

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

**16 MAY 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, M Bateman, 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, M Edmonds, B Everitt, P Fealey, B Foster, N Glover, A Harrison, M Hawkett, T Hunter-Watts, T Hussain, A Huxley, P Irwin, S Jarvis, 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, W Raja, M Rand, S Raven, B Russel, M Smith, M Stamp, Sir Beville Stanier Bt, R Stuchbury, D Town, A Waite, J Ward, W Whyte and M Winn

**APOLOGIES:** Councillors P Cooper, S Morgan and P Strachan

**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. ANNOUNCEMENTS**

**(i) Accommodation for Asylum Seekers**

The Cabinet Member for Communities reported on AVDC's position in relation to the Home Office asking local authorities across the UK to help with the provision of housing for people seeking asylum. The government had the power to require councils to do this but preferred to work with Councils, taking account of local needs and limitations.

Members were informed that Officers were in the process of finding out about the experiences of other local authorities that had been involved with this scheme to help inform ongoing discussions about how many people the Council may wish to accommodate and the types and locations that are the most appropriate for the area.

**(ii) Aylesbury Town Centre – Purple Flag Award**

The Cabinet Member for Civic Amenities reported that the Aylesbury Town Centre had been successful in retaining the Purple Flag award for excellence in managing the evening and night-time economy.

**(iii) Recycling and Waste Collection Services**

The Cabinet Member for Environment and Waste informed Members in relation to a number of changes that were planned to improve AVDC's recycling and waste collection services.

Following the Council decision to invest £3.7m in a new state-of-the-art waste vehicle fleet, all waste collection rounds including recycling, general waste, and food and garden waste were currently being redesigned to improve capacity and efficiency. Any changes to customer's bin collection days would not come into effect until early September. The changes would be publicised via social media, member and parish newsletters, a radio campaign and through the Aylesbury Vale Times. The frequency of household collections would not change and bins would continue to be collected on an alternative weekly basis.

Full information on the improvements had been sent to all Members last week with the Members' Information Sheet.

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

### **(i) Petitions**

There were none

### **(ii) Deputations**

#### **Men in Sheds, Aylesbury**

Representatives from Men in Sheds, Aylesbury, submitted a deputation on behalf of that group, and in relation to an industrial unit they currently occupied at the Rabans Lane Industrial Estate.

The deputation addressed the Council for 5 minutes in total, and was informed that the matter would be passed to Officers who would be asked to respond directly to the group.

**NOTE:** Councillors Mrs Ward and Whyte, and the Assistant Director Commercial Property and Regeneration declared a pecuniary interest in relation to the deputation as Board Members of Aylesbury Vale Estates and left the chamber while this matter was considered.

## **3. WRITTEN QUESTIONS**

Written questions received since the last meeting and the answers could be accessed at <http://democracy.aylesburyvalecd.gov.uk/ieListMeetings.aspx?Committeeld=441>

## **4. CENTRAL AREA GROWTH BOARD**

Council received a report also submitted to Cabinet concerning the Council's participation in a Central Area Growth Board, responsible for strategic leadership as part of the Oxford-MK-Cambridge Growth Corridor. The report set out the advantages of being a member of the Growth Board, and in particular the ability of the Council to actively contribute to the agenda on strategic planning, economic development and infrastructure planning at the sub-regional level. Cabinet had been strongly of the view that the Council should become a member of the Growth Board, which would, for the purposes of the relevant legislation be a joint committee.

The Leader of the Council, Councillor N Blake, proposed the following, which was seconded by Councillor Mrs Paternoster:-

- (1) That the arrangements for the new Central Area Growth Board Joint Committee as set out in the Cabinet report, be approved.
- (2) That, subject to (4) below, the new governance structure and full membership of the Central Area Growth Board and the Terms of reference (also outlined in the Cabinet report), be approved.
- (3) That approval be given to a financial commitment of £5K per annum of on-going revenue to support the work of the Board.
- (4) That approval be given to the adoption of the proposals for the Joint Committee and that the Chief Executive, after consultation with the Leader of the Council, be authorised to make any minor amendments to the Terms of Reference that might be necessary.

During debate the Leader of the Council confirmed that the minutes of Growth Board meetings and any other relevant papers that might be of interest to the Council would be reported back to the Environment and Living Scrutiny Committee.

RESOLVED –

That recommendations (1) to (4) inclusive above be approved.

(NOTE: Councillors Lambert and Mrs Glover declared a personal interest in the above item as Members of Buckinghamshire County Council).

## **5. SCHEME OF OFFICER DELEGATIONS**

Council received a report also submitted to the General Purposes Committee on 9 April, 2018, incorporating a revised version of the Scheme of Officer Delegations which had been updated to reflect the new officer structures and changes in legislation since the Scheme had last been reviewed.

Flexibility had been built into the Scheme to enable responsibilities to be transferred between senior management to enable areas of critical importance to be afforded greater priority where necessary and reduce the strain on individual officers' workloads. The changes had been highlighted in the copy of the revised Scheme attached to the General Purposes Committee report.

Proposed by Councillor N Blake, seconded by Councillor Newcombe and

RESOLVED –

- (1) That approval be given to the revised Scheme of Officer Delegations, attached as an Appendix to the General Purposes Committee report, which now reflected the new officer structures and any changes in legislation that had occurred over the last year or so.
- (2) That the Democratic Manger, after consultation as necessary with the Lead Legal and Monitoring Officer, be authorised to update and publish the Scheme which took account of the changes referred to above.

## **6. REPORT ON SPECIAL URGENCY PROVISIONS**

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 specified procedures and timescales that had to be followed concerning public access to meetings and documents where a local authority

executive, committee or executive member was taking an executive decision. Provision existed to enable decisions to be taken in cases of urgency outside the specified timescales. Details of any such instances had to be reported annually to Council. There was one such decision taken in relation to the funding of infrastructure works at the Silverstone Enterprise Zone. The request for funding had been received after the Cabinet agenda had been published.

The Council's Constitution also made provision for urgent decisions to be taken which excluded call-in, with the agreement of the relevant Scrutiny Committee Chairman. There had been two occasions this year when it had been necessary to waive the call-in provisions as follows:-

- A Cabinet Member decision relating to the write off of bad debts which needed to be dealt with before the end of the accounting year. (Agreed by the Chairman of the Finance and Services Scrutiny Committee).
- A Cabinet decision concerning the Council's response to consultation on route options for the Oxford-MK-Cambridge Expressway. This had been the subject of two Member seminars. The timescale for the submission of responses precluded the usual call-in provisions.

RESOLVED –

That the report be noted.

## **7. SCRUTINY ANNUAL REPORT**

It was a requirement of the Council's Constitution that an annual report be presented to the Council. This provided Members with an overview of the work carried out by the Scrutiny Committees over the previous twelve months. A copy of the Annual Report for 2017/2018 which had been seen by the Scrutiny Committee Chairmen before submission to this meeting.

RESOLVED –

That the Annual Scrutiny Committee Report for 2017/2018 be noted.

## **8. STANDARDS COMMITTEE: ANNUAL REPORT**

The current standards regime had been introduced by the Localism Act, 2011, and this Council's Code of Conduct had been adopted in 2012. Under the current regime, Parish/Town Councils had the option of either adopting the Council's Code of Conduct, or adopting a model Code produced by the National Association of Local Councils. Some had adopted AVDC's Code and others had adopted the National Association's Code.

The Council was not statutorily required to have a Standards Committee, but it had been decided that it should continue to have a Committee in the interests of promoting high ethical standards in local governance. The Committee comprised 7 elected Members and was politically balanced according to the political parties represented on the Council. There were two Parish representatives appointed by the Aylesbury Vale Association of Local Councils to ensure that the interests of parish/Town Councils were properly taken into account in the decision making process when dealing with complaints against Parish/Town Councillors.

The Localism Act required the appointment of at least one Independent Person, but this Authority had appointed two to enable greater flexibility and avoid issues associated with conflicts of interest. The Parish representatives and Independent Persons were invited to each Standards Committee meeting in an advisory capacity.

Members were advised that since June, 2017, the Lead Legal and Monitoring Officer had received 8 complaints relating to alleged breaches of their Code of Conduct by Parish Councillors. In 6 cases it had been decided that they did not warrant further investigation at Stage 2, this being the initial assessment panel. The remaining 2 cases were still awaiting a decision at Stage 2. There had been 6 complaints received against District Councillors, 5 of which related to the same individual. This had been the subject of a Stage 2 Hearing at which it had been decided that there had been a breach of the Code, but that there should be no action taken. It had been felt that there would be little purpose in referring the matter for formal investigation as it would have been difficult to see how a different view would be reached. The remaining complaint against a District Councillor was still pending a Stage 2 examination of the circumstances by the initial assessment panel. All Standards decisions were available to view on the Council's web site.

One of the complaints against a District Councillor had given rise to comment in the local press and social media and demonstrated that there was still uncertainty around Members' understanding of the provisions of the Code of Conduct. The Chief Executive had felt that this was an opportune time to initiate a programme of refresher training for Members. Three interactive sessions had been held (one in the daytime and two in the evening). A total of 38 Members had attended the training sessions.

It had been commented during the training sessions that the existing Code of Conduct could perhaps be simplified to aid better understanding and the Lead Legal and Monitoring Officer gave an undertaking to look at this with a view to a report being brought forward to the Standards Committee in due course. This work has been started.

Coincidentally at the same time as the training sessions were being held, the Council was notified that the Parliamentary Committee on Standards in Public Life was undertaking a review of local government ethical standards and started a consultation on this subject. The consultation had been based upon a number of questions formulated by the Parliamentary Committee.

All members of the Council were sent a copy of the consultation document and invited to input to the response. Some Members did so and their comments would be incorporated within the final response. In one case the Member concerned had submitted such a detailed response that it had been agreed that that this should be sent separately.

In the main, the comments related to the inadequacy of the sanctions and the inconsistency of application, the need for simplicity of language, and the need for consideration to be given to compulsory training.

RESOLVED –

That the report be noted.

## **9. QUESTION TIME**

Members had the opportunity to ask questions of individual Cabinet Members and Committee Chairmen about issues affecting their portfolios/Committee activities:-

- (a) **Planning Service** (Councillors Monger, Raven and Stuchbury) – the Cabinet Member for Growth Strategy informed Members that the Assistant Director Customer Fulfilment would be providing Members, Town and Parish Councils shortly with an update on the Planning Service.

Members were further informed that:

- the Council had successfully recruited to a number of the vacant posts in planning.
  - less than 0.1% of planning applications were subject to appeals due to non-determination.
  - the Council did claim costs relating to planning, where it was thought to do so was in the interests of AVDC.
  - information on the reasons for cancelling a number of recent planning meetings had been answered as part of a Members' written question in April 2018.
  - the Cabinet Member was happy for Members to contact her or the Parish Liaison Officer if they had particular concerns in relation to individual planning applications, or if they had not received responses to planning queries.
- (b) **The Exchange Street development** (Councillor Christensen) – the Cabinet Member for Economic Development and Regeneration informed Members that in addition to Zizzis, the Council was in detailed discussions with a number of other restaurant chains in relation to them occupying the new restaurants spaces at The Exchange. The Cabinet Member was confident that all the restaurants would be tenanted in due course.
- (c) **Revenue and Benefits** (Councillor Christensen) – the Cabinet Member for Resources, Governance and Compliance informed Members that the average time taken by the Benefits Section to process change of circumstances details was 3 days, although he was aware of 1-2 instances where the time taken had been longer. The Cabinet Member was happy for Members to contact him if they had particular concerns in relation to individual cases.
- (d) **Cornwall Meadows car park** (Councillor Chilver) – the Cabinet Member for Communities informed Members that plans were being put in place for works to be done to improve the road surface in the Cornwall Meadows car park, Buckingham.
- (e) **Litter and Dog Waste** (Councillor Smith) – the Cabinet Member for Environment and Waste informed Members that AVDC would be introducing a methodology to ensure that the 'binstructure' in place was specific and suited to the needs of areas. AVDC would also be working with Town and Parish Council to ensure that the location of bins met the needs of local areas.
- (f) **Aylesbury Town Council** (Councillor C Adams) – the Leader of the Council informed Members that contact had been made with the Aylesbury Town Council to initiate talk in relation to the possible transfer of assets.
- (g) **Members IT / Customer Services Centre** (Councillor Poll) – Councillor Poll asked that Members' thanks be passed to Officers who had run the IT Drop-in Clinic immediately before the Council meeting in the Customer Service Centre prior to the Council meeting.