

ENVIRONMENT AND LIVING SCRUTINY COMMITTEE

19 September 2012

PRESENT: Councillors Adams, Mrs Bloom, Bond, Mrs Brandis, Cashman, Mrs Chapple, Fealey, Foster, Hughes, Isham, Hunter-Watts, Mrs Russel, Mrs L Smith, Stuchbury, Vick and Winn. Councillor Edmonds attended also.

Apology: Councillor Sir Beville Stanier.

1. ELECTION OF CHAIRMAN

RESOLVED –

That Councillor Hunter-Watts be elected Chairman of the Committee for the remainder of the Council year.

2. APPOINTMENT OF VICE CHAIRMAN

RESOLVED –

That Councillor Fealey be appointed Vice Chairman of the Committee for the remainder of the Council year.

3. DECLARATIONS OF INTEREST

Councillor Mrs L Smith declared a personal interest in agenda item number 4 as a Board Member of the Vale of Aylesbury Housing Trust.

4. DRAFT BUCKINGHAMSHIRE TENANCY STRATEGY

Section 150 of the Localism Act 2011 required local authorities to produce a tenancy strategy which outlined what Registered Providers (RPs) of social housing were to have regard to when formulating policies relating to:

- the types of tenancies they grant.
- the circumstances in which they will grant a tenancy of a particular kind.
- the length of fixed term tenancies.
- the circumstances under which a tenancy may or may not be reissued at the end of the fixed term.

The purpose of a tenancy strategy was to set out the local authority's expectations for the types of tenancy that a RP would offer when delivering and letting accommodation in the authority's district. The RP was only required to "have regard" to the authority's tenancy strategy when formulating its own tenancy policy. This meant that ultimately, the RP did not have to comply with the requirements of the authority's strategy. However, it was hoped that the strong working relations that AVDC had with partner Providers would enable the Council to constructively influence their policies.

Partner RPs had already introduced fixed term tenancies. New lifetime tenancies were now the exception rather than the norm. RPs had also introduced Affordable Rents (at up to 80% of market rent inclusive of service charge), which meant that some rents

are significantly higher than Social Rents, however, they are still lower than the Local Housing Allowance rates for the district.

Aylesbury Vale District Council had worked with the other district councils in Bucks and had produced a joint tenancy strategy with AVDC acting as the lead authority. The main reasons for this are that most of our RP partners operate across the county and we share a common allocations policy and a choice based lettings system (Bucks Home Choice).

A draft Bucks Tenancy Strategy, which was attached as Appendix 1 to the Committee report, had been out to public consultation from 23 July 2012 to 3 September 2012. The consultation responses were currently being evaluated and would be reported to Cabinet on 13 November, and then to full Council on 5 December for approval. The strategy would be a budget and policy framework document, which local authorities had to complete and publish by 14 January 2013.

Members requested further information and were informed:-

- (i) that social housing tenants with a lifetime tenancy that moved to other social rented housing would retain their lifetime tenancy. However, if the tenant moved to an affordable rented property, it was most likely that the tenant would be issued with a fixed-term tenancy.
- (ii) that the issuing of fixed-term tenancies for a minimum tenancy term of five years, following the end of the starter/introductory tenancy, compared favourably with the private rental market.
- (iii) that some RPs had stated through the consultation, that they would continue to offer life-time tenancies rather than fixed-term tenancies.
- (iv) that RPs all had different tenancy policies, which would see variations in the criteria of how one year, five year and lifetime tenancies were issued.
- (v) that it was hoped that the strong working relations AVDC had with local RPs would enable the Council to influence their policies. This would include working amicably with RPs to sort out any irregularities, should they arise.
- (vi) that the Council would be continuing to provide funding for social housing.
- (vii) that details of consultation on the Strategy had been published on the 4 District Council websites and the Bucks Home Choice website. There had also been an article in the Bucks Herald.
- (viii) that tenants had not been individually consulted on the Strategy, as it was normal practice for the RPs to consult tenants on their policies.
- (ix) that a RPs consultation with residents over 60 had revealed that as long as clear information was available about the circumstances in which tenancies would and would not be renewed, older tenants would not feel insecure with fixed-term tenancies.

Members also commented:-

- (a) that they believed it was important that local policies gave local people, in particular young people who lived in rural areas, the first chance to access available social and affordable housing.
- (b) That they believed more should have been done to consult with housing tenants on the Strategy.

Five Members present demanded a recorded vote on the item and voting was as follows:-

FOR: Councillors Mrs Bloom, Mrs Brandis, Mrs Chapple, Fealey, Foster, Hunter-Watts, Mrs Russel and Winn.

AGAINST: Councillors Adams, Cashman, Hughes, Stuchbury and Vick.

ABSTENTIONS: Councillors Bond and Mrs L Smith.

Accordingly it was,

RESOLVED –

- (1) That the approach taken to develop the new Buckinghamshire Tenancy Strategy be noted.
- (2) That the comments on the draft Strategy made at the meeting be reported to the Cabinet Member for Community Matters, for her consideration in finalising the Strategy reported to Cabinet on 13 November 2012.

(Councillor Mrs L Smith declared a personal interest as a Board Member of the Vale of Aylesbury Housing Trust).

5. **QUARTERLY PERFORMANCE DIGEST – APRIL TO JUNE 2012**

The Council's new Corporate Plan had been adopted in October 2011 and set the direction for the administration up to the elections in May 2015. The Corporate Plan was based on four themes:-

- Improving our communications and interaction with our customers.
- Protecting and improving the living experience of the Vale.
- Delivering efficient and economic services.
- Growing the economy of the Vale.

There were a number of objectives that needed to be achieved for the four themes to be realised. Progress in achieving these actions and targets would be reported quarterly to the Scrutiny Committee. Members were informed that following Council's decision to move to three new Scrutiny Committees the remit of this Committee was broader than the Environment Scrutiny Committee.

All actions were on target apart from the following four which had not achieved all their milestones for this quarter and were highlighted with a red triangle in the appendix:-

- (i) **Meet targets for housing the homeless** - At quarter end 30th June 2012, the Council accepted 37 new cases as eligible for assistance, in priority need and unintentionally homeless. At 30 June 2012, there were 19 households in temporary accommodation (target was 15 households). AVDC was over target because of temporary staffing shortages at the time of high demand.
- (ii) **Encourage community ownership and involvement in local environment** – attendance at events had been less than expected due to the bad weather. However, the number of days given by biodiversity volunteers had exceeded the target for the first quarter, notably through the Barn Owl Project, the Bat Group and the Peregrine Project.

- (iii) **Public Realm and Urban Design Guides & implement standards** – the Conservation Areas Highway Protocol had been completed and signed off by the County Council Cabinet Member. The Aylesbury Town Centre Public Realm Design Guide document had also been completed and would shortly be published on AVDC's website. Unfortunately, it was likely that the preparation of the Aylesbury Urban Design Guide and other design guidance would overrun the end of July target date due to other work commitments, and work undertaken on the Protocol and Public Realm document.
- (iv) **Review best options for community engagement** – Resident consultation had been undertaken (July 2012) identifying that only 3 in 10 respondents report knowing their District Councillor, and 2 in 5 knew how they could provide help and support. Of those who did not know, 7 in 10 would like to. Options to improve engagement via the Local Area Forums (LAF) would be considered following the expected completion in October 2012 of a review of LAFs by the County Council. Consultation with Members was to be undertaken to identify current good practice and options for improving community engagement.

Members requested further information and were informed:-

- (a) that the position regarding operational staffing levels within the Housing section had improved.
- (b) that the Council had met its targets for providing affordable housing over the last 3-4 years. While AVDC would strive to continue to provide funding for affordable housing in the future (noting that at present the Council had capital funding to help enable affordable housing development that was earmarked as part of the housing stock transfer), continuing to meet the target would also be dependent on developers building the housing and on the level of funding provided by the Homes and Communities Agency amongst other factors.
- (c) that the County Council was currently undertaking a review of the operation and effectiveness of Local Area Forums which was expected to be completed shortly.
- (d) that article(s) could be published in the Aylesbury Vale Times to help residents identify who their local Councillors were, and to explain what help and support that they could provide. Further to this, Councillors could consider other actions that might help raise their profiles within their local communities.
- (e) that the Public Realm Design Guide was already available on the Council's website.
- (f) that the Urban Design Guide was broken down into a number of sections, that were released when ready. Some sections would be published before Christmas.
- (g) that there were a whole suite of design guides for rural areas, some of which were being updated.
- (h) that distinctive elements identified in Conservation Areas did not change however, best practice sometimes did and this would require information to be updated.

RESOLVED –

That the contents of the Quarterly Performance Digest (April to June 2012), insofar as they apply to the work of the Environment and Living Scrutiny Committee, be noted.

6. CORPORATE PLAN: UPDATE ON ACTIONS RELATING TO HISTORIC BUILDINGS AT RISK AND CONSERVATION AREA REVIEWS

The Corporate Plan Action on Listed Buildings At Risk required that we 'Reduce the Number of Listed Buildings at Risk in the District'. A copy of the Action Plan was attached as Appendix 1 to the Committee report.

There are 2,877 Listed Buildings in the District, all of which had been surveyed to establish their condition. The majority were well cared for, however, 83 were found to be 'At Risk'. At risk building clearly shows a lack of maintenance leading to major problems of repair. There are three categories:

Category 1 – buildings with significant damage or structural failure, missing gutters windows or roofing or the like.

Category 2 – buildings that were structurally sound but in need of essential repairs of a significant nature.

Category 3 – buildings that were structurally sound but poorly maintained and in need of repairs.

The Corporate Plan Actions required the Council to maintain a register of Buildings at Risk and ensure that at least 8 buildings were removed from the register annually. The register identified the buildings at risk and their condition. It was regularly updated and provided the basis for prioritisation of the Historic Buildings at Risk officer's work. Buildings are removed from the register once they have been repaired and are being used and maintained in a way which ensures their continuing survival in a satisfactory condition.

Whilst buildings are being removed from the register other buildings are being added due to accident and fire damage and changes in care and maintenance.

AVDC was currently meeting or exceeding the Corporate Plan Actions target. During the past twelve months 14 buildings have been removed from the list following restoration or repairs including New Inn Farmhouse, Stowe, and Prebend House, Buckingham.

The Corporate Plan Action relating to Conservation Areas (Appendix 2) required the council to deliver a programme of Conservation Area Reviews and between 8 and 10 Conservation Area Reviews annually. A copy of the current programme including details of reviews undertaken and a future work plan was attached at Appendix 3. All Conservation Area Reviews are on track and in accordance with the Corporate Plan Actions and the Conservation Areas review programme.

The following Conservation Areas have recently been reviewed or were in the process of review:

- Padbury – Cabinet on 6 March 2012 - Complete
- Aston Sandford – Cabinet on 3 July 2012 – Complete
- Bishopstone – Consultation complete – Cabinet 23rd October

- Sedrup – Consultation complete – Cabinet 23rd October
- Hartwell – Consultation complete – Cabinet 23rd October
- Ashendon – Consultation current – Cabinet 23rd October
- Great Horwood – Consultation in October/November – Cabinet December
- Singleborough – Consultation in October/November – Cabinet December

Members requested further information and were informed:-

- (i) that a burnt out public house on the Bletchley Road, Thornborough was not on the Council's "At Risk" register because it was not listed.
- (ii) that advice on permitted development in Conservation Areas did not prevent all development but should ensure that new development recognised and respected the special characteristics of the Conservation Area.
- (iii) that the repairs made to the Dinton castle wall with bricks had been done in accordance with current best practice.
- (iv) on the current position regarding a conservation area review for Shipton.

Members commended the Officers for their continued excellent work that was being done to reduce the number of listed buildings at risk in the District, and also commented:-

- (a) that it was hoped that relevant Cabinet Members would be able to attend scrutiny meetings in the future when matters within their portfolio were being considered.
- (b) that the Council should be putting together a 'Local List' of locally significant buildings that were not listed buildings or located within a Conservation Area. While it was understood that such a list would not afford buildings any protection by the planning system, it would help to identify buildings that were of particular importance to local people.
- (c) that the Council should be taking a more proactive approach to repairing listed buildings with significant damage or structural failure. While it was understood that the Council only had very limited funding to undertake such work, the Council was legally able to bill owners for the costs incurred by the Council.

RESOLVED –

- (1) That the progress made towards achieving the Corporate Plan Actions relating to Buildings at Risk and Conservation Area Reviews be noted.
- (2) That the Cabinet Member for Planned Development, Design and Conservation be asked to report back to the scrutiny committee on what action could be taken by the Council in response to the comments raised at (b) and (c) above.

7. SCRUTINY WORK PROGRAMME

Following Council's request to invigorate AVDC's scrutiny activities, three new Scrutiny Committees had been formed that better represented the Council's Corporate Plan aspirations.

The new Committees had taken parts of the, now disbanded, Communities Scrutiny Committee work programme, and these had been amalgamated into new work programmes that reflected the terms of reference of each of the new Committees.

Members considered a draft work programme for this Committee and were also informed that a special meeting of the Committee would be held on 3 October 2012 to consider the draft Vale of Aylesbury Plan.

Led by the Chairman, there was general agreement that the Scrutiny Committee should not only be considering what issues were looked at but also how they were looked at. Some general principles to guide this would be:-

- that scrutiny was Member-led, including Members leading on identifying report topics and specific issues that they wished to scrutinise.
- improved public awareness of what scrutiny was doing, including through questions from the public and questions received in advance by email.
- looking at ways to innovate the whole scrutiny process, such as single Member reports, task and finish groups and, where appropriate, inviting experts to come and speak at scrutiny meetings.

Members also commented:-

- (i) that the Scrutiny Committee might be able to identify “experts” within their membership for some subject areas.
- (ii) that the Scrutiny Committee should be putting together questions in advance of external witnesses attending scrutiny to assist them in presenting relevant information to Members.
- (iii) that issues the Scrutiny Committee might want to look at in the future included the proposed choice-based letting policy, London Luton airport, policing issues and community health.

RESOLVED –

That a workshop be held, hopefully in the next few weeks, to identify issues and plan the Scrutiny Committee’s Work Programme for the next 12-18 months, and to agree some general principles on how the Scrutiny Committee would operate.