



## AYLESBURY VALE DISTRICT COUNCIL

### Democratic Services

Please ask for: Democratic Services, The Gateway, Gatehouse Road,  
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Text Relay Prefix your telephone number with 18001

30 December 2016

### **COUNCIL - MEMBERS' WRITTEN QUESTIONS AND ANSWERS (PLEASE NOTE THIS IS NOT A MEETING)**

#### **Members' Questions and Answers that were provided to Councillors who attended the full Council meeting held on 7 December 2016.**

Contact: Democratic Services, The Gateway, Gatehouse Road, Aylesbury HP19 8FF Email:  
admin@aylesburyvaledc.gov.uk

### QUESTIONS

#### **1. PLANNING ENFORCEMENT (Pages 3 - 4)**

Questions from Councillor Stuchbury to the Cabinet Member for Growth Strategy (Councillor Mrs Paternoster).

#### **2. HOUSING AND PLANNING ACT 2016 (Pages 5 - 6)**

Questions from Councillor Bateman to the Cabinet Member for Leisure, Communities and Civic Amenities (Councillor Mrs Macpherson).

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## MEMBER'S WRITTEN QUESTION



Name of Member submitting the question: Councillor Robin Stuchbury

Date received by Democratic Services: 28 November 2016 (for Council meeting on 7 December 2016)

To the Cabinet Member for: Growth Strategy (Councillor Mrs Paternoster)

**Question:**

1. Can I have the figures of how many cases of enforcement have been reported to AVDC within Buckingham (North, South, and the part of Luffield Abbey within the parish boundary) since 2014?
2. How many of these cases went forward to an enforcement action carried out by the council?
3. How many actions were complied with, and how many ignored by the householder or business and subsequently closed "not worth the effort to pursue"?

**Response:**

"Members are sent on a monthly basis a bulletin that sets out the enforcement cases received that month and also those that have been closed together with the reason for closure.

In response to the questions posed by Councillor Stuchbury that information has been collated for Buckingham North and South Wards for the period 1 January 2014 to 1 November 2016.

The number of enforcement cases received	105
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Number of cases closed	82
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**Cases were closed for the following reasons:**

No breach of planning control (including permitted development)	32
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The voluntary cessation or removal of the breach	17
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Planning permission was subsequently granted	6
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Formal notice served	2
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Other, for example referred to estates, highways	9
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Not expedient to take further action	16
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In these last cases the conclusion was reached that the use/works required permission, but that if sought it would be granted unconditionally. In these cases we will invite an application, but will close our case and not actively chase the submission of the application. . The context is that we do not have legal powers to require the submission of an application per

se, and government advice is that we should not take enforcement action solely to regularise a development, which is otherwise acceptable. Accordingly, in these cases it would not serve a useful purpose or a good use of our resources to actively chase the submission of an application. However, we know that in some of these cases the developer will seek to regularise the position either at the time or later when they seek to market the property concerned.”

**Signed:** Councillor Mrs Paternoster

**Date:** 05/12/2016

**Written questions:**

- must be submitted to the Democratic Services Manager
- will be replied to within 10 working days
- will be published on the last Friday of each month

## MEMBER'S WRITTEN QUESTION



Name of Member submitting the question: Councillor Mark Bateman	
Date received by Democratic Services: 30 November 2016 (for Council meeting on 7 December 2016)	
To the Cabinet Member for: Leisure, Communities and Civic Amenities (Councillor Mrs Macpherson)	
<p><b>Question:</b></p> <ol style="list-style-type: none"> <li>1. Has the Local Authority implemented any Banning Orders in relation to the letting of housing since the powers invested in it by the Housing Act 2016?</li> <li>2. Where can private renters find a database of identified rogue landlords and property agents acting within the Vale of Aylesbury?</li> <li>3. What actions has the Council taken to ensure private renters are aware of the Rent repayment scheme which featured in the 2016 Housing Act?</li> </ol> <p><b>Response:</b></p> <p>“The Housing and Planning Act 2016 received Royal assent on the 12<sup>th</sup> May 2016 and was enacted in October 2016. Although the Act has now become law, not all of the measures immediately came into force. The full timeline for some of the changes being introduced is still unknown.</p> <p>With regard to Banning Orders draft regulations are expected in early 2017 which will provide more detail on what offences could result in a Banning Order. These regulations will likely come into force in October 2017.</p> <p>The database of rogue landlords and agents will be held by DCLG and updated by Local Authorities, the regulations required to establish exactly what information will be held on the register are expected in October 2017.</p> <p>Similarly the Government expects to publish guidance on civil penalties, rent repayment orders and a ‘fit and proper person’ test in March 2017, with the measures taking force in April 2017.</p> <p>The Buckinghamshire Private Housing Group consisting of officers from Aylesbury Vale, Milton Keynes, Wycombe, Chiltern &amp; South Bucks have these matters as an ongoing agenda item and will ensure that as soon as guidance and/or further regulations are made available we work to implement them in our respective districts consistently with one another at the earliest opportunity.”</p>	
<b>Signed:</b> Councillor Mrs Macpherson	Date: 05/12/2016

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