accommodation

The Council will review its work with private landlords and letting agents and assess opportunities for partnership working to deliver temporary accommodation and tenancies to help prevent or relieve homelessness.

11.1.6 Explore options for Chiltern District Council and South Bucks District Council to work jointly to secure additional temporary accommodation provision

The Council will assess opportunities for the shared housing service to deliver joint provision that can support both authorities.

11.1.7 Explore options to work with other statutory partners to deliver additional temporary accommodation

The Council will assess opportunities for joint working with other partners including Wycombe District Council and Aylesbury Vale District Council to deliver additional temporary accommodation provision.

12. Review of Framework Document

12.1 This document will be reviewed annually

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APPENDIX B1**DUTY TO SECURE TEMPORARY ACCOMMODATION****1. SUMMARY OF STATUTORY DUTIES AND POWERS**

1.1 Under **Part 7 (Homelessness) of the Housing Act 1996** the Council has a statutory duty to secure that accommodation is available to homeless persons who meet certain criteria and requirements set down in the Act and associated Statutory Instruments and guidance.

1.2 The specific statutory duties set down in Part 7 are broadly summarised below:

(i) *Section 188 – Interim duty to accommodate in case of apparent priority need*

When the Council receives an application for assistance under Part 7 then the Council will have a duty to secure temporary accommodation while it assesses the application if it considers that the applicant is homeless and may be in priority need (in accordance with the priority need categories set down in Section 189 of the Act)

(ii) *Section 190 – Duties to persons becoming homeless intentionally*

When the Council has assessed an application and determined that the applicant is homeless and in priority need, but is homeless intentionally, then it will have a duty to secure that accommodation is available for a period to give the applicant a reasonable opportunity to find other housing.

(iii) *Section 193 – Duty to persons with priority need who are not homeless intentionally*

When the Council has assessed an application and determined that the applicant is homeless and in priority need and not homeless intentionally (and the initial Homelessness Relief Duty has come to an end), then it will have a duty to secure that accommodation for occupation by the applicant. There is no time limit on this duty. Section 193 sets down the specific circumstances in which this duty can come to an end.

(iv) *Section 199A – Accommodation pending the outcome of a referral to another local authority*

In some cases when the Council has assessed that the conditions are met for a referral to another local housing authority and applicant is homeless and in priority need, the Council will have a duty to secure that accommodation is available pending the outcome of the referral.

1.3 In respect of (i) to (1v) above, Section 208(1) of the Act states that so far as reasonably practicable the Council shall secure that suitable accommodation is available for occupation within its district.

1.4 In addition to the statutory duties summarised above, the Council also has the **power to secure accommodation pending a review or appeal**. Under Sections 188 and 204 of the Act, the Council has the power to secure accommodation for an

applicant pending the outcome of a review or appeal on the Council's decision on a homelessness application. This is a power and not a duty and the Council will assess requests for accommodation in these circumstances on a case by case basis. In assessing whether or not to exercise its power to secure accommodation, the Council will have regard to the applicant's circumstances and the relevant guidance and case law.

- 1.5 Under Section 192 (3) of the Act, the Council also has ***the power to secure accommodation for an applicant who is homeless, not homeless intentionally and is not in priority need***. Again, this is a power and not a duty. In considering whether or not to use this power, the Council must take into account the demands on local housing and the need to secure accommodation for homeless households who are subject to the statutory duties summarised in (i) to (v) above. The current demands on housing stock in Chiltern and South Bucks and the ongoing demands from homeless households who are subject to statutory accommodation duties means that the Councils are highly unlikely to exercise the power under Section 193(2) of the Act. However, any requests will be assessed on a case by case basis.

2. GUIDANCE ON EXERCISING STATUTORY DUTIES

- 2.1 When exercising a statutory duty in accordance with (i) to (v) above, the Councils will have full regard to the relevant law, statutory instruments and guidance in assessing whether or not the accommodation concerned is suitable. This includes:

- a) **Homelessness Code of Guidance for Local Authorities (February 2018)**
- b) **SI 1996/3204 Homelessness (Suitability of Accommodation) Order 1996**

This requires that the accommodation must be affordable.

- c) **SI 2003/3326 Homelessness (Suitability of Accommodation)(England) Order 2003**

This highlights that B&B accommodation is not to be regarded as suitable accommodation for an applicant with family commitments and should only be used (i) where no other accommodation is available and (ii) for no more than 6 weeks in total.

- d) **SI 2012/2601 Homelessness (Suitability of Accommodation)(England) Order 2012**

This highlights a range of factors that the Council must take into account including:

- distance from district (if placed out of area)
- significance of disruption to employment, caring responsibilities or education

- proximity and accessibility of medical facilities
- proximity and accessibility of local services, amenities and transport

e) **S. 11 of the Children Act 2004**

This requires that where the applicant's household includes children, then the Council's decision on suitability must identify the needs of the children (individually and collectively) and have regard to the need to safeguard and promote the children's needs. However, it is not required that the children's welfare should be given paramount or even primary consideration by the Council in making the decision on the suitability of accommodation.

f) **Equality Act 2010**

This requires that the Council assesses whether or not the applicant has a disability (or another relevant protected characteristic) and, if so, the extent of the disability and whether or not this impacts on suitability of the accommodation.

- 2.2 Overall, the Councils will always aim to minimise disruption to the applicant's household and have full regard to the relevant law and guidance when securing temporary accommodation. However, this will always need to be balanced against the overall demands on the housing and homelessness service and the availability of accommodation. This means that it may not always be possible to avoid disruption to the household concerned. The Council's primary focus will be to ensure that it secures accommodation for the applicant in accordance with its statutory duties under Part 7 of the Housing Act 1996.

END

APPENDIX B2**TEMPORARY ACCOMMODATION – CURRENT PROVISION**

This Appendix lists the temporary accommodation that is currently secured by each Council to fulfil its duties under Part 7 of the Housing Act 1996.

CHILTERN DISTRICT COUNCIL

CDC - Current Provision – Self Contained Accommodation (No facilities shared with other households)		
Accommodation	Number of Units	Details
Tom Scott House, Pearce Road, Chesham	12 x 1 br flats 8 x bedsits	Scheme owned and managed by Paradigm Housing
Other Registered Provider accommodation	No fixed number	Properties in general needs stock utilised as temporary accommodation as and when required
Nightly booked self-contained accommodation	No fixed number	Properties secured from private provider and subject to a nightly rate. The main providers are located in Slough, High Wycombe, Hemel Hempstead and Chiltern.
Private Sector Leasing Scheme	Minimum of 10 units	Properties to be leased by Paradigm Housing and let to CDC nominees to meet temporary accommodation duty.

CDC - Current Provision – Non-Self Contained Accommodation (Facilities shared with other households)		
Accommodation	Number of Units	Details
Nightly booked non-self contained accommodation (e.g. Bed and Breakfast)	No fixed number	Rooms are booked as and when required and charged on a nightly rate. The main providers are located in Slough, High Wycombe and Hemel Hempstead.
Hotels	No fixed number	Hotel rooms are booked when no other options are available. (Normally emergency out-of-hours placements placements).

SOUTH BUCKS DISTRICT COUNCIL

SBDC Current Provision – Self Contained Accommodation (No facilities shared with other households)		
Accommodation	Number of Units	Details
Oxford Road, Gerrards Cross (Former Police Houses)	8 x Houses	Properties leased by Bucks Housing Association from SBDC (Due to be decommissioned in December 2018)
Private Sector Leasing Scheme	Minimum of 30 units	Properties to be leased by Paradigm Housing and let to SBDC nominees to meet temporary accommodation duty.
Other Registered Provider properties	No fixed number	Properties in general needs stock owned by other Registered Providers (e.g. L&Q, Bucks HA) and made available to SBDC to use as temporary accommodation on an interim basis.
Nightly booked self-contained accommodation	No fixed number	Properties secured from private provider and subject to a nightly rate. The main providers are located in Slough, High Wycombe, Hemel Hempstead and Chiltern.

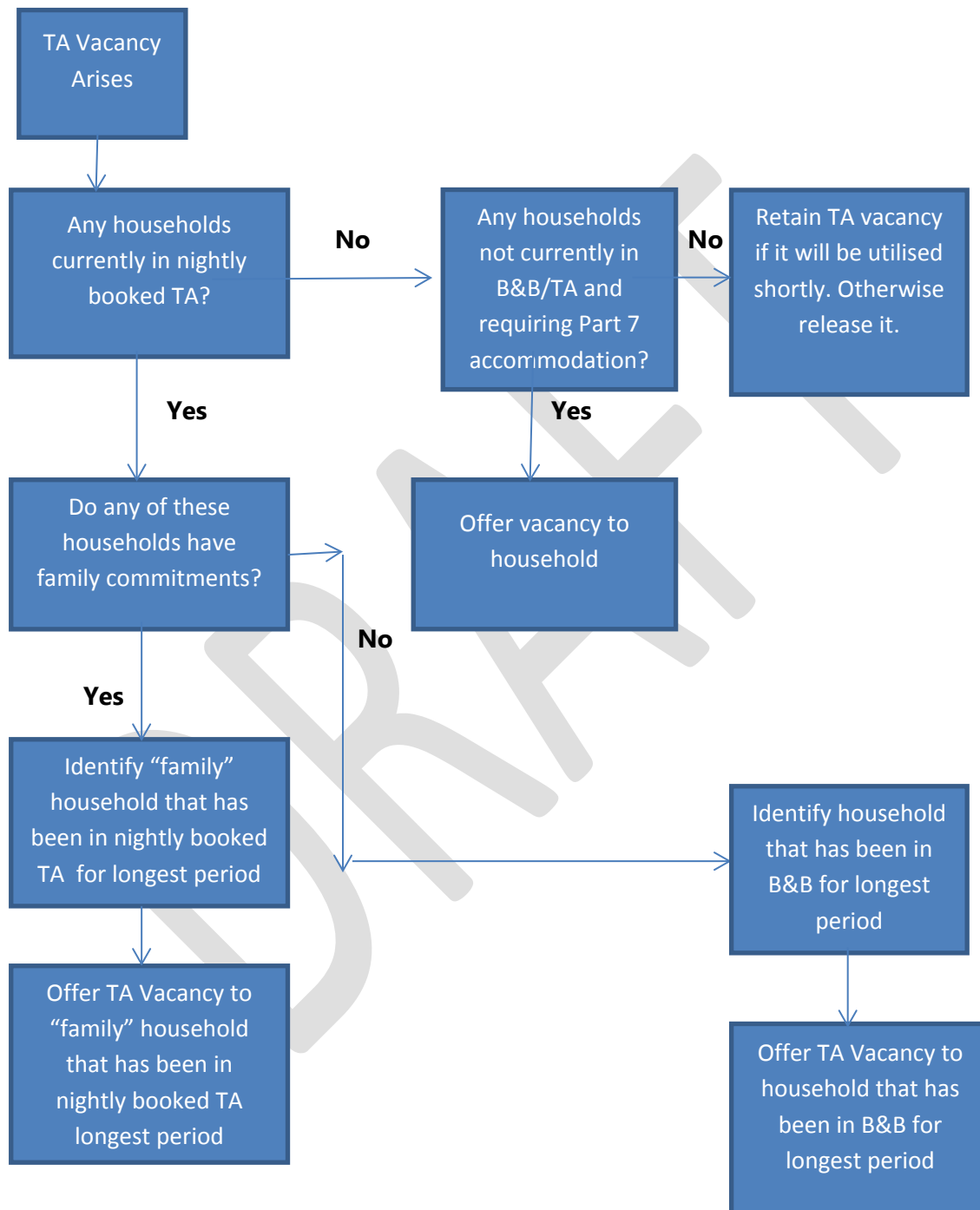
SBDC Current Provision – Non-Self Contained Accommodation (Facilities shared with other households)		
Accommodation	Number of Units	Details
Nightly booked non-self contained accommodation (e.g. Bed and Breakfast)	No fixed number (18 x placements as at 26/02/16)	Rooms are booked as and when required and charged on a nightly rate. The main providers are located in Slough, High Wycombe and Hemel Hempstead.
Hotels	No fixed number	Hotel rooms are booked when no other options are available. (Normally emergency out-of-hours placements placements)

SBDC – Pipeline Provision - Temporary Accommodation Schemes being developed as at August 2018

Accommodation	Number of Units	Details
Development of former Depot Site on Bath Road, Burnham	12 units	Development of temporary emergency accommodation using off-site manufacturing. Due for completion in 2018/19.

Acquisitions	3 units	Programme of 3 acquisitions by Bucks Housing Association for use as temporary accommodation (supported with SBDC funding)
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DRAFT

APPENDIX B3**PROCESS FOR ALLOCATING SELF-CONTAINED TEMPORARY ACCOMMODATION (NOT NIGHTLY BOOKED)**

Note – In some cases the Council will have to place a household in accommodation located outside of the district (see Paragraph 7.1 of the Temporary Accommodation Framework).

South Bucks District Council

Healthy Communities Policy Advisory Group

2nd October 2018

Overview and Scrutiny Committee

8 October 2018

Cabinet

17th October 2018

SUBJECT:	<i>Chiltern and South Bucks Playing Pitch Strategy</i>
REPORT OF:	<i>Director of Services – Steve Bambrick</i>
RESPONSIBLE OFFICER	<i>Head of Healthy Communities - Martin Holt</i>
REPORT AUTHOR	<i>Leisure & Community Manager - Paul Nanji Tel: 01494 732110</i> paul.nanji@southbucks.gov.uk
WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

- 1.1. Improving the quality and access to sports local playing pitches directly contributes to improving the health and wellbeing of residents. The attached Chiltern and South Bucks Playing Pitch strategy helps support this by providing an up to date audit of South Bucks' existing sports playing pitches as well as identifying current and future shortfalls in provision.
- 1.2. On 12th June 2018 the completed draft Chiltern and South Bucks Playing Pitch Strategy was presented to the Healthy Communities Policy Advisory Group (PAG) detailing its key findings and recommendations in relation to the quality and provision of playing pitches across the district.
- 1.3. To verify the strategy's accuracy, PAG Members requested that it be subject to an additional further round of public consultation with the district's Town and Parish Councils, sports clubs and the appropriate sports governing bodies.
- 1.4. The attached updated strategy reflects the feedback captured through the additional consultation.

RECOMMENDATIONS

- 1. That Cabinet approve the proposed 2018-2036 Chiltern and South Bucks Playing Pitch Strategy and it be submitted to Sport England for external accreditation.**

2. Reasons for Recommendations

- 2.1 The strategy helps inform the newly emerging Local Plan by providing a comprehensive evidence base to withstand public scrutiny.
- 2.2 The strategy provides a joined-up approach with clear localised priorities to develop sustainable facilities that support increased participation.

South Bucks District Council

Healthy Communities Policy Advisory Group

2nd October 2018

Overview and Scrutiny Committee

8 October 2018

Cabinet

17th October 2018

2.3 The strategy provides a robust evidence source to support local sports clubs, Town and Parish Councils and other community groups to access external funding.

3. Content of report

3.1 In March 2016 Chiltern and South Bucks Councils jointly commissioned a specialist consultant, Strategic Leisure, to undertake the development of a new Playing Pitch Strategy covering the period 2018 to 2036.

3.2 The Strategy's key aims were to:

- Inform and support the newly emerging Chiltern and South Bucks Local Plan.
- Improve health and wellbeing by increasing levels of sports and physical activity.
- Support community groups and others to access external funding.

3.3 The types of playing pitches covered within the scope of the study are detailed below with sports pitches within South Bucks having both a qualitative and quantitative assessment:

- Football 3G rubber crumb pitches
- Football (grass pitches)
- Cricket
- Hockey
- Rugby Union
- Golf

3.4 The methodology employed to reach the strategy's conclusions included a number of actions, all of which are detailed below:

- Review of national, regional and local strategies and policy documents relevant to the exercise.

South Bucks District Council

Healthy Communities Policy Advisory Group

2nd October 2018

Overview and Scrutiny Committee

8 October 2018

Cabinet

17th October 2018

- Creation of a strategic working group to scrutinise, evaluate, challenge and finally approve the strategy's key findings (Sport England, Football Association, English Cricket Board, English Rugby Union, English Hockey Union and England Golf)
- Creation of a qualitative template to include key elements of design and maintenance.
- Qualitative on-site assessment of playing pitches located throughout Chiltern and South Bucks in accordance with the National Planning Policy Framework (NPPF) and the principles contained in the Planning Policy Guidance (PPG) 17 companion guide.
- Use of the Sport England Sports Facility Calculator to ascertain the required number of sports specific playing pitches to meet current and future needs.
- Drafting key conclusions relating to the current state of playing pitches in Chiltern and South Bucks.

3.5 Following the site visit assessments and applying the Sport England playing pitch demand analysis a range of key findings were drawn up and are detailed in the tables 1 below.

Table 1 - South Bucks Key Findings

Sport	Current demand shortfall 2018	Future demand shortfall 2036 using ONS Sub National Population Projections 2018 - 2036
Football 3G Rubber Crumb Pitches	After taking into account current existing 3G rubber crumb provision there is a shortfall of 3 full size 3G rubber crumb pitches based upon the FA training model.	After taking into account current existing 3G rubber crumb provision there is a shortfall of 5 additional full size 3G rubber crumb pitch based upon the FA training model by 2036.
Football (grass pitches)	Adult 11 v 11 – current demand is being met for adult match equivalent sessions.	Adult 11 v 11 – future demand can be met from existing secured community use pitches. Junior 11 v 11 shortfall of 23 junior

South Bucks District Council

Healthy Communities Policy Advisory Group

2nd October 2018

Overview and Scrutiny Committee

8 October 2018

Cabinet

17th October 2018

Sport	Current demand shortfall 2018	Future demand shortfall 2036 using ONS Sub National Population Projections 2018 - 2036
	<p>Junior 11 v 11 – shortfall 14 match equivalent sessions based on home and away play each week.</p> <p>Junior 9 v 9 – currently Shortfall 5 match equivalent sessions.</p> <p>Mini Soccer 7 v 7 – current shortfall of 1 match equivalent session.</p> <p>Mini Soccer 5 v 5 – current Demand is being met for mini 5 v 5 match</p>	<p>11 v 11 match sessions based on home and away play each week.</p> <p>Junior 9 v 9 – shortfall 14 match equivalent sessions.</p> <p>Mini Soccer 7 v 7 – shortfall 6 match equivalent sessions.</p> <p>Mini soccer 5 v 5 – demand can be met from current supply.</p>
Cricket	Current demand is being met with over play at Farnham Royal CC (14 match equivalent sessions),	Future demand can be met with current capacity. Additional non-turf pitches will assist with meeting demand from junior cricket teams.
Hockey	Current demand is being met	Future demand can be met from existing facilities.
Rugby Union	Current short fall of 7.25 match and training equivalent sessions weekly.	Future shortfall of 11.25 match and training equivalent sessions weekly.
Golf	Current demand is being met.	Future demand is for adventure golf.

4. Consultation

4.1 A Sports Playing Pitch Strategy forum was established to inform, support and verify the strategy including the relevant sport's national governing bodies (football, hockey, cricket, rugby and golf), Sport England and Strategic Leisure.

4.2 Internally, the Council's Planning and Economic Development department has supported the strategy throughout out its developments advising on key issues such as population growth, planning issues and settlement sizes.

South Bucks District Council

Healthy Communities Policy Advisory Group

2nd October 2018

Overview and Scrutiny Committee

8 October 2018

Cabinet

17th October 2018

4.3 There have also been two rounds of public consultation with local Town and Parish Councils, schools, sports clubs and other community organisations. Collectively these have provided invaluable information in improving the accuracy of the strategy.

4.4 This has included updating and incorporating the correct site names of the sports facilities, capturing any recent improvements which had not been captured when the site audit was undertaken, updating any inaccuracies in the strategy's findings for specific sites and ensuring the population data used to identify any shortfall and over supply was accurate.

4.5 Looking ahead given the ongoing changes to sports playing pitches, local schools, sport clubs, Town and Parish councils will be encouraged to provide information of any improvements so that the strategy can be regularly updated and accurately reflect local needs.

5. Corporate Implications

5.1 Financial – There are no direct financial implications to the Council arising from the report. There may be indirect costs arising from the use of Section 106 agreements or the implications of the Community Infrastructure Levy (CIL) to generate funding to cover costs of open space facility development

5.2 Legal – Recommendations arising from the strategy come from a supply and demand assessment of playing pitch facilities in accordance with Sport England's PPS Guidance: (An Approach to Developing and Delivering a PPS 2013)

5.3 Planning policies in the emerging Local plan should be based on robust and up-to-date assessments of the needs for sports and open spaces. Studies should identify specific needs shortfalls in supply and or quality of supply. The evidence should be used to inform the local plan – National Planning Policy Framework para 73

6. Links to Council Policy Objectives

6.1 Sustainable Environment – The strategy will help protect the district's playing pitches and facilitate improved provision for residents to access both now and in the future.

6.2 Safe, Healthy and Active communities - Council has a duty to consider the health and wellbeing of its community, enabling improved access and provision of playing pitches would directly support this as well as strengthen partnership working with Town and Parish Councils and the voluntary sector.

7. Next Steps

South Bucks District Council

Healthy Communities Policy Advisory Group

2nd October 2018

Overview and Scrutiny Committee

8 October 2018

Cabinet

17th October 2018

- 7.1 Once adopted following consultation the strategy will be presented to key stakeholders including Town and Parish Councils, sports clubs and local environmental community groups so that they are aware of its key findings and recommendations.
- 7.2 Following this the strategy will be promoted on social media and made available on the Council's website to support stakeholders in funding bids to improve provision in their local communities.
- 7.3 The document will form an important part of the emerging Local Plan evidence base and will be used to support the councils emerging Local Plan policies

Background Papers:	Appendix 1 – Chiltern and South Bucks Playing Pitch Strategy
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South Bucks District Council

Healthy Communities Policy Advisory Group 2nd October 2018

Overview and Scrutiny Committee 8 October 2018

Cabinet 17th October 2018

SUBJECT:	<i>Chiltern and South Bucks Open Spaces Strategy</i>
REPORT OF:	<i>Director of Services – Steve Bambrick</i>
RESPONSIBLE OFFICER	<i>Head of Healthy Communities - Martin Holt</i>
REPORT AUTHOR	<i>Leisure & Communities Manager - Paul Nanji Tel: 01494 732110 paul.nanji@southbucks.gov.uk</i>
WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

- 1.1 On 12th June 2018 the draft Chiltern and South Bucks Open Space Strategy was presented to members. The report detailed the strategy's key findings and recommendations in relation to the quality and supply of open spaces/parks across the district.
- 1.2 To verify the strategy's accuracy, Healthy Communities Policy Advisory Group requested that it be subject to an additional further round of public consultation with the district's Town and Parish Councils and other key stakeholders.
- 1.3 The attached updated strategy reflects the feedback captured through the additional consultation.
- 1.4 Cabinet is requested to formally adopt the strategy so that it can be used to inform the emerging Local Plan and support local Town and Parish Councils and other community groups improve facilities.

RECOMMENDATION

- 1. That Cabinet formally approve the South Bucks and Chiltern Open Space Strategy and utilise its findings to support the implementation of the new Chiltern and South Bucks Local Plan.**

2. Reasons for Recommendation

- 2.1 The South Bucks and Chiltern Open Space Strategy is a key document in helping inform the new Local Plan.
- 2.2 Improving access and the quality of open space provision contributes directly to improving the health and wellbeing of residents. Also an up to date audit of South Bucks existing open space provision will enable Parish Councils, Town Councils and

South Bucks District Council**Healthy Communities Policy Advisory Group 2nd October 2018****Overview and Scrutiny Committee 8 October 2018****Cabinet 17th October 2018**

local community groups to attract inward investment by providing robust evidence of existing shortfalls in provision.

3. Content of report

3.1 In March 2016 Chiltern and South Bucks Councils jointly commissioned a specialist consultant, Strategic Leisure, to undertake an Open Space Strategy. The Strategy's key aims were to:

- Inform and support the newly emerging Chiltern and South Bucks Local Plan to provide a concise, robust and comprehensive evidence base that enables both Councils to develop planning policies which are sufficient to withstand scrutiny at an Examination in Public.
- Increase participation in by bringing together key community organisations to develop a co-ordinated approach to effectively manage recreational and open space provision.
- Achieve a joined-up strategy with localised priorities to develop sustainable facilities that support increased participation.
- Support community groups and others to access external funding.

3.2 The scope of the open space assessment criteria is detailed below with each site visit involving both a qualitative and quantitative assessment:

- Public parks and gardens
- Amenity greenspace
- Provision for children and young people
- Allotments and community gardens
- Recreation grounds (where applicable)
- Accessible areas of countryside on the urban fringe
- Cemeteries
- Civic Spaces

South Bucks District Council**Healthy Communities Policy Advisory Group 2nd October 2018****Overview and Scrutiny Committee 8 October 2018****Cabinet 17th October 2018**

- Natural and semi-natural greenspaces

3.3 The methodology employed to reach the strategy's conclusions included a number of elements which are detailed below:

- Review of national, regional and local strategies and policy documents relevant to the exercise.
- Use of quantitative standards in accordance principles contained in the PPG17 Companion Guide (i.e. by applying a local standard based on new Fields in Trust standards to different types of open spaces grouped in accordance with the PPG17 typology in terms of ha per 1,000 population).
- Division of open spaces into typology consisting of a number of different and discrete amenity "types".
- Creation of a qualitative template to include key elements of design and maintenance.
- Qualitative on-site assessment of open spaces distributed throughout Chiltern and South Bucks in accordance with the National Planning Policy Framework (NPPF) and the principles contained in the Planning Policy Guidance (PPG) 17 Companion Guide.
- Analysis of results to qualitatively assess the condition of open spaces.
- Use of accessibility standards as defined by the Fields in Trust Guidance Document.
- Defining of a parish questionnaire, distribution to all parishes within Chiltern and South Bucks and analysis of questionnaire results.
- Drafting key conclusions relating to the current state of open spaces in Chiltern and South Bucks.
- Drafting recommendations relating to the significance of open space Chiltern and South Bucks and Chiltern in relation to the Local Plan.

3.4 Following the site assessments a range of key findings were identified. These included evidence of:

South Bucks District Council**Healthy Communities Policy Advisory Group 2nd October 2018****Overview and Scrutiny Committee 8 October 2018****Cabinet 17th October 2018**

- A very large supply of parks and gardens in the district, largely due to sizeable accessible land-holdings such as Burnham Beeches, Black Park and Cliveden.
- Open spaces in the district being clean and well-maintained at the time of audit, particularly parks and gardens.
- Play sites needing new safety surfacing to avoid risk in future, with some unconnected to footpaths or vehicle parking, resulting in a long walk across grass
- Signage needs improvement to make open spaces of all types more welcoming, and to create a "sense of place."
- A shortage of play sites, partially owing to a lack of available informal space (kick a bout, picnic areas, etc.). The Fulmer area in particular is deficient.
- The district having healthy quantities of natural and semi-natural greenspace which is accessible to residents and other visitors.
- Amenity greenspace being well-provided, with some large open spaces such as Gerrards Cross Common.
- All settlements with the exception of Gerrards Cross having large quantities and good distribution of accessible natural and semi-natural greenspace.
- Adequate provision of allotments.
- More use of tree planting and natural landscaping in the form of floral or managed grass meadow would improve biodiversity, provide shade, and improve appearance.

4. Consultation

4.1 Following completion of the draft strategy it was agreed by the Healthy Communities Policy Advisory Group that there should be an additional round of consultation with key stakeholders to verify the accuracy and content of the document. Town and Parish Councils were given an additional month to report back issues specific to their respective localities. Collectively these two rounds of consultation provided invaluable information which has been used to improve the accuracy of the strategy.

South Bucks District Council**Healthy Communities Policy Advisory Group 2nd October 2018****Overview and Scrutiny Committee 8 October 2018****Cabinet 17th October 2018**

4.2 This has included updating and incorporating the correct site names of all the assessed sites, capturing any improvements which have recently been undertaken, updating any inaccuracies in the strategy's findings for specific sites and ensuring the population data used is accurate to identify any shortfall and over-supply in provision.

4.3 Looking ahead given the ongoing changes to open space provision Town and Parish councils along with local community groups will be encouraged to provide information of any improvements to the district councils. This will allow the strategy to be regularly updated and accurately reflect local needs.

4.4 Internally, the Council's Planning and Economic Development Department has supported the strategy throughout its development, advising on key issues such as population growth, planning issues and settlement sizes.

5. Corporate Implications

5.1 Financial – There are no direct financial implications to the Council arising from the report..

5.2 Legal – NPPF guidelines require local authorities to

- Avoid any erosion of recreational function and maintain and enhance the character of open spaces
- Ensure that open spaces do not suffer from encroachment (from traffic flows, etc.)
- Protect and enhance rights of way
- Consider the impacts of development on biodiversity and nature conservation.

6. Links to Council Policy Objectives

6.1 Sustainable Environment – The strategy will help protect the district's green infrastructure and facilitate improved provision for residents to access both now and in the future.

6.2 Safe, Healthy and Active Communities – South Bucks District Council has a duty to consider the health and wellbeing of its community, enabling improved access and

South Bucks District Council**Healthy Communities Policy Advisory Group 2nd October 2018****Overview and Scrutiny Committee 8 October 2018****Cabinet 17th October 2018**

provision of open spaces would directly support this as well as strengthen partnership working with Town and Parish Councils and the voluntary sector.

7. Next Steps

- 7.1 Once adopted the strategy will be presented to key stakeholders including Town and Parish Councils and local environmental community groups so that they are aware of its key findings and recommendations.
- 7.2 Following this the strategy will be promoted on social media and made available on the Council's website to support stakeholders in funding bids to improve provision in their local communities as well as help inform the new Chiltern and South Bucks Local Plan.

Background Papers:	Appendix 1 – Chiltern and South Bucks Open Space Strategy
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SUBJECT:	<i>Gambling Act 2005 Statement of Principles - 2018 Revision</i>
REPORT OF:	<i>Cabinet Portfolio: Healthy Communities</i>
RESPONSIBLE OFFICER	<i>Head of Healthy Communities – Mr Martin Holt</i>
REPORT AUTHOR	<i>Charlie Robinson, crobinson@southbucks.gov.uk, 01494 732056.</i>
WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

- 1.1 The purpose of this report is to inform Cabinet of the final revised draft Gambling Act 2005 Statement of Principles, and to request that it is recommended to Council for adoption to come into effect on 31 January 2019.

RECOMMENDATION

- 1. That Council be recommended to adopt the draft Statement of Principles at its meeting on Tuesday 14 November 2018 for publication at least 4 weeks prior to coming into effect for the period 31 January 2019 to 30 January 2022.**

2. Reasons for Recommendations

- 2.1 The recommendation is in line with the legal requirements for the correct process for the required review and adoption of the Statement of Principles.
- 2.2 The adoption of the revised Statement of Principles is a shared function under the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) and therefore Cabinet must be asked to consider the draft Statement of Principles and to recommend to Council that it be adopted.

3. Content of Report

- 3.1 The Council has a statutory requirement to review its adopted Statement of Principles every 3 years. The Licensing Committee agreed the draft reviewed Statement of Principles prior to a consultation being completed, and the result of the consultation was reported to the Licensing Committee on 26 September 2018. The Committee noted the responses received and some minor amendments proposed by Officers were agreed. Further amendments were also agreed to correct the list of consultees that forms part of draft Statement of Principles. A copy of the final draft Statement of Principles is attached to this report in Appendix 1.

4. Consultation

- 4.1 The draft Statement of Principles was subject to a six week consultation period following agreement by the Licensing Committee at its meeting on 21 June 2018. During the

consultation period, three responses were received which were subsequently considered by the Licensing Committee at its meeting on 26 September 2018.

5. Options

- 5.1 Members can recommend adoption of the draft Statement of Principles with or without modification having duly considered the information provided in this report and the matters already considered by the Licensing Committee.

6. Corporate Implications

6.1 Legal and Financial

The revision of the Statement of Principles is a statutory function and must be undertaken every 3 years. The costs in carrying out the revision, including the consultation process, will be covered by the Gambling Act 2005 fees. There will be no income generated by the revision of the existing Statement of Principles.

7. Links to Council Policy Objectives

- 7.1 The licensing of gambling premises and the adoption of a Statement of Principles in respect of this activity contributes towards the Council's Corporate Plan Key Theme 2 of working towards safe and healthier local communities. Properly controlling and regulating gambling activities will assist in ensuring that levels of crime and disorder remain low and appropriate well run gambling premises can contribute towards the local economy.

<http://www.southbucks.gov.uk/Aims-and-Objectives>

8. Next Step

The next steps will be as stated in the recommendation.

Background Papers:	None other than those referred to in this report.
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SOUTH BUCKS DISTRICT COUNCIL
ADOPTED BY FULL COUNCIL ON 12TH DECEMBER 2006
STATEMENT OF GAMBLING PRINCIPLES

GAMBLING ACT 2005

1ST REVIEW - 15TH DECEMBER 2009.

2ND REVIEW - 30TH OCTOBER 2012

3RD REVIEW - 10TH November 2015

4TH REVIEW - 14TH November 2018

TO HAVE EFFECT 31 JANUARY 2019 TO 30 JANUARY 2022.

Part A

1. Introduction
2. Summary and Declaration
3. Licensing Objectives
4. Licensing Authority Functions
5. Responsible Authorities
6. Interested Parties
7. Exchange of Information
8. Enforcement

Part B - Premises Licences: consideration of applications

1. General Principles
2. Premises Licences
3. Adult Gaming Centres
4. (Licensed) Family Entertainment Centres
5. Casinos
6. Bingo
7. Betting Premises including tracks
8. Lotteries
9. Travelling Fairs
10. Provisional Statements
11. Reviews

Part C - Permits/Temporary and Occasional Use Notices

1. Unlicensed Family Entertainment Centre gaming machine permits
2. (Alcohol) Licensed Premises gaming machine permits
3. Prize Gaming Permits
4. Club Gaming and Club Machine Permits
5. Temporary Use Notices
6. Occasional Use Notices

Appendices

- A. List of Consultees
- B. Glossary of Terms
- C. Category of machines

Part A

1. Introduction

Licensing authorities are required by Section 349 the Gambling Act 2005 to publish a statement of the principles which they propose to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed from “time to time” and any amended parts re-consulted upon. The statement must be then re-published.

South Bucks District Council consulted widely upon this Statement before it was finalised and published. **A full list of those persons/bodies consulted is provided at Appendix A.**

The consultation took place for 6 weeks.

The full list of comments made and the consideration by the Council of those comments is available on request to: The Licensing Team, Council Offices, King George V Road, Amersham HP6 5AW - 01494 732063.

The Statement was approved at a meeting of the Full Council on 14th November 2018 and was published via the Councils website on 3rd January 2019 and shall take effect on 31 January 2019. Copies were made available at the Council Offices.

Should you have any comments as regards this Statement please send them via e-mail or letter to the following contact:

Name: The Licensing Team

Address: Council Offices, King George V Road, Amersham HP6 5AW -

E-mail: licensing@southbucks.gov.uk Tel: 01494 732063

The Policy may also be subject to minor amendments from time to time, for example, when there are changes to relevant legislation; when this is necessary, changes will be authorised by the Head of Healthy Communities, in consultation with the Chairman of the Licensing Committee. The Council reserves the right to amend this Statement should it be necessary to do so following regulations issued by the Secretary of State or further guidance from the Gambling Commission.

2. Summary and Declaration

This Statement of Principles sets out the Councils general approach as Licensing Authority to the exercise of its functions under the Gambling Act 2005. The Council will seek to regulate Gambling in the public interest. In carrying out its licensing functions the Council will have regard to any guidance issued by the Gambling Commission from time to time and the 3 licensing objectives. The Council in undertaking its licensing functions will have due regard to the need to eliminate unlawful discrimination and will seek to promote equality and good relations between all persons having particular regard to their human rights.

The Council will not seek to use the Act to resolve matters more readily dealt with under other legislation.

It should be noted that this Statement of Principles will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

Demand and need are not considerations the Local Authority will take into account in relation to applications submitted to it for determination however the location of the premises, its size and layout can be relevant considerations to be taken into account on a case by case basis.

Declaration

In producing this Statement, this Licensing Authority declares that it has had regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission, and any responses from those consulted on the statement

3. The Licensing Objectives

In exercising most of their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Gambling Act 2005. The licensing objectives are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

Section 153 requires that the Licensing Authority, in making decisions about premises licences and temporary use notices, should aim to permit the use of premises for gambling in so far as it thinks it:

- in accordance with any relevant code of practice issued by the Gambling Commission
- in accordance with any relevant guidance issued by the Gambling Commission
- reasonably consistent with the licensing objectives and
- in accordance with the authority's statement of licensing policy

The Licensing Authority recognises that the best means of promoting the licensing objectives is through the co-operation and partnership of the Local Authority, the Police, local business, local people and those involved in child protection.

4. Licensing Authority Functions

‘Gambling’ is defined in the Act as either gaming, betting, or taking part in a lottery.

- gaming means playing a game of chance for a prize
- betting means making or accepting a bet on the outcome of a race, competition, or any other event; the likelihood of anything occurring or not occurring; or whether anything is true or not
- A lottery is where persons are required to pay in order to take part in an arrangement, during the course of which one or more prizes are allocated by a process which relies wholly on chance.

A “gaming machine” can cover all types of gambling activity which can take place on a machine, including betting on ‘virtual’ events.

The Act itself prescribes the number and category of gaming machines that are permitted in each type of gambling premises.

Subject to the provisions of the Act, gaming machines can be made available in a wide variety of premises, including:

- casinos
- bingo premises
- betting premises, (including tracks)
- adult gaming centres
- family entertainment centres
- clubs
- pubs and other alcohol licensed premises
- travelling fairs

A machine is not a gaming machine if the winning of a prize is determined purely by the player’s skill. However, any element of ‘chance’ imparted by the action of the machine would cause it to be a gaming machine.

Licensing Authorities are required under the Gambling Act 2005 to:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licences
- Issue Provisional Statements
- Regulate members’ clubs and miners’ welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- Issue Club Machine Permits to Commercial Clubs
- Grant permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres
- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
- Issue *Licensed Premises Gaming Machine Permits* for premises

licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines

- Register small society lotteries below prescribed thresholds
- Issue *Prize Gaming Permits*
- Receive and Endorse *Temporary Use Notices*
- Receive *Occasional Use Notices*
- Provide information to the Gambling Commission regarding details of licences issued (see section below on ‘information exchange’)
- Maintain registers of the permits and licences that are issued under these functions

There are a range of statutory application forms and notices that licensing authorities are required to use. The forms can be downloaded from the central government services website (www.gov.uk).

Certain activities are however exempt and these require no licence or permit i.e. incidental non-commercial lotteries - those run as an additional amusement at non commercial events with tickets sold on the premises and only during the event - such as a raffle at a dance or a church fete and promoted for a purposes other than private gain.

It should be noted that local licensing authorities will not be involved in licensing remote gambling at all. This will fall to the Gambling Commission via operating licences - the Gambling Commission will also be responsible for Personal Licences. The National Lottery is regulated by the National Lottery Commission which is part of the Gambling Commission.

The Council’s licensing functions under the Act will be carried out by the Licensing Committee, the Licensing sub-committee and/or by officers acting under the delegated authority of the Licensing Committee - see Appendix D.

Where there are no areas of contention it is considered that many of the functions will be largely administrative. In the interests of efficiency and effectiveness these will, for the most part, be carried out by officers.

Where there are relevant representations in respect of an application the matter will be determined by the Licensing Sub-Committee, as will any application for the review of a licence.

The Council will, where appropriate, seek to encourage permit and premises licence holders to adopt any codes of practice which may be introduced by the amusement industry from time to time.

5. Responsible Authorities

Section 157 of the Act defines those authorities as:

- The Gambling Commission

- The Police
- The Fire Service
- The local planning authority
- Environmental Health
- Local Safeguarding Children Board (LSCB)
- HM revenue and Customs
- A licensing authority in whose area the premises is situated

This Authority designates the Local Safeguarding Children Board as the body which it considers competent to advise about the protection of children from harm.

The principles applied in this designation were

- the need for the body to be responsible for an area covering the whole of the licensing authority's area; and
- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

The contact details of all the Responsible Authorities under the Gambling Act 2005 is provided at Appendix B. Contact details of Responsible Authorities are also provided on the Council's website at: www.southbucks.gov.uk

6. Interested Parties

Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

“For the purposes of this part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the applications is made, the person-

a) lives sufficiently close to the premises to be likely to be affected by the authorised activities, b) has business interests that might be affected by the authorised activities, or c) represents persons who satisfy paragraph (a) or (b)”

In deciding whether or not a person is an interested party, each case will be decided upon its merits. This Authority will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission's Guidance for local authorities, the size of the premises, the nature of the premises and the activities taking place i.e. larger premises may be considered to affect people over a broader geographical area compared to smaller premises offering similar facilities, the distance of the premises from the person making the representation - amongst other matters on a case by case basis - therefore this list is not exhaustive.

Business Interests will be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.

Interested parties can be persons who are democratically elected such as councillors and MP's. No specific evidence of being asked to represent an interested person will be required as long as the councillor / MP represents the ward likely to be affected. Likewise, parish councils likely to be affected, will be considered to be interested parties. Other than these however, this Authority will generally require written evidence that a person/body (e.g. an advocate / relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.

If individuals wish to approach councillors to ask them to represent their views then care should be taken that the councillors are not part of the Licensing Sub-Committee dealing with the licence application.

South Bucks District Council will not consider representations that are frivolous or vexatious, or which relate to demand or need for gambling facilities. Decisions on whether representations are frivolous or vexatious will be made objectively on a case by case basis and not on the basis of any political judgement. Where representations are rejected, the person making that representation will be informed in writing and provided with sufficient reasoning behind the decision.

A vexatious representation is generally taken to be one which is repetitive, without foundation or made for some other reason such as malice. A frivolous representation is generally taken to be one that is lacking in seriousness, or is unrelated to the licensing objectives, guidance issued by the Gambling Commission or this statement of principles.

7. Exchange of Information

Licensing authorities are required to include in their statements the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act with the respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.

The principle that this Licensing Authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened. Details of those persons making representations will be made available to applicants to allow for negotiation and, in the event of a hearing being held, will form part of a public document. Anyone making representations or applying for the review of a Premises Licence will be informed that their details will be disclosed in accordance with the Local Government Act 1972 and the Freedom of Information Act 2000.

The Licensing Authority will also have regard to any guidance issued by the Gambling Commission to local authorities on this matter as updated from time to time, as well as any relevant regulations issued by the Secretary of State under the

powers provided in the Gambling Act 2005 and guidance from LACORS.

Should any protocols be established as regards information exchange with other bodies then they will be considered and if applied, copies will be made available.

8. Enforcement

Licensing authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.

This Licensing Authority is a signatory to the Enforcement Concordat and the Regulators' Compliance Code and will follow the principles set out in these documents with a view to adopting a consistent, transparent and proportional approach.

The Enforcement Concordat proposes that a graduated response is taken where offences against legislation are found or where licence conditions have been contravened. An isolated administrative offence, such as failing to maintain records, may be dealt with by way of written warning. More serious offences or repeated offences may result in a referral to the Licensing Committee, the issue of a Formal Caution or a referral for prosecution.

The Regulators' Compliance Code supports the Government's better regulation agenda and intends to promote efficient and effective approaches to regulatory inspection and enforcement which improve regulatory outcomes without imposing unnecessary burdens on business.

The Licensing Authority intends to use appropriate enforcement to promote the licensing objectives. Once licensed, it is essential that premises are monitored to ensure that they are run in accordance with their operating schedules, in compliance with the specific requirements of the Act and in compliance with any licence conditions. It will also be important to monitor the district for unlicensed premises and activities.

The Licensing Authority will seek to work actively with the Police in enforcing licensing legislation and intends to establish protocols with the Thames Valley Police, Buckinghamshire Trading Standards and Buckinghamshire Fire and Rescue on enforcement issues to ensure an efficient deployment of police and council officers.

Licence/Permit holders will be encouraged to give the Licensing Authority the name of the person responsible for the premises to be contacted in the first instance in relation to compliance issues/queries.

Any enforcement action will endeavour to be:

- **Accountable:** regulators must be able to justify decisions, and be

- subject to public scrutiny;
- Consistent: rules and standards must be joined up and implemented fairly;
- Transparent: regulators should be open, and keep regulations simple and user friendly; and
- Targeted: regulation should be focused on the problem, and minimise side effects.

As per the Gambling Commission's Guidance for local authorities this Licensing Authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

The Licensing Authority has adopted and implemented a risk-based inspection programme, based on;

- The licensing objectives
- Relevant codes of practice
- Guidance issued by the Gambling Commission
- The principles set out in this statement of licensing policy

This Licensing Authority also keeps itself informed of developments as regards best practice in its consideration of the regulatory functions of local authorities.

The main enforcement and compliance role for this Licensing Authority in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines will not be dealt with by the Licensing Authority but will be notified to the Gambling Commission.

Bearing in mind the principle of transparency, this Licensing Authority's enforcement/compliance protocols/written agreements will be available upon request to the licensing department (Council Offices, King George V House, King George V Road, Amersham, Buckinghamshire, HP6 5AW, telephone 01494 732063, e-mail licensing@southbucks.gov.uk). Our risk methodology will also be available upon request when adopted/completed.

Part B - Premises Licences: consideration of applications

1. General Principles

In carrying out its licensing functions the Council will have regard to any guidance issued by the Gambling Commission from time to time and the 3 licensing objectives.

The Council will not seek to use the Act to resolve matters more readily dealt with under other legislation.

To ensure the licensing objectives are met the Council will maintain a close working relationship with the police, the Gambling Commission and other responsible authorities.

Where children, young persons and other vulnerable people are allowed access to premises where gambling takes place, the Council may take whatever steps are considered necessary to either limit access generally or by introducing measures to prevent under age gambling where it believes it is right to do so for the prevention of their physical, moral or psychological harm, especially where it receives representations to that effect. Applicants seeking premises licences are encouraged to propose any prohibitions or restrictions of their own in circumstances where it is felt that the presence of children would be undesirable or inappropriate.

However, the overriding principle is that all applications and the circumstances prevailing at each premises will be considered on their own individual merits.

2. Premises Licence

A premises licence can authorise the provision of facilities at the following:

- casino premises
- bingo premises
- betting premises, including betting tracks and premises used by betting intermediaries
- adult gaming centre premises (for category B3, B4, C and D machines)
- family entertainment centre premises (for Category C and/or D machines)

The type of licence will dictate the type of gambling and the category of gaming machine that is allowed therein.

Other than an application for a betting premises licence in respect of a track (where the occupier of the track who gets the premises licence may not be the person who actually offers the gambling), the Council is not able to issue a premises licence unless the applicant holds the relevant operating licence from the Gambling Commission.

The Act provides that licensing authorities may attach conditions to premises licences and Gambling Commission guidance suggest what conditions might be considered appropriate in relation to each type of licence.

The Council will maintain a register of premises licences issued and will ensure that the register is open for public inspection at all reasonable times.

Local Risk Assessment

From 6 April 2016, it is a requirement of the Gambling Commission's Licence Conditions and Codes of Practice (LCCP), under Section 10, for licensees to assess the local risks to the licensing objectives posed by the provision of gambling

facilities at their premises and have policies, procedures and control measures to mitigate those risks. In making risk assessments, licensees must take into account relevant matters identified in this policy.

The LCCP goes on to say licensees must review (and update as necessary) their local risk assessments:

- To take account of significant changes in local circumstance, including those identified in this policy;
- When there are significant changes at a licensee's premises that may affect their mitigation of local risks;
- When applying for a variation of a premises licence; and
- In any case, undertake a local risk assessment when applying for a new premises licence.

The Council will expect the local risk assessment to consider as a minimum:

- The demographics of the area in relation to all groups that could be deemed as vulnerable or more susceptible to problem gambling;
- Whether the premises is in an area subject to high levels of crime and/or disorder;
- The demographics of the area in relation to vulnerable groups;
- The location of services for children such as schools, playgrounds, toy shops, leisure centres and other areas where children will gather.
- Significant presence of young children, both residents and visitors;
- Nearby homeless hostels;
- Nearby gambling, alcohol, drug or mental health support facility;

Local Area Profile

Each locality has its own character and challenges. In order to assist applicants, where there is an issue in a local area which impacts on how the applicant should complete their risk assessment, the Council has published a local area profile. This profile, compiled in conjunction with the Public Health Intelligence Team, can be obtained from the Council's website www.southbucks.gov.uk.

The local area profile should be given careful consideration when making an application. Applicants may be asked to attend a meeting with licensing officers to discuss the profiles, appropriate measures to mitigate risk in the area and how they might be relevant to their application. The local area profile will be presented to any subsequent licensing sub-committee when they determine an application that has received representations.

The Council recognises that it cannot insist on applicants using the local area profile when completing their risk assessments. However, an applicant who decides to disregard the profile may face additional representations and the expense of a hearing as a result.

Decision-making

This Licensing Authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of licensing policy.

It is appreciated that as per the Gambling Commission's Guidance to Licensing Authorities "moral objections to gambling are not a valid reason to reject applications for premises licences" (except as regards any 'no casino resolution') and also that unmet demand is not a criterion for a licensing authority.

(ii) Definition of "premises" - In the Act, "premises" is defined as including "any place". Section 152 therefore prevents more than one premises licence applying to any place. But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.

The Gambling Commission states in the fifth edition (para 7.6) of its Guidance to Licensing Authorities that: "In most cases the expectation is that a single building / plot will be the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer. However, the Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises."

This Licensing Authority takes particular note of the Gambling Commission's Guidance to Licensing Authorities which states that: licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:

- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them

from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.

- Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not “drift” into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
- Customers should be able to participate in the activity named on the premises licence.

The Guidance also gives a list of factors which the Licensing Authority should be aware of, which may include:

- Do the premises have a separate registration for business rates
- Is the premises’ neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed from the street or a public passageway?
- Can the premises only be accessed from any other gambling premises?

This Authority will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

The Gambling Commission’s relevant access provisions for each premises type are reproduced below:

7.23:

Casinos

- The principal access entrance to the premises must be from a street
- No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons
- No customer must be able to enter a casino directly from any other premises which holds a gambling premises licence

Adult Gaming Centre

- No customer must be able to access the premises directly from any other licensed gambling premises

Betting Shops

- Access must be from a street (as per para 7.23 Guidance to Licensing Authorities) or from another premises with a betting premises licence
- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind and you could not have a betting shop at the back of a café - the whole area would have to be licensed.

Tracks

- No customer should be able to access the premises directly from:
 - a casino
 - an adult gaming centre

Bingo Premises

- No customer must be able to access the premise directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

Family Entertainment Centre

- No customer must be able to access the premises directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

Part 7 of the Gambling Commission's Guidance to Licensing Authorities contains further guidance on this issue, which this Authority will also take into account in its decision-making.

Premises "ready for gambling"

The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the Licensing Authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.

If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.

In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this Authority will determine applications on their merits, applying a two stage consideration process:-

- First, whether the premises ought to be permitted to be used for gambling
- Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

Applicants should note that this Authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

More detailed examples of the circumstances in which such a licence may be granted can be found in the Guidance.

Location - This Licensing Authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives are relevant to its decision-making. As per the Gambling Commission's Guidance to Licensing Authorities, this Authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder.

Planning:

The Gambling Commission Guidance to Licensing Authorities states:

7.59 - In determining applications the Licensing Authority has a duty to take into consideration all relevant matters and not to take into consideration any irrelevant matters, i.e. those not related to gambling and the licensing objectives. One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal.

This Authority will not take into account irrelevant matters as per the above guidance. In addition this Authority notes the following excerpt from the Guidance:

7.65 - When dealing with a premises licence application for finished buildings, the licensing authority should not take into account whether those buildings have or comply with the necessary planning or building consents. Those matters should be dealt with under relevant planning control and building regulation powers, and not form part of the consideration for the premises licence. Section 210 of the 2005 Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building.

Duplication with other regulatory regimes - This Licensing Authority seeks to avoid any duplication with other statutory / regulatory systems where possible, including planning. This Authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

When dealing with a premises licence application for finished buildings, this Authority will not take into account whether those buildings have to comply with the necessary planning or buildings consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning control, buildings and other regulations and must not form part of the consideration for the premises licence.

Licensing objectives - Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this Licensing Authority has considered the Gambling Commission's Guidance to Licensing Authorities and some comments are made below.

Preventing gambling from being a source of crime and disorder

The Gambling Commission will play a leading role in preventing gambling from being a source of crime and disorder and will maintain rigorous licensing procedures that aim to prevent criminals from providing facilities for gambling.

Anyone applying to the Council for a premises licence will have to hold an operating licence from the Commission before a licence can be issued. Therefore, the Council will not generally be concerned with the suitability of an applicant but where concerns about a person's suitability arise the Council will bring those concerns to the attention of the Commission.

If an application for a licence or permit is received in relation to premises which are in an area noted for particular problems with organised crime, the Council will, in consultation with the police and other relevant authorities, consider whether specific controls need to be applied to prevent those premises from being a source of crime. This could include a requirement for door supervisors.

As far as disorder is concerned, there are already powers in existing anti-social behaviour and licensing legislation to deal with measures designed to prevent nuisance, whether it arises as a result of noise from a building or from general disturbance once people have left a building. The Council does not therefore intend to use the Act to deal with general nuisance issues, for example, parking problems, which can be dealt with using alternative powers.

Issues of disorder should only be dealt with under the Act if the disorder amounts to activity which is more serious and disruptive than mere nuisance, and it can be shown that gambling is the source of that disorder. A disturbance might be serious enough to constitute disorder if police assistance was required to deal with it. Another factor which could be taken into account is how threatening the behaviour was to those who could see or hear it, and whether those people live sufficiently close to be affected or have business interests that might be affected.

When making decisions in this regard the Council will give due weight to any comments made by the police.

Ensuring gambling is conducted in a fair and open way

The Gambling Commission does not generally expect local authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will either be a matter for the management of the gambling business or will relate to the suitability and actions of an individual. Both issues will be addressed by the Commission through the operating and personal licensing regime.

Because betting track operators do not need an operating licence from the Commission the Council may, in certain circumstances impose conditions on the licence relating to the suitability of the environment in which betting takes place.

Protecting children and other vulnerable persons from being harmed or exploited by gambling

The Gambling Commission's Guidance for local authorities states that this objective means preventing children from taking part in gambling or being in close proximity to gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The Licensing Authority will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.

This Licensing Authority will also make itself aware of the Codes of Practice which the Gambling Commission issues as regards this licensing objective, in relation to specific premises such as casinos.

As regards the term "vulnerable persons" it is noted that the Gambling Commission is not seeking to offer a definition but states that "it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs." This statement will be applied to vulnerable persons on this basis or by way of any statutory definition in the future - as may then be amended from time to time. The Council will always treat each case on its own individual merits and when considering whether specific measures are required to protect children and other vulnerable people will balance its considerations against the overall principle of aiming to permit the use of premises for gambling.

Conditions

Mandatory conditions will be imposed - otherwise the local authority has a discretion regarding default conditions and imposing other specific conditions. The local authority will not attach conditions to a licence unless they are considered necessary for the promotion of the licensing objectives and will be considered unnecessary if they are already adequately covered by other legislation.

Any conditions attached to licences by the local authority will be proportionate to the circumstances they are intended to address. The Council will endeavour to ensure they are

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises; and
- reasonable in all other respects.

Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures this Licensing Authority will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas, age limits, posters re Gamcare contacts and Helpline information, opening hours, etc. There are specific comments made in this regard under some of the licence types below. This Licensing Authority will also expect the licence applicant to offer his/her own suggestions as to the way in which the licensing objectives can be met effectively.

Conditions imposed by the Council may be general in nature by applying to all licences, or those of a particular type, or they may be specific to a particular licence. Duplication with other statutory or regulatory regimes will be avoided so far as possible.

The Council will not generally impose conditions that limit the use of premises for gambling unless it is deemed to be necessary as a result of the requirement to act in accordance with the Gambling Commission's guidance, any codes of practice issued by the Commission, this Statement of Principles or in a way that is reasonably consistent with the licensing objectives.

This Licensing Authority will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance.

This Authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.
- age verification schemes are implemented.

These considerations will apply to premises including buildings where multiple premises licences are applicable.

It is noted that there are conditions, which the Licensing Authority cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated); and
- conditions in relation to stakes, fees, winning or prizes.

Door Supervisors

The Gambling Commission advises in its Guidance for local authorities that licensing authorities may consider whether there is a need for door supervisors in terms of the licensing objectives of protection of children and vulnerable persons from being harmed or exploited by gambling, and also in terms of preventing premises becoming a source of crime. The Local Authority will however only make a door supervision requirement if there is clear evidence from the history of trading at the premises that the premises cannot be adequately supervised from the counter and that door supervision is both necessary and proportionate.

It is noted though that the door supervisors at casinos or bingo premises are not licensed by the Security Industry Authority (SIA). This Licensing Authority however reserves the right to attach a condition(s) to a licence when requesting door supervisors to be employed requiring that they are licensed by the SIA and are adequately vetted. This is in recognition of the nature of the work in terms of searching individuals, dealing with potentially aggressive persons, etc.

3. Adult Gaming Centres

This Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the Authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises

This Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures / licence conditions may cover issues such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas

- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

4. (Licensed) Family Entertainment Centres

This Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas and may request plans of the premises to be submitted.

This Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures / licence conditions may cover issues such as:

- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-barring schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.
- Measures / training for staff on how to deal with suspected truant school children on the premises

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

This Licensing Authority will, as per the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. This Licensing Authority will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

5. Casinos

No Casinos resolution - This Licensing Authority has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005 as it is not currently anticipated there will be any casinos in this area hence a no casino resolution is

not considered necessary at this time - the Local Authority is however aware that it has the power to do so. Should this Licensing Authority decide in the future to pass such a resolution, it will update this statement with details of that resolution. Any such decision will be made by the Full Council.

In determining any application for a Casino regard will be had to relevant regulations and guidance issued from time to time under the Act.

6. Bingo premises

The holder of a bingo operating licence will be able to provide any type of bingo game including cash and prize bingo.

Commercial bingo halls will require a bingo premises licence from the Council.

Amusement arcades providing prize bingo will require a prize gaming permit from the Council

In each of the above cases it is important that where children are allowed to enter premises licensed for bingo, in whatever form, they are not allowed to participate in any bingo game other than category D machines. When considering applications of this type the Council will therefore take into account, among other things, the location of the games or machines, access to those areas, general supervision of the premises and the display of appropriate notices.

A limited number of gaming machines may also be made available at bingo licensed premises.

Bingo is a class of equal chance gaming and will be permitted in alcohol licensed premises and in clubs provided it remains below a certain threshold, otherwise it will be subject to a bingo operating licence which will have to be obtained from the Gambling Commission.

This Licensing Authority notes that the Gambling Commission's Guidance states:

Licensing authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.

This Authority will consider any further guidance issued by the Gambling Commission from time to time in relation to Bingo in particular but not limited to matters relating to the suitability and layout of premises.

7. Betting premises - including tracks

Anyone wishing to operate a betting office will require a betting premises licence

from the Council - although betting is permitted under a Casino Premises Licence without a separate betting premises licence - and special rules apply in relation to tracks. Children and young persons under 18 will not be able to enter premises with a betting premises licence.

Betting premises will be able to provide a limited number of gaming machines and some betting machines.

The Council has the power to restrict the number of betting machines, their nature and the circumstances in which they are made available. It will not generally exercise this power though unless there are good reasons to do so taking into account, among other things, the size of the premises and the level of management and supervision especially where vulnerable people are concerned.

Each application will be considered on its own individual merits.

Applicants will however be encouraged to locate/relocate machines to enhance the quality of the facility provided.

Only one premises licence can be issued for any particular premises at any time unless the premises is a 'track'.

Tracks

A track is a site where races or other sporting events take place.

This Licensing Authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this Licensing Authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

This Authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

This Licensing Authority may consider measures to meet the licensing objectives such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas

- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

Gaming machines -Where the applicant holds a pool betting operating licence and is going to use the entitlement to four gaming machines, machines (other than category D machines) should be located in areas from which children are excluded.

Betting machines - This Licensing Authority will, as per of the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator proposes to offer.

Applications and plans

The Gambling Act (s51) requires applicants to submit plans of the premises with their application, in order to ensure that the Licensing Authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the Licensing Authority to plan future premises inspection activity. (See Guidance to Licensing Authorities, para 20.43).

Plans for tracks do not need to be in a particular scale, but should be drawn to scale and should be sufficiently detailed to include the information required by regulations. (See Guidance to Licensing Authorities, para 20.44).

Some tracks may be situated on agricultural land where the perimeter is not defined by virtue of an outer wall or fence, such as point-to-point racetracks. In such instances, where an entry fee is levied, track premises licence holders may erect temporary structures to restrict access to premises (See Guidance to Licensing Authorities, para 20.46).

This Authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information that this Authority can satisfy itself that the plan indicates the main areas where betting might take place.

8. Lotteries

All “lotteries” are unlawful unless they are run in accordance with an operating licence issued by the Gambling Commission or it is an ‘exempt’ lottery as defined by the Act.

One of those exemptions is in respect of what are termed “small societies lotteries” and the Council is responsible for registering these ‘small’ lotteries.

A society will be allowed to register with the Council if it is a ‘non-commercial’ lottery, in other words, it is established and conducted:

- for charitable purposes;
- for the purpose of enabling participation in, or of supporting, sport, athletic or a cultural activity; or
- for any other non-commercial purpose other than for private gain.

The Council will maintain a public register of small societies lotteries which it has registered.

9. Travelling Fairs

It will fall to this Licensing Authority to decide whether, where category D machines and / or equal chance prize gaming without a permit are to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met - see Sections 286 and 287 of the Act although “Ancillary Amusement” is not defined in the Act.

The Licensing Authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

The 27-day statutory maximum for the land being used as a fair, is per calendar year, and it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This Licensing Authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

10. Provisional Statements

Developers may wish to apply to this Authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

S204 of the Gambling Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or

she:

- expects to be constructed;
- expects to be altered; or
- expects to acquire a right to occupy.

The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.

In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.

The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The licensing authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless:

- they concern matters which could not have been addressed at the provisional statement stage, or
- they reflect a change in the applicant's circumstances.

In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional statement stage;
- which in the authority's opinion reflect a change in the operator's circumstances; or
- where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this Licensing Authority notes that it can discuss any concerns it has with the applicant before making a decision.

11. Reviews

Requests for a review of a premises licence can be made by interested parties or responsible authorities, however, it is for the Licensing Authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below, as well as consideration as to whether the request is frivolous and/or vexatious, or whether

it is substantially the same as previous representations or requests for review.

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of principles.

The Licensing Authority can also initiate a review of a licence on the basis of any reason which it thinks is appropriate.

Once a valid application for a review has been received by the Licensing Authority, representations can be made by responsible authorities and interested parties during a 28 day period. This period begins 7 days after the application was received by the Licensing Authority, who will publish notice of the application within 7 days of receipt.

The Licensing Authority must carry out the review as soon as possible after the 28 day period for making representations has passed.

The purpose of the review will be to determine whether the Licensing Authority should take any action in relation to the licence. If action is justified, the options open to the Licensing Authority are:-

- (a) add, remove or amend a licence condition imposed by the Licensing Authority;
- (b) exclude a default condition imposed by the Secretary of State or Scottish Ministers (e.g. opening hours) or remove or amend such an exclusion;
- (c) suspend the premises licence for a period not exceeding three months; and
- (d) revoke the premises licence.

In determining what action, if any, should be taken following a review, the Licensing Authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations.

In particular, the Licensing Authority may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.

Once the review has been completed, the Licensing Authority must, as soon as possible, notify its decision to:

- the licence holder
- the applicant for review (if any)
- the Commission
- any person who made representations
- the chief officer of police or chief constable; and

- Her Majesty's Commissioners for Revenue and Customs
-

Part C - Permits / Temporary and Occasional Use Notices

1. Unlicensed Family Entertainment Centre gaming machine permits (Statement of Principles on Permits - Schedule 10 paragraph 7)

Where a premises does not hold a premises licence - or an Alcohol Premises Licence but wishes to provide gaming machines, it may apply to the Licensing Authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238). No operating licence is required.

The Gambling Act 2005 states that a licensing authority may prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and **shall** have regard to any relevant guidance issued by the Commission under section 25.

Guidance also states: "...An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application....Licensing authorities might wish to consider asking applications to demonstrate:

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and
- that staff are trained to have a full understanding of the maximum stakes and prizes. (24.9)

It should be noted that a licensing authority cannot attach conditions to this type of permit.

Statement of Principles

South Bucks District Council will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits, however, they may include appropriate measures / training for staff i.e. how to deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises. This Licensing Authority will also expect, as per Gambling Commission Guidance, that applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs; that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); that relevant insurance is in place and that staff are trained to have a full

understanding of the maximum stakes and prizes.

Matters raised by the Police will also be a determining factor in the Councils decision as will the suitability of the premises re location, history of disorder, etc.

2. (Alcohol) Licensed premises gaming machine permits - (Schedule 13 paragraph 4(1))

Automatic Entitlement: 2 Machines

There is provision in the Act for alcohol licence holders to automatically make available for use in alcohol licensed premises 2 gaming machines, of categories C and/or D. This entitlement relates only to premises that are licensed for consumption of alcohol on the premises, there is no entitlement in premises licensed only for consumption off the premises. This entitlement does not require an authorisation as licensing authorities have no discretion regarding this matter. The premises merely need to notify the Licensing Authority, pay the prescribed fee and comply with any Gambling Commission Code of Practice. The Licensing Authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. such that written notice has not been provided to the Licensing Authority, that a fee has not been paid and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has not been complied with);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

Permit: 3 or more machines

If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the Licensing Authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “such matters as they think relevant.”

This Licensing Authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the Authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the Authority that there will be no access to for under 18’s may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also help. As regards the protection of vulnerable persons applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare and Gamblers Anonymous.

It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.

It should be noted that the Licensing Authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. This Authority will consider limiting the number of machines only where there is clear evidence that such machines have been or are likely to be used in breach of the licensing objectives. Conditions (other than these) cannot be attached.

It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

3. Prize Gaming Permits - (Statement of Principles on Permits - Schedule 14 paragraph 8 (3))

A Prize Gaming Permit is a permit issued by the Local Authority to authorize the provision of facilities for gaming with prizes on specific premises. Certain premises can offer prize gaming without a Prize Gaming Permit i.e. Bingo Premises.

The Gambling Act 2005 states that a licensing authority may “prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the licensing authority proposes to consider in determining the suitability of the applicant for a permit”.

This Licensing Authority has prepared a Statement of Principles which is that the applicant should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations;
- and that the gaming being offered is within the law.

In making its decision on an application for this permit the Licensing Authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance - and the police must be consulted. Relevant considerations for the Local Authority include the suitability of the applicant i.e. relevant convictions; location of the premises and issues of disorder.

It should be noted that there are conditions in the Gambling Act 2005 to which the permit holder must comply, but that the Licensing Authority cannot attach its own further conditions. The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the

premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;

- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

4. Club Gaming and Club Machines Permits

Members Clubs and Miners' welfare institutes may apply for a Club Gaming Permit or a Club Gaming Machine Permit. The Club Gaming Permit will enable the premises to provide up to three gaming machines (from specified categories), equal chance gaming and games of chance as set-out in regulations. A Club Gaming machine permit will enable the premises to provide up to three gaming machines (from specified categories), but not equal chance gaming or games of chance. Commercial Clubs are not permitted to provide non-machine gaming, but can apply for a club machines permit permitting up to three machines. The machines permitted in Commercial Clubs differ from those permitted in Members Clubs and Miners' welfare institutes.

When considering whether to grant a club gaming permit or club machine permit (and monitoring those that have been issued) the Council will have regard to guidance issued by the Gambling Commission regarding the factors that ought to be considered in making such determinations.

The Commission Guidance notes that "licensing authorities may only refuse an application on the grounds that:

- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- (b) the applicant's premises are used wholly or mainly by children and/or young persons; (If (a) or (b) apply then the local authority must refuse the permit)
- (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- (d) a permit held by the applicant has been cancelled in the previous ten years; or
- (e) an objection has been lodged by the Commission or the police".

If c), d) or e) apply, then the local authority can refuse but will first have regard to relevant guidance and the licensing objectives.

Fast Track Procedure - There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). The Gambling Commission's Guidance for local

authorities states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which an authority can refuse a permit are reduced." "The grounds on which an application under the process may be refused are:

- (a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- (c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."

There are mandatory conditions on club gaming/machine permits including that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines - no other conditions can be imposed.

5. Temporary Use Notices

Temporary Use Notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a Temporary Use Notice, according to the Gambling Commission, would include hotels, conference centres and sporting venues.

The Licensing Authority can only grant a Temporary Use Notice to a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence.

The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this Statement the relevant regulations (SI no 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that Temporary Use Notices can only be used to permit the provision of facilities or equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.

There are a number of statutory limits as regards Temporary Use Notices. The meaning of "premises" in Part 8 of the Act is discussed in Part 7 of the Gambling Commission Guidance to Licensing Authorities. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place". In considering whether a place falls within the definition of "a set of premises", the licensing authority needs to look at, amongst other things, the ownership/occupation and control of the premises.

This Licensing Authority expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the Gambling Commission's Guidance to Licensing Authorities.

6. Occasional Use Notices

The Licensing Authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. These are only available for betting at tracks - see section 39 of the Act. This Licensing Authority will however consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

Appendix A - List of consultees.

LIST OF CONSULTEES

The Chief Officer of Police for the Council's area
Bodies representing the interests of persons carrying on gambling businesses within the South Bucks District
Bodies representing the interests of persons who are likely to be affected by the exercise of the authority's function under this Act
The local Planning Authority
The local Health and Safety Authority
The Authority responsible for Control of Pollution
Bucks Fire and Rescue
Buckinghamshire Safeguarding Children Board
Local Primary Care Trusts
Bodies dealing with mental health issues
Citizens Advice Bureau
GamCare
Gamblers Anonymous
Bodies representing businesses and residents in the area
Parish Councils within the District
Other Councils, including Wycombe DC, Chiltern DC, Aylesbury Vale DC, Milton Keynes Council, Dacorum Borough Council, Three Rivers District Council and Buckinghamshire County Council
Wycombe and Beaconsfield Magistrates Court
Central Buckinghamshire Magistrates' Court (Aylesbury)

Note: - This list is not intended to be exclusive. Comments and observations will be welcome from anyone who will be affected by the policy.

Copies of the draft Gambling Statement of Principles were also available at the Council Offices and on the Council's website.

Appendix B. Glossary of Terms

Within this draft Statement of Policy, the following words and terms are defined as stated: Licensing Objectives: As set out in Section 1 of the Gambling Act 2005:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling Council: South Bucks District Council District: The area of Buckinghamshire administered by South Bucks District Council (Map at Appendix A) Licenses: As defined under section 4 of this statement

Applications: Applications for licenses and permits as defined under Parts B and C of this statement.

Notifications: A notification of Temporary and Occasional use Notices

Act: The Gambling Act 2005, a new regulatory system to govern the provision of all gambling in Great Britain other than the National Lottery and Spread Betting.

Regulations: Regulations made under the Gambling Act 2005 to ensure smooth transition from the old regime for gambling regulation to the new regime established by the Act.

Premises: Any place including a vehicle, vessel or moveable structure.

Code of Practice: Any Code of Practice issued under section 24 of the Gambling Act 2005.

Mandatory Condition: Conditions which are specified in regulations by the Secretary of State and **must** be applied to all premises licences for England and Wales and Scotland respectively.

Default Condition: Conditions which are specified in regulations by the Secretary of State for England and Wales and Scotland respectively. Local Authorities have powers to exclude default conditions.

Responsible Authority:	Bodies who have rights to be involved/consulted in relation to applications for Premises Licenses and other procedures under the Act (List of Responsible Authorities attached at Appendix C)
Interested Party:	defined as <ul style="list-style-type: none">• People who live sufficiently close to premises in respect of which a premises licence has been granted or applied for, that they are likely to be affected by activities authorised by the licence; and • those with business interests who might be affected by the authorised activities; or representatives of either of these groups

Appendix C. Category of Machines

Category of Machine	Maximum Stake from July 2011	Maximum Prize
A	No category A Gaming machines are currently permitted	
B1	£5	£10,000 or £20,000 if linked to other B1 machines
B2	£100 (in multiples of £10)	£500
B3	£2	£500
B3A	£2	£500
B4	£2	£400
C	£1	£100
D	Various 10p to £1	£5 to £50 (max relates to non-money prizes only)

NB Stakes and prizes for different categories of gaming machine are updated from time to time. For the most recent information please refer to the Gambling Commission website at www.gamblingcommission.gov.uk

The number of different categories of machines in different types of premises are often subject to limits on numbers or percentages of machines available for use. For the most recent information please refer to the Gambling Commission website at www.gamblingcommission.gov.uk

SUBJECT:	Station Road Car Park Redevelopment Gerrards Cross Business Case	
REPORT OF:	Resources Portfolio Holder - Cllr Barabara Gibbs	
RESPONSIBLE OFFICER	Chris Marchant	Head of Environment
REPORT AUTHOR	Linda Newell Rodney Fincham	Estate Manager Head of Finance
WARD/S AFFECTED	Primary Gerrards Cross	

1. Purpose of Report

1.1. The purpose of the report is to:

- Present the final business case for provision of additional parking in Station Road Gerrards Cross, and
- Seek approval to progress the project.

RECOMMENDATIONS:

- 1 That Cabinet approve the final business case for the project.**
- 2 That Cabinet note that the construction period will be Jan-Dec 2020 unless agreement can be reached to allow the car park to be closed over the 2019 Christmas trading period.**
- 3 That Cabinet recommends to Council that the Capital Programme for the Station Road Car Park be amended to the following:**

2019/20	£5,000,000
2020/21	£8,051,000
- 4 That the Head of Environment be authorised to conclude the delivery agreement between Balfour Beatty 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.**

2. Executive Summary

- 2.1. Planning consent has been granted for expanding the Station Road Car Park to provide a total of 442 parking spaces.
- 2.2. To enable this project to proceed to completion, the Council will need to invest a further estimated £13.051m.
- 2.3. The proposal is for the project cost to be financed by way of a loan from the Public Works Loan Board (PWLB).
- 2.4. The expanded car park is expected to increase annual income by £431,000.
- 2.5. The reason for expanding the car park is to meet current and future parking need in the Town. The business case indicates that in the longer term the development will cover its costs.

3. Reasons for Recommendations

- 3.1. Recent surveys indicate that there is a need for an extra 375 non commuters car park spaces in Gerrards Cross, to provide sufficient car parking to meet predicted local parking needs.
- 3.2. Other options have been considered but expanding the Station Road car park is considered to be the best option currently available to meet this need.

4. Background

- 4.1. The Council currently operates a surface car park at Station Road, Gerrards Cross providing 122 spaces.
- 4.2. The site is shown edged in red on the plan at **Appendix A**.
- 4.3. The proposed development comprises a multi storey car park providing a total of 442 parking spaces.

5. Planning Permission

- 5.1. Planning Permission for the Station Road car park was issued on the 16 August 18 subject to 14 conditions, 3 of which have to be discharged prior to commencement. (Planning Application Ref PL/18/2173/FA).
- 5.2. Balfour Beatty has reviewed these conditions and are taking steps to comply with these. Overall the conditions are unlikely to have a significant impact on the project.

6. Agreement with Waitrose

- 6.1. The Waitrose / John Lewis surveyor is in the process of obtaining necessary approvals to Heads of Terms covering variations to the current legal documents for Waitrose's trolley bays in the car park.
- 6.2. Until the Heads of Terms are agreed this remains a risk to the project timetable.

7. Construction Period

- 7.1. The aspiration was to construct the car park between January and December 2019.
- 7.2. However, correspondence from local residents indicates that a Judicial Review challenge is likely to be lodged.
- 7.3. It is therefore recommended that construction should not commence until the time limited Judicial Reviews periods have ended and / or any Judicial Review is concluded. As if a Judicial Review is lodged this would effectively delay the project and mean that £200k+ of abortive costs would be incurred, even if ultimately the judicial review was unsuccessful.
- 7.4. If agreement can be reached with Waitrose it may be possible to start the construction during 2019. However this would mean that the car park would be closed over the crucial 2019 Christmas trading period, and Waitrose have so far indicated that they would not agree to this.
- 7.5. This business case has therefore been based on a construction period of January to December 2020.

8. Cost of Development

- 8.1. Construction costs have changed since the scheme was last considered, and Balfour Beatty has now provided updated construction costs.
- 8.2. The current estimated cost to completion is set out in the table below. There are still a number of cost items that are being reviewed / challenged, however this is the best cost estimate currently available.

	£	£
Construction		9,058,535
Contractor Preliminaries		928,414
Forecast Change Control Notices Allowance		87,500
Remaining Project Design Team Fees etc (£88k already paid)		70,625
Risk allowance - Contractor		396,000
Risk allowance - Client		250,000
Remaining Pre-Construction works (£600k already paid)		71,873
Associated framework fees		1,297,702
Repricing costs (as works delayed) – Estimate		100,000
Estimated Build Inflation (c5%) - Estimate		500,000
		12,760,649
Other costs payable by SBDC		
Railtrack - Payable upon planning implementation	85,000	
Building Control Fee (payable to SBDC)	8,000	
BCC 106 Agreement	15,000	
Party Wall - Estimate	150,000	
Legal Fees	20,000	
Waitrose	7,500	
Tesco fees	5,000	
	290,500	
		13,051,149

- 8.3. Included in the total cost is a project contingency / risk allowance of £396k for contractor risks and £250k for client risks. The client risk allowance is for any further expenditure to cover risks such as design changes once the Delivery Agreement has been signed.
- 8.4. Also included is a 5% build inflation allowance, to reflect a construction period of January to December 2020.
- 8.5. In order to fund this project, it will be necessary to amend the Capital Programme to reflect the latest costs.

8.6. Cabinet is therefore asked to recommend to Council that the Capital Programme for the Station Road Car Park be amended to the following:

2019/20	£5,000,000
2020/21	£8,051,000

9. Business case

9.1. The current business case is detailed in **Appendix B**.

9.2. In summary the current business case figures are as follows.

Number of car park spaces	442
Extra Spaces	320
Current Cost Estimate	13,931,149
Figure includes £880k of costs already incurred	
Income	
Car Parking Income (year 3)	588,000
Less current income	-175,000
Extra income	413,000
Extra income as percentage of build cost	2.96%
Business Case Model	40 yrs
IRR - should be more than borrowing cost	2.73%
Net Present Value - negative is good	6,535,359
(Profit) / Loss - negative is good	-1,273,481

9.3. In the initial years the scheme will not generate extra net income for the Council as the extra income (£413k) is not sufficient to cover the cost of the loan (£555k).

9.4. In the longer term as the income will grow with inflation, but the cost of the loan does not, the development will cover its costs and provide a return to the Council.

9.5. In summary a commercial operator would be unlikely to develop this scheme as the payback period is too long. However as the purpose is to meet parking need the Council can decide to take a longer term view.

10. Assumptions Regarding Car Park Charges

- 10.1. The Station Road parking charges have recently been increased to £8 (9.5 hours) and £10 (24 hour charge) in order to deter long stay parking. The main station car park charges £8.50 a day. Orchehill Rise and the upper station car parks charge £6 a day.
- 10.2. When the new Station Road car park is opened it has been assumed that the Station Road charges will be brought in line with surrounding car parks - as there will be greater capacity and thus longer stay parking will no longer need to be discouraged.
- 10.3. Furthermore it has been assumed that prices will rise in regular increments of 50p averaging about 4% a year over the next 40 years.

11. Sensitivity analysis

- 11.1. The Business Case is based on various assumptions. Changing any of the assumptions will affect the return. For instance

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

And of course vice versa.

Income Predictions are made on the basis of £6 for long stay up to 9.5 hours and £8 for 10 hours which are subject to Cabinet approval.

- 11.2. The following table shows the effect on the Internal Rate of Return, Net Present Value and Profitability figures if we change some of these assumptions.

	Base Model	Interest rate 0.25% higher	Income estimate 2% higher
Build Cost (Including sunk costs)	£13,931,149	£13,931,149	£13,931,149
Loan Interest Rate	2.58%	2.83%	2.58%
Extra income per year	-£413,000	-£413,000	-£421,260
Internal Rate of Return (Should be above loan interest rate)	2.73%	2.73%	2.85%
Net Present Value over 40 years (Negative is good)	£6,535,359	£7,184,489	£6,230,092
Total Surplus over 40 years (Negative is good)	-£1,273,481	-£293,428	-£1,858,492

12. Funding

- 12.1. This project will be funded by borrowing from the Public Works Loan Board (PWLb).
- 12.2. The financing cost is based on borrowing at a fixed rate from the PLWB, on an annuity basis, over 40 years. The rate as at 22 August 18 is 2.58%. The actual rate will be fixed on the day the loan is organised. The precise timing and structure of the loan will be determined by the Director of Resources.
- 12.3. The Treasury Management Strategy that was approved by full Council on 27 February 18 set an Authorised Borrowing Limit of £35m and an Operational Borrowing Limit of £30m for 2018/19.
The Authorised Limit for South Bucks represents the maximum temporary borrowing limit. The Operational Limit is the limit beyond which external debt is not normally expected to exceed. SBDC does not currently have any borrowing. Given the likely timetable for the project the Treasury Management impact will be in 2019/20, and the Strategy that will come to members as part of the budget process will reflect the impact of this project.

13. Communication Plan

- 13.1. A proposed communication plan is attached at **Appendix C**.

14. Risks

- 14.1. Once the Delivery Agreement has been signed the contractor takes on the majority of the construction risks.
- 14.2. However there are certain risks which remain with SBDC and a contingency sum must be kept aside for these risks. The table below sets out the key risks which remain with SBDC.

Risk	Cost /mitigation
Delay of project due to Judicial Review or injunctions	<p>Not controllable by SBDC. Can be submitted any time within six weeks / three months of relevant decision.</p> <p>Potential claim for loss of light not controllable by SBDC. There is no time limit for such an action. Can be taken even after car park constructed. Currently the likelihood of any claim being successful is considered to be low.</p>

Risk	Cost /mitigation
Costs from judicial Review from concerned parties	If a challenge/claim is successful, the Council would be liable for the claimant's costs as well as its own.
Predicted usage	Many factors influence future usage and hence affect income. Charges can be changed with demand also change number of permit holders.
Waitrose agreement	Completion of documentation prior to signing of delivery agreement. Heads of Terms not yet signed off and further concession from Waitrose to extend construction over Christmas period 2019 being sought.
Party Wall agreements	Specialist instructed but cost budgeted at £50k which may change. Overall cost could increase to £150K subject to discussion with neighbouring occupants and contents of any Party Wall Awards. SBDC are required to pay all fees.
Fire strategy preparation	Following Liverpool car park fire it has been necessary to improve cladding to side elevation and a requirement to have a fire strategy in place. This fire strategy has not yet been completed.
Service Diversions	No allowance has been made for diversion of any services which have not been found during the standard detection methods.
Client changes	Any design changes initiated by client.
Unforeseen issues le ordnance	Unlikely to occur.
Potential payment to Waitrose if completion is delayed.	Damages may be payable to Waitrose if completion is delayed, not all of which may be covered by the main contractor.

15. Options

15.1. SBDC has the following options.

- Progress with this scheme now. This option seeks to meet the parking need as quickly as possible, but risks significant abortive costs if legal proceedings are lodged.
- Delay the project in order to resolve any legal challenges and / or have more time to complete all contractual agreements and / or seek alternative build prices. This would delay meeting the parking need, and is likely to result in an increase in the build cost due to the impact of construction inflation.
- Decide not to progress with the scheme. This option would not meet the parking need and the expenditure to date would be abortive costs.

16. Corporate Implications

16.1. Financial – The detailed business case is shown in **Appendix B**.

16.2. Legal – The Council has power to provide off-street parking places, including additional spaces at the Station Road car park, under section 32 of the Road Traffic Regulation Act 1984. This is a general power which enables local authorities to provide off-street parking places if it “appears necessary in order to relieve or prevent congestion of traffic”.

16.3. The Council is satisfied that a need for additional parking places in Gerrards Cross has been identified, first in the report undertaken by Yes Engineering Ltd in 2014 and subsequently in a survey and report into future demand prepared by Peter Brett Associates in May 2017. In response to the 2014 report the Council made the provision of increased off-street parking in Gerrards Cross to meet future need a council priority in the Business Plan 2015-20. Therefore it has been Council policy since 2015, based on identified need, to provide additional parking places in Gerrards Cross.

16.4. As part of the Transport Assessment for the 2016 planning application Peter Brett Associates carried out a further assessment of future parking demand in the town. This report concludes that there will be demand for additional short and long stay parking in and around Gerrards Cross up to 2053 and that the proposed redevelopment of the Station Road car park would help to meet the forecast demand for short stay parking. These conclusions have been accepted by the highway authority.

17. Links to Council Policy Objectives

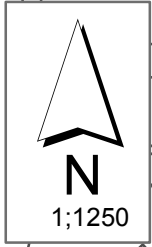
- 17.1. This matter is related to the Councils corporate aims to deliver cost effective customer focused services and to promote local communities.
- 17.2. This report progresses the aims of the Council's asset management plan.

18. Next Steps

- 18.1. The proposed programme is as follows:

Activity	Date
Cabinet	17 th Oct 18
Council Meeting to approve change to Capital Programme	14 th Nov 18
Sign Delivery Agreement	Mid 19
Mobilisation and enabling works start	Late 19
Main start on site	Jan 20
Handover	Dec 20
Project completion	Dec 20

Background Papers:	Cabinet report 25 Oct 16 Cabinet report 17 Apr 18 SBDC Planning Application Ref PL/18/2173/FA
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Station Car Park Gerrards Cross

Year			Estimated Capital Expenditure (Excluding VAT) A	Additional R&M and NDR Inflationary rise 3.00% B	Additional Car Park Income C	Total Cashflow Before Loan Int D=A+B+C	40 year PWLB Loan Interest 2.58% E	Total Cashflow After Loan Int F=D+E	Net Present Value (NPV) Discount Rate 3.00% F Discounted	Repayment of Capital / Depreciation G	Annual (Surplus) / Loss H=B+C+E+G	Return on Investment
			£	£	£	£	£	£	£	£	£	£
Sunk	2015/16	Preliminary Works	13,000									
Sunk	2016/17	Preliminary Works	633,000									
Sunk	2017/18	Preliminary Works	134,000									
Sunk	2018/19	Preliminary Works	100,000									
0	2019/20	Construction start Jan 20	5,000,000		43,750	5,043,750		5,043,750	5,043,750		43,750	
1	2020/21	Construction end Dec 20	8,051,149		116,667	8,167,816		8,167,816	8,167,816	195,164	671,254	
2	2021/22	Car Park Open		52,969	-276,395	-223,426	359,424	8,527,239	8,527,239	200,199	331,161	-4.1%
3	2022/23			54,558	-375,293	-320,736	354,388	130,962	127,148	200,199	331,161	-2.9%
4	2023/24			56,194	-443,115	-386,920	349,223	28,487	26,852	205,364	233,852	-2.1%
5	2024/25			74,271	-461,398	-387,127	343,925	-42,995	-39,347	210,663	167,667	-2.1%
6	2025/26			76,499	-473,229	-396,730	338,490	-48,638	-43,214	216,098	167,460	-2.1%
7	2026/27			78,794	-490,760	-411,966	332,914	-63,816	-55,048	221,673	157,858	-2.0%
8	2027/28			81,158	-503,344	-422,186	327,195	-84,771	-70,994	227,392	142,622	-1.8%
9	2028/29			83,593	-520,122	-436,529	321,329	-100,857	-82,000	233,259	132,402	-1.6%
10	2029/30			86,100	-533,458	-447,358	315,310	-121,219	-95,691	239,277	118,058	-1.5%
11	2030/31			88,684	-549,484	-460,800	309,137	-138,221	-105,935	245,451	107,230	-1.3%
12	2031/32			91,344	-563,573	-472,229	302,804	-157,996	-117,564	251,783	93,788	-1.2%
13	2032/33			94,084	-578,845	-484,761	296,308	-175,920	-127,089	258,279	82,359	-1.0%
14	2033/34			96,907	-593,688	-496,781	289,645	-195,116	-136,850	264,943	69,827	-0.9%
15	2034/35			99,814	-608,207	-508,393	282,809	-213,971	-145,704	271,778	57,807	-0.7%
16	2035/36			102,808	-623,802	-520,994	275,797	-232,595	-153,773	278,790	46,195	-0.6%
17	2036/37			105,893	-637,569	-531,676	268,605	-252,389	-161,569	285,983	33,594	-0.4%
18	2037/38			109,070	-653,917	-544,847	261,226	-270,450	-168,535	293,361	22,912	-0.3%
19	2038/39			112,342	-653,917	-541,575	253,658	-291,190	-176,174	300,930	9,741	-0.1%
20	2039/40			115,712	-696,292	-580,580	245,894	-295,681	-173,682	308,694	13,013	-0.2%
21	2040/41			119,183	-714,146	-594,963	237,929	-342,651	-195,409	316,658	-25,993	0.3%
22	2041/42			122,759	-714,146	-591,387	229,760	-365,203	-202,204	324,828	-40,375	0.5%
23	2042/43			126,441	-755,016	-628,574	221,379	-370,008	-198,898	333,209	-36,799	0.5%
24	2043/44			130,235	-774,375	-644,140	212,782	-415,792	-216,999	341,805	-73,987	0.9%
25	2044/45			134,142	-774,375	-640,233	203,964	-440,177	-223,034	350,624	-89,553	1.1%
26	2045/46			138,166	-813,739	-675,573	194,918	-445,316	-219,066	359,670	-85,646	1.1%
27	2046/47			142,311	-834,604	-692,293	185,638	-489,935	-233,996	368,950	-120,985	1.5%
28	2047/48			146,580	-834,604	-688,024	176,119	-516,174	-239,347	378,469	-137,706	1.7%
29	2048/49			150,978	-872,463	-721,485	166,355	-521,669	-234,850	388,233	-133,436	1.7%
30	2049/50			155,507	-894,833	-739,326	156,338	-565,147	-247,012	398,249	-166,897	2.1%
31	2050/51			160,172	-894,833	-734,661	146,063	-593,263	-251,749	408,524	-184,739	2.3%
32	2051/52			164,977	-931,186	-766,208	135,523	-599,138	-246,837	419,064	-180,073	2.2%
33	2052/53			169,927	-955,063	-785,136	124,712	-641,497	-256,591	429,876	-211,621	2.6%
34	2053/54			175,025	-955,063	-780,038	113,621	-671,515	-260,774	440,967	-230,548	2.9%
35	2054/55			180,275	-989,909	-809,634	102,244	-677,794	-255,546	452,344	-225,450	2.8%
36	2055/56			185,684	-1,015,292	-829,608	90,573	-719,061	-263,208	464,014	-255,046	3.2%
37	2056/57			191,254	-1,015,292	-824,038	78,602	-751,006	-266,895	475,986	-275,020	3.4%
38	2057/58			196,992	-1,048,633	-851,641	66,321	-757,716	-261,437	488,266	-269,450	3.3%
39	2058/59			202,901	-1,075,521	-872,619	53,724	-797,917	-267,289	500,864	-297,053	3.7%
40	2059/60			208,988	-1,075,521	-866,532	40,802	-831,818	-270,529	513,786	-318,032	4.0%
40	2060/61			215,258	-1,075,521	-860,263	27,546	-838,986	-264,913	527,041	-311,945	3.9%
							13,948	-846,314	-259,443	540,639	-305,675	3.8%
			13,051,149	5,078,549	-29,090,124	-10,960,426	8,806,944	-2,153,481	6,535,359	13,931,149	-1,273,481	

Loan Repayment Annuity			
Opening Balance	Loan Repayment	Principal + Interest	Closing Balance
£	£	£	£
13,931,149			13,931,149
13,931,149	-195,164	-554,588	13,735,985
13,735,985	-200,199	-554,588	13,535,786
13,535,786	-205,364	-554,588	13,330,421
13,330,421	-210,663	-554,588	13,119,759
13,119,759	-216,098	-554,588	12,903,661
12,903,661	-221,673	-554,588	12,681,988
12,681,988	-227,392	-554,588	12,454,595
12,454,595	-233,259	-554,588	12,221,336
12,221,336	-239,277	-554,588	11,982,059
11,982,059	-245,451	-554,588	11,736,608
11,736,608	-251,783	-554,588	11,484,825
11,484,825	-258,279	-554,588	11,226,546
11,226,546	-264,943	-554,588	10,961,603
10,961,603	-271,778	-554,588	10,689,825
10,689,825	-278,790	-554,588	10,411,035
10,411,035	-285,983	-554,588	10,125,052
10,125,052	-293,361	-554,588	9,831,691
9,831,691	-300,930	-554,588	9,530,761
9,530,761	-308,694	-554,588	9,222,067
9,222,067	-316,658	-554,588	8,905,408
8,905,408	-324,828	-554,588	8,580,580
8,580,580	-333,209	-554,588	8,247,372
8,247,372	-341,805	-554,588	7,905,566
7,905,566	-350,624	-554,588	7,554,942
7,554,942	-359,670	-554,588	7,195,272
7,195,272	-368,950	-554,588	6,826,322
6,826,322	-378,469	-554,588	6,447,854
6,447,854	-388,233	-554,588	6,059,621
6,059,621	-398,249	-554,588	5,661,371
5,661,371	-408,524	-554,588	5,252,847
5,252,847	-419,064	-554,588	4,833,783
4,833,783	-429,876	-554,588	4,403,907
4,403,907	-440,967	-554,588	3,962,940
3,962,940	-452,344	-554,588	3,510,596
3,510,596	-464,014	-554,588	3,046,582
3,046,582	-475,986	-554,588	2,570,596
2,570,596	-488,266	-554,588	2,082,330
2,082,330	-500,864	-554,588	1,581,466
1,581,466	-513,786	-554,588	1,067,681
1,067,681	-527,041	-554,588	540,639
540,639	-540,639	-554,588	0

Additional Car Park Income					
Income Estimate Without price rise	9.5 hour Charge	24 hour Charge	Cumulative Inflationary Increase	Dip in usage Following price rise	Income Estimate With price rise
£	£	£	%		£
-276,395	6.00	8.00		1.00	-276,395
-358,757	6.50	8.50	7.29%	0.98	-375,293
-413,000	6.50	8.50	7.29%	1.00	-443,115
-413,000	7.00	9.00	14.58%	0.98	-461,398
-413,000	7.00	9.00	14.58%	1.00	-473,229
-413,000	7.50	9.50	21.88%	0.98	-490,760
-413,000	7.50	9.50	21.88%	1.00	-503,344
-413,000	8.00	10.00	29.17%	0.98	-520,122
-413,000	8.00	10.00	29.17%	1.00	-533,458
-413,000	8.50	10.50	36.46%	0.98	-549,484
-413,000	8.50	10.50	36.46%	1.00	-563,573
-413,000	9.00	11.00	43.75%	0.98	-578,845
-413,000	9.00	11.00	43.75%	1.00	-593,688
-413,000	9.50	11.50	51.04%	0.98	-608,207
-413,000	9.50	11.50	51.04%	1.00	-623,802
-413,000	10.00	12.00	58.33%	0.98	-637,569
-413,000	10.00	12.00	58.33%	1.00	-653,917
-413,000	10.00	12.00	58.33%	1.00	-653,917
-413,000	11.00	13.00	72.92%	0.98	-696,292
-413,000	11.00	13.00	72.92%	1.00	-714,146
-413,000	12.00	14.00	87.50%	0.98	-755,016
-413,000	12.00	14.00	87.50%	1.00	-774,375
-413,000	13.00	15.00	102.08%	0.98	-813,739
-413,000	13.00	15.00	102.08%	1.00	-834,604
-413,000	13.00	15.00	102.08%	1.00	-834,604
-413,000	14.00	16.00	116.67%	0.98	-872,463
-413,000	14.00	16.00	11		

Appendix C

GX Car Park action plan / proposed communications activities

Key dates	Activity	Who/what is involved
25 September 2018	Resources PAG	Estates team/PHs
27 September 2018	End of six weeks planning JR period	
17 October 2018	Cabinet	Estates team/PHs/SBDC Comms team – social media/media statement
25 October 2018	End of Call In period	
TBC if needed	Overview & Scrutiny Committee if Call In activated	
14 November 2018	Council meeting to approve change to Capital Programme	Estates team/PHs/SBDC Comms team – social media/media statement
17 January 2019	End of business case JR period (can be submitted any time within three months decision)	
Mid 2019	Sign Delivery Agreement	Balfour Beatty/SBDC Comms team/PHs - photo opp/press release
Late 2019	Mobilisation and enabling works start	Balfour Beatty / SBDC Comms team - press release
January 2020	Main works start on site	Balfour Beatty/ SBDC Comms team to liaise with BB during build for PR opportunities
TBC	Topping out ceremony	Balfour Beatty/SBDC Comms Team – photo opp/press invite/press release
December 2020	Handover	Balfour Beatty/SBDC/Comms team
December 2020	Project completion	Balfour Beatty/ SBDC Comms team – opening ceremony/photo opp/press release
2020 onwards	Joint comms with BCC on new on-street arrangements	Bucks CC/SBDC Comms team – details TBC

SUBJECT:	Redevelopment of former Gerrards Cross Police Station site Business Case	
REPORT OF:	Resources Portfolio Holder - Cllr Barbara Gibbs	
RESPONSIBLE OFFICER	Chris Marchant	Head of Environment
REPORT AUTHOR	Anwar Zaman Rodney Fincham	Client Project Manager Head of Finance
WARD/S AFFECTED	Denham Parish Council and Gerrards Cross Town Council	

1. Purpose of Report

1.1 The purpose of this report is to:

- Present the final business case for the design and construction of the scheme, and
- Seek approval to progress the project.

RECOMMENDATIONS to Cabinet:

- 1 That Cabinet approve the final business case for the project.**
- 2 That Members note the total proposed spend of £8.331m, which will be funded from the current approved Capital Budget for this scheme.**
- 3 That the Head of Environment be authorised to conclude the delivery agreement between Wilmot Dixon and the Council for the construction phase.**
- 4 That the Head of Finance be authorised to carry out the necessary arrangements to obtain the loan finance.**
- 5 That the Head of Environment be authorised to negotiate and conclude any necessary agreements to allow the development to proceed through to completion and note that the Head of Environment has exercised his delegated authority to make an application to the Secretary of Transport for a stopping up order pursuant to Section 247 of the Town and Country Planning Act 1990.**
- 6 That the Director of Resources be authorised to dispose of the development to Consilio (the Council's wholly owned subsidiary).**

2. Executive Summary

- 2.1 Planning consent has been granted for the redevelopment of the Gerrards Cross Police station site for 34 apartments which will provide 20 private rent apartments and 14 affordable rent apartments - to meet the 40% affordable housing requirement.
- 2.2 To enable this project to proceed, the Council will need to invest an estimated £8.3m for a traditional brick and block cavity form of construction and any associated fees.
- 2.3 The proposal is for the project cost to be financed by way of a loan from the Public Works Loan Board (PWLB).
- 2.4 The estimated annual net rental from the development is £271,591.
- 2.5 The business case indicates that the rental return on this development will be sufficient to repay the capital expenditure over the lifetime of the asset.

3. Reasons for Recommendations

- 3.1 Due to the Council's projected financial position over the next few years, it is clear that the Council needs to maximise income generating opportunities in order to counter reductions in Government grant. This development opportunity can deliver a financial return whilst also meeting housing need.
- 3.2 As well as the financial return, one of the key drivers for the Council on this project is the provision of 40% affordable housing on site which has been consistently challenged by developers with limited affordable housing built on site for the past 10 years through the planning process.

4. Background

- 4.1 The site was acquired by SBDC from Thames Valley Police on the 31 March 2017 for £4m.
- 4.2 The site is shown edged in red on the plan at **Appendix A** which extends 0.784 Hectares (7,835m²) and comprises the now disused Gerrards Cross Police Station, with eight number residential properties. The site is located adjacent to Oxford Road in Tatling end in Denham.

- 4.3 The proposed development comprises 34 residential dwellings which are to be delivered in four separate buildings - A three-storey building which seeks to replace the former Police Station, and three two-storey pitched roofed properties to be developed across the remainder of the site.

5. Planning Permission

- 5.1 Planning Permission for the Gerrards Cross Police station site was issued on the 17 August 18 subject to 22 conditions, of which 10 have to be discharged prior to commencement (Planning application Ref 17/02396/FUL).
- 5.2 Willmott Dixon has reviewed these conditions and are taking steps to comply with these. Overall the conditions are unlikely to have a significant impact on the project.

6. Cost of Development

- 6.1 Following Cabinet 17 April 2018 the framework contractor Willmott Dixon was asked to provide a fixed price using the framework Surety route.
- 6.2 The current estimated cost is £8.3m as set out in the table below.

Cost Element	Cost £
Willmott Dixon surety route fixed price bid for design and build including demolition. With provisional sums for discharge of planning conditions, contamination, asbestos and bats mitigation (upto £200k contamination cost are recoverable as part of purchase agreement).	7,454,363
Project Management & Planning Design consultant Fees (Pick Everard / Perfect Circle)	532,854
Surveys	72,277
SBDC Internal cost	74,610
Contamination cost recoverable as part of purchase agreement by 31 May 2020 (Max £200k)	-200,000
Total project cost	7,934,104
Client Contingency (5%) held by SBDC	396,705
Total	8,330,809

- 6.3 There is a total of £8.62m within the approved capital budget for this scheme.
- 6.4 The Willmott Dixon bid has been scrutinised by external financial consultants Pick Everards and they report that the majority of costs have been verified and agreed,

and the remaining provisional sums will be subject to further verification. The consultants advise that a sum be held as client contingency.

6.5 The bid includes provisional sums which are potentially client risk for items below, and mitigation measures have been arranged to minimise the risk:

- Asbestos removal – further asbestos surveys planned as soon as the existing residential properties are decanted.
- Ecology (bat) – mitigation report approved as part of planning permission and application for licence to Natural England being progressed.
- Contamination - further surveys planned to develop remediation strategy and verification plan as also required by planning conditions.
- Statutory services – quotations being finalised with statutory authorities.
- Planning conditions discharge – highway alterations improvements.

6.6 Cost does not include project risks such as archaeology, ordinance, judicial review cost and de-contamination beyond the provisional sum allowance.

7. Business Case

7.1 The current business case is detailed in **Appendix B**.

7.2 In summary the current business case figures are as follows.

Current Cost Estimate	8,330,809
Figures include sunk costs	
Net Income (full year)	271,591
Net income as percentage of build cost	3.26%
Business Case Model	40 yrs
IRR - should be more than borrowing cost	4.09%
Net Present Value - negative is good	1,816,860
(Profit) / Loss - negative is good	-4,596,312

7.3 Investing in the construction of 34 new apartments, will generate a financial return from the resulting rental income. This shows that the estimated annual net rental income of c£271,500 will be sufficient to cover the loan interest and any repairs & maintenance costs. Furthermore the profit on rental income will be sufficient to repay the build cost over the lifetime of the asset.

8. Assumptions Regarding Rental Income

8.1 The Business Case has made the following assumptions about rental income.

- The rental income from a 1 bed flat will be approximately £800 a month, and a 2 bed flat will be approximately £950 a month.
- The affordable units will be let at 80% of market value.
- Voids have been assumed at 2 weeks per property per year.
- The cost of managing the units and collecting the rent has been budgeted at £60,000 a year.
- Rents will rise by approximately 3% a year.

9. Sensitivity Analysis

9.1 The Business Case is based on various assumptions. Changing any of the assumptions will affect the return. For instance

- If the build cost goes down, the profitability goes up
- If the loan rate goes down, the profitability goes up
- If we increase the rent assumptions, the profitability goes up

And of course vice versa.

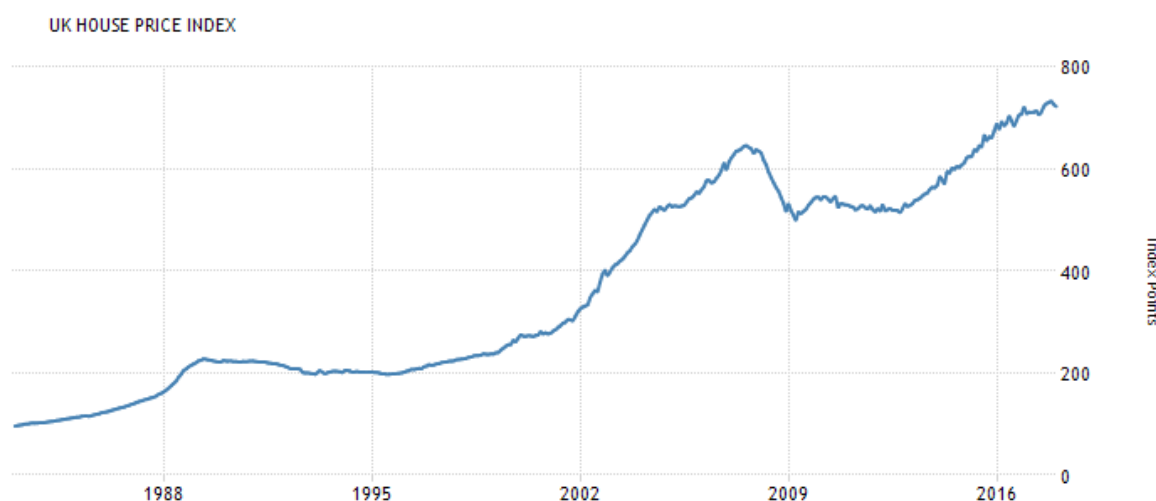
9.2 The following table shows the effect on the Internal Rate of Return, Net Present Value and Profitability figures if we change some of these assumptions.

9.3

	Base Model	Interest rate 0.25% higher	Rents 10% higher	Increase rents by rpi +0.5%
Build Cost (Including sunk costs)	£8,330,809	£8,330,809	£8,330,809	£8,330,809
Loan Interest Rate	2.58%	2.83%	2.58%	2.58%
Annual Rent	£271,591	£271,591	£298,751	£271,591
Annual increase in rent	RPI	RPI	RPI	RPI+0.5%
Internal Rate of Return (IRR) (Should be above loan interest rate)	4.09%	4.09%	4.68%	4.63%
Net Present Value over 40 years (Negative is good)	£1,816,860	£2,205,038	£764,333	£754,210

	-	-	-	-
Total Profit over 40 years (Negative is good)	£4,596,312	£4,010,241	£6,641,882	£7,081,106

- 9.4 Any delay in the project could result in the build cost increasing due to construction inflation.
- 9.5 In addition there is the potential for SBDC to benefit from capital growth. The following chart shows the growth in UK house prices over recent years



10. Funding

- 10.1 This project will be funded by borrowing from the Public Works Loan Board (PWLb).
- 10.2 The financing cost is based on borrowing at a fixed rate from the PLWB, on an annuity basis, over 40 years. The rate as at 22 August 18 is 2.58%. The actual rate will be fixed on the day the loan is organised.
- 10.3 The precise timing and structure of the loan will be determined by the Director of Resources and will reflect the proposed disposal to Consilio.
- 10.4 The Treasury Management Strategy that was approved by full Council on 27 February 18 set an Authorised Borrowing Limit of £35m and an Operational Borrowing Limit of £30m for 2018/19.
The Authorised Limit for South Bucks represents the maximum temporary borrowing limit. The Operational Limit is the limit beyond which external debt is not normally expected to exceed. SBDC does not currently have any borrowing.

11. Consilio

- 11.1 Under the 'general power of competence' introduced by Section 1 of the Localism Act 2011 local authorities have a general power that enables them to do anything that a private individual is entitled to do, subject to certain statutory limitations. However things done for a commercial purpose even under the Localism Act 2011 must be done through a company.
- 11.2 As it is intended that the property is held in order to make a financial return, this requires the Council to do this via a company. Consilio Property Limited has been set up by SBDC as a wholly owned company, and it is therefore proposed to dispose of the development to Consilio.
- 11.3 SBDC will still have ultimate ownership and control of this development, as the sole shareholder of Consilio. The effect of the disposal will be that rather than SBDC obtaining its return directly from rental income, Consilio will earn the rental income and the profit will be paid over to SBDC via dividend or as a profit margin on loans to Consilio.

12. Communication Plan

- 12.1 An updated communication plan is attached at **Appendix C**.

13. Risks

- 13.1 Once the Delivery Agreement has been signed the contractor takes on the majority of the construction risks.
- 13.2 The main remaining risks to this project are:
- Provisional sums included within the contract for various items, these remain unexpended and may change once verified.
 - The need for an agreement to extinguish highway rights which may delay the commencement of the project.
 - Relocating the current tenants in the existing 8 police houses in time for the enabling works to start. These houses are currently occupied by the housing association tenants on a short term lease basis.
 - Future rental income is estimated in the business case.

14. Options

14.1 SBDC has the following options.

- Progress with this scheme now. This option provides additional homes and an income stream as quickly as possible.
- Delay the project in order to have more time to complete all contractual agreements and / or seek alternative build prices. This would delay generating rental income, and may not result in a reduction in build cost due to the impact of construction inflation.
- Decide not to progress with the scheme. This option would not provide additional homes and would not provide an income stream.

15. Corporate Implications

15.1 Financial – The detailed business case is shown in Appendix B

15.2 Legal –The Council is required to obtain a stopping up order pursuant to Section 247 of the Town and Country Planning Act 1990 in order to comply with a pre-commencement planning condition to extinguish the highway rights over the front access road contained within the former Gerrards Cross Police Station site. The Section 247 Order will enable the Council to stop up the front access road and provide parking spaces in association with the development on this front access road to provide amenity for the future occupiers of the site. Cabinet should note that the Head of Environment exercised his delegated powers on 5 September 2018 to make an application on behalf of the Council to the Secretary of State of Transport for a Section 247 Order. There will be a public consultation carried out by the Secretary of State on the Section 247 Order. The Secretary of State usually processes applications within 13 weeks and it is estimated that the Section 247 Order will be made by the Secretary of State in early December 2018 subject to no objections being made to the proposed Order. Once the Section 247 Order has been made, the Council will be in a position to enter into any legal agreement required by Buckinghamshire County Council (as the local highway authority) pursuant to Section 278 of the Highways Act 1980 to improve the existing highway access into the site. Cabinet will need to authorise the Head of Environment to agree any Section 278 agreement that may be required by the County Council with any associated costs being met within the proposed spend of £8,331 million that Cabinet is requested to authorise for this project.

16. Links to Council Policy Objectives

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

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

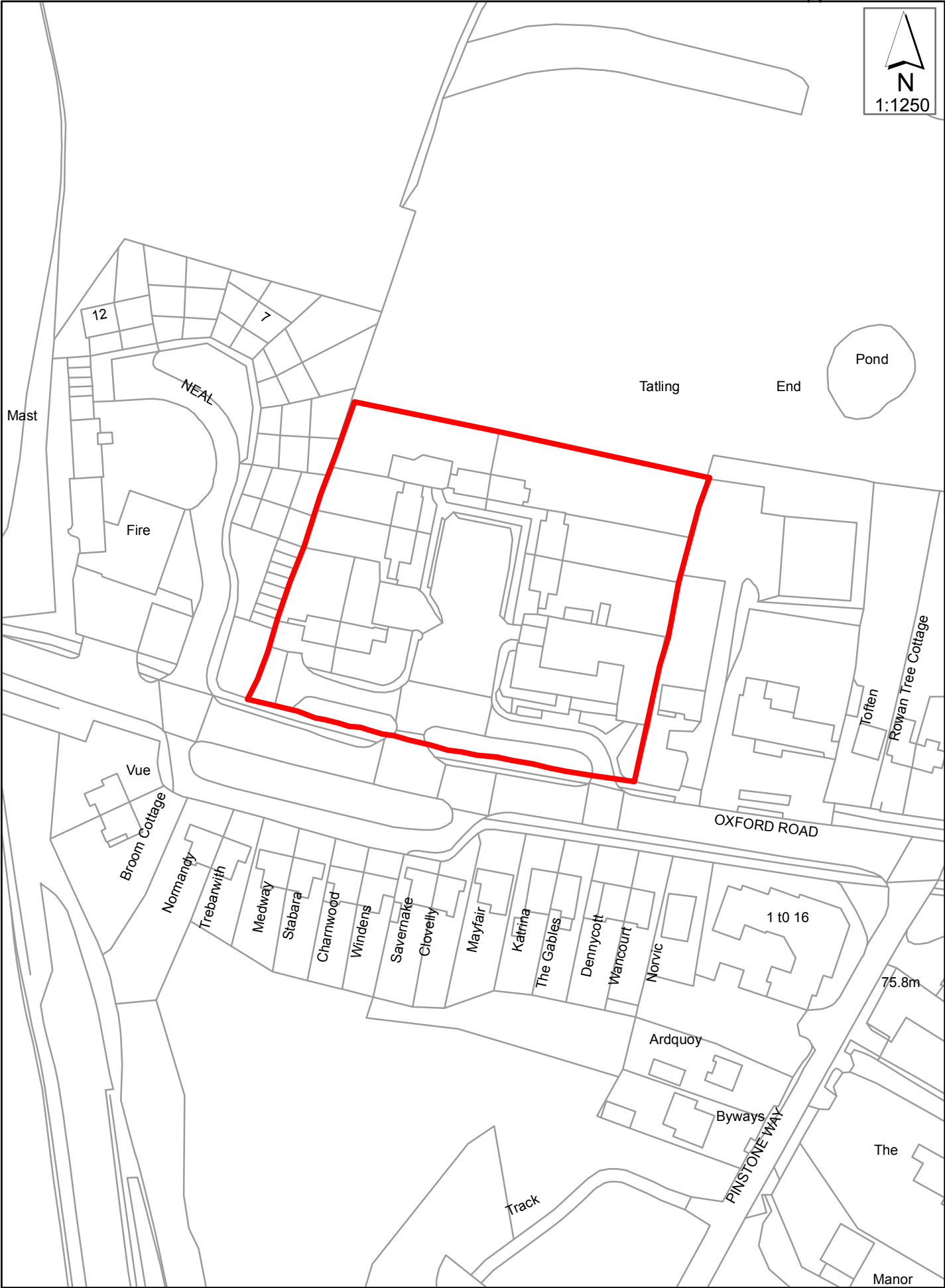
16.3 This scheme will help towards meeting the affordable housing need in our district and provides an income for the Council.

17. Next Steps

17.1 The proposed programme is as follows:

Activity	Date
Planning JR period ends	26 th Sept 18
Cabinet meeting – Business Case final approval	17 th Oct 18
Execution of Delivery Agreement	22 nd Oct 18
Completion of stopping up Highways agreement	Early Dec 18
Decant of residential buildings (Residents moving out)	Early Dec 18
Disconnection of existing utilities	Dec 18
Determination of Natural England Bat License	Dec 18
Contractor Mobilisation on site	Jan 19
Completion of de-contamination related works	31 st Mar 19
Bat relocation (subject to Natural England licence) Watching brief by Ecology consultant being provided to ensure this is done correctly.	Mar/Apr 19
Commencement of Construction works	Apr 19
Completion and handover	1st May 20

Background Papers:	Cabinet report 4 Jul 16 – Acquisition of site Council 19 Jul 16 – Acquisition of site Cabinet report 8 Feb 17 – Acquisition of site Cabinet report 7 Feb 18 Cabinet report 17 Apr 18 Cabinet report 27 Jun 18 SBDC Planning Application Ref 17/02396/FUL
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**Gerrards Cross police Station Houses, Oxford Road, Denham
APPENDIX A - SITE PLAN**

Appendix B - Financial Business Case

Page 195

Year			Capital Expenditure (Excluding VAT)	R&M Inflationary rise 3.00%	Rental Income Inflationary rise 3.00%	Total Cashflow Before Loan Int	40 Year New PWLB Loan Interest 2.58%	Total Cashflow After Loan Int	Net Present Value (NPV) Discount Rate 3.00%	Repayment Construction Capital / Depreciation	Annual (Profit) / Loss	Return on Investment	Loan Repayment Annuity				
			A	B	C	D=A+B+C	E	F=D+E	F Discounted	G	H=B+C+E+G	Opening Balance	Loan Repayment	Principal + Interest	Closing Balance		
			£	£	£	£	£	£	£	£	£	£	£	£	£	£	£
Sunk Sunk	2017/18 2018/19	Preliminary Works Preliminary Works	352,003 384,524														
0	2019/20	Construction	7,594,282	0	0	7,594,282	214,935	7,809,217	7,809,217	116,708	331,643	-4.4%	8,330,809	-116,708	-331,643	8,214,101	
1	2020/21	Letting income from May 20		30,000	-248,959	-218,959	211,924	-7,035	-6,830	119,719	112,684	-1.5%	8,214,101	-119,719	-331,643	8,094,382	
2	2021/22			30,900	-279,739	-248,839	208,835	-40,004	-37,708	122,808	82,804	-1.1%	8,094,382	-122,808	-331,643	7,971,575	
3	2022/23			31,827	-288,131	-256,304	205,667	-50,638	-46,341	125,976	75,338	-1.0%	7,971,575	-125,976	-331,643	7,845,599	
4	2023/24			32,782	-296,775	-263,993	202,416	-61,577	-54,710	129,226	67,649	-0.9%	7,845,599	-129,226	-331,643	7,716,373	
5	2024/25			33,765	-305,678	-271,913	199,082	-72,831	-62,825	132,560	59,729	-0.8%	7,716,373	-132,560	-331,643	7,583,812	
6	2025/26			34,778	-314,849	-280,071	195,662	-84,408	-70,691	135,980	51,572	-0.7%	7,583,812	-135,980	-331,643	7,447,832	
7	2026/27			35,822	-324,294	-288,473	192,154	-96,319	-78,316	139,489	43,170	-0.6%	7,447,832	-139,489	-331,643	7,308,343	
8	2027/28			36,896	-334,023	-297,127	188,555	-108,572	-85,707	143,087	34,516	-0.5%	7,308,343	-143,087	-331,643	7,165,256	
9	2028/29			38,003	-344,044	-306,041	184,864	-121,177	-92,872	146,779	25,602	-0.3%	7,165,256	-146,779	-331,643	7,018,477	
10	2029/30			39,143	-354,365	-315,222	181,077	-134,145	-99,817	150,566	16,421	-0.2%	7,018,477	-150,566	-331,643	6,867,911	
11	2030/31			40,317	-364,996	-324,679	177,192	-147,487	-106,547	154,451	6,964	-0.1%	6,867,911	-154,451	-331,643	6,713,460	
12	2031/32			41,527	-375,946	-334,419	173,207	-161,212	-113,071	158,435	-2,776	0.0%	6,713,460	-158,435	-331,643	6,555,025	
13	2032/33			42,773	-387,224	-344,452	169,120	-175,332	-119,392	162,523	-12,809	0.2%	6,555,025	-162,523	-331,643	6,392,502	
14	2033/34			44,056	-398,841	-354,785	164,927	-189,859	-125,519	166,716	-23,142	0.3%	6,392,502	-166,716	-331,643	6,225,786	
15	2034/35			45,378	-410,806	-365,429	160,625	-204,803	-131,455	171,017	-33,786	0.4%	6,225,786	-171,017	-331,643	6,054,768	
16	2035/36			46,739	-423,131	-376,392	156,213	-220,178	-137,208	175,430	-44,749	0.6%	6,054,768	-175,430	-331,643	5,879,338	
17	2036/37			48,141	-435,824	-387,683	151,687	-235,996	-142,782	179,956	-56,041	0.7%	5,879,338	-179,956	-331,643	5,699,383	
18	2037/38			49,585	-448,899	-399,314	147,044	-252,270	-148,182	184,599	-67,671	0.9%	5,699,383	-184,599	-331,643	5,514,784	
19	2038/39			51,073	-462,366	-411,293	142,281	-269,012	-153,414	189,361	-79,650	1.0%	5,514,784	-189,361	-331,643	5,325,423	
20	2039/40			52,605	-476,237	-423,632	137,396	-286,236	-158,482	194,247	-91,989	1.2%	5,325,423	-194,247	-331,643	5,131,176	
21	2040/41			54,183	-490,524	-436,341	132,384	-303,957	-163,392	199,258	-104,698	1.4%	5,131,176	-199,258	-331,643	4,931,918	
22	2041/42			55,809	-505,240	-449,431	127,243	-322,188	-168,147	204,399	-117,788	1.6%	4,931,918	-204,399	-331,643	4,727,518	
23	2042/43			57,483	-520,397	-462,914	121,970	-340,944	-172,754	209,673	-131,271	1.7%	4,727,518	-209,673	-331,643	4,517,846	
24	2043/44			59,208	-536,009	-476,801	116,560	-360,241	-177,215	215,082	-145,159	1.9%	4,517,846	-215,082	-331,643	4,302,763	
25	2044/45			60,984	-552,089	-491,106	111,011	-380,094	-181,535	220,631	-159,463	2.1%	4,302,763	-220,631	-331,643	4,082,132	
26	2045/46			62,813	-568,652	-505,839	105,319	-400,520	-185,719	226,324	-174,196	2.3%	4,082,132	-226,324	-331,643	3,855,808	
27	2046/47			64,698	-585,712	-521,014	99,480	-421,534	-189,770	232,163	-189,371	2.5%	3,855,808	-232,163	-331,643	3,623,645	
28	2047/48			66,639	-603,283	-536,644	93,490	-443,154	-193,692	238,153	-205,002	2.7%	3,623,645	-238,153	-331,643	3,385,493	
29	2048/49			68,638	-621,381	-552,744	87,346	-465,398	-197,490	244,297	-221,101	2.9%	3,385,493	-244,297	-331,643	3,141,196	
30	2049/50			70,697	-640,023	-569,326	81,043	-488,283	-201,166	250,600	-237,683	3.1%	3,141,196	-250,600	-331,643	2,890,596	
31	2050/51			72,818	-659,224	-586,406	74,577	-511,828	-204,725	257,065	-254,763	3.4%	2,890,596	-257,065	-331,643	2,633,531	
32	2051/52			75,002	-679,000	-603,998	67,945	-536,053	-208,169	263,698	-272,355	3.6%	2,633,531	-272,355	-331,643	2,369,833	
33	2052/53			77,252	-699,370	-622,118	61,142	-560,976	-211,503	270,501	-290,475	3.8%	2,369,833	-290,475	-331,643	2,099,332	
34	2053/54			79,570	-720,351	-640,781	54,163	-586,619	-214,729	277,480	-309,139	4.1%	2,099,332	-309,139	-331,643	1,821,852	
35	2054/55			81,957	-741,962	-660,005	47,004	-613,001	-217,850	284,639	-328,362	4.3%	1,821,852	-328,362	-331,643	1,537,213	
36	2055/56			84,416	-764,221	-679,805	39,660	-640,145	-220,871	291,983	-348,162	4.6%	1,537,213	-348,162	-331,643	1,245,231	
37	2056/57			86,948	-787,147	-700,199	32,127	-668,072	-223,793	299,516	-368,556	4.9%	1,245,231	-368,556	-331,643	945,715	
38	2057/58			89,557	-810,762	-721,205	24,399	-696,806	-226,619	307,243	-389,562	5.1%	945,715	-389,562	-331,643	638,472	
39	2058/59			92,244	-835,085	-742,841	16,473	-726,369	-229,353	315,170	-411,199	5.4%	638,472	-411,199	-331,643	323,302	
40	2059/60			95,011	-860,137	-765,126	8,341	-756,785	-231,998	323,302	-433,484	5.7%	323,302	-433,302	-331,643	0	
			7,594,282	2,262,038	-20,455,700	-10,599,380	5,266,541	-5,332,839	1,816,860	8,330,809	-4,596,312						
Including sunk costs			8,330,809		IRR	4.09%			Negative is good		Negative is good						

It is beneficial to proceed if:

- The Total NPV over the 40 years is negative (ie income exceeds expenditure)
- The Annual Return on Investment is reasonable.

Notes:

This capital expenditure figure excludes decontamination costs (as these are reclaimable from TVPA). It also excludes the cost of purchasing the site, as the intention is to retain the ownership of the site and thus the Council will always retain the value of the land.

Rental Income	Rent / Month	Max Rent	Occupancy 2 void weeks in 12 mths	Mgt Fee	Mgt Fee £	Net Rent	
6	1 bed flat	800	57,600	-2,215	10%	-5,760	49,625
14	2 bed flat	950	159,600	-6,138	10%	-15,960	137,502
14	2 bed flat - A	760	127,680	-4,911	30%	-38,304	84,465
34			344,880	-13,265		-60,024	271,591

Appendix C

GX Police Station action plan / proposed communications activities

Date	Activity	Who is involved
27 September	End of six weeks JR period	
17 October	Cabinet	Estates team/PHs
25 October	End of Call In period	
TBC if needed	Overview & Scrutiny Committee if Call In activated	
October	Delivery agreement sign off	Wilmot Dixon / Comms Team (photo opportunity)
January 2019	Mobilisation and enabling works start on site	Wilmot Dixon
March 2019	Work starts on site/Regular communications during build/Corporate Social Responsibility publicity	Wilmot Dixon/ SBDC/ Comms team Press release?
TBC	Development Progress	Wilmot Dixon / Comms team Newsletters, Press release
TBC	Topping out ceremony	Wilmot Dixon /SBDC/Comms team
TBC	Official Opening	Wilmot Dixon / SBDC/Comms team