



## AYLESBURY VALE DISTRICT COUNCIL

### Democratic Services

Please ask for: Bill Ashton; [bashton@aylesburyvaledc.gov.uk](mailto:bashton@aylesburyvaledc.gov.uk);  
Switchboard: 01296 585858  
Text Relay Prefix your telephone number with 18001

22 November 2017

### COUNCIL

A meeting of the Aylesbury Vale District Council will be held at **6.30 pm on Wednesday 6th December 2017 in The Oculus, Aylesbury Vale District Council, The Gateway, Gatehouse Road, Aylesbury, HP19 8FF**, when your attendance is requested.

Contact Officer for meeting arrangements: Bill Ashton; [bashton@aylesburyvaledc.gov.uk](mailto:bashton@aylesburyvaledc.gov.uk);

#### WEBCASTING NOTICE

**Please note:** This meeting may be filmed for subsequent broadcast via the Council's internet site – at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy.

Therefore by entering the meeting room, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes.

If you have any queries regarding this, please contact the Monitoring Officer on 01296 585032.

#### AGENDA

##### 1. APOLOGIES

##### 2. MINUTES (Pages 3 - 8)

To approve as a correct record the Minutes of the meeting of the Council held on 18 October, 2017, copy attached as an appendix.

##### 3. DECLARATIONS OF INTEREST

Members to declare any interests.

##### 4. ANNOUNCEMENTS

By the Chairman of the Council.  
By the Leader/Cabinet Members.

##### 5. PETITIONS/DEPUTATIONS (IF ANY)



**6. PRESENTATIONS BY THE CHIEF CONSTABLE OF THAMES VALLEY POLICE AND THE THAMES VALLEY POLICE AND CRIME COMMISSIONER**

Presentations will be given by the Chief Constable of the Thames Valley Police, and by the Thames Valley Police and Crime Commissioner, after which there will be an opportunity to ask questions.

**7. WRITTEN QUESTIONS**

One written question was submitted by Members during October-November 2017.

Members' Written Questions and Answers can be accessed at <http://democracy.aylesburyvaldc.gov.uk/ieListMeetings.aspx?Committeeld=441>

**8. NEW NOTICE OF MOTION: COMMERCIAL ACTIVITIES (Pages 9 - 10)**  
**Councillor Mrs J Blake**  
**Cabinet Member for Commercialisation and Business Transformation**

To consider the new Notice of Motion attached as an appendix.

**9. NEW NOTICE OF MOTION: SUPPORTING WOMEN COUNCILLORS (Pages 11 - 12)**  
**Councillor Mrs Macpherson / Councillor Mordue**  
**Deputy Leader and Cabinet Member for Communities / Cabinet Member for Resources, Governance and Compliance**

To consider the new Notice of Motion attached as an appendix.

**10. QUESTION TIME**

There will be an opportunity for Members to ask questions of individual Cabinet Members and Committee Chairmen.

## MINUTES OF THE PROCEEDINGS OF A MEETING OF THE AYLESBURY VALE DISTRICT COUNCIL

This meeting was webcast. To view the detailed discussions that took place please see the webcast which can be found at:

<http://www.aylesburyvaledc.publici.tv/core/portal/home>

**18 OCTOBER 2017**

**PRESENT:** Councillor S Renshell (Chairman); Councillors J Brandis (Vice-Chairman), B Adams, C Adams, M Bateman, J Blake, N Blake, J Bloom, A Bond, S Bowles, C Branston, S Chapple, J Chilver, A Christensen, A Cole, S Cole, M Collins, P Cooper, M Edmonds, B Everitt, B Foster, N Glover, A Harrison, M Hawkett, T Hussain, A Huxley, P Irwin, S Jenkins, R Khan, R King, S Lambert, A Macpherson, T Mills, L Monger, G Moore, H Mordue, R Newcombe, C Paternoster, C Poll, G Powell, M Rand, B Russel, E Sims, M Smith, M Stamp, Sir Beville Stanier Bt, P Strachan, R Stuchbury, D Town, A Waite, J Ward, W Whyte and M Winn.

**APOLOGIES:** Councillors B Chapple OBE, P Fealey, K Hewson, T Hunter-Watts, S Jarvis and S Morgan.

### **WEBCASTING**

Prior to the start of the meeting, the Chairman reminded everyone present that the meeting would be broadcast live to the internet and be capable of repeated viewing.

Members of the audience who did not wish to be on camera were invited to move to a marked area at the side of the chamber.

### **1. MINUTES**

RESOLVED –

That the Minutes of the meeting of Council held on 13 September, 2017, be approved as a correct record.

### **2. ANNOUNCEMENTS**

There were none.

### **3. PETITIONS/DEPUTATIONS (IF ANY)**

There were none.

### **4. WRITTEN QUESTIONS**

Written questions submitted by Members and the answers provided could be accessed at <http://democracy.aylesburyvaledc.gov.uk/ieListMeetings.aspx?Committeeld=441>

### **5. PROPOSED SUBMISSION DRAFT VALE OF AYLESBURY LOCAL PLAN (REGULATION 19)**

All local planning authorities were under a statutory obligation to prepare a Local Plan. The last adopted Local Plan for Aylesbury Vale dated from 2004 and therefore did not take account of recent changes in Government planning policy. The Council had tried to prepare a replacement Plan on a number of occasions and the most recent attempt had

been withdrawn following an examination in public in 2014. Since then, the Council had been committed to delivering a new Local Plan and to ensuring that this met the Government's expectation that local plans were produced as soon as practicable.

Council received a report, submitted also to the VALP Scrutiny Committee on 26 September, 2017 and to Cabinet on 10 October, 2017, setting out the background to the production of the Plan, as well as providing a summary of the contents and the next stages in the process. All Members of the Council had received a copy of the submission draft document. The Cabinet report had included a list of minor post-publication changes. Paragraph 3.7 of the Scrutiny Committee report referred to evidence that supported VALP being attached as an Appendix. However, in view of the significant number of documents that evidence had not been attached to the report. Instead, a complete list of the supporting evidence, which included links to the documents on the Council's website, was included at Appendix 1 (pages 19-21) of the Council agenda.

The VALP Scrutiny Committee had made a number of comments and suggestions and these had been considered by Cabinet on 10 October. Cabinet had heard from the Chairman of the VALP Scrutiny Committee, who had elaborated upon scrutiny's deliberations. Cabinet had also heard representations from three other local Members and three members of the public, the context of which had been dealt with during the Cabinet debate.

Cabinet had considered all of the issues raised by the speakers, as well as a schedule of proposed changes (identified up to that point in time) on an item by item basis, seeking clarification from officers that these would not alter significantly or change the sense of the supporting text. Of all the changes suggested by the VALP Scrutiny Committee, Cabinet felt unable to agree two of them, specifically the rewording of Policy H1 relating to the number of affordable homes to be provided on sites allocated within a Neighbourhood Plan, and Policy NE7 relating to the use of local green space, which if approved would be contrary to the guidance contained within the NPPF. Otherwise, all of the other changes suggested by the Scrutiny Committee were approved for onward transmission to Council.

Following the Cabinet meeting, a final schedule of changes to the VALP (agreed by Cabinet on 10 October 2017) had been put together and circulated to all Members in advance of the Council meeting. A hard copy of this document was also provided to all Councillors at the Council meeting.

The Leader of the Council gave a brief introduction and explained the context behind the preparation of the draft Plan during which he placed on record his thanks to the Scrutiny Committee for its input to the whole of the Local Plan development process. The Council's Forward Plans team was also thanked for all the work that had been done to bring the plan to this stage. The Leader gave a brief timeline of all the Council's consideration of this matter, culminating in the submission draft.

Members then received a presentation from Mr Keith Holland (previously Assistant Director in charge of development plans at the Planning Inspectorate) and Mrs Suzanne Ornsby QC (Council's QC for VALP) who gave a general perspective on how AVDC's Plan was shaping up.

Mr Holland, Mrs Ornsby QC and the Council's Officers then responded to questions of a technical nature relating to the following issues:-

- on the methodology used in allocating specific housing sites within the VALP.
- in relation to the allocation of around 1,000 homes at RAF Halton during the plan period, and on the deliverability of the site. It was confirmed that a supplementary planning document would be put together and full public

consultation held before any future housing development took place at RAF Halton. Officers also commented on the issue of green belt land.

- it was confirmed that should significant amendments be made to the VALP document that it might require re-drafting which could delay the public consultation timings.
- in relation to Shenley Park, which had been identified in a previous draft of the VALP as a site for housing development.
- on the methodology that had been used to categorise proposed settlement hierarchies and housing development.
- that if there was a change in Government policy, e.g. a new definition of affordable housing had been proposed in the recent White Paper, then this would need to be addressed and might necessitate an amendment to the VALP being discussed with the Inspector during the plan's examination.

It was then proposed by Councillor Mrs Paternoster and seconded by Councillor Poll –

- (1) That the proposed submission draft of the Vale of Aylesbury Local Plan (attached as an appendix to the agenda), as amended by the schedule of changes put forward by Cabinet, be approved for the purpose of formally consulting, for a statutory period of 6 weeks in accordance with Regulation 19 of the Town and Country Planning (Local Planning)(England) Regulations 2012, and as the version proposed to be submitted to the Secretary of State for examination in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulation 2012 (subject to recommendations (2) and (3) below.
- (2) That authority be delegated to the Assistant Director, Community Fulfilment, after consultation with the Cabinet Member for Growth Strategy, to make minor amendments to the final VALP document and maps to address typographical errors and improve clarity, provided that these amendments did not alter policies significantly or change the sense of supporting text, prior to the start of the publication period.
- (3) That authority be delegated to the Director with responsibility for planning after consultation with the Cabinet Member for Growth Strategy, to approve any modifications or other amendments which arise during the Examination.
- (4) That authority be delegated to the Assistant Director, Community Fulfilment, after consultation with the Cabinet Member for Growth Strategy, to make amendments to the final VALP documents prior to the proposed submission consultation period, to remove any housing allocations from the proposed submission VALP which arose from either a Neighbourhood Plan being made or receiving a majority "Yes" vote at referendum.

An amendment was thereupon proposed, in two parts, by Councillor Stuchbury and seconded by Councillor Bateman as follows:-

That having regard to Objective 2(a) of the Strategic Objectives (page 26), which relates to affordable housing being provided to meet identified needs:

- (1) "It was proposed that Policy H1 (page 171) be amended so that the VALP required residential development of 11 or more dwellings gross or sites of 0.3ha or more to provide a minimum 35% affordable homes on site."

Secondly, having regard to delivering the allocated sites at strategic settlements (page 116):

- (2) “It was proposed that the following text at the end of paragraph 4.124 be deleted from the VALP document:

and allocates two further sites at Buckingham, reflecting it being the second most sustainable settlement in the district, specifically Moreton Road at Buckingham Road (130 homes) and land off Osier Way, south of A421 and east of Gawcott Road (420 homes).”

Following discussions, the amendment, in two parts, was put to the meeting and declared to be LOST.

It was thereupon proposed by Councillor Lambert, and seconded by Councillor Christensen, that the Cabinet Member’s proposal be amended by deleting Recommendation (3).

The Chairman of the Council agreed to suspend Council Procedure Rules in order for Mrs Ornsby QC to provide advice to Members on this proposed amendment after which, with the agreement of Council, and the mover and seconder of the amendment, the amendment was withdrawn.

The original Motion was then put to the meeting and declared to be CARRIED. It was therefore

RESOLVED –

That the four recommendations forming the original proposal put by Councillor Mrs Paternoster, (outlined above), regarding the submission draft of the Vale of Aylesbury Local Plan be agreed.

## **6. SILVERSTONE PARK ENTERPRISE ZONE INFRASTRUCTURE FUNDING**

In May, 2016, approval had been given to the creation of three Enterprise Zones (EZs) within the Vale as part of a group comprising Bucks County Council, Bucks LEP and the landowners. Collectively, these sites were referred to as the Aylesbury Vale Enterprise Zone (AVEZ). As part of this arrangement, and because the Council was the collection authority for business rates, it had been agreed that AVDC would be the accountable body for the AVEZ.

A founding principle of EZs was that the Government allowed business rates retention from new development so that the income generated was invested in infrastructure to facilitate future EZ development in accordance with agreed investment strategies. Each of the AVEZ sites had a Memorandum of Undertaking (MoU) agreed with the landowners that set out each site’s investment strategy, including priorities for investment of retained business rates. As the accountable body, any borrowing requirement necessary to future fund infrastructure needs fell to this Council.

At Silverstone Park, the MoU with MEPC (the land owner) specified that infrastructure funds of £10M would be applied (funded jointly by MEPC and business rates retention) to support infrastructure provision in advance, such as power supply, utilities, ground works, site roads and broadband.

A copy of the report submitted to Cabinet on 10 October 2017 was appended to the Council report. This explained that, to date, MEPC had delivered the first phase of speculative development (12,164 m<sup>2</sup>) in the EZ and tier 1 infrastructure works, including a 21 MVA upgrade to the high voltage electricity distribution network and gas and drainage infrastructure.

MEPC's infrastructure investment priority was to deliver tier 2 infrastructure works as set out in a schedule forming part of the Cabinet report. Tier 2 infrastructure would accelerate the future provision of site specific services on future development phases. This would enable MEPC to respond rapidly to future occupier requirements for premises across the whole of the remaining EZ site. The Cabinet report had included information:-

- on how it was anticipated that the funding of £4,993,269 (including professional fees and a contingency) would be required and drawn down.
- that the interest and loan repayments would be funded from the existing business rates and the additional business rates to be generated by Silverstone Park Enterprise Zone as a result of the infrastructure development works.

The loan was not secured on the investment, so the Council would need to accept the risk of non repayment. However, as also explained in the Cabinet report, it was considered that the financial risk associated with the proposal was very low.

Council was invited to approve grant funding support for the utilities infrastructure works, on the terms as set out in the Cabinet report. The project had been appraised by independently appointed consultants, Hewson Consulting, and their report with its conclusions had been appended to the confidential part of the Council agenda due to their commercially sensitive nature.

The appraisal had reached the following conclusions:-

- The strategic intent and the proposed financing mechanism accorded with the approach set out in the EZ Implementation Plan.
- MEPC was an experienced developer with a competent professional team and should be more than capable of carrying out the project efficiently; the project budget included a large percentage for on-costs and client contingency. It would be prudent to make clear that the £4.993M grant was a maximum figure, with MEPC responsible for cost returns.
- AVEZ should approve the final tender sums for each utilities contract and ensure that the client contingency retained at that stage was a reasonable percentage.
- AVDC would rely on retained business rates from existing and future development to recoup the grant cost, but the projected income over the life of the EZ should easily achieve this.
- The state aid position was complex and Hewdon was unable to say definitely that the project was fully compliant. However, Hewdon's view was that the risk of challenge was low and in any event it would be for MEPC as recipient to satisfy itself regarding the details of state aid compliance.

Prior to Members debating this item, a number of Members indicated to the Chairman that they wished to discuss the confidential information attached to the Council agenda, after which the Vice Chairman moved:-

"That in accordance with Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting during discussion of the confidential information for the reasons stated on the agenda."

It was proposed by Councillor Bowles and seconded by Councillor Mrs Glover:-

- (1) That approval be given to provide capital grant funding of £4,993,269, as per the arrangements set out in the report to Cabinet on 10 October 2017, to meeting the advanced infrastructure requirements at Silverstone Park Enterprise Zone.
- (2) That approval be given to include £4,993,269 in the Capital Programme and the Treasury Management Strategy accordingly.

Having discussed the information contained in the confidential part of the agenda, it was

RESOLVED –

That the above recommendations be approved.



Council  
6 December 2017

## NEW NOTICE OF MOTION: – COMMERCIAL ACTIVITIES

Councillor Mrs J Blake

Cabinet Member for Commercialisation and Business Transformation

### 1 Purpose/For Decision

1.1 To consider the Notice of Motion set out below.

### 2 Supporting information

2.1 The following Notice of Motion has been submitted by **Councillor Christensen** and seconded by **Councillor Mrs Harrison**:-

“This Council recognises that with the withdrawal of Government grant we need to explore commercial opportunities which could offer revenue streams and create a sustainable financial future.

This Council notes that it has entered into the commercial environment with Aylesbury Vale Broadband, IncGen, Vale Commerce and LimeCart to date, with varying degrees of success.

However in each of these cases, corporate oversight and scrutiny of these ventures has been limited which many Members are deeply concerned about. In addition there have been conflicts of interest for Directors/ Cabinet Members and their places on the boards. They have had to meet their Directorship responsibility to the commercial venture and that of the Council. Similarly the Cabinet Members have been unable to answer questions to Members of this Council, citing commercial sensitivities.

Therefore this Council resolves to address the growing gap in executive oversight and scrutiny with open and transparent use of taxpayer’s money by;

1. Creating a commercial oversight and scrutiny committee with proportionate representation from across the Council.
2. Recognising the inherent conflict of interests that exist when establishing companies with Council money and commits itself irrevocably to full disclosure of all commercial matters to Members without exception.
3. Undertaking a detailed external audit of Aylesbury Vale Broadband Limited. The audit shall;
  - a. Commence no later than 1 Calendar month from the sale of AVB or by the 31st of January 2018 whichever is the sooner.
  - b. The Audit should report no more than 3 months after commencement
  - c. The report will be published in full and in public.
  - d. Be conducted by a qualified individual appointed by the Chief Executive but with the express agreement of all Group Leaders.
  - e. Include, but not be limited to, a review of the management of the business including the performance of the management team, delivery of services to target villages, performance against business plans, and the use of capital.

- f. review of the oversight provided by Cabinet members and Officers while acting as Board members of Aylesbury Vale Broadband Ltd

**2.2** The Chairman has consented to this Motion being dealt with at this meeting. and the procedure will be as follows:-

- Councillor Christensen will be invited to propose the Motion and explain the rationale. **(Maximum of 5 minutes)**.
- Councillor Mrs Harrison will then be invited to second the Motion. Councillor Mrs Harrison may speak at that point or reserve her speech until later during the debate. In either case, Councillor Mrs Harrison will have a **Maximum of 5 minutes**.
- The Motion will then be open for debate.
- The Chairman of the Council will ask Members who wishes to speak.
- Councillor Christensen will have a right of reply at the end of the debate.
- A vote will then be taken.

Contact Officer: Bill Ashton (01296) 585040 (Re. the process)

Council  
6 December 2017

## **NEW NOTICE OF MOTION – SUPPORTING WOMEN COUNCILLORS**

**Councillor Mrs Macpherson / Councillor Mordue**

**Deputy Leader and Cabinet Member for Communities / Cabinet Member for Resources, Governance and Compliance**

### **1 Purpose/For Decision**

1.1 To consider the Notice of Motion set out below.

### **2 Supporting information**

2.1 The following Notice of Motion has been submitted by **Councillor Lambert** and seconded by **Councillor Christensen**:-

“This Council recognises the important work undertaken by The Fawcett Society in preparing the report ‘Does Local Government work for women?’, published in July 2017, as part of the Women in Local Government Commission, and acknowledges its findings over the barriers still faced by women in Local Government.

<https://www.fawcettsociety.org.uk/does-local-government-work-for-women-final-report-of-the-local-government-commission>

This Council acknowledges that research from across the private sector routinely demonstrates that more diverse teams, including teams with a more even share of women perform more effectively than teams which are homogenous; and that more inclusive Councils containing a more representative set of voices are better equipped to represent the population as a whole.

This Council is supportive of the report’s recommendations that local authorities should seek to:

- support parent and carers in councils by introducing a formal maternity, paternity and adoption policy for councillors, and ensuring care costs are covered;
- tackle sexism by setting out acceptable behaviour standards for councillors and driving cultural change;
- make our Council more diverse by breaking down barriers faced by under-represented groups;
- Support women’s progression within the Council by proactively seeking out women councillors for leadership roles.

**This Council therefore resolves to:**

- **Ask officers to prepare a report for the relevant Cabinet Member on the adequacy of support available to Women Members when affected by barriers outlined in the Fawcett Society report.**
- **Ask the Monitoring Officer to review the current code of conduct to ensure incidences of harassment and discrimination are dealt with, with appropriate force, and for a report to be provided to the General**

**Purposes Committee on any proposed changes to the Council's Constitution to put forward to full Council.**

- **Ask the officers to draft a proposed policy on a formal maternity, paternity and adoption policy for Councillors for consideration by the General Purposes Committee, as well as for consideration by the Independent Remuneration Panel in regard to changes to any possible change in allowances.**
- **Ask the Returning Officer to consider what actions can be taken to encourage women to stand for election, and to report back to Full Council.**

**2.2** The Chairman has consented to this Motion being dealt with at this meeting. and the procedure will be as follows:-

- Councillor Lambert will be invited to propose the Motion and explain the rationale. **(Maximum of 5 minutes).**
- Councillor Mrs Christensen will then be invited to second the Motion. Councillor Mrs Christensen may speak at that point or reserve his speech until later during the debate. In either case, Councillor Christensen will have a **Maximum of 5 minutes.**
- The Motion will then be open for debate.
- The Chairman of the Council will ask Members who wishes to speak.
- Councillor Lambert will have a right of reply at the end of the debate.
- A vote will then be taken.

Contact Officer: Bill Ashton (01296) 585040 (Re. the process)