



Council

Tuesday, 16 April 2019 at 6.00 pm

Council Chamber, Capswood, Oxford Road, Denham

SUPPLEMENTARY A G E N D A

Item

7. Committee Recommendations (*Pages 3 - 32*)

Recommendations from the Committees of the Council are attached as separate reports. Members are therefore asked to note that the following meetings have taken place since the last Council meeting, and that the Minutes are available to view in the supplement: Minute set.

1. Overview & Scrutiny Committee – 25 February 2019
2. Audit & Standards Committee – 9 April 2019
3. Licensing Committee – 21 March 2019
4. Planning Committee – 6 March 2019
5. Cabinet – 13 March 2019

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: Council

Councillors: Dr W Matthews (Chairman)
D Pepler (Vice-Chairman)
D Anthony
R Bagge
P Bastiman
M Bezzant
M Bradford
S Chhokar
D Dhillon
T Egleton
B Gibbs
P Griffin
B Harding
L Hazell
P Hogan
G Hollis
J Jordan
P Kelly
M Lewis
J Lowen-Cooper
N Naylor
J Read
R Reed
G Sandy
R Sangster
D Saunders
D Smith
L Sullivan

Date of next meeting – Tuesday, 14 May 2019

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OVERVIEW AND SCRUTINY COMMITTEE

Meeting - 25 February 2019

Present:

P Bastiman, M Bezzant, T Egleton, P Kelly and M Lewis

Also Present:

Apologies for absence: M Bradford, D Dhillon and D Saunders

100. PRESENTATION FROM THE CHIEF EXECUTIVE OF FRIMLEY PARK TRUST

Neil Dardiss, Chief Executive of Frimley Park Trust attended the meeting and gave the Committee a presentation on Frimley Park Trust.

Delivered successful strategy over past 5 years – Improvements made over the last 5 years included:

- A Hyper Acute and Rehab Stroke Centre;
- Life-saving 24/7 heart attack centres and vascular network has been expanded;
- Community Services in NE Hampshire;
- New CT Scanner Endoscopy Unit at Heatherwood Hospital;
- First Acute Renal Unit in Surrey;
- Medication errors were down 63%;
- 98% of inpatients recommend the Trust to friends and family
- With regard to Cancer – Top 5 performer in the NHS

The Committee was informed that with regard to health, there were demographic challenges with a population growth, people living longer, greater incidences of dementia etc. Frimley Trust was a learning organisation, investing in leadership and recognising the people who worked for the Trust. Leaders within the organisation were supported to be the best and enabled to support their great teams.

The Trust was building on past successes and thinking ahead to what the Trust's services could be in 10 years' time. The Trust was always looking to make improvements and putting patients at the centre of service design. Better joined up working was required with GPs, Social Care, providers and volunteers to improve outcomes. Services should be developed to focus on wellbeing and less on treating sickness.

A key development was the new Emergency Assessment Centre at Wexham Park Hospital which was a state of the art development. The capacity had been increased and all the emergency services were in the one unit. Members asked that a visit to Wexham Park Hospital be arranged to enable Members to see the new facility.

The Chief Executive of the Trust informed Members that there were still challenges relating to staffing; with a 14% vacancy rate for nurses. The recruitment of overseas staff would continue. Reference was made to the use of agency staff which equated to around £20m per annum, and the need to reduce this.

In response to a question about hospital car parking charges, Members were informed that car parking charges generated a turnover of £4.4m and the reality was that this revenue was part of the funding required for the NHS.

Reference was made to the E Referral system and the problems with the system whereby GP receptionists were referring minor cases to accident and emergency. The Chief Executive reported that there were three different IT systems in the three hospitals in the Trust and increased training was required for staff to enable a consistency of approach.

The importance of the partnership work with Buckinghamshire County Council was stressed, particularly in relation to mental health/social services to ensure work was taking place effectively around health and wellbeing.

Assurances were given to Members regarding improved training for staff around dementia and improved staff appraisals.

RESOLVED That the presentation be noted and the Chief Executive of Frimley Park Trust be thanked for attending the meeting.

101. **PRESENTATION FROM IAN BARHAM, LOCAL ENTERPRISE PARTNERSHIP ON LOCAL INDUSTRIAL STRATEGY**

Mr Ian Barham provided the Committee with a presentation on the Local Enterprise Partnership, "Building the Buckinghamshire Local Industrial Strategy".

Members were informed that the strategy was evidence based and the key facts informing the strategy for Buckinghamshire were:-

- Productivity is high 3rd of 38 Local Enterprise Partnerships
- Gross valued added per hour worked is 13.1% above national average
- 81.9% in employment - the highest in the corridor
- Highest proportion of professional, technical and scientific employment outside of London
- 42% of workforce or approximately 80,000 people out-commuters – 35,000 to London boroughs
- Highest degree level workforce – low level of vocational qualifications – 25% of Bucks Students go to Russell Group Universities
- Population 10% below national average for 19-37 year olds – 10% above for 90+

Overview and Scrutiny Committee - 25 February 2019

- Low Business Innovation – Innovate UK funding only 7% of Oxfordshire's since 2011
- The UK's most micro firm economy 77.4% have fewer than 5 employees
- Business start-up is 17% above national average with high survival rates
- Digital connectivity poorest within the growth corridor - 1 in 10 in some areas cannot access superfast broadband.

The vision for Buckinghamshire Thames Valley Local Enterprise Partnership was that in 2030 and beyond, Buckinghamshire will be a place where:

- entrepreneurial businesses benefit from the strength of the county's iconic brands;
- testing, experimentation and commercialisation of new ideas thrive;
- sustained investment in R&D and future technologies drive continuous improvements in productivity.

Reference was made to the regions nationally recognised assets:

- The creative and digital economy with **Pinewood Studios** at its core – Reference was made to the core UK film industry which contributes £1.6billion to national GDP. Pinewood Studios lie at the heart of the cluster with the skills base supported by the world's best film school, the National Film and TV School in Beaconsfield.
- **Silverstone's** position at the core of a high production technology hub - Silverstone Tech Cluster with over 4000 businesses. World leading technologies in light-weighting, composites, aerodynamics and power train. 16,000 jobs in Knowledge Intensive Manufacturing in Bucks - up 12% since 2015. 300,000 sq ft of Enterprise Zone development planned at Silverstone
- The role of the **BTV-Westcott cluster** as a key link in the UK space sector supply chain and links to aerospace - Upstream Space to increase in value from £13.7bn to £40bn by 2030. Growth fuelled by smaller, more responsive and agile satellites. Productivity in the sector 60% above the national average. Westcott has the highest proportion of rocket engineers in UK – the UK Propulsion Test Centre. Potential for National Stem & HE Research Hub
- **Medical technologies** exploiting the international status of Stoke Mandeville and the expertise of the counties two universities- 28,000 already employed in the Health Sector. Home to Global Innovators such as GE Healthcare & Johnson & Johnson. 1st new medical school for over a century. At the apex of the Healthcare Golden Triangle. One of only 8 Independent Care pathways. Facing demographic time-bomb 90+ 10% above national average. Birthplace of the Paralympic Movement.

RESOLVED – That the Committee noted the information provided in the presentation and thanked Mr Ian Barham for his attendance.

102. MINUTES

Overview and Scrutiny Committee - 25 February 2019

The minutes of the Overview and Scrutiny Committee held on 29 January 2019 were approved and signed by the Chairman of the Committee as a correct record.

103. SERVICE PLANS 2019/20

Consideration was given to a report which provided Members with the Service Plans for all service areas within the Councils.

Discussion took place on Community Safety Performance Indicators and reference was made to crime statistics for the District, such as the number of burglaries etc., not being easily accessible for Members. Previously the Police Local Area Commanders used to provide crime statistics to Members and it was agreed that this information should be provided to the Community Safety Partnership and to Members.

It was agreed that at the June meeting of the Committee, a report be submitted providing details on where crime statistics could be obtained and the best way to communicate them regularly to Members.

RESOLVED – (1) That the Service Plans be noted and Cabinet be informed that the Committee had no comments to make.

(2) That a report be submitted to the June meeting of the Committee providing details on where crime statistics could be obtained and the best way to communicate them regularly to Members.

104. REFRESHED JOINT BUSINESS PLAN 2019-20

The Committee was informed that the Joint Business Plan was reviewed every year to reflect the changing needs of the locality and the communities that lived and work within Chiltern and South Bucks, as well as the service planning process.

Members were informed that the Business Plan continued to take the same format, with the majority of changes being made to pages 7 and 8 of the document, where the purposes of the districts have been updated.

RESOLVED – That the report be noted and that Cabinet be informed that the Committee had no comments to make.

105. PERFORMANCE INDICATOR REVIEW 2019/20

The report provided an update on the outcomes of the Performance Indicator (PI) review for 2019/20.

PIs were part of the Service Planning process and served as an important part of the Council's performance management framework as detailed in the Joint Business Plan and linked to the Councils' policy objectives.

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Members were informed that for 2019/20 there were 43 in total, comprising of 13 priority PIs which were reviewed on a monthly basis by Cabinet, and 30 additional corporate PIs, which were reviewed on a quarterly basis by Cabinet.

RESOLVED – That the report on the changes to Performance Indicators for each service be noted and Cabinet be informed that the Committee had no comments.

106. PERFORMANCE REPORT QUARTER 3 2018/19

The report outlined the annual performance of Council services against pre-agreed Performance Indicators (PIs) and service objectives for Quarter 3 of 2018-19.

Discussion took place on Healthy Communities PIs, particularly on the number of households living in temporary accommodation. Reference was made to the numbers being reduced but the target remaining the same. The Committee asked that Cabinet be asked to consider reducing the target.

It was agreed that for the next meeting of the Committee, a report be submitted which provided the following detail:

- An update on Homelessness in the District, details on the costs of the Bath Road, Taplow development and the impact on the numbers in B & B accommodation.
- Where the occupants of the 8 temporary housing units at Tatling End were to be temporarily transferred to, as Bath Road was not available yet.
- A comparison with other neighbouring local authorities, such as Slough, on how much they pay for B & B accommodation,

The Committee also asked that the relevant Cabinet Members be invited to attend the next meeting.

RESOLVED – That the performance reports be noted and that Cabinet be asked to give consideration to the comments made by the Committee in relation to reducing the target for the PI relating to the number of households living in temporary accommodation.

107. PLANNING SHARED SERVICE

The report provided Members with an update on the progress of the implementation of the Exemplary Planning Service Action Plan.

Members were informed that the Plan sets out a series of short, medium and longer term actions, with several of the actions overlapping with the on-going work around the implementation of a shared planning service

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The work builds on the long standing high performance of both Councils on the speed of processing planning applications. Details of the progress made against the targets in the Action Plan were detailed in the appendix to the report.

Reference was made to both Councils having also approved the Local Enforcement Plan in 2018, which added clarity about the enforcement process and timescales, and how and when the Councils would consider whether it was expedient to take action

A new Planning Enforcement Manager had started in September 2018, and the team had reviewed its internal procedures and improved processes, particularly in relation to issuing formal notices and the use of temporary stop notices. Other improvements included a new scheme of delegation for issuing Enforcement Notices, a review of all standard planning conditions and a project to review compliance with existing enforcement notices.

In relation to Appendix 1 which provided progress made against the targets in the Action Plan, reference was made to the need for the green status actions to be updated as the dates had passed. Officers agreed to action this.

A discussion took place on the flouting of planning permissions and Tree Preservation Orders (TPOs) in relation to unauthorised works, which on occasions had resulted in no enforcement action being taken when reported to Enforcement Officers. Members were offered assurance that all unauthorised works which were carried out on TPO trees, were investigated by Enforcement Officers, after seeking advice from the Tree Officer on the course of action to be taken.

It was agreed that officers would send out information to Members on who to contact and the procedure for reporting unauthorised planning works and unauthorised works on TPO trees.

In addition, officers were asked to submit a report to the next meeting of the Committee, which provided statistics on complaints submitted on works carried out on TPO trees, and the number which had resulted in prosecutions.

RESOLVED - That the report be noted and officers be asked to undertake the actions requested above.

108. VIABILITY ASSESSMENTS

The Committee was provided with a report which updated Members on the Council's approach to viability in light of the new National Planning Policy Framework (NPPF) and Planning Policy Guidance (PPG).

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Members were reminded that Government policy placed great emphasis on the need to provide affordable housing. Until recently Government policy had supported the development industry, and allowed a reduction in the amount of affordable housing if the applicant could demonstrate that the full provision of affordable housing would make the site unviable.

A viability appraisal was an assessment of whether the development of a site would create sufficient value, in that both the landowner brings the site to the market, and the developer has sufficient profit to undertake the development.

Members were informed that both Councils had a robust approach to viability, using all powers contained in the new NPPF and the PPG, in order to get to the facts of each individual case put forward by developers.

Reference was made to sites where viability assessments and negotiations had taken place with developers.

During discussion reference was made to schemes which had been granted planning permission and then making non-material changes, which affected viability.

Officers were asked to give consideration to providing a more detailed section on viability in Planning Committee reports.

RESOLVED – That the update in the report be noted and officers be asked to give consideration to providing a more detailed section on viability in Planning Committee reports.

109. FARNHAM PARK

The Committee was informed that the purpose of the report was to request that Members examine the issues relating to the operation of the Farnham Park leisure facilities, which were provided under the remit of the Farnham Park Charitable Trust.

The Director of Resources reported that information on the feasibility of the playing field option had not been received and it was agreed that consideration of the issues raised in the report, be deferred to the next meeting of the Committee.

RESOLVED – That consideration of the issues contained in the report be deferred to the next meeting of the Committee to enable details of the feasibility of the playing field options to be included in the discussions.

110. BUCKS CHILDREN'S SELECT COMMITTEE

Overview and Scrutiny Committee - 25 February 2019

Members received the Minutes of the meeting of the Buckinghamshire County Council Children's Social Care and Learning Select Committee held on 15 January 2019.

RESOLVED - That the Minutes of the Buckinghamshire County Council Children's Social Care and Learning Select Committee be noted.

111. WORK PROGRAMME

The Committee considered the Overview and Scrutiny Work Programme and made amendments as discussed during the meeting.

RESOLVED that the Overview and Scrutiny Work Programme be updated and agreed.

The meeting terminated at 8.25 pm

AUDIT AND STANDARDS COMMITTEE

Meeting - 9 April 2019

Present: D Anthony (Chairman)
G Hollis and P Hogan

Also Present:

Apologies for absence: R Sangster

93. **MINUTES**

The minutes of the Audit and Standards Committee held on 17 January 2019 were approved and signed by the Chairman as a correct record.

94. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

95. **UPDATE ON STANDARDS FRAMEWORK**

The Committee considered a report of the Monitoring Officer (MO) on compliance with the requirements of the current standards framework. The framework required all Councils to adopt a code of conduct and Members were reminded that this had been updated recently to clarify that a member who declared a personal interest was still entitled to speak and vote on the item of business. The Monitoring Officer was pleased to report that all Councillors continued to be up to date with their register of interest forms, which they could update via the Extranet. Members noted that the Council kept a record of Town and Parish Councillor register of interests which had been largely complied with. Democratic Services reminded Clerks regularly to provide up to date register of interest forms for their Town/ Parish Councillors. These forms were published on the District and relevant Town/ Parish website.

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

- Some of the key recommendations of the CSPL were highlighted at section 3.5 of the Monitoring Officer's report.
- The CSPL found that the majority of Councillors and officer's maintain high standards of conduct.

- Where there was misconduct, this was usually due to social media use, bullying and harassment.
- There was considerable variation in codes of conduct nationally, and some of the codes failed to adequately address social media, bullying, harassment or other disruptive behaviour.
- The role of the Independent Person was an important safeguard in the current system, and the CSPL felt that the role should be strengthened and clarified.
- The current sanctions available to Local Authorities were deemed insufficient by the CSPL.
- The CSPL made 26 recommendations largely directed at central government as legislation would be required to make the changes.
- A national model code of conduct was suggested to ensure consistency in codes nationally. This was previously a requirement of the Local Government Act 2000, repealed by the 2011 Localism Act which gave Authorities the discretion over wording.
- The CSPL recommended that the current rules on declaring interests be repealed and replaced with an objective test. It was noted that Scotland and Wales have this provision.
- Further, that Councils be given discretion to establish standards committees with voting Independent Members and voting Members from dependant Parishes. The 2011 Localism Act repealed a similar requirement in the Local Government Act 2000.
- It was recommended that powers to suspend councillors be given back to Councils for a period of up to 6 months, to include Parish Councils and with agreement of the Independent Person. Councillor should be given the right of appeal to the Local Government Ombudsman.
- Parish Councils should be required to adopt the code of their principle authority (or the new model code).
- Monitoring Officers should be provided with adequate training, support and resources to undertake their role.
- Town and Parish Clerks should hold an appropriate qualification.

- Some of the recommendations were aimed at political groups; asking them to set clear expectations of their Members, and require Members to attend code of conduct training.

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

With reference to recommended best practice (14) Members noted that Councils should report on separate bodies they have set up as part of their annual governance statement. The Head of Finance advised that currently Consilio was still at the early stages of trading and had not been included in the Annual Governance Statement to date and the MO confirmed that the Company's Directors were not Members of the Council. It was noted that the CSPL report could be used as a benchmark for recommended best practice for the new Unitary District Council.

Members welcomed the recommended changes to the framework particularly abolishing criminal offences with reference to Disclosable Pecuniary Interests and providing greater powers on suspending councillors where required, with the agreement of the Independent Person. In response to a question it was noted that when Councillors were suspended for six months under the previous standards framework this did not engage the six months rule in relation to attendance. Members also noted that new legislation would be required to implement the proposal. Members agreed that the new Council should take on board these recommendations with the exception that the recommendation that Parish Clerks should be able to ask the Chairman to complain on their behalf be brought to parish and town councils attention.

RESOLVED to note the current position and that the new Unitary District Council should consider whether any changes should be brought forward for consideration in the light of the recommendations made by the Committee on Standards in Public Life in their report on ethical standards in local government.

96. **STANDARDS WORK PROGRAMME**

The Committee received the Standards Work Programme. The Head of Legal and Democratic Services reported that the Work Programme included the standard reports, such as the Annual Review of Code of Conduct and Complaints procedure but was also forward looking in respect of standards procedures for the new Unitary District Council. In response to a question regarding the Shadow Authority, the Head of Legal and Democratic Services reported that she was leading on a Sub Group giving legal advice to work streams for the transition into the Unitary District Council.

RESOLVED that the Standards Work Programme be agreed.

97. **ANNUAL INTERNAL AUDIT REPORT**

The Committee received the Internal Audit Annual Report for 2018/19. The report summarised the outcomes of the reviews that have been carried out on the organisation's framework of governance, risk management and control and was designed to assist the Council in making its annual governance statement. The Head of Internal Audit's opinion allowed him to draw a positive conclusion as to the adequacy and effectiveness of the Council's risk management, control and governance processes. The Appendix gave a summary of all the audit reports.

A Member referred to the Counter Fraud report which had 'no opinion' and asked for clarification on this. The Head of Internal Audit reported that because this was relating to a specific issue and was advisory it had been given 'no opinion' so that it did not skew the overall report. The final outcome of this report would be reported to the next Committee.

Members thanked the Head of Internal Audit for his report and the Head of Finance reported that TIAA would undertake the final audit for South Bucks District Council for 19/20 and the Shadow Authority would then appoint a new auditor for the new Buckinghamshire Council.

RESOLVED that the report be noted.

98. **INTERNAL AUDIT PROGRESS REPORT**

The Committee received the Internal Audit Progress Report 2018/19. There had been five substantial evaluations and one advisory. The advisory report related to contractor health and safety and information was attached at Appendix B of the report. Appendix A showed progress against the Annual Plan. The Head of Internal Audit referred to changes to the Annual Plan, particularly audits that had been deleted because they were not required as they were already covered by the Public Services Network review. Reports relating to benefits, council tax support, council tax and Non Domestic Rates had been deferred to Quarter 1 19/20 due to bringing the council tax process back in house and the new unitary arrangements. Because of the transition process to the new Unitary District Council Members noted that it was important to be flexible with the audit plan for 19/20 and that the Programme would need to be accelerated so that reports could be drafted by the end of December before the transition in April 2020 to ensure that there were no legacy issues.

In response to a question, Members noted that further time had been allowed to respond to the contractor's health and safety audit to ensure that the policies and procedures were relevant and up to date and a further audit would be carried out in a few months. Members also noted that risk management had been a key piece of work throughout the year and staff training had been undertaken. The risk management processes for the new Unitary District Council would need to be identified. The Fareham Park- leases report would be undertaken in 19/20.

A Member asked a further question about the new Customer Experience Strategy and the Head of Internal Audit reported that this was being looked at to ensure that it was fit for purpose. Revenue and Benefits was no longer included in the scope of the project as this required additional funding which would need to be agreed by the new Unitary District Council.

RESOLVED that the progress report be noted.

99. **RISK MANAGEMENT UPDATE**

The Head of Finance reported that the new Unitary District Council would need to develop its own risk management policies and procedures and that there was a risk work stream to undertake this work to ensure the new Authority was 'safe and legal'. However, work was still being undertaken in 19/20 on improving risk management processes in the Council.

100. **EY CERTIFICATION OF CLAIMS AND RETURNS ANNUAL REPORT**

The Committee received the certification of claims and returns Annual Report which outlined the results of the certification work in order to highlight any significant issues. In particular the External Auditor checked and certified the housing benefits subsidy claim with a total value of £15,259,119. There were some errors which the Council corrected. The amendments had a marginal effect on the grant due. This meant that the DWP would not claw back subsidy at the higher level as they would do if the threshold were breached.

It was noted that the DWP were currently considering the results reported to them, and that a letter relating to the determination of the amount of subsidy and whether there would be any adjustments had not yet been received by the Council, but the DWP historically took a lot of time to consider such matters.

The External Auditor reported that because extra work was required in 2016/17 with follow up queries from DWP the proposed final fee was higher, which was subject to PSAA approval. The Head of Finance reported that due to the changes in Universal Credit the Finance Department were now dealing with more challenging cases and it was taking longer to process claims.

RESOLVED that the report be noted.

101. **EY ANNUAL AUDIT PLAN**

The Committee received the Annual Audit Plan for the year ended 31 March 2019. The overview of the 2018/19 audit strategy was set out on page 62. A number of audit risks had been identified as follows and a new audit process would be designed to take account of these new risks:-

- risk of misstatements due to fraud or error
- the need for group accounts relating to Consilio
- the application of the new accounting standards relating to financial instruments (money markets, investments with banks, bonds) and revenue from contracts
- a risk of fraud in revenue and expenditure recognition and the inappropriate capitalisation of capital expenditure
- valuation of land and buildings
- pension asset valuation

Reference was made to 'value for money' and the one potential risk that had been identified which was the impact on the Council's capacity to manage its operations as well as planning a smooth transition to a Unitary District Council; also managing strategic risks and medium-term financial planning.

Members noted the fee information at Appendix A and that there could be a scale fee variation for the additional work in relation to the first time production of group accounts in 2018/19. Members were advised that there had been a 23% reduction in fees for 2018/19 due to Public Sector Audit Appointments Ltd (PSAA) publishing a new scale fee, which was detailed in Appendix A to the report.

RESOLVED that the report be noted.

102. **ANNUAL GOVERNANCE STATEMENT 18/19**

The Committee received the Annual Governance Statement 2018/19 which included evidence to conduct the statutory review of the effectiveness of the Authority's Governance Framework/ system of internal control and to approve the statutory Annual Governance Statement for 2018/19. The Head of Finance reported that the Council operated under good governance with clear objectives, clear constitution and good plans including performance and risk management. The sources of assurances were set out on page 95 of the agenda. There were no significant issues to report. Appendix 1 of the report showed a checklist of evidence to support the review of the governance framework. The statement was attached at Appendix 4. The transition to a Unitary District Council had been identified as a risk and this would be monitored carefully by the Council, internal and external audit.

A Member asked for clarification on what the priority was in terms of being efficient and effective and the Head of Finance responded that the most important criteria was not to break the law, but that legislation could sometimes create inefficiency.

The External Auditor referred to the main governance issue (6) and commented that if processes failed in the last year of existence it would not only be a material risk for the new Council but also South Bucks District Council. Having reviewed the assurances provided it was

RESOLVED that the Annual Governance Statement be approved.

103. **AUDIT WORK PROGRAMME**

The Committee received the Audit Work Programme.

RESOLVED that the Audit Work Programme be agreed.

The meeting terminated at 7.15 pm

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LICENSING COMMITTEE

Meeting - 21 March 2019

Present: T Egleton (Chairman)
J Jordan, G Sandy, R Sangster and D Smith

Apologies for absence: M Lewis, P Hogan and D Pepler

25. MINUTES

The minutes of the Licensing Committee held on 26 September 2018 were approved and signed by the Chairman as a correct record.

26. TAXI LICENSING UPDATE AND CONSULTATION ON STATUTORY GUIDANCE

Consideration was given to a report which informed Members of a consultation exercise undertaken by the Department of Transport, regarding Hackney Carriage and Private Hire statutory guidance and which requested approval to the proposed South Bucks District Council response to the consultation.

The Council's Licensing Manager informed Members that a Task and Finish Group (TFG) on Taxi and Private Hire Vehicle Licensing was established in September 2017. The group's remit was to consider evidence relating to the adequacy of current Taxi and Private Hire vehicle (PHV) licensing authority powers, as set out in legislation and guidance, and to make recommendations for actions to address any priority issues identified.

In September 2018, the TFG published their findings in a report titled 'Taxi and Private Hire Vehicle Licensing: Steps towards a safer and more robust system'. The report contained 34 recommendations, some of which were suggested to be already possible and should be implemented immediately, whilst others required further legislation.

The Sub-Committee was informed that one of the recommendations was for the Department of Transport to undertake the consultation with local licensing authorities.

The Sub-Committee was also provided with the Government's response to the report of the TFG.

Members were provided with officer's draft responses to the consultation. The following amendments, additions and comments were made to the officer responses in the consultation:

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- In relation to question 3 – “The draft statutory guidance recommends that all those involved in the determination of licensing matters should receive training covering licensing procedures, natural justice, child sexual abuse and exploitation, disability and equality in addition to any other issues deemed locally appropriate” – It was agreed that a comment should be added to request what was meant by “natural justice?”
- In relation to question 4 – “The draft statutory guidance recommends a council structure for dealing with licensing matters (paragraphs 2.20-2.24). Do you agree with this proposed structure?” – It was noted that there was a typo in the suggested comment and that this should be amended accordingly to read “Whilst this appears...”
- In relation to question 9 – “The draft statutory guidance recommends that drivers and operators should be required to notify the issuing authority within 48 hours upon arrest and release, charge or conviction of any motoring offence or any offence involving dishonesty, indecency or violence” – It was agreed that a comment should be added that this should be mandatory.
- In relation to question 12 – “The draft statutory guidance recommends that licensing authorities should require applicants / licensees to disclose if they have been licensed elsewhere, or have had an application for a licence refused, or have a licence revoked or suspended by any other licensing authority. Members agreed that a single data base of all licensees / applicants should be available to all licensing authorities. Reference was made to Uber drivers and Members were informed that Uber drivers had to hold private hire licences.
- In relation to question 18 - “The draft statutory guidance recommends that licensing authorities should consider whether an applicant for a licence is able to communicate in English orally and in writing with customers”. It was agreed that a comment should be added that clarification should be sought on how this was to be administered to ensure the identification of the applicant was verified.
- In relation to question 21– The draft statutory guidance recommends that PHV operators should, as a condition of licensing, be required to keep a register of all staff that will take bookings or dispatch vehicles”. It was agreed that a comment should be added relating to those persons who had access to booking records that consideration should be given to these also being included in a register.
- In relation to question 22– “The draft statutory guidance recommends that PHV operators should be required to evidence that they had sight of a basic DBS check on all individuals listed on the above register”. It was agreed that a comment should be added regarding keeping a record of those persons who had access to the basic DBS checks.
- In relation to question 26 – “The draft statutory guidance recommends that licensing authorities should carefully consider potential public

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safety benefits and potential privacy issues when considering a policy mandating that taxis and PHVs have CCTV installed". It was agreed that a comment should be added which sought clarification on the logistics of how this would operate.

- In relation to question 29 – "Annex A of the draft statutory guidance provides a list of offences to aid consistency in the "fit and proper" assessment for licences. Do you think that the list provides enough detail to do this?" It was agreed that clarification should be sought on whether this list should include those matters which have not resulted in a criminal conviction, such as police cautions, acquittals, convictions which had been quashed, where a decision had been made not to prosecute or an investigation which was continuing where the individual had been bailed.

Reference was made to work of the Thames Valley Police and Crime Panel who had recommended that the Police and Crime Commissioner fund a dedicated Police Taxi Licensing Officer to ensure prompt information sharing about incidents, drivers, arrests, charges, convictions about taxi drivers within the Thames Valley. The recruitment process for this single point of contact was still ongoing.

During discussion, the Council's Licensing Manager informed Members that the Council's Taxi Licensing Policy would be reviewed at the next meeting of the Committee, when some of the areas discussed during the meeting could be covered. These included details on the level of driving skills required by taxi drivers to obtain and retain a licence; details on the method of testing and the levels of testing required, details on the English communication standards which were required to be met and the options for CCTV for taxi vehicles and at the operator premises.

RESOLVED: (1) That the content of the Department of Transport consultation relating to taxi and private hire licensing be noted.

(2) That approval be given to the officer's proposed responses, with the amendments agreed at the meeting, and that these be confirmed as the final responses and accordingly be submitted to the Department of Transport.

The meeting terminated at 7.00 pm

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PLANNING COMMITTEE

Meeting - 6 March 2019

Present: R Bagge (Chairman)
D Anthony, M Bezzant, T Egleton, P Hogan, M Lewis,
Dr W Matthews and D Smith

All Members attended site visits.

Apologies for absence: J Jordan and B Gibbs

37. MINUTES

The minutes of the Planning Committee held on 6 February 2019 were approved and signed by the Chairman as a correct record.

38. DECLARATIONS OF INTEREST

Councillor Dr W Matthews declared a personal interest under the Council's Code of Conduct in application PL/18/3175/FA as she was a Member and current Chairman of Iver Parish Council and a Member of Richings Park Residents' Association, who had each made representations about the application. She had not attended any meetings when this application was discussed by the Parish Council or the Residents' Association nor expressed a view on the application and had not pre-determined the application.

39. APPLICATIONS AND PLANS

Key to the following decisions:

ADV - Consent to Display Adverts; ARM - Approval of Reserved Matters; CI - Certificate of Lawfulness Issued; CON - Conservation Area Consent; D - Deferred; D (INF) - Deferred for Further Information; D (SV) - Deferred for Site Visits; D (PO) - Deferred for Planning Obligation; D (NEG) - Deferred for Negotiations; FCG - Consent for Tree Work; PCR TPO Part Consent/Part Refusal; LBC - Listed Building Consent; OP - Outline Planning Permission; P - Application Permitted; R - Refused or Rejected; R (AO) - Refused against Officer recommendation; RC - Removal of Condition; TC - Temporary Consent; TP - Temporary Permission; ULBC - Unconditional Listed Building Consent; UP - Unconditional Permission; VG - Variation Granted; W - Application Withdrawn.

(A) COMMITTEE DECISION REQUIRED FOLLOWING A SITE VISIT AND/OR PUBLIC SPEAKING:

Planning Committee - 6 March 2019

		Decision
Plan Number:	PL/18/3175/FA	P
Applicant:	Mr J Kand	
Proposal:	Front porch, single storey side extension, part single/part two storey/part first floor side/rear extension and replacement of roof over existing single storey rear projection, three rear dormers and replacement of first floor window within south flank elevation.	
<p>Notes:</p> <ul style="list-style-type: none"> • A site visit was undertaken by Members. • There was no public speaking on the application. <p>Councillor M Bezzant proposed that the application be permitted subject to the conditions and informatives outlined in the Officer's report. Councillor M Lewis seconded the proposal which was then agreed unanimously at a vote.</p> <p>RESOLVED that the application be permitted subject to the conditions and informatives outlined in the officer's report.</p>		
		Decision
Plan Number:	18/00426/FUL	W
Applicant:	Mr Bradford (Howarth Homes)	
Proposal:	Redevelopment of site to provide a block containing 21 apartments with associated access, landscaping and hardstanding.	
<p>Notes:</p> <ul style="list-style-type: none"> • This application was withdrawn by the applicant. 		

(B) COMMITTEE DECISION REQUIRED WITHOUT A SITE VISIT OR PUBLIC SPEAKING:-

None.

(C) COMMITTEE OBSERVATION REQUIRED ON APPLICATIONS TO OTHER AUTHORITIES

None.

(D) APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY

The Committee received for information a list of the applications dealt with under delegated authority by the Head of Planning & Economic Development.

40. **PLANNING APPEALS AND SCHEDULE OF OUTSTANDING MATTERS**

The Committee received for information a progress report which set out the up-to-date position relating to Planning Public Inquiries, Hearings and Court Dates.

RESOLVED that the report be noted.

The meeting terminated at 4.32 pm

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SOUTH BUCKS DISTRICT COUNCIL

CABINET

Meeting - 13 March 2019

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

202. MINUTES

The minutes of the meeting of Cabinet held on 6 February 2019 were approved and signed by the Cabinet Leader as a correct record.

203. DECLARATIONS OF INTEREST

There were no declarations of interest.

204. FORWARD PLAN 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.

205. SERVICE PLANS 2019/20

Cabinet received a report which provided the Service Plans of all service areas within the Councils. The Service Plans which were jointly produced per service area for both Chiltern and South Bucks, provided a summary of achievements from the current year and an overview of what each service aimed to deliver for 2019-20.

Cabinet welcomed the new layout of the Service Plans which had been dramatically reduced in size, changed in format to be more user friendly so that both staff and the public could easily reference the document and more results and risk orientated. A Member commented on some of the figures for the Performance Indicator targets for

2019/20 for Community and Leisure and was informed that these would be looked at before the Plans were published.

RESOLVED that Cabinet note the Service Plans 2019-20

206. **REFRESHED JOINT BUSINESS PLAN 2019-20**

The Cabinet received a report which sought approval for the refreshed Joint Business Plan 2019-20 as set out in the Appendix to the report. The Joint Business Plan was reviewed every year to reflect the changing needs of the locality and the communities that lived and worked within Chiltern and South Bucks, as well as the service planning process. One small amendment was suggested on page 16 of the document. Cabinet welcomed the new user friendly layout and

RECOMMENDED to Council that the refreshed Joint Business Plan 2019 - 20 be approved.

207. **PERFORMANCE INDICATOR REVIEW 2019/20**

The Cabinet received a report which updated Members on the outcomes of the Performance Indicator (PI) review for 2019/20 and which sought approval for the proposed changes to reporting. Reviewing Performance Indicators allowed each service to adjust targets, add in more relevant indicators and remove those indicators which did not provide valuable information. Reference was made to a small amendment to the figures in the overview of performance indicators for 2019/20 table and it was

RESOLVED that the changes to the Performance Indicators for each service be approved.

208. **PERFORMANCE REPORT QUARTER 3 2018/19**

Cabinet received a report which outlined the annual performance of Council services against pre-agreed performance indicators and service objectives for Quarter 3 of 2018-19. The Chief Executive reported that there were two indicators which were slightly below target which related to issues with vWorkspace and resolving helpdesk calls within agreed timescales. This was due to Members of the Infrastructure Team having to deal with transformational projects and also being one officer short. Cabinet were pleased to note that the percentage of food hygiene inspections was back above target and planning control and enforcement targets had greatly improved. A Portfolio Holder suggested that it would be useful to highlight performance indicators where a lower number was better than a higher one.

RESOLVED that Cabinet note the performance reports.

209. **SOUTH BUCKS CAR PARKS REVIEW**

Cabinet received a report which provided Members with options for consideration to maximise the use of parking facilities across South Bucks to continue to meet the needs of the local towns and villages and also to ensure that management of the car parks took into account the recommendations made at the Overview and Scrutiny Task and Finish Group on the budget. Members noted that the charges were reviewed on an annual basis and there were four areas where SBDC had pay and display car parks. There was no proposal to increase the long stay tariffs in Beaconsfield or Gerrards Cross as the charges currently aligned with market value for the area. Similarly with season ticket prices across the District. The Portfolio Holder for Environment commented that these increases had been discussed with Parish Councils who had contributed information from residents and businesses.

RESOLVED that:-

- 1a an increase in short stay parking tariffs (1hr to 4hrs) and the flat Sunday rate across all car parks by 10p be agreed.
- b an increase in the 24hr tariff in Burnham and Farnham Common by 20p be agreed.
- c a one hour tariff in the Broadway car park, Farnham Common be introduced.

The current tariffs alongside the above options provided at Appendix A of the report were noted.

- 2 the Head of Environment be authorised to publish the statutory Notice of proposed Amendment to the Off Street Parking Places Order.
- 3 if no valid objections are received in response to publication of the Notice at 2.0 the Director of Services be authorised to make and publicise the Amendment Order.
- 4 That if valid objections are received in response to publication of the Notice at 2.0 the Director of Services be authorised to deal with any such objections after consultation with the Portfolio Holder and to make and publicise the necessary Amendment Order with or without modifications as considered appropriate.

210. **ELECTRIC VEHICLE CHARGING**

Cabinet considered the option of introducing electric vehicle charging points in SBDC car parks to promote sustainable transport and enable the car parks to be viable for all motoring groups. Members noted that initially when electric vehicles were introduced, local authorities exempted customers who were charging their vehicles

from paying car park tariffs. However, as the number of electric vehicles have increased over the years, there was an expectation from customers that they would pay for the energy to drive their vehicles.

A Portfolio Holder referred to the National Infrastructure Assessment which recommended preparing for 100% electric vehicle sales by 2030. Another Portfolio Holder emphasised the need to be flexible. He referred to a neighbouring authority who had installed a charging point in their car park only to find that a supermarket next door later installed free charging points. The Portfolio Holder for Environment responded that the Council would be going out to statutory consultation on the proposals and would obtain residents and stakeholder views on location and need.

RESOLVED that:

- 1a the Off Street Parking Places Order be amended to enable electric vehicle charging points to be introduced in locations where evidence supports the requirement and that the Head of Environment be authorised in consultation with the Portfolio Holder to approve the locations.
- 1b car park fees and charges for electric vehicle users be retained.
- 2 That the Head of Environment be authorised to publish the statutory Notice of proposed Amendment to the Off Street Parking Places Order.
- 3 That, if no valid objections are received in response to publication of the Notice at 2.0 the Director of Services be authorised to make and publicise the Amendment Order.
- 4 That if valid objections are received in response to publication of the Notice at 2.0, the Director of Services be authorised to deal with any such objections after consultation with the Portfolio Holder and to make and publicise the necessary Amendment Order with or without modifications as considered appropriate.

211. **BUCKS HOME CHOICE ALLOCATION POLICY**

Cabinet receive a report which sought authority to adopt and implement the revised Bucks Home Choice Allocations Policy following consideration by the Healthy Communities Policy Advisory Group and the Cabinet. Cabinet noted that 308 responses were received and the majority of respondents to the consultation were in favour of the proposed revisions with the exception of the proposal that same sex siblings should be expected to share a bedroom until the older child reached the age of 21. The draft Policy has been amended so that the maximum age was raised from 16 to 18 and not 21 years as originally proposed, which was consistent with the

policies of Registered Providers. Cabinet welcomed the report which was clearly laid out and reflected the new national legislation and guidance.

RECOMMENDED to **Council** that

- 1 the revised Bucks Home Choice Allocations Policy be approved
- 2 the Head of Healthy Communities be delegated authority to make any final amendments and to agree and adopt the final version of the revised Bucks Home Choice Allocations Policy in consultation with the Healthy Communities Portfolio Holder and subject to Aylesbury Vale, Chiltern and Wycombe District Councils also adopting the revised policy.

212. POLICY ADVISORY GROUP MINUTES (AVAILABLE IN SUPPLEMENT PACK)

The Policy Advisory Group Minutes in the supplement pack were noted.

213. 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.

214. BAD DEBT WRITE-OFFS

Cabinet received a report on the write-off of debts, which were non recoverable due to insolvency action. Members noted that some businesses faced problems following a revised valuation being received from the Valuation Office. The Council would put recovery action in place with a Liability Order being granted by the court. Since the service had come back in-house from November 2018, new arrangements had been put in place to monitor debt.

RESOLVED that the position regarding the debts listed be noted and to authorise these to be written off on the Council's books.

215. APPLICATION FOR HARDSHIP RELIEF FROM BUSINESS RATES

Cabinet considered an application for Hardship Relief as set out in the report. When granting rate relief on the grounds of hardship consideration was given to whether the ratepayer would sustain hardship if the Council failed to grant relief and whether it was reasonable to grant relief having regard to the interests of persons subject to the Council Tax.

Members considered the application and commented that it was not reasonable to grant hardship relief in this instance, particularly as it was a commercial venture which did not significantly benefit the community.

RESOLVED that the Hardship Relief be not awarded.

216. **HS2 PROJECT REPORT**

Cabinet received a report which provided Members with an update on the work of the HS2 project and the budget for the resources of the HS2 Project Team. Reference was made in particular to the progress in the Colne Valley Regional Park and the Hillingdon Outdoor Activity Centre which was being relocated to Denham Quarry. Members noted the resource implications which were set out in table 6.2 of the report and that some additional work being carried out by the Team was not covered by the Funding Agreement, however this was minimal and was undertaken in the best interests of residents.

RESOLVED that the report and progress made on the project be noted including the financial implications which will be met in 2019/20 from reserves of each authority for these purposes.

The meeting ended at 6.45 pm