



AYLESBURY VALE DISTRICT COUNCIL Democratic Services

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13 March 2018

COUNCIL

A meeting of the Aylesbury Vale District Council will be held at **6.30 pm on Wednesday 21st March 2018 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;

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.

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

AGENDA

1. APOLOGIES

2. MINUTES (Pages 3 - 10)

To approve as a correct record the Minutes of the meeting of the Council held on 22 February 2018, 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. MODERNISING LOCAL GOVERNMENT (Pages 11 - 14)

Councillor N. Blake
Leader of the Council

To consider the report attached as Appendix B.

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

22 FEBRUARY 2018

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>

PRESENT: Councillor S Renshell (Chairman); Councillors J Brandis (Vice-Chairman), B Adams, C Adams, J Blake, N Blake, J Bloom, A Bond, S Bowles, C Branston, B Chapple OBE, S Chapple, J Chilver, A Christensen, A Cole, S Cole, M Collins, P Cooper, B Everitt, P Fealey, B Foster, N Glover, M Hawkett, T Hussain, A Huxley, P Irwin, S Jarvis, S Jenkins, R Khan, R King, A Macpherson, T Mills, L Monger, G Moore, H Mordue, R Newcombe, C Paternoster, C Poll, M Rand, B Russel, 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 M Bateman, M Edmonds, A Harrison, T Hunter-Watts, S Lambert, S Morgan and G Powell

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. COUNCILLOR KEVIN HEWSON

Prior to the commencement of the formal business of the meeting all those present stood in silent tribute to Councillor Kevin Hewson, Member of the Council for the Quanton Ward since 2015, who had sadly passed away suddenly that morning.

2. MINUTES

RESOLVED –

That the Minutes of the meeting of Council held on 31 January 2018, be approved as a correct record.

3. DECLARATIONS OF INTEREST

The Chairman of the Council informed Members that to enable full and proper consideration of item 10 on the Council agenda (New Notice of Motion: Tackling Homelessness in the Vale (using Empty Dwelling Management Orders) (EDMOs)) the Lead Legal and Monitoring Officer had, in accordance with the authority given to him, granted a dispensation to all Members of the Council in accordance with Section 33 of the Localism Act, 2011, to enable them to participate fully in the debate and vote on this item.

The following Members declared interests in relation to item 10:-

Personal Interest: Councillors Mrs J Blake, Bond, Bowles, B Chapple, Fealey, Hussain, Khan, Mordue, Mrs Paternoster, Waite and Mrs Ward.

Personal and Prejudicial Interest: Councillors N Blake, Mrs Brandis, A Cole, Mrs Macpherson, Rand and Mrs Renshell.

4. ANNOUNCEMENTS

(a) Chairman of the Council

The Chairman of the Council extended best wishes for a speedy recovery to Councillor Bateman who had been unwell recently.

(b) Cabinet Member for Growth Strategy

The Cabinet Member for Growth Strategy informed Members that a very successful Parish / Town Council conference had been held at the Gateway offices on Tuesday evening, 20 February. The conference had concentrated on planning issues and had been well attended. The Cabinet Member also thanked Officers who had attended and supported the event.

5. PETITIONS/DEPUTATIONS (IF ANY)

There were none.

6. WRITTEN QUESTIONS

Three written questions had been submitted during January, 2018 and could be viewed on the Council's web site as follows:-

<http://democracy.aylesburyvaledc.gov.uk/ieListMeetings.aspx?CommitteId=441>

7. COUNCIL TAX SETTING REPORT 2018-19

The Council received a report on the amounts of Council Tax that would be payable by residents of the District during 2018/2019, based upon the approved budgets set by the relevant local authorities and the Police and Fire Authorities which made up the total Council Tax bill.

At the time of issuing the Council agenda, only the Thames Valley Police and Crime Commissioner, of the major precepting bodies had formally agreed their precepts. Therefore, because Bucks County Council and the Bucks and Milton Keynes Fire precepts had been unresolved, the figures in the report had been provisional. However, these figures had now been confirmed.

The Council had determined income and expenditure plans for 2018/2019 that would result in a precept requirement for District expenditure of £10,807,500. This represented a District Council Tax of £149.06. The Aylesbury Special Expenses requirement was £864,400. The Tax base for 2018/2019 was again based upon actual levels of Council Tax discount and housing growth, and had increased by 1.97%.

The following amounts for the year 2018/2019 had been determined under delegated powers in accordance with Regulations made under Section 31B(3) of the Local Government Finance Act, 1992:-

- (A) The Council tax Base for 2018/2019 for the whole Council area as 72,507 being the amount calculated by the Council in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) 1992.

- (B) The amounts calculated by the Council in accordance with Regulation 6 of the Regulations, as the amounts of its Council Tax Base for the year for dwellings in those parts of its area to which one or more special items related, as detailed in Appendix B to these Minutes.

It was brought to Members' attention that at Appendix D (page 24), points 2.1 (a) to (h) inclusive should read points 3.1 (a) to (h) inclusive, which aligned with the recommendations to Council.

It was proposed by Councillor Mordue and seconded by Councillor Rand that the report recommendations be approved and adopted.

As required by Council Procedure Rules and Statutory Regulations, a recorded vote was taken on the Council Tax Setting resolutions and the voting was as follows:-

FOR: Councillors B Adams, C Adams, N Blake, Mrs J Blake, Bond, Mrs Bloom, Bowles, Mrs Brandis, Branston, B Chapple, Mrs Chapple, Chilver, Christensen, A Cole, S Cole, Collins, Cooper, Everitt, Fealey, Foster, Mrs Glover, Hawkett, Hussain, Huxley, Irwin, Mrs Jarvis, Mrs Jenkins, Khan, King, Mrs Macpherson, Mills, Monger, Moore, Mordue, Newcombe, Mrs Paternoster, Poll, Rand, Mrs Renshell, Mrs Russel, Smith, Stamp, Sir Beville Stanier, Strachan, Stuchbury, Town, Waite, Mrs Ward, Whyte and Winn.

AGAINST: None.

ABSTENTIONS: There were none.

RESOLVED –

- (1) That the following amounts be calculated for the year 2018/2019 in accordance with Sections 31 to 36 of the Local Government Finance Act, 1992:-
- (a) £72,820,457.20 being the aggregate of the amounts of expenditure which the Council estimates for the items set out in Section 31A (2) of the Act.
 - (b) £55,405,058.20 being the aggregate of the amounts of income which the Council estimates for the items set out in Section 31A (3) of the Act.
 - (c) £17,415,399.00 being the amount by which the aggregate at 3.1(a) above exceeds the aggregate at 3.1(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).
 - (d) £240.19 being the amount at 3.1(c) above (Item R), all divided by the amount at 2.3(a) above, calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including parish precepts and special expenses).
 - (e) £6,607,899.00 being the aggregate amount of all special items (including parish precepts and special expenses) referred to in Section 34(1) of the Act.

- (f) £149.06 being the amount at 3.1(d) above less the result given by dividing the amount at 3.1(e) above by the amount at 2.3(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept or special item relates.
- (g) Appendix A sets out those amounts which are calculated by adding to the amount at 3.1(f) above, the amounts of the special item or items relating to dwellings in those parts of the Council's area divided in each case by the amount at 2.3(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its council tax for the year for dwellings in those parts of its area to which one or more special items relate.
- (h) Appendix B sets out those amounts which are calculated by multiplying the amounts at 3.1(f) and 3.1(g) (see Appendix A) by the number which, in the proportion set out in Section 5 of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

- (2) That it be noted that for the year 2018/2019 Buckinghamshire County Council, Buckinghamshire and Milton Keynes Fire Authority and the Police and Crime Commissioner for Thames Valley had indicated the following amounts as precepts to be issued to the Council in accordance with Section 40 of the Local Government Finance Act, 1992, for each of the categories of dwellings shown below:-

Valuation Band	A	B	C	D	E	F	G	H
Proportion of Band D Tax	6/9	7/9	8/9	1	11/9	13/9	15/9	2
Buckinghamshire County Council	£860.69	£1004.14	£1147.59	£1,291.04	£1,577.94	£1,864.84	£2151.73	£2582.08
Police & Crime Commissioner Thames Valley	£121.52	£141.77	£162.03	£182.28	£222.79	£263.29	£303.80	£364.56
Bucks & MK Fire Authority	£41.80	£48.77	£55.73	£62.70	£76.63	£90.57	£104.50	£125.40

- (3) That having calculated the aggregate in each case of the amounts at (1) (h) (see Appendix B) and (2) above, the Council, in accordance with Section 30(2) of the Local Government Finance Act, 1992, hereby sets the following amounts shown at Appendix C as the amounts of Council tax for the year 2018/2019 for each of the categories shown.

NOTE: Where disabled persons relief is granted, the tax chargeable drops one band. In the case of properties in Band A the reduced charge is calculated as 5/9 of the Band D tax.

Appendix D gives brief notes to clarify the definitions used in paragraph 3 of the resolution and to illustrate the local impact of the Council Tax proposals.

8. TREASURY MANAGEMENT STRATEGY 2018-19

Consideration was given to a report, also submitted to the Finance and Services Committee on 5 February, 2018 (and detailed in the Minutes of that meeting), regarding the Council's Treasury management Policy Statement, Treasury Management Strategy Statement and the Annual Investment Strategy for 2018/19.

The Committee had expressed some concerns that the Panel proposed to be established to approve expenditure under the Commercial Property Strategy approved by the Council had not yet been finalised. However it was noted that the Government had introduced additional controls for Council borrowings since the Strategy had been approved and the Council was awaiting clarification around this particular aspect. The Committee had also asked that any borrowings above the authorised limits should be considered by the Committee before being submitted to full Council for approval. Otherwise, the Committee felt that the Strategy could be submitted to Council for approval.

It was brought to Members' attention that at the Treasury Management Strategy Statement (page 45), Fixed Rate and Notice Account Investments at Investments should read as £56.129m.

Proposed by Councillor Mordue, seconded by Councillor Winn and

RESOLVED –

That the updated Treasury Management Strategy for 2018/2019, Prudential Indicators (detailed in Appendix A2) and the Minimum Reserve Provision Policy Statement (detailed in Appendix A5), be approved.

9. AVDC PAY POLICY 2018

The Council was required to review and publish its Pay Policy annually. Council received a report similar to that submitted to the General Purposes Committee on 5 February, 2018, and summarised in the Minutes of that meeting, reviewing the current policy. The updated policy was attached to the report to that Committee, which in turn had been attached to the Council report.

The updated policy had been discussed with the Trades Unions and Staff Side representatives, who had made no comments.

Proposed by Councillor N Blake, seconded by Councillor Mrs Glover and

RESOLVED –

That the updated Pay Policy, 2018, be approved.

10. NEW NOTICE OF MOTION: TACKLING HOMELESSNESS IN THE VALE USING EMPTY DWELLING MANAGEMENT ORDERS (EDMOS)

The following had been submitted by Councillor Stuchbury and was seconded by Councillor Christensen:-

“Empty houses cause significant problems to neighbouring residents. They attract anti-social behaviour, dumping, vermin and have a detrimental effect on house prices.

- This Council undertakes to develop a robust policy for the use of Empty Dwelling Management Orders (EDMOs), to assist with the growing pressures on younger people in our community and their ability to find affordable accommodation, by bringing empty properties back onto the housing market.
- To make use of the EDMO powers for properties that have been empty for a period of 6 months across the District, to end the scandal of empty homes during this period of house shortages.
- That a report is drafted to examine the extent of this problem in each Ward within the District and to provide options, costs and benefits of the local authority adopting such a policy. This report is submitted to the Environment and Living Scrutiny Committee for consideration and make recommendations for policy implementation.”

In accordance with Council Procedure Rules, the Chairman had agreed that the Motion should be dealt with at this meeting. Councillor Stuchbury explained to the meeting that he had been made aware that the Notice of Motion in the form circulated did not comply with current legislation. In the circumstances, rather than amend the motion, he stated that he would be willing to withdraw it if the Cabinet Member could give an undertaking to the following effect, and which he believed would achieve the objectives of the motion:-

“That the Cabinet Member gives an undertaking to review and update the current empty homes policy to ensure that it supports the effective use of a range of options for Officers to bring long term empty dwellings back into use, including the use of Compulsory Purchase Orders and Empty Dwelling Management orders.

Also, the Cabinet Member undertakes to ensure that the proposed policy is submitted to the Environment and Living Scrutiny Committee for consideration to enable recommendations to be made to Cabinet.”

The Cabinet Member for Civic Amenities, on behalf of the Cabinet Member for Communities, gave an undertaking to review and update the Council’s empty homes policy in line with Councillor Stuchbury’s request.

With the consent of Council and the agreement of the seconder, the mover then withdrew the Notice of Motion.

NOTE: Members had been informed earlier in the meeting that the Lead Legal and Monitoring Officer had granted a dispensation to all Members for this item, in accordance with Section 33 of the Localism Act, 2011. In response, a number of Members had declared interests. Councillor Mrs Macpherson, having earlier declared a personal and prejudicial interest, left the Council Chamber whilst this matter was considered.

11. QUESTION TIME

The Chairman of the Council informed Members that as a mark of respect to Councillor Hewson it had been agreed to put off holding the Question Time of individual Cabinet Members and Committee Chairmen at tonight's meeting.

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MODERNISING LOCAL GOVERNMENT – ANNOUNCEMENT Chief Executive

COUNCILLOR NEIL BLAKE LEADER OF THE COUNCIL

1 Purpose

- 1.1 To note the Secretary of State's minded to decision regarding Modernising Local Government in the County, and to consider the approach to making representations.

2 Recommendations/for decision

- 2.1 To note the Secretary of State's minded to decision published on the 12 March 2018 (Annex A).
- 2.2 Agree to make representations to the Secretary of State on the issues identified following the debate at the Special Council Meeting.
- 2.3 Agree an initial budget to support the necessary actions in making the representations.
- 2.4 To delegate the final wording of the representations to the Chief Executive in consultation with the Leader, and to take any urgent actions that might be required after consultation with the cross party leaders group referred to in 2.5.
- 2.5 To reconstitute the AVDC Group Leaders Group to act as a way of communicating with all members across the council on unitary issues as they develop.

3 Supporting information

- 3.1 Members will be aware that the Council has had a long term ambition to become a unitary council, driven by the opportunities that this will give in being able to serve its residents in the best possible way into the future.
- 3.2 At the meeting of Council on 16 January 2017 it was agreed to submit a unitary bid to the Secretary of State to deliver a two unitary model for the County. In September 2016 the County Council submitted a case for a single unitary model. This report does not rehearse the bids in any way, but members are advised to read the Council report of 16 January 2017 if they require further background. The two unitary bid can be found on our website - <https://www.aylesburyvaledc.gov.uk/modernising-local-government>.
- 3.3 Since the submissions officers and cabinet have kept Council's ambition for unitary status alive, through actions at meetings, events and presentations where suitable audiences are in attendance. We have also not let the debate distract from the day to day running of the council, meaning we have continued to make considerable strides including having a four year balanced budget, as well as a comprehensive transformation of the organisations structure designed with the customer being at the heart of everything the council does.
- 3.4 On the 12 March 2018 the Secretary of State issued a minded to decision in favour of a single county wide unitary (see Annex A for the full announcement). This announcement is followed by a representation period expiring on 25 May 2018.

- 3.5 Following the representation period, the process is then for the Secretary of State to lay orders to effect the change, assuming nothing in the representations gives him cause to reconsider. It is then a final Parliamentary decision to finally enact the process. The timings of this process are, at the time of writing the report, unclear and dependant on available parliamentary time.
- 3.6 At the meeting we will hold an open debate on the Secretary of State's announcement. Following debate we will seek to summarise the main areas of focus for the representations. The recommendations propose that submission of the full representations are delegated to the Chief Executive in consultation with the Leader to ensure that our response has as much time as possible to be worked on, and also ensure it is as current as it can be before submission, taking account of the views expressed by Council.
- 3.7 As all members will be interested in the development of the unitary bids now that the minded to decision has been made, it is proposed to reconstitute the AVDC Group Leaders Group (Leader of the Council, Councillors Christensen, Cooper and Stuchbury) so that there is an informal way of ensuring members are kept appraised of any developments between formal meetings.

4 Options considered

- 4.1 None

5 Reasons for Recommendation

- 5.1 To enable representations to be made to the Secretary of State following his announcement.

6 Resource implications

- 6.1 As with all representations of this type it is likely that there will be funding required to either develop further evidence base, or to undertake supporting activities, and as such the recommendations include a preliminary budget to be made available from working balances.

Contact Officer Chief Executive
Background Documents Council Report 16 Jan 2017

ANNEX A – Secretary of States Statement

LOCAL GOVERNMENT POLICY: Written statement -HLWS515 12 March 2018

My Rt Hon. Friend, the Secretary of State for Housing, Communities and Local Government (Sajid Javid) has today made the following Written Ministerial Statement.

I am today announcing how I am minded to proceed in response to the locally-led proposals that I have received for improving local government in Buckinghamshire. Currently in the administrative county of Buckinghamshire, there is a two-tier structure of Buckinghamshire County Council and the district councils of Aylesbury Vale, Chiltern, High Wycombe, and South Bucks.

There is broad local consent for change in Buckinghamshire, though there have been two alternative approaches for how precisely it should be configured. In September 2016 and January 2017, I received locally-led proposals for replacing the current structure, in one case with a single new unitary council and in the other case with two new unitary councils – one for the area of Aylesbury Vale and the other for the remainder of the current county area.

Having carefully considered all the material and representations I have received, I am minded to implement, subject to Parliamentary approval and further discussions, the locally-led proposal to replace the existing five councils across Buckinghamshire with a single council for the area.

I am satisfied that this new single council, if established, is likely to improve local government and service delivery in the county, generating savings, increasing financial resilience, facilitating a more strategic and holistic approach to planning and housing challenges, and sustaining good local services. I am also satisfied that across Buckinghamshire as a whole there is a good deal of local support for this new council, and that the area of the council represents a credible geography.

Whereas, I am equally satisfied that establishing two councils for the current county area is unlikely to improve local government in the area, generate significant savings, or provide the capacity to sustain major services or to address planning and housing challenges. I believe the areas of the two councils would not represent a credible geography or clear local identity, and that there is significantly less local support for two councils than for a single council. Accordingly, I am not minded to proceed with the proposal for establishing two councils.

Notwithstanding, I am clear that in relation to establishing a single council further steps are needed to secure local consent amongst the local partners, and I hope this 'minded to' announcement will facilitate the necessary discussions to deliver this local agreement.

Before I take my final decision, there is now a period until 25 May 2018 during which those interested may make further representations to me, including that if a proposal is implemented it is with suggested modifications. The final decision would also be subject to Parliamentary approval.

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