

# CABINET

12 SEPTEMBER 2018

**PRESENT:** Councillors S Bowles (Deputy Leader)(in the Chair), P Irwin, C Paternoster, Sir Beville Stanier Bt, P Strachan, J Ward and M Winn

**IN ATTENDANCE:** Councillors C Adams and C Branston.

**APOLOGIES:** Councillors A Macpherson and H Mordue.

## 1. MINUTES

RESOLVED –

That the minutes of the meeting held on 10 July, 2018, be approved as a correct record.

## 2. ANTI SOCIAL BEHAVIOUR POLICY

Cabinet received a report that had been considered by the Environment and Living Scrutiny Committee on 24 July, 2018, regarding the Council's Anti Social Behaviour (ASB) policy.

ASB covered a wide range of terms which was generally accepted as conduct that caused, or was likely to cause, harassment, alarm or distress to any person. AVDC was a statutory member of the Aylesbury Vale Community Safety Partnership which involved working with the police and other agencies to reduce disorder and crime within Aylesbury Vale. AVDC also had a responsibility to tackle environmental ASB, which included noise nuisance, graffiti, litter and abandoned cars. In addition to an overview of ASB, Members heard details of national cases which highlighted failures of Local Authorities and the police in responding to individuals that were targets of ASB.

The new policy was looking to introduce a clearer process for staff and residents to follow when dealing with cases of ASB:

**Hate crime (racial/homophobic/disablist incident) or suspected domestic violence** – Report the incident to Thames Valley Police on 101 or 999 in an emergency.

**Excessive, persistent noise or public health issues (includes noise, artificial light, odour, smoke & animals)** – Full instructions on this website:  
<https://www.aylesburyvaledc.gov.uk/section/nuisance>

The Policy contained contact details of social housing organisations so that landlords could be contacted by residents if their tenants were a cause of ASB.

**Abandoned cars** – There was an online form that needed to be filled out by the person reporting. The form, along with guidance and further information, was available at this website: <https://www.aylesburyvaledc.gov.uk/abandoned-vehicles>

**Graffiti** – AVDC could only remove graffiti that was on AVDC land; if it was on private property then AVDC would make the owner aware and request its removal. Reporting graffiti could be done online:  
[https://eforms.aylesburyvaledc.gov.uk/ShowForm.asp?fm\\_fid=34](https://eforms.aylesburyvaledc.gov.uk/ShowForm.asp?fm_fid=34)

**Report a concern about the safety of a child** – Contact Social Services on 01296 383999 or out of hours the Social Services Care Line on 0800 137915.

**Report a concern about the safety of a vulnerable adult** – Contact Adult Social Care Services on 0800 137915. Domestic Violence – This included threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are, or have been, intimate partners or family members, regardless of gender or sexuality. Help and advice for various forms of domestic violence, including telephone contact details, could be found on AVDC’s website: <https://www.aylesburyvaledc.gov.uk/domestic-violence>.

Members of the Community Safety Partnership had been consulted on the draft policy and had agreed the terms included. As mentioned previously the updated policy had also been considered by the Environment and Living Scrutiny Committee on 24 July. The Committee had recommended a few minor changes which had been incorporated into Cabinet report. The changes suggested had been to ensure that it was clear that ASB was subjective and could mean different things to different people and impact people in different ways. Practitioners would determine an appropriate response to the incident. This change had been highlighted on page 4 of the policy.

RESOLVED –

That the Anti Social Behaviour Policy be approved and adopted.

### **3. LOCAL ENTERPRISE PARTNERSHIPS (LEP) REVIEW**

The government publication [Strengthened Local Partnerships](#) had been published on 24 July 2018 and set out a range of leadership, governance, accountability and geography reforms for Local Enterprise Partnerships (LEPs). The review asked LEP chairs and other local stakeholders to come forward with considered proposals by the end of September 2018 on geographies which best reflected real functional economic areas, removed overlaps and, where appropriate, proposed wider changes such as mergers.

Aylesbury Vale fell within both the South East Midlands LEP (SEMLEP) and Bucks Thames Valley LEP (BTVLEP). As such, Cabinet received a report, that would also be considered by the Economy and Business Development Scrutiny Committee on 11 September, 2018, to allow Members to consider the possible options regarding future geography of the LEP arrangements in relation to the overlapping situation that currently existed for AVDC.

The Chairman of the Scrutiny Committee, attended the Cabinet meeting and elaborated upon that Committee’s deliberations. The Committee had recognised the value of the work that had been carried out by both LEPs and the positive relationship the Council had with them. Members had appreciated that an overlap created a lack of accountability and that being a member of one LEP would resolve this. It had been felt that a balance needed to be struck between being part of an LEP that was large enough to be relevant and exert influence, yet not too large for AVDC to lose local influence and identity. The Committee could not support a “super LEP”.

Members were reminded that LEPs had been set up as locally-derived business-led partnerships between the private and public sector to drive forward economic growth across the country. Announced in 2010 and established in 2011 by the Department for Business, Innovation and Skills, LEPs had replaced the former Regional Development Agencies as part of Government’s ambition to shift power away from Central Government. There were now 38 LEPs in existence (following the merger in 2017 of Northamptonshire LEP with South East Midlands LEP)

LEPs were responsible for around £12bn of public funding up to 2021 and were the mechanism for channelling the Local Growth Fund to localities delivering their

investment priorities. One of the great strengths of LEPs was their ability to bring together business and civic leaders across local administrative boundaries and provide strategic direction for a functional economic area.

The Government's review was looking to ensure that LEPs were securely placed to develop the Local Industrial Strategies and to boost their performance, increase their diversity and ensure they were operating in an open and transparent way. Amongst the various commitments was a call to LEP Chairs and other stakeholders across England to come forward with considered proposals by the end of September 2018:

- on revised geographies which best reflected "real" functional economic areas.
- on the most appropriate geographical levels to maximise the efficiency and effectiveness of decision-making and delivery going forward.
- to remove overlaps and where appropriate, proposing wider changes such as mergers.

Attached as Appendix 1 to the Cabinet report was a copy of the review and the further detailed guidance issued in August 2018 about the process for implementing the review.

Overlapping geographies had emerged when LEPs had been first formed on a voluntary basis and there were currently 33 local authorities in more than one LEP area. Aylesbury Vale was one such authority; being a member of both SEMLEP and BTVLEP.

AVDC had been one of the founding members of SEMLEP in March 2011. It covered a geography that represented a functional economic area for this part of England and as a natural evolution and extension of a designated growth area: Milton Keynes South Midlands (MKSM) set up in 2003. After the first wave of LEPs had been approved, there had been certain parts of the country that had not been represented/covered by an LEP, including the "white space" of southern Buckinghamshire.

The BTVLEP had been the last LEP to be established at the end of 2012. Aylesbury Vale had been asked by Central Government to volunteer to be a member of the BTVLEP, as the wider Thames Valley LEP did not want to cover the southern Buckinghamshire area. This overlapping situation had therefore been created from a Government initiated proposal to ensure that there was no "white space" and that the rest of Bucks could be covered by an LEP that was viable at that time. The only way this could be achieved was for Aylesbury Vale to also be a part of BTVLEP.

AVDC had agreed to be in this overlapping arrangement on the basis that a memorandum of understanding was in place between all of the parties to set out how the LEPs would operate and to protect the interests of Aylesbury Vale in this overlapping arrangement. A copy of the MoU was included with the Cabinet report.

Government now considered that retaining overlaps diluted accountability and responsibility for setting strategies for places and allocating funding. It was therefore seeking transparent and consistent arrangements to ensure that all businesses and communities were represented by one Local Enterprise Partnership and were able to see a single vision and a compelling plan for their area. This would ensure that each LEP was in the best position to identify and align local interventions that maximised their economic impact and to meet the Government's increased ambition for the activity and responsibility of the LEPs, which could include the allocation of money from the UK Shared Prosperity Fund (post-Brexit pot comprising of previous EU structural funds).

A simple unwinding of the 2011/12 arrangement would place the AVDC singly in SEMLEP according to objective economic geography criteria.

The report detailed that there were therefore a number of possible arrangements for Aylesbury and for future LEP arrangements. These included:-

- Just be a member of BTVLEP.
- Just be a member of SEMLEP.
- Merger of BTVLEP and SEMLEP.
- Merger of BTVLEP and Oxfordshire Local Enterprise Partnership (OXLEP).
- Creation of a “Super LEP” – a merger of BTVLEP, SEMLEP and OXLEP.

Section 4 of the Cabinet report, as well as Appendix 2 and the other appendices, set out the broad pros and cons to each of the above 5 options, as well as detailed information on the geographic, economic (including population and housing growth, house prices) and other factors (e.g. Cambridge – Milton Keynes – Oxford corridor, impacting on Buckinghamshire. Members considered this information during their discussions, which helped to inform them on a view(s) to present to Government on the preferred option for the Aylesbury Vale area, as well as the views expressed by the Scrutiny Committee.

RESOLVED –

- (1) That the Scrutiny Committee be thanked for their consideration of, and comment on, the LEP Review.
- (2) That officers be authorised to respond to the Government’s consultation on behalf of AVDC that the preferred option for this Council with regards to future LEP arrangements would be for AVDC to remain a member of SEMLEP and to relinquish its membership of BTVLEP.

#### **4. OUR VALE FUNDING**

The ‘Our Vale’ crowdfunding platform had been launched by AVDC in July 2018 to enable project creators to fundraise for funds of a capital expense nature. It was hosted by Spacehive who provided a single portal where people with project ideas could build support from their community, ensure their plans were viable, pitch for funding from residents and partners at the same time, and share the impact created.

The proposed AVDC fund would be the first local fund for Our Vale, complemented by a number of national funding pots available for projects within Aylesbury Vale. Relying on national funding pots alone, with no local fund, would likely result in a 52% project success rate whereas with a local fund in place, that success rate could rise to 80%.

The Cabinet report proposed that a one-off amount of £50,000 of New Homes Bonus funding be ring-fenced for ‘Our Vale’ to enable, encourage and support community fulfilment projects, subject to bids meeting the criteria detailed in Appendix 1. Prospective project creators could view each funding source’s criteria to assess their eligibility for funding specific to their project prior to application.

The creation of this fund would open up another mechanism through which the local community could gain, and benefit from, NHB funding. The money would act as leverage to attract funding from other sources as well as enable projects to be delivered and owned by the community where the Council did not have the capacity to do so. It was being proposed that project creators would be able to apply for up to 50% of their project total, up to a maximum of £5,000. The funding would not be drawn down unless the project achieved its target fundraising amount.

The Cabinet report had detailed information on how 'Our Vale' worked, as well as information on the benefits to the local community and the governance arrangements. The fund would only support projects where there was a demonstrable need for significant capital investment to help with the provision of amenities that had tangible benefits for the community. This was in accordance with Spacehive's own project criteria and would be clearly displayed on the Our Vale platform prior to application. Spacehive would assess each project's eligibility for funding and inform the Assistant Director for Communities for funding approval when eligible projects had met the required criteria.

RESOLVED –

- (1) That the one-off ring-fencing of £50,000 of New Homes Bonus monies for the Our Vale crowding platform be agreed, as detailed in the Cabinet report.
- (2) That the Assistant Director for Community Fulfilment be authorised, after consultation with the Cabinet Members for Civic Amenities and Finance and Resources, to administer fund distribution in line with the eligibility criteria set out in the Cabinet report.

## **5. STREET AND HORTICULTURAL CONTRACT**

Work had commenced in January 2018 to determine how the existing street cleansing and horticultural contract and services could be delivered when the current contract expired in January 2020.

Cabinet received a report and background information, as well as the appendices in the confidential part of the agenda, that had been considered by the Environment and Living Scrutiny Committee on 24 July, 2018, following the recent appraisal process for future service delivery.

The outcome of a Member/Officer workshop in February 2018 had indicated a preference for either an in-house delivery of the service or a re-procurement OJEU compliant tender process when the current contract expired. The workshop considered the following options:

- a) Street and Horticultural Services (as is) either in-house or full procurement process of joint services
- b) Waste, Street and Horticultural Services either in-house service or full procurement of joint services
- c) Waste and Street Services either in-house service or full procurement process. Horticultural Services would be delivered separately, either in-house or contracted

Consideration had also been given as to whether to include wider waste services in a procurement exercise. However this had been discounted for numerous reasons which included the aspiration to build on the commercial and transformational successes of the Waste and Recycling Service.

A market survey had been carried out by the Association for Public Service Excellence (APSE) to investigate what other Local Authorities did for their street and horticultural services. The survey found that of the Authorities that responded:-

- 88% delivered street cleansing in-house.
- 73% delivered parks and horticulture services in-house.

- 63% jointly managed and delivered both street cleansing and horticulture services.

The Waste Transformation Board had considered the options in May 2018 against various criteria which included: Agility, Capacity, Control, Cost, External Income Generation, Human Resource Resilience, Innovation and Value for Money. The Board had felt that having control and flexibility of the service was a high priority and would allow for adaptation to changing circumstances. Members would also have the ability to determine how the services were discharged.

The Board had also felt that in terms of resources, AVDC were already delivering a successful in-house waste collection service which meant the Council had internal knowledge and expertise in direct service provision. This included the depot, workshops, fleet management, software systems, and health and safety. The Cabinet report contained two high scoring options for the service delivery (Option 1.A and Option 3) with their risks outlined. Both options offered similar annual savings to the Council. Detailed information on the options and tendering process was included in the confidential part of the agenda. Members referred to this information in general terms during their discussions and deliberations.

Members were informed that if there was a final unitary decision for Buckinghamshire, there was the option for the current contract to be extended for up to two years until January 2022. Although this was subject to the contractor's agreement the extension, it would mitigate the risk of non-service delivery during the transition period to a unitary authority.

The Environment and Living Scrutiny Committee had considered the appraisal process and information on 24 July, 2018. Members had appreciated the importance of the Street and Horticultural contract and noted the significance it had as a customer-facing service. The Committee had been supportive of Delivery Option 1.A.

RESOLVED –

- (1) That the Scrutiny Committee be thanked for its consideration and feedback on the Street Cleansing and Horticultural Services contract.
- (2) That full Council be recommended to approve Delivery Option 1.A as the preferred option. f
- (3) That, subject to recommendation (2) being approved by full Council, it be noted that a funding proposal relating to the approved option would be developed and then reported to Cabinet and Council as part of the Capital Programme Update 2019/20 to 2022/23.