

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

19 SEPTEMBER 2018

PRESENT: Councillor S Renshell (Chairman); Councillors J Brandis (Vice-Chairman), C Adams, M Bateman, A Bond, S Bowles, B Chapple OBE, S Chapple, A Christensen, A Cole, S Cole, B Everitt, P Fealey, B Foster, N Glover, T Hunter-Watts, T Hussain, A Huxley, P Irwin, S Jenkins, R Khan, S Lambert, T Mills, L Monger, G Moore, H Mordue, S Morgan, R Newcombe, C Paternoster, C Poll, W Raja, S Raven, B Russel, Sir Beville Stanier Bt, P Strachan, R Stuchbury, D Town, A Waite, J Ward, W Whyte and M Winn

APOLOGIES: Councillors B Adams, J Blake, N Blake, J Bloom, C Branston, J Chilver, M Collins, P Cooper, M Edmonds, A Harrison, M Hawkett, S Jarvis, R King, A Macpherson, G Powell, M Rand, M Smith and M Stamp

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 18 July, 2018, be approved as a correct record.

2. ANNOUNCEMENTS

(a) Chairman of the Council

(i) **Silent Soldier Campaign** – the Chairman of the Council informed Members that to mark the final year of the World War One centenary, the British Legion had invited the public to take part in a movement to say ‘thank You’ to the First World War generation who had served, sacrificed, rebuilt and changed the nation. A life sized image of a “Tommy”, situated outside the main entrance to the Gateway offices, would be unveiled in a ceremony to be held at 6.30pm on Thursday 20 September 2018. All Members were invited to attend.

(ii) **Chairman’s Quiz Night** – the Chairman of the Council invited Members and staff to form or join a team for the next Chairman’s quiz night that would be held at 7.30pm on Friday 19 October, in the Oculus, the Gateway.

(b) **Deputy Leader of the Council** – the Deputy Leader of the Council informed Members that the Government had recently announced the preferred route for the Oxford to Cambridge Expressway, which was Option B for the corridor to “broadly align” with the proposed East-West rail route from Abingdon to south Milton Keynes via Winslow.

The Council recognised the Government's long term ambition for growth in Aylesbury Vale and also saw the essential requirement for additional infrastructure to support this economic growth and the associated housing requirement to support 1.1 million jobs along the Expressway.

Once more detail was available on the actual route it would be important to ensure that it achieved the best possible outcomes for residents and Aylesbury Vale. The concerns that had been raised were understood. The Council would be working with communities to ensure that account was taken of these concerns during the consultation process to ensure the best mitigation was achieved. It would also listen to communities and work to maximise the possible benefits and outcomes for local residents.

A briefing for Members would be held on a date to be advised.

- (c) **Cabinet Member for Waste and Licensing** – the Cabinet Member for Waste and Licensing informed Members that this would be the last Council meeting attended by the Assistant Director (Business Support and Enablement), Isabel Edgar Briancon, who would be taking up a position as Head of Paid Service at Stratford-on-Avon District Council. Members thanked Mrs Briancon for the all the work she had done for the Council over the last 11 years, in particular relating to waste and recycling, and on the street and horticultural contract that was an agenda item for this meeting.
- (d) **Cabinet Member for Finance and Resources** – the Cabinet Member for Finance and Resources updated Members on the security measures that were being put in place as part of the Council's duty to ensure all data and email accounts were held safely and securely. Airwatch would support this change as it controlled the Council's data within a secure 'bubble on Members' devices. The set up process was easy and would be supported by the Enterprise Service Desk.

Members who had not already installed Airwatch on their devices were asked to contact the Enterprise Service Desk as the deadline for getting this sorted for Members was 1 October, 2018.

- (e) **Cabinet Member for Planning and Enforcement** – the Cabinet Member for Planning and Enforcement updated Members on the situation in relation to 112 High Street, Aylesbury. The Council had been advised by the public on 16 August of a dangerous structure. Council Building Control staff and structural engineers had visited the site and had been so concerned about the immediate risk to the public that they had immediately acted on emergency powers to secure the building and the surrounding area. This had also included liaising with the Police, Fire Service and the County Council. A food business and flats adjacent to the site had been evacuated which was an action that the Council had not taken lightly.

Members were further informed on the work that had been undertaken over the next few weeks to ensure the structural integrity of the building which had finally been signed off on 13 September. The Council had engaged and kept the media informed at all stages of this process.

Members paid tribute to Council staff who had acted swiftly to this potentially dangerous situation and had helped to ensure that no-one had been hurt or injured.

3. PETITIONS/DEPUTATIONS (IF ANY)

There were none.

4. WRITTEN QUESTIONS (AUGUST 2018)

Two written questions had been received during August 2018 and the answers could be accessed at

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

5. KINGSBURY AND MARKET SQUARE IMPROVEMENT SCHEMES

Council received a report which set out the challenges facing Kingsbury and Market Square and that outlined plans to bring forward improvement schemes for both spaces and the associated costs. This regeneration of the Aylesbury town centre was reflected in the Aylesbury Town Centre Plan (published in 2014) and in the draft Vale of Aylesbury Local Plan.

It was abundantly clear that the demand for physical retail space was changing across the UK and almost every operator including Marks & Spencer's and John Lewis partnerships were committed to undertaking portfolio reviews. Others such as House of Fraser, were already part way through that process and it was well known that the Aylesbury branch would likely close at some point. Whilst some of this change was offset by big box operators such as B&Q and Screwfix opening smaller, high street formats, users of town centres were undoubtedly looking to their towns (particularly those the size of Aylesbury), to provide a more social experience. National spend on casual dining and the increase in the number of restaurants and cafes had been phenomenal and whilst the dining out market had also seen a softening in recent months, spend generally in this area continued to grow, with shopping being only part of the reason to visit. Aylesbury was no exception to this trend and had seen a number of new cafes and restaurants open in recent years, with more opening as part of The Exchange development.

The increase in people looking to town centres to combine a food and entertainment experience had also been exceptional. Industry reports suggested that 40% of footfall based their decision to visit a town based on the choice of dining options fuelling a significant national growth in both the number of restaurant and café openings and breadth of cuisine available. In the last twelve months, this rapid expansion had led to a softening of the dining out market with some rationalising by well known brands such as Jamie's, but new brands continue to enter the market. Spend overall generally in this area continued to grow. Aylesbury was no exception to this trend and had seen a number of new cafes and restaurants open in recent years, with more opening as part of The Exchange development.

The growth of town centre living was changing what a town needed to offer to sustain successful residential communities. In the last five years, 89,140 offices in the UK have been converted to living accommodation. In Aylesbury town centre, former offices such as Kingfisher House and Friars Square have been successfully converted to residential and proved extremely popular. The office building above QDs at the bottom of High Street had a permitted development for 110 apartments and the 47 apartments in The Exchange development were on sale.

The importance of creating a great environment was critical to the success of attracting people to a town whether to shop, socialise, live or work. It also impacted greatly on a town's ability to secure new retailers, restaurants etc as public space helped form first

impressions of a potential investor and give a sense of the character of a town and its wellbeing.

A theme central to the entire Town Centre Plan, was the recognition that Aylesbury needed to improve the quality of its environment and public space to help create the experience people were looking for whether living, visiting or working. Whilst it was difficult to quantify a direct financial return on investment from public space improvements, there was strong supporting evidence which showed that it could deliver both intrinsic and non-economic benefit, and these were set out in the Committee report.

While good progress had been made in Aylesbury on delivering a range of public space improvements including decorative colourful planters and agreeing a parking order for Kingsbury to enable enforcement of illegal parking on the central area, a range of street entertainment and events in Market Square (such as Aylesbury on Sea, Whizzfizz and the Christmas lights switch on), these were small but incremental improvements. The two largest public spaces – Kingsbury and Market Square, still had operational and aesthetic challenges which required significant schemes to come forward to make a real difference.

Kingsbury

The background and context of Kingsbury was detailed in the report. Use of Kingsbury had changed and whilst it still retained many fine buildings it had struggled in recent times to attract the footfall of its former years and to find its own identity. In 2004, a Government funded scheme to improve the public space had attract private investment in the commercial units and made it more integral to the retail circuit. However, this had not brought about the hoped for transformation. The on-going decline in footfall had led to new challenges and an increase in anti-social behaviour ranging from parking on the central area to public drinking outside the agreed areas. Much effort had also been made by AVDC and its partners to address these issues, but the overall feedback was that more significant investment was needed to enable Kingsbury to thrive and become a greater asset to the town.

The Action Plan for Kingsbury (taken from the Town Centre Plan) was attached as Appendix 2, which had a mini vision for the area to “create a more attractive environment for residents, visitors and businesses and improve it as the gateway to the old town.” A number of the actions listed had already been completed. However, one of the key outstanding actions was to, “form a stakeholder group to identify options for improving the physical environment, looking at seating, lighting, surfaces etc so that better use of the open space can be made all year round.”

Some preliminary work had already been undertaken by the Town Centre Manager to gauge interest by the business community in a scheme being brought forward. This engagement had been on the basis that whilst AVDC (working potentially with BCC who own the highway around the central area which was failing in parts), might be able to deliver enhancements to the public space. The land and buildings also needed to be considered to achieve the best outcome for this relatively small area. This meant that the investment and commitment from the 40 landlord and tenants in Kingsbury would be needed as well.

The potential to transform Kingsbury through a joint approach was significant and any stakeholder engagement would also extend to other key partners such as the Aylesbury Town Council, Thames Valley Police and the Aylesbury Old Town Residents' Association. Some initial thought had been given as to what the future look and feel of Kingsbury could be taking into account the need to reduce the reliance on retail and ensure that Kingsbury complemented other areas of the Town Centre. An initial concept based on bringing the Roald Dahl theme from the museum in the adjacent area, to

Kingsbury (both land and buildings) had been suggested and been well received by landlords and tenants. However, as part of the development of the concept, significant more work would need to be undertaken with stakeholders to ensure that the vision was shared and jointly owned. Any early ideas would also need to be supported by Heritage and Planning Officers before they were developed in detail to form a planning application.

Aylesbury Market Square

The background and context of Market Square was detailed in the report. Market Square was still a very popular space and was home to four markets a week – the Vintage & Craft Bazaar, general, foodie Friday, special markets, concerts, Christmas light switch-on, the Christmas Carol concert, Whizzfizz and more. However, despite its popularity, the square was constrained by key issues including accessibility (cobbled square) and poor infrastructure which collectively prevented all of the space from being used for a wider range of activities.

The Action Plan for Market Square (taken from the Town Centre Plan) was attached as Appendix 3, which had a mini vision for the area to “make more of the area’s presence as a key retail, catering and leisure hub”.

As with Kingsbury, a number of the actions were already underway or complete. For example, significant investment had taken place to improve the markets. New stalls, and the development of the Vintage & Craft Bazaar and the foodie Friday markets, had all helped to revitalise the popularity of the town’s historic market tradition. However, the one key action required was for a review of the public realm to “create a more attractive and usable environment for shopping, eating, drinking and leisure (including large scale events and socialising).

The Action Plan also stated that the review should include looking at better links between areas; vehicle, pedestrian and events use, and the public space (including layout, surfaces, street furniture, signage, lighting and electricity supply). The brief would take into account these requirements and the specific challenges as set out in the report, alongside the requirement to retain the square’s heritage look and feel.

Indicative costs of the improvements

Members were informed that developing the concept to implementation of a scheme had a number of phases which would be applicable to both spaces. The key phases were:

- inception, concept preparation and stakeholder engagement.
- design development to planning.
- tender and construction pack
- delivery and project management.

Each phase carried costs which included the costs of securing specialist advice. Much of this advice would be needed for both spaces although with Kingsbury there would be an additional requirement to develop a Design Guide for the buildings.

Both spaces would be considered together to ensure a cohesive approach to the improvements and also to deliver some economies of scale in terms of commissioning the various elements of work.

The fee and capital costs of both schemes were only indicative at this stage. However, they had been estimated as:

Collective fee costs for Kingsbury and Market Square: £180,000
Capital costs of delivery – Kingsbury: £2m
Capital costs of delivery – Market Square: £2m
Contingency: £320,000
Total: £4.5m

This would be funded from 3 sources:

- existing section 106 funding allocated to Aylesbury Town Centre but not to any specific scheme: £1m.
- Heritage Lottery Funding townscape grants: £2m (potential funding source).
- New Homes Bonus: £1.5m

At this stage there was no guarantee that the bid for Heritage Lottery funding would be completely or partially successful. It was proposed that any gap in funding from the lottery would be met by additional new homes bonus monies.

The timescales would not be known until the specialist advice had been procured. However, as an indication, phases (i) to (iii) were likely to take until at least Spring 2019 to complete enabling procurement for the delivery in Summer 2019., with construction starting later in 2019. Depending on the nature of the finally approved schemes, it was probable that work would be phased rather than carried out at the same time to minimise disruption.

The Finance and Services Scrutiny Committee on 9 July, 2018, had considered the Improvements Schemes. Scrutiny's comments had been reported to Cabinet who had considered them in making a recommendation to full Council.

It was proposed by Councillor Mrs Ward, seconded by Councillor A Cole, that:-

- (1) That the plans to bring forward improvements schemes for Kingsbury and Market Square be endorsed in principle.
- (2) That approval be given, in principle, for a package of funding in support of the proposals, as set out below, and to make the necessary amendments to the capital programme.
 - (i) Use of Section 106 unallocated funds for Aylesbury Town Centre: £1m.
 - (ii) An application for Heritage Funding Townscape grants: £2m (potential funding source).
 - (iii) Use of New Homes Bonus: £1.5m (to be increased to meet any shortfall from the application for Heritage Lottery Funding).
- (3) That approval be given to immediately release £100,000 to enable the procurement of a public realm architect to be appointed to develop concepts for both schemes in consultation with stakeholders.
- (4) That the concepts and indicative costs of delivering both schemes be reported back to scrutiny and Cabinet, with Cabinet given authority to release the next phase of funding to enable the concepts to be developed to detailed planning application stage.
- (5) That Cabinet be given authority to release the remaining funding of up to £4.4m to deliver the schemes once planning permission was granted.

The proposal was opened up to debate. It was thereupon proposed by Councillor Monger and seconded by Councillor Christensen:

That the recommendations be amended to read as follows (the proposed changes/additions being shown in emboldened typeface, the proposed deletions being struck through):-

- (1) That the ~~plans~~ **proposal** to bring forward improvements schemes for Kingsbury and Market Square be endorsed in principle.
- (2) That approval be given, in principle, for a package of funding in support of the proposals, as set out below, and to make the necessary amendments to the capital programme.
 - (i) Use of Section 106 unallocated funds for Aylesbury Town Centre: £1m.
 - (ii) An application for Heritage Funding Townscape grants: £2m (potential funding source).
 - (iii) Use of New Homes Bonus: **to a maximum of £1.5m subject to the agreement of the NHB Grants Panel** (~~to be increased to meet any shortfall from the application for Heritage Lottery Funding~~).
- (3) That approval be given to immediately release **up to** £100,000 to enable the procurement of a public realm architect to be appointed to develop concepts for both schemes in consultation with **commercial** stakeholders and **Aylesbury Town Council**.
- (4) That the concepts and indicative costs of delivering both schemes be reported back to **Council scrutiny and Cabinet**, ~~with Cabinet given authority for~~ **consideration and subject to approval** to release the next phase of funding to enable the concepts to be developed to detailed planning application stage.
- (5) ~~Cabinet be given authority to release the remaining funding of up to £4.4m to deliver the schemes once planning permission was granted.~~ **That subject to planning consent being obtained, a draft contract for the completion of the project be subjected to consideration by Scrutiny Committee, Cabinet and Council."**

Upon being put to the meeting the amendment was declared to be LOST.

During further debate on the original proposal it was then proposed by Councillor Mills and seconded by Councillor Stuchbury that recommendation (2)(iii) be amended to read as follows:-

"(2)(iii) Use of New Homes Bonus: to a maximum of £1.5m, with any increase in the amount of NHB funds to be first approved by Cabinet."

The proposer and seconder of the original proposal agreed to update it to take account of the amendment to recommendation (2)(iii). The original proposal, as amended, was put to the meeting and it was declared to be CARRIED. Accordingly, it was

RESOLVED –

- (1) That the plans to bring forward improvements schemes for Kingsbury and Market Square be endorsed in principle.

- (2) That approval be given, in principle, for a package of funding in support of the proposals, as set out below, and to make the necessary amendments to the capital programme.
 - (i) Use of Section 106 unallocated funds for Aylesbury Town Centre: £1m.
 - (ii) An application for Heritage Funding Townscape grants: £2m (potential funding source).
 - (iii) Use of New Homes Bonus: to a maximum of £1.5m, with any increase in the amount of NHB funds to be first approved by Cabinet.
- (3) That approval be given to immediately release £100,000 to enable the procurement of a public realm architect to be appointed to develop concepts for both schemes in consultation with stakeholders.
- (4) That the concepts and indicative costs of delivering both schemes be reported back to scrutiny and Cabinet, with Cabinet given authority to release the next phase of funding to enable the concepts to be developed to detailed planning application stage.
- (5) That Cabinet be given authority to release the remaining funding of up to £4.4m to deliver the schemes once planning permission was granted.

6. STREET CLEANSING 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.

Council 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, and by Cabinet on 12 September, 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 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 agreeing to 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 and been supportive of Delivery Option 1.A. Cabinet had considered the views expressed at the scrutiny meeting in making a final recommendation to Council.

Proposed by Councillor Sir Beville Stanier, seconded by Councillor Irwin and

RESOLVED –

- (1) That Delivery Option 1.A, as detailed in the confidential report, be approved for the delivery of street cleansing and horticultural services from January 2020.
- (2) That it be noted that a funding proposal relating to Delivery Option 1.A would be developed and then reported to Cabinet and Council as part of the Capital Programme Update for 2019/20 to 2022/23.

7. QUESTION TIME

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

- (a) **Kingsbury and Market Square Improvement Schemes** (Councillor Foster) – the Cabinet Member for Civic Amenities informed Members that the Council would be taking the schemes approved earlier in the meeting seriously. A public realm architect would be employed and the Council would listen to all people and consult widely on the schemes. This would include looking at how to make the most of the Town's heritage and at that could be done to attract more people into Aylesbury.

- (b) **Cornwall Meadows car park, Buckingham** (Councillor Stuchbury) – the Cabinet Member for Civic Amenities informed Members that the payment machines in this car park were in need of being modernised and replaced. This would be addressed as part of the Car Parking Strategy that would be reported to Council in October.

There had been a number of problems with individual machines being reported as faulty over the last 5 weeks. On each occasion, engineers had attended on site within 2 days and been able to repair the machines. There were 5 machines located in the car park and 4 out of the 5 machines had been working properly during the period.

Members were informed that quotes to repair the potholes had been received. A work plan was being put together with it anticipated that a contractor would be appointed soon.

- (c) **Universal Credit** (Councillor Stuchbury) – the Cabinet Member for Communities confirmed that information would be reported back to Members assessing the impacts of the rollout of Universal Credit on local people.
- (d) **Oxford-Cambridge Expressway** (Councillor Monger) – the Deputy Leader of the Council responded to the question which had raised a number of issues in relation to the announcement of the preferred route of the Oxford-Cambridge expressway. These had included the impact on biodiversity, undertaking an Environmental Impact Assessment, AVDC responding to Highways England and central Government, and ensuring that a full public consultation was undertaken in due course.

Members were informed that the issues highlighted would be passed to the Leader of the Council. However, details of the exact route were still sketchy and the Council didn't want to make assumptions until the full facts were known. AVDC was continuing to talk to central Government on the essential requirement for additional infrastructure to be provided.

- (e) **Major Planning Application, Edlesborough** (Councillor Poll) – the Cabinet Member for Planning and Enforcement informed Members that the work to enable this planning application to be decided was nearing completion. It was a very complicated matter that would hopefully be decided within the next month.
- (f) **Fairford Leys Riverine Corridor** (Councillor A Cole) – the Cabinet Member for Environment and Leisure informed Members that he would be working with the Officers with an aim to delivering the next phases of the Riverine Corridor as soon as was possible.
- (g) **Assisting Town Centre businesses** (Councillor Mrs Morgan) – the Cabinet Member for Civic Amenities informed Members that there a number of ways that existing retail and other businesses in the Aylesbury town centre could be assisted including through the Town Centre Partnership and the landlords forum. The Kingsbury and Market Square Improvements would look to invest in the town centre's public realm to improve the sense of civic pride.
- (h) **Street Cleansing** (Councillor Mrs Morgan) – the Cabinet Member for Waste and Licensing asked the Member to provide him with information on street cleansing issues at Havelock Street and Fleet Street, Aylesbury, so that he could look into the matter.

8. EXCLUSION OF THE PUBLIC

RESOLVED –

That under Section 100(A)(4) of the Local Government Act, 1972, the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in the Paragraph indicated in Part 1 of Schedule 12A of the Act:-

Street Cleansing and Horticultural Contract (Paragraph 3).

The public interest in maintaining the exemption outweighed the public interest in disclosing the information because the report contained information relating to the financial or business affairs of organisations (including the Authority holding that information) and disclosure of commercially sensitive information would prejudice negotiations for contracts and land disposals and transactions.

9. STREET CLEANSING AND HORTICULTURAL CONTRACT

In connection with the decisions reached earlier during the meeting, consideration was given to the confidential report and information in the confidential part of the agenda.