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AYLESBURY VALE DISTRICT COUNCIL

Democratic Services

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24 October 2016

ENVIRONMENT AND LIVING SCRUTINY COMMITTEE

A meeting of the Environment and Living Scrutiny Committee will be held at **6.30 pm on Tuesday 1 November 2016** in **The Olympic Room, Aylesbury Vale District Council, The Gateway, Gatehouse Road, Aylesbury, HP19 8FF**, when your attendance is requested.

Membership: Councillor M Winn (Chairman); Councillors S Jenkins (Vice-Chairman), P Agoro, M Bateman, A Bond, S Chapple, A Cole, S Cole, B Everitt, B Foster and A Hetherington

Contact Officer for meeting arrangements: Craig Saunders; csaunders@aylesburyvaledc.gov.uk;

AGENDA

1. APOLOGIES

2. TEMPORARY CHANGES TO MEMBERSHIP

Any changes will be reported at the meeting.

3. MINUTES (Pages 3 - 10)

To approve as a correct record the Minutes of the meeting held on 20 September 2016, copy attached as Appendix A.

4. DECLARATIONS OF INTEREST

Members to declare any interests.

5. ECOLOGY UPDATE 2016 (Pages 11 - 16)

To consider the attached report.

Contact Officer: Paul Holton 01296 585947

6. UPDATE ON FLOODING ON THE WILLOWS DEVELOPMENT (Pages 17 - 20)

To consider the attached report.

Contact Officer: Adam Heeley 01296 585459



7. ENFORCEMENT UPDATE (Pages 21 - 36)

To consider the attached report.

Contact Officer: Susan Kitchen 01296 585436

8. SERVICES PROVIDED BY THE COMMUNITY SPACES TEAM (Pages 37 - 50)

To consider the attached report.

Contact Officer: Gareth Bird (01296) 585228

9. WORK PROGRAMME

To consider the future work programme. Meetings are scheduled as follows:-

- 20 December 2016 (Community Safety Update / Strategy 2017-20, Leisure Facilities in the Vale, Energy Policy & Usage, Waste & Recycling Update).
- 15 February 2017 (VAHT Annual Updates, Pay to Stay).

Contact Officer: Craig Saunders (01296) 585043

ENVIRONMENT AND LIVING SCRUTINY COMMITTEE

20 SEPTEMBER 2016

PRESENT: Councillor M Winn (Chairman); Councillors P Agoro, M Bateman, A Bond, S Chapple, S Cole, B Everitt and A Hetherington. Councillors Mrs Macpherson and Mordue attended also.

APOLOGIES: Councillors S Jenkins, A Cole and B Foster.

1. MINUTES

RESOLVED –

That the Minutes of the meeting held on 14 June, 2016, be approved as a correct record.

2. COMMUNITIES TEAM REVIEW

As part of the Commercial AVDC Programme a review of the Communities Team had been undertaken. AVDC was currently facing severe financial restrictions and was looking to mitigate a reduction in funding of approximately £5million by 2020/21, through a combination of income generation and efficiencies.

The current Communities Team was part of the Community Fulfilment Sector and was currently made up from various sub teams including Community Safety, Community Engagement, Grants and Project Support and the Communities Delivery team. These four teams currently varied considerably in the roles that they performed and the services they offered to the community, which was a mix of services with a various statutory elements, but with the majority being non-statutory.

The Committee received a report that highlighted the potential changes that could be made to the services delivered by the Communities Team following the Commercial Review which had commenced in January 2016. While a number of the community services that were delivered would remain because of the impact and value they deliver, it was believed that some services could be removed or delivered differently. If all of the current recommendations were accepted then savings of approximately £250,000 could be achieved along with a reduction in the level of staff resources (equating to a 36% annual reduction), whilst maintaining key statutory and policy priorities.

Staff, trade unions and employee representatives had been consulted on the proposals. The roles that were undertaken within the team were not process driven and the community benefit produced was exceptionally difficult to quantify or monetise, although this should not be underestimated or ignored. Over the past few years many of the team had adopted a more commercial approach, with an emphasis placed on income generation to help cover the costs, but despite this it was a “loss” making team, in financial terms, to AVDC.

The review had investigated all of the teams’ undertakings and made recommendations on what was believed should be continued and also what should be stopped, changed or moved internally. Alongside the review of the Communities team, the overarching view of Community Fulfilment had also been taken into consideration and recommendations linked to this were also included. One of the main aims when this sector was first formed was for it to become the strategic arm of the Council linking many of the existing services together to help ensure that AVDC was operating at its most efficient. The Communities Review was therefore the first step towards this and

what had become clear was that some of the report's recommendations would impact on the wider sector, in particular upon the existing Strategic Housing team.

The Grant Funding Programme contained within the Communities team had only recently been reviewed and considered by both the Finance and Services Scrutiny Committee and Cabinet in July 2016. The programme had been reduced over the past 6 years from £619,672 to just under £400,000 for 2016/17 and the way in which grants were prioritised had also been amended.

At the beginning of 2016/17 the total annual budget for the Communities team was £1,766,600, £698,182 of which related to staff salaries and which included posts listed as project funding (ASB Officer and Community Safety Officer), but excluding the Community Chest Grants Officer and the Active Vale Co-ordinator (due to the fact that their salaries were covered in full by external funding).

Excluding the Sector Lead and the Corporate Director, the current Communities Structure was made up of the equivalent of 18 staff members, many of whom worked part time hours. This team also attracted external funding to help subsidise 3 posts (the Anti-social Behaviour Co-ordinator, the Community Safety Officer and the Active Vale Co-ordinator).

The Committee was provided with information detailing the specifics of the proposed changes as follows:-

- Creating a new AVDC Strategy and Partnership team, with responsibility for drafting required strategies and policies across front line services within AVDC. This team would replace / expand on the existing Strategic Housing Team. This would be subject to the business review of Strategic Housing and the other strategic activities in community fulfilment.
- Community Safety would be moved to the newly formed AVDC Strategy and Partnership Team, whilst achieving savings from amending existing roles
- The role of the Community Engagement Officer, Cohesion and Wellbeing should also be linked to the Community Safety team with more of a focus given to Prevent.
- A number of services were proposed to be stopped, moved to a different team internally or delivered in a different way, although it was proposed that further work should be undertaken with external partners to attempt to facilitate the continuation of any community services AVDC no longer offered.

It was explained to Members that over the past few months an analysis of the work of the Communities team had been undertaken in a variety of ways. This included initial work with the team managers and then later with the wider team in detailing the many various work streams that were undertaken. These had then been examined individually to estimate the cost of delivering the services, along with an analysis on how they contributed to AVDC's overarching mission statement.

Following this, the work streams had been broken down further into three distinct groups, which represented the current aims of the Communities team's overall vision. These aims were:

- To ensure communities feel safe (Safe)
- To encourage economically strong, cohesive, confident and active communities (Strong)

- To encourage residents to lead healthier, happier and longer lives (Well-being)

From this analysis it became clear that many of the suggested services proposed to be stopped or delivered differently were within the 'Well-being' aim. The vast majority of the statutory functions came within the 'Safe' aim, with those remaining contained within the 'Strong' aim.

Based on the review work, services proposed to be stopped were:-

- Activate Dance Festival.
- Support for Aylesbury Vale Arts Council.
- Aylesbury Vale Community Chest (already programmed to stop in March '17)
- Support for Bucks School Games (Inter School competition)
- Energise Gold (Activities for the elderly)
- Love Parks (National initiative to encourage people to parks)
- Ladies Only Swimming (Limited offer also included within Active Vale)
- Music in Quiet Places (Concerts in rural areas)
- MUGA Projects (Multi Use Games Area Activities)
- Play Around the Parish (Play activities in more rural areas)
- Purple Flag – Co ordination and submission (safe town centre)
- Stoke Mandeville Stadium Committee Representative
- Theatre in the Villages
- Voluntary and Community Sector (VCS) Funding Fair
- Village Pub Competition
- Women's Network (empowerment)
- Youth Council / Forum support

Where it was accepted that services should be stopped, work could be undertaken to attempt to ensure that these services could be continued by other agencies, potentially from the next financial year. All options could be explored, including the potential for AVDC to still deliver these, subject to the costs being met, eg. Parish Councils willing to meet the cost of organising and running Play in the Parishes for example.

Services that it might be possible to move to a different team internally had been identified as:-

- Community Safety.
- Chairman's events.
- CCTV.
- Local Democracy sessions (aimed at young people).
- Purple Flag (if the Council continued to offer this).

Services that it might be possible to offer in a new way in the future included:-

- ASB Co-ordinator role.
- Heritage Flame Ceremony.
- Play in the Park.
- Roald Dahl Parade.
- VCS Funding Fair – to be run or organised by someone else.
- Disability sports clubs.
- Doorways Dance club.
- Ladies Only swimming.

- Sportivate / Diversionary Activities.
- Event bookings and Business Support.

Savings that had been identified from previous underspends / savings that could be realised straightaway amounted to £64,519 and were:-

- Grants Support Costs - £4,500
- Equalities and Cohesion - £5,000
- Project Development Fund - £10,000
- Crime Audit - £1,500
- CCTV (potentially more to come) - £25,000
- BT Line Rental - £5,000
- District Play Services - £5,000
- Equipment Repairs (Leisure, Play) - £1,000
- Additional Computer Equipment - £2,000
- Equipment (Leisure, Play) - £4,160
- Advertising, Publicity & Marketing - £1,359

Additionally, deleting the current Communities Manager Post – saving £82,766 (including on-costs). Further savings were likely to be realised over time as the different work streams were either stopped or delivered differently and these would be itemised and represented in next year's budget.

With the district predicted to grow significantly in the coming years, the impact of this had been considered in the review. This growth lent support to the importance of maintaining robust Community Safety and Community Cohesion services. It was imperative that the district continued to be a place which was considered an attractive place to live and work, and where people feel safe.

117 partners (including all of the parishes) had been surveyed during the review asking for their opinions on the different elements of the Communities team they worked with, along with their views on the impact on them of reducing or stopping the service(s). 39 partners responded to the survey and a summary was attached as Appendix A to the Committee report. These results reinforced the recommendations on the services to be potentially stopped as the Arts, Play, Ageing Well and Sport categories had come low down in their priorities. It was noted that there were some discrepancies within the report regarding linking Community Cohesion and Community Engagement, and also linking Safeguarding to Community Safety.

Once member agreement has been obtained a new structure could then be consulted on and put in place. Work would be undertaken with external partners to attempt to facilitate the continuation of any community services no longer offered by AVDC.

Members sought further information on the review and were informed:-

- (i) that the lessons learnt from the review included the importance of involving the whole team in the review and not underestimating the size of the task as it was important to understand the links between the different services that were being delivered and how this impacted on people.

- (ii) that while it was a priority for the Council to look after and protect the most vulnerable and needy people, which had also been considered as part of the recent review of the grants process, the review did not have specific data on particular individuals who might be impacted by the services it was proposed to be stopped. However, it was likely that a number of the services would continue to be delivered by partners or others but in a different way. People would also be signposted to services/activities similar to ones that were to be stopped and that were already taking place in their areas.
- (iii) that the review of the Strategic Housing had yet to take place. Day-to-day enquiries to the Council on housing and other issues were managed through the Customer Fulfilment team which was not being changed but was being reviewed.
- (iv) that further work would be undertaken to ascertain how best to provide support to the Chairman of the Council and in organising the Chairman's events.
- (v) that the CCTV review related to the monitoring contract for AVDC properties. It had been recommended that this service be moved to the Commercial Property and Regeneration Section, who had greater expertise in this area.
- (vi) that the Council would continue to host the County Sport and Activity Partnership (LEAP). Its Sport Development Officers would continue to provide advice and support in a wide range of areas including disability sport, working with clubs and volunteers, and working with children and young people.
- (vii) that the Council would be working with partners such as VAHT and the County Council to enable disability sports to be delivered in a new or different way. For example, the County Council already provided some services to people with disabilities.
- (viii) that the Council was aware from the review of a number of partners who could be willing to deliver some of the services that were being proposed to be stopped.

Members also commented:-

- that they were reassured by the amount of work and thought that had gone into shaping the review and its recommendations. However, there were also some concerns about the lack of data on the impact on individuals regarding some of the services that it was proposed to stop delivering.
- that they were supportive of key events such as the Roald Dahl festival being put onto a more commercial footing. It might also be possible for the Town Centre Management to take a more active role in delivering such events.

RESOLVED –

- (1) That the recommendations contained within the Communities Team review be noted.

- (2) That the Cabinet Member for Leisure, Communities and Civic Amenities be asked to include impact assessment statements for all the services proposed to be stopped (covering issues such as the impact on people's mental health and well-being, as well as the likely impact on the most vulnerable, and on mitigation measures to be put in place) in the report to Cabinet in November 2016.

3. FOOD SERVICE PLAN 2016-17

Under European food law the Food Standards Agency (FSA) was deemed to be the competent authority. To ensure these powers were exercised consistently across the country by local authorities the FSA had developed a framework agreement, part of which included the production by each local authority of a food service plan.

Service plans were seen as an important part of the process to ensure that national priorities and standards were addressed and delivered locally. The details to be contained in the plan were specified by the FSA. Plans had to contain the following information:-

- Service Aims and Objectives.
- Background.
- Service Delivery.
- Resources.
- Quality Assessment.
- Review.

The Committee received a report on the plan which had the Aylesbury Vale Food Service Plan for 2016-17 attached as an appendix. The key features of the Plan were:-

- that there were 1724 registered food businesses in Aylesbury Vale.
- Premises were given a risk rating, A to E. Resources were targeted to ensure higher risk premises (A, B, Non-compliant C and Unrated) were inspected in accordance with the FSA Code of Practice.
- that the number of premises that were deemed to be "broadly compliant" with the law is 97%.
- in 2015/16 in total AVDC had achieved 95% of programmed interventions, and completed 100% of premises inspections rated A – non compliant C.
- that the plan identified areas of improvement or exploration to improve efficiency and to ensure the Council offered the best service to customers. These included:
 - Implementation of online forms.
 - Use of partial inspections or audits of premises.
 - Extending the scope of the Alternative Enforcement Strategy.
 - Assisting with the implementation of the new premises database
 - Updating staff development in line with Food Law Code of Practice changes

The plan was a development of the 2012/13 plan updated to reflect the current situation and legislative changes. The 2012/13 Food Service Plan had been subject to a full audit by the FSA in October 2012. The FSA had revisited in 2015/16 and had been satisfied that the audit action plan had been fully implemented and the audit had been closed.

Members sought further information and were advised:-

- (i) that due to staffing issues (primarily new staff that were training to get full food service accreditation) it had been necessary to buy in contractor inspections to assist with meeting intervention targets, as necessary. This had amounted to

£12,000 in 2015/16 and was likely to be a similar amount in 2016/17. However, overall, this arrangement was delivering savings to the Council.

- (ii) that AVDC had liaison arrangements with various outside bodies and with neighbouring local authorities, and met regularly to discuss current enforcement issues and ensure consistency in approach and joint working across the County.
- (iii) that the Food Service Agency as part of their 2015-20 Strategy was still looking at whether to consult on allowing some autonomy in how some establishments such as Tesco and Sainsbury's, which had their own inspection regimes in place, were inspected. SEMLEP was also looking at how better regulation for business might be put in place. However, both organisations were moving slowly.

AVDC could take the lead in developing its own autonomy scheme but if it didn't comply with the FSA's Code of Practice then it was possible that it would be challenged.

- (iv) that a large supermarket such as Waitrose would be inspected approximately every 18 months, and would take 3-4 hours to inspect plus Officer travelling time.
- (v) that EHO's visiting premises could also bring to businesses attention other services that the Council could provide for them such as the commercial recycling and waste services and planning advice.
- (vi) that Officers would investigate what benefits there might be for the Council in obtaining ISO 22000 accreditations (Food Safety Management).
- (vii) that there were a number of other organisations locally that were able to provide food safety training more competitively than the Council. If AVDC did decide to offer training it would need to employ additional Officers to do this.

RESOLVED –

- (1) That the contents of the Food Service Plan for 2016-17 be approved.
- (2) That the Scrutiny Committee was supportive of the Council looking to pilot an initiative(s) on an AVDC food service inspection autonomy scheme, which could both provide opportunities for AVDC and be a more efficient use of Council resources.

4. FUTURE WORK PROGRAMME

The Committee considered their work programme for the next 6-9 months. A written question had been submitted to the Council meeting on 20 July 2016 concerning enforcement action associated with environmental issues and in relation to a particular planning application.

Whilst it was not within the Committee's remit to consider a particular planning application due to the quasi-judicial nature of the planning process, it was however with the Committee's remit to "assist in the development of the Council's planning policies (excluding the Vale of Aylesbury Local Plan) and other plans for the use and development of land."

Members considered the merit of examining in generic terms the Council's planning enforcement procedures and agreed that they would like to receive a general report on planning enforcement to a future meeting to assist in Members' understanding of this area. The report could include information on :

- the nature of enforcement work.
- the basis upon which formal action could be taken.
- justifications that had to be shown in order to take action.
- the different stages in the enforcement process.
- the process for enforcement notices.
- Local Members role / how can local Members' help?

In addition to this matter, the following items had been programmed for future meetings:-

- (i) **1 November 2016** – Waste and Recycling Update, Update on flooding on the Willows development, Services provided by the Community Spaces team and Biodiversity update.
- (ii) **20 December 2016** – Community Safety update / Strategy 2017-20 and Leisure facilities in the Vale.
- (iii) **15 February 2017** – VAHT Annual update and 'Pay to Stay'.
- (iv) **22 March 2017** – no items as yet

Members also commented that they would like to receive information, initially via the Members' Information Sheet, on the Energy Savings Opportunity Scheme (ESOS), impacts on the Council of the Housing Act 2016, and on pest control.

RESOLVED –

That the current work programme as agreed at the meeting be noted.

AVDC ECOLOGIST UPDATE 2016

1 Purpose

This report provides information and an update on the changes since the 2015 report, identify species which are protected, in need of management, at risk of decline, show how the council is managing protected species, and how AVDC policy is enabling habitat conservation.

2 Recommendations/for decision

That the Committee:

- 2.1 Notes the contents of the report and key achievements in relation to supporting biodiversity and planning and the benefits to the vale from the work undertaken.

3 Executive summary

- 3.1 This report sets out the key areas of work that the AVDC Ecologist delivers to meet the growth agenda, health and well-being, and community engagement objectives. It sets out how the council protects species and habitats through the planning process to ensure no net loss and where possible net gains to biodiversity in accordance with National Planning Policy Framework (NPPF). Discusses how species and habitats are further enhanced and protected through the various partnership projects that exist through the support of the ecologist.
- 3.2 AVDC plays an important role in seeking maximum possible benefits for biodiversity are achieved from each development and our most important sites for nature are protected.

4 Update on AVDC Ecology since 2015

- 4.1 There is currently one ecologist whose key responsibility is to provide advice in relation to all planning applications that have an impact on ecology, covering a wide remit of applications from householder two storey extensions up to major developments and infrastructure projects such as HS2. The AVDC Ecologist reviews almost 1,000 planning applications every year.
- 4.2 In addition to this Development Management casework, the Ecologist has also provided guidance on policy formulation to ensure the ecology sections of the Vale of Aylesbury Local Plan provide robust protection for nature across the Vale in development to meet the growth requirements. Further progress is being made within the county conservation forums such as the Natural Environment Partnership to ensure the Buckinghamshire and Milton Keynes Biodiversity Action Plan is embedded in AVDC policy.
- 4.3 There have been a number of recent notable planning successes in relation to ecology including identifying and conserving 60 protected species sites, the routine provision of bat and bird roosting sites, and priority habitat creation in appropriate new development.
- 4.4 The most notable success was the negotiation and design of the Kingsbrook development (Land East of Aylesbury). This scheme will set a new benchmark for housing development for integrating and delivering biodiversity enhancement through development. Through discussions with officers the developer, Barratt's are now working in close partnership with the Royal Society for the Protection of Birds (RSPB) towards biodiversity enhancement. It is expected that Kingsbrook will become the exemplar for sustainable biodiversity in the UK and has already received national recognition by winning a prestigious 'BIG Biodiversity Award' hosted by the Construction Industry Research and Information Association. The first show homes will be open early September 2016 with novel and unique ecological features

inserted into the design of the buildings and surrounding areas. Plans are progressing for the 100ha nature reserve which will come on line in 2024.

- 4.5 A number of volunteer groups work with the AVDC Ecologist to further protect nature conservation. These groups are flourishing, but still require support from the AVDC Ecologist and include the following: the North Bucks Bat Group, AVDC Great Crested Newt Project, Water Vole and Otter Spotter Project, Peregrine Falcon Project, Swift Group, Vale Countryside Volunteers, UK Black Poplar Conservation Group. All these groups contribute vast amounts of volunteer time towards the protection and expansion of the species or habitat they deal with generating huge amounts of community input and engagement.

5 Protected Species

- 5.1 The table below lists the protected species which are most common within the District:

Protected Species	Key Sites
Badger	Spread across the district
Bats	Common species such as Pipistrelle and Brown Long Eared spread across the district woodland specialists such as Bechstein's and Myotis in wooded areas in the Claydon's
Birds	Farmland bird species under pressure from development across the district. Wetland specialists along river corridors and around large wet areas such as Tring Reservoirs.
Black Poplar	On wet meadows along the river and canal corridors
Black and Brown Hairstreak	Butterfly's found in scrub and wooded areas in the Thame catchment and The Claydon's area.
Dormouse	Small populations left in the Chilterns
Great Crested Newt	Across the district
Otter	Along the river corridors of the Great Ouse and Thame
Noble Chaffer	Beetle associated with orchards in the south-east of the district
Reptiles and amphibians	Across the district for common species and pockets of heath in the east on the Greensand Ridge, important for adder and Palmate Newt
Water vole	Riparian habitats especially along the River Ouse around Tingewick
White Clawed Crayfish	Isolated populations in Aston Clinton area

6 Protecting species and habitats through Development Management

- 6.1 National Planning Policy Framework (NPPF) supports the conservation and enhancement of ecology through the planning function, specifically through paragraphs 7, 9, 109, 118 and 152 of the NPPF, which detail the need for developers to help improve biodiversity, move from a net loss to net gain for nature, minimise impacts on biodiversity, and to conserve and enhance biodiversity.
- 6.2 By screening applications at validation, AVDC Development Management ensure that all applications which may affect ecological assets are referred to the Ecologist for expert input.
- 6.3 Those submitting applications that have a reasonable likelihood of protected species or habitats being impacted are required to provide an ecological report, demonstrating what species and habitats are present to determine what the impacts of the proposed development are. Applicants are required to mitigate these impacts through the provision of ecological enhancements.
- 6.4 Our Ecologist is able to provide a fee-paid service to householders to prepare the assessment on their behalf if they request this. In these cases the Ecologist will recommend necessary mitigation measures and request that these are conditioned as part of the application process.

- 6.5 For schemes where the applicant provides their own report, our Ecologist scrutinises the applicant's report and comments on the suitability of the mitigation measures provided.
- 6.6 If applications are approved, mitigation methods detailed are secured by condition(s) imposed as part of the planning permission to ensure the works are completed satisfactorily.
- 6.7 In addition to input into individual planning applications, the Ecologist also plays an important role in assessing ecological mitigation for major infrastructure projects such as HS2 and East West Rail as part of the select committee process.

7 Protecting species and habitats through Planning Policy

- 7.1 Support has been provided to the Forward Plans Team in respect of the draft VALP. The policy detailed in the ecology section of the emerging plan still at an early stage in the plan making process. This policy will form the core to nature conservation across the Vale in respect of the proposed planning requirements the Vale will be experiencing.
- 7.2 In addition to VALP, there are also a number of other local and regional policy documents our Ecologist is providing input into.

8 Protecting species and habitats during Major Development

- 8.1 AVDC has a good track record in securing net ecological gains from large developments. Berryfield's and Kingsbrook are two of the highest profile examples where ecology gains are beginning to come to fruition.
- 8.2 Berryfield's Farmland Bird Scheme aims to compensate for ecological impacts of the Berryfield's development. In 2016 three agreements with local landowners have been established with two more waiting to be ratified. 36 hectares of wildflower meadow have been sown using seed from local wildlife sites and 7 new ponds created. This project is entirely funded by developer contributions. Further landowners have been identified and enhancements in line with the agreement will be brought on line over the next 6 years.
- 8.3 The Kingsbrook scheme evolved over time through negotiation and working collaboratively with the developer, and forging links with the RSPB to become the ground breaking scheme it is now. Measures include:
 - 120 hectares wetland nature reserve created managed by the RSBP
 - A substantial visitor centre managed by RSPB servicing the nature reserve
 - A national Black Poplar trail
 - Native trees throughout the development
 - Integrated bat and bird boxes in all appropriate buildings
 - 70% of the development will be green space primarily managed for nature conservation
 - A Sand Martin bank
 - Over 50 new ponds
 - Biodiversity Acton Plan priority habitat created throughout
 - Ground breaking Sustainable Urban Drainage Systems designed to be functional and benefit biodiversity
 - Fruit trees in over 50% of the gardens
 - Fencing designed to be permeable to wildlife
 - Wildlife crossings under roads
 - Gardens designed to be wildlife friendly.
- 8.4 Units are now being built on site and the link road is almost fully operational. The species mitigation areas have been created for village 2 and preparation is underway for village 3.
- 8.5 Progress on the design for the 120 hectares nature reserve RSPB will be managing on completion is underway along with a unique link up with a integrated bird box supplier which will enable one in four houses to have a swift box within the fabric of the building. Major

events are being organised to show case this nationally important development and the link up the developer RSPB and our Ecologist have created.

9 Protecting Species and Habitats with Volunteer Support

- 9.1 The groups that work with the AVDC Ecologist make one of the largest contributions to community engagement of the council, with 2,800 volunteer days generated in 2015.
- 9.2 The different groups undertake practical conservation work, biological surveys, liaison with landowners and scientific studies.
- 9.3 Our Ecologist has created and facilitates or advises 10 separate conservation groups who deliver significant conservation gains to the District.
- 9.4 Whilst these groups are designed to be relatively independent they rely on the guidance and support of the AVDC Ecologist to provide a conservation network through the Vale which enable us to maximise our effectiveness. For example, if a landowner enquires about improving their land for wildlife the AVDC Ecologist can conduct a survey to highlight the current situation and potential of the site. The landowner can then be put in contact with a group to deliver conservation gain. The involvement of the AVDC Ecologist ensures that the highest conservation standards are employed and all efforts are coordinated with current Bucks Biodiversity Action Plan targets.
- 9.5 Volunteers play an important role in carrying out work for which the council would otherwise have to pay, such as the conservation management of AVDC's parks and open spaces through planting wildflower meadows, hedges and trees as well as hedge laying. Benefiting not only conservation, but also direct users of our parks and open spaces and indirect users who live nearby, travel past, or work near our such sites.
- 9.6 Recent projects in Aylesbury have highlighted this along Riverside Walk and The Coppice where wild flower plants, hedge management, and planting have all been carried out by volunteers and community groups. These works links in with the Community Spaces Team who provide the grounds maintenance services.
- 9.7 Our Ecologist secured Higher Level Stewardship schemes (HLS) for three AVDC green spaces which pays for beneficial management and ecological enhancement measures for these sites which is partially achieved through the works of the volunteer effort applied to the site.
- 9.8 The Barn Owl Project (originally set up by AVDC with external funding) is now largely overseen by volunteers and supported by AVDC. The group is now known as the [Bucks Owl and Raptor Group \(BORG\)](#) and is entirely self funded. The increased autonomy of this group maintains their effectiveness and reduces time implications for AVDC staff. The group contributes over 330 days of volunteer time to this project annually and has become the second largest Barn Owl project in the country.
- 9.9 [North Bucks Bat Group](#) continues to grow in capability and recognition. A grant of £46,000 from the Heritage Lottery Fund (HLF) secured by AVDC has enabled the group to purchase specialist equipment and engage a larger number of people for the benefit of bat conservation. The group has been invited to talk about its research projects nationally and internationally.
- 9.10 One of the most important voluntary groups is [Vale Countryside Volunteers \(VCV\)](#), which has now been running for 13 years and whose volunteers go out most weeks throughout the year. Over 450 days were provided by VCV delivering practical conservation action such hedge laying, tree planting, wildlife surveys, pond restoration, otter holt construction, wildflower collection, and sowing. Work of the group enables the AVDC Ecologist to carry out conservation initiatives at minimal cost to the council. They are also providing key links to nature conservation organisations such as the National Trust and the Local Wildlife Trust by

linking AVDC projects with theirs such as Coronation Meadow at Heartlands Park Buckingham.

- 9.11 In 2015 our Ecologist organised and hosted the [UK Black Poplar Conservation Group National Conference](#) and has established a national clone bank for the species in Aylesbury. Thousands of trees generated from this clone bank have been planted in the Olympic Park, every London Borough, The Royal Parks, Arla development, and plans for Europe's largest Black Poplar wet woodland at the Kingsbrook development are under way. A link with a local plant nursery has seen cuttings being grown in a more commercial manner with funds from each plant being sold coming back to the council. A new clone of Black Poplar has been grown on by The Royal Botanic Gardens, Kew as part of the national Seed bank. Seed was provided by the AVDC Ecologist to the project and specimens will be gifted to AVDC to further complement the clone banks in the district.
- 9.12 The [Peregrine Falcon Project](#) is in its sixth year and was used as a case study on how to encourage urban wildlife in the [Bat Conservation Trust publication 'Landscape & Urban Design for Bats and Biodiversity'](#). AVDC was invited to present a talk at the European Symposium for Urban Wildlife Design. Breeding has been successful for a sixth year and the web cameras attract interest and attention for AVDC globally. This project is supported by the Local Wildlife Trust and Bucks Bird Club, the latter fund the web streaming video of the peregrine nest. The former co-ordinating watch events with BORG in the town centre to further promote Aylesbury as a destination.
- 9.13 Our Ecologist has forged links with Plantlife and Bucks, Berks, and Oxon Wildlife Trust (BBOWT) to establish the counties coronation meadow in Buckingham. Two hectares of wildflower meadow is being created at Heartlands open space Buckingham at no cost to the council. This meadow will become a lasting legacy for the town and will in time provide seed that can be used to create other new wildflower meadows our Ecologist is trying to secure through the planning gains needed through the planning process.

10 Resource implications

- 10.1 AVDC ecology staffing is provided entirely within the existing budget of Development Management through the fee income generated by planning application work, and with additional funding for schemes provided through Section 106 legal agreements in relation to new development.
- 10.2 In addition to these, there is also the potential in the coming years for funding to recover any costs arising from work related to HS2. We will continue to seek opportunities for income generation and work in a commercial environment.
- 10.3 Whilst the provision of support to community conservation groups is not directly funded, the net benefit to the Council in terms of the number of volunteer days and ability to implement policy in relation to ecology and biodiversity are considerable. This enables many of the planning gains required under the current National Planning Policy and in the VALP to be fully achieved.

11 Response to Key Aims and Objectives

11.1 The work contributes to the Corporate Plan targets as follows:

- Improve participation in leisure and cultural activities across the Vale
- Support the voluntary and community sector through advice information, training and funding
- Encourage greater community ownership and involvement in our local environment
- Encourage higher environmental standards in new development
- Manage and protect designated wildlife sites and AVDC land

- Provide technical support to major infrastructure projects such as HS2 and East West Rail.
- Identify the infrastructure required to support new development and wider Vale needs
- Deliver innovative new services that customers value
- Contribute AVDC news and updates to local newsletters and local area forums
- Consider how best we can help people get involved in their local community

Contact Officer: Paul Holton 01296 585947

UPDATE ON THE WILLOWS, AYLESBURY

1. Purpose

- 1.1 To provide an update on the actions taken following the flooding at The Willows Estate during February 2014.

2. Recommendations

- 2.1 The Scrutiny Committee is asked to note the report and to identify any issues they wish to be reported to the Cabinet Member for Environment and Waste.

3. Background

- 3.1 The Willows Estate is a housing estate to the West of Aylesbury. It is bound by the A418 Oxford Road, Ellen Road and the Stoke Brook. The Stoke Brook is a key feature of the Estate and is an open watercourse throughout. The Brook is classed as 'Main River' by the Environment Agency (EA), who are responsible for managing flooding from the Brook. AVDC have riparian owner responsibilities for the east bank of the Brook abutting the Willows Estate.
- 3.2 In December 2013, the Willows Estate experienced a number of flooding incidents and although no properties were affected, car parking areas across the Estate became inundated with surface water. It is believed that this was due to the heavy rainfall experienced, ground water reserves being at full capacity and lack of maintenance to the existing surface water drainage system.
- 3.3 On 7 February 2014, the South East of England suffered from extreme rainfall with major flood incidents declared across the country. The Willows was once again affected and 80 properties suffered from internal flooding.
- 3.4 Following this and governed by the Flood and Water Management Act (2010) Buckinghamshire County Council (BCC) produced a Section 19 Flood Investigation Report, which was published on the 30th April 2014.
- 3.5 As a response to the flooding events across the country, Central Government promised funding for those residents affected. This came in two streams:
- (a) Council Tax/Business Rate Rebates for the time residents were out of their homes or businesses.
 - (b) 'Repair and Renewal Grant' (RRG); this is a maximum of £5000 to each flooded property to help improve their resilience to future flood events.

4. Repair and Renewal Grant

- 4.1 Central government started to produce information about the RRG scheme shortly after David Cameron announced additional funding would be available to help 'stop' flooding. The information that was sent to local authorities was, at first a little vague and changed slightly over the following weeks.
- 4.2 The RRG gives each homeowner that suffered internal flooding a maximum of £5,000 to improve the resilience of their homes. From this, £500 can be used towards studies and or flood risk reports. Due to 80 properties flooding it allowed us to spend a maximum of £40k on feasibility work.

- 4.3 It was agreed with Central Government that the money could be pooled and put towards a community scheme if this was deemed as more cost effective as was the case with the Willows Estate.
- 4.4 The original date for the RRG funding to close was 31st March 2015, however due to multiple Authorities writing to the Secretary of State (including ourselves) it was extended to 30th June 2015.

5. Feasibility Study

- 5.1 AVDC approached our partner authorities, BCC, EA, Transport for Buckinghamshire (TfB) and Thames Water Utilities Limited, on 9th June 2014 and asked if they would be interested in working cooperatively. BCC requested at the first partner meeting that the scope of the works should be extended to include the whole of the upper catchment of the Stoke Brook. This was agreed as a sensible extension but raised the original estimate for the feasibility study from £16,000 to over £27,000. The study works were stalled for a number of weeks due to these additional costs, we tried to get match funding but at that time no additional funding was available.
- 5.2 With cooperation of HS2 Ltd and the EA's modelling team, we have managed to reduce the financial burden of the study by reducing the required topographical surveys. However, as our consultants do not hold the base data of this information they have to allow for any slight inaccuracies that may have occurred by others.
- 5.3 The affected homeowners were sent a letter from AVDC to see if they would be interested in this approach of a community based scheme. During this time we held a multi-agency Flood Surgery which allowed residents the opportunity to talk about the flood event and how we could all move forward. The outcome of this surgery was that 67 out of 80 residents agreed that their RRG could be pooled, allowing £33,500 to be used for the feasibility study work.
- 5.4 We agreed a scope and Hydro Consultancy was commissioned to carry out the study. They constructed a computer model of the flooding scenarios using the complex mix of surface water and fluvial flows that caused the February flood event. From this model, 3 options have been determined that would help reduce the flood risk to the Willows Estate. One option (as agreed by the steering group) would then be developed into the preliminary design stage. The cost of this model and report was £12,250.
- 5.5 For the model to be as accurate as possible some additional topographical survey data was required including threshold levels of those houses adjacent to the open space. We approached Global Surveys to undertake the work and they completed the survey the week commencing 20th January 2015. The cost of the topographic surveys was £4,650.
- 5.6 Due to the tight time constraints we asked for one of the options to be in the form of temporary defences. However to ensure that there is a future plan for the Willows that will reduce flood risk in the long term without the risk of temporary defences not being deployed in time, we asked Hydro Consultancy to develop a long term flood alleviation scheme to preliminary design stage. This was for an additional £2,750.
- 5.7 We have been presented with a final report. In the report there are three options; 1 – Temporary defences, 2 – Temporary defences with some capital works, 3 – A long term capital scheme.

5.8 To ensure The Willows Estate could make the most out of the RRG money, temporary defences were the chosen solution.

6. Temporary Defences and the Future

6.1 The temporary defences are to be stored at a Transport for Bucks site at present.

6.2 The defences will only be deployed when there is predicted heavy rainfall along with a raised water level in the brook .An electronic water gauge was initially installed on the Stoke Brook as part of this warning. However this proved to be not accurate enough to predict when a flooding event could occur and Bucks CC has arranged and had fitted additional telemetry. When a formal warning is released AVDC, EA, BCC along with the resident group will be notified via text and email.

6.3 Currently Transport for Bucks and the Willows Flood Group with the assistance of Bucks Off Road Group will deploy the temporary defences, which are simply rolled out along the length of the brook. However practice events have proved that vehicular access is required on the large grassy area owned by AVDC on the willows estate.. A system of grass reinforcement is to be installed here which has been designed and is to be installed very soon by TfB contractors TfB will also deploy and maintain the pumps during an event with the assistance of Bucks Off Road Group.

6.4 The trash screen that was fitted at the Oxford Road culvert proved to be creating a problem instead of solving it and has been removed.

6.5 The feasibility report has produced a long term capital scheme that can be commenced with a small amount of detailed design if funding is available at a later date.

6.6 The latest HS2 plans show that the land to the West of the Stoke Brook may be set aside for mitigation works from the major infrastructure scheme and the outcome with HS2 Ltd may mean the capital scheme developed within the feasibility study is made redundant.

7. Community Launch Event for The Willows

7.1 To help promote the use of temporary defences and to show how the resident's RRG money had been spent, the steering group arranged a launch event on 12 September 2015. The event was well attended with nearly 100 residents attending.

7.2 The launch event gave the group an opportunity to explain how the defences work and the ease of them being deployed. There are training days scheduled for August September 2016 with Bucks County Council, Willows Flood group Transport for Bucks and Bucks Off Road Group.

8. Partnership Working

8.1 Whilst AVDC might have been the initial lead on this project the outcome has been very much a partnership with all those involved with Bucks County Council and Transport for Bucks being heavily involved and driving the work forward, but also the Willows Residents Flood Group, Bucks and Milton Keynes Fire and Rescue Service , Bucks Off Road Group, The Environment Agency and Thames Water Utilities all being involved and playing a part. Councillors from AVDC and Bucks County Council have also provided support and assistance

9. Ongoing Issues

- 9.1 One problem that is very much ongoing is that of rubbish and other material being dumped into the brook, often upstream which at times of higher water flow then moves downstream to cause a problem when it builds up. Whilst AVDC as Riparian owner of one side of the brook as a responsible owner removes this rubbish when notified it would be much better if a way could be found to prevent it being deposited into the brook in the first place. Also the other Riparian owners would appear to be slower to take any action if they take any at all.

10. Resource Implications

- 10.1 None

Contact Officer: Adam Heeley (01296) 585459
Background: None

PLANNING ENFORCEMENT

1 Purpose

- 1.1. This provides a general report on planning enforcement to assist members in their understanding of this area and includes:
- the nature of enforcement work.
 - the basis upon which formal action could be taken.
 - justifications that had to be shown in order to take action.
 - the different stages in the enforcement process.
 - the process for enforcement notices.
 - Local Members role / how can local Members' help?
- 1.2. The request for information by committee on 20 September 2016 was coincidental with the completion of a " Planning Enforcement Plan" which addressed many of the issues raised. This report as a consequence focuses on that Plan, which is appended to this report.

2 Recommendations

- | |
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| 2.1 That the enforcement plan is noted. |
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3 Supporting information

- 3.1 The Council in 2008 produced a document entitled Planning Enforcement: Policies, Procedures and Standards which set out how we approach suspected breaches of planning control and of the standard of service that all parties should expect. That document approved by the cabinet portfolio holder Cllr Mrs C Paternoster has been available on the Council's web site and formed the basis of a series of information leaflets which have been used in day to day operation.
- 3.2 The National Planning Policy Framework (NPPF) , advises that local planning authorities should consider publishing a local enforcement plan to manage enforcement proactively in a way that is appropriate to their area.
- 3.3 The opportunity has been taken to review and update the 2008 document in the light of the NPPF guidance. The "Enforcement Plan" describes the purpose of the Council's planning enforcement service and how it will be delivered to the community. The plan aims to provide an efficient enforcement service which is focused on protecting the community against harmful development in a way that is clear, consistent and proportionate to the harm caused.
- 3.4 The main thread of the plan is identifying and remedying harm caused by breaches of planning control. The key test in essence is, if an application for planning permission had been made would it have been refused, or only granted subject to controlling conditions. Conversely, should the conclusion be that no harm results and planning permission would have been unconditionally granted, then no further action is required.
- 3.5 The Enforcement Plan has been prepared in consultation with Cllr Mrs Paternoster the cabinet member for Growth Strategy but has not to date been published, as a consequence of the timing of the Committee's request for this report.

3.6 The Plan because it is outside its scope does not address the “Local Members role / how can local Members’ help”.

It is suggested that local Members can

- Assist in being a conduit for information from both complainants and developers, particularly where they are reluctant to contact officers direct.
- Play an important role in expressing the weight of local feeling regarding a particular breach or in articulating the underlying concerns.
- In a similar vein to the above, can pass on comments raised at Parish Council meetings and if briefed, give feedback or ask that a written response is given..
- As a “neutral” local representative intercede on behalf of both complainants and developers to facilitate meetings and/or progress towards resolving a local issue.

Contact Officer

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Planning Enforcement Plan

DRAFT

Introduction

The enforcement plan describes the purpose of the Council's planning enforcement service and how it will be delivered to the community. The plan aims to provide an efficient enforcement service which is focused on protecting the community against harmful development in a way that is clear, consistent and proportionate to the harm caused.

The purpose of planning enforcement

The planning system seeks to ensure that the right development happens in the right place at the right time, to the community benefit. It plays a key role in identifying through local and neighbourhood plans what development is needed and where, what areas need to be protected or enhanced and in assessing whether proposed development is suitable.

Effective enforcement is key to protecting the public interest from unauthorised harmful development and in maintaining confidence in the planning system, by tackling those who ignore planning controls. Harmful development is that which has an unacceptable affect on public amenity or the existing use of land and buildings meriting protection in the public interest.

The objective of effective enforcement is to address any harm caused by a breach of planning control rather than to punish those involved.

The response to a suspected breach of planning control is at the discretion of the Council and should be related to the nature and degree of harm caused. Whilst in no way condoning breaches, the Council will not take enforcement action solely to regularise development which is otherwise acceptable. The key test is, if an application for planning permission had been made would it have been refused, or only granted subject to controlling conditions.

The Council will investigate alleged breaches of planning control to determine whether a breach has in fact occurred, and if it has, to choose the most appropriate course of action.

The onus is on a negotiated resolution of a breach, but where this can not be achieved or becomes protracted the Council has at its disposal a range of enforcement powers, which can remedy the harmful effects of breaches of control.

Breaches of planning control

It is a breach to carry out without any necessary consent :

- Building works & changes of use #
- Works to protected trees*
- Works to listed buildings*
- Demolition in Conservation areas*
- External advertisements*#
- Works to countryside hedgerows* .

Also

- Untidy land & buildings which seriously harm the amenities of an area
- Non compliance with conditions attached to permissions
- Departures from approved details
- To fail to comply with a High hedges remediation notice

* these are criminal offences

Parliament has decided that certain works and changes of use can take place as "permitted development" without requiring planning permission and that some advertisements can be displayed with a deemed consent.

You can see for yourself if consent has been granted and view the approved details and any conditions by visiting our web site.

What is not a breach of planning control?

- Disputes about land ownership.
- The position of property boundaries.
- Disputes over private rights of way.
- Breaches of restrictive covenants on property deeds.
- The Party Wall Act

These are private matters between the parties involved. If they cannot be resolved through agreement, independent advice should be sought from the Citizens Advice Bureau (CAB) or a solicitor.

Making a complaint

We rely to a large extent on members of the public and Town and Parish Councils bringing suspected breaches of planning control to our attention.

Anyone who suspects a breach of planning control is encouraged to visit our web site to check for themselves whether permission has been obtained, and if so, to view the approved details and conditions. Details of conservation areas, listed buildings and protected trees together with a wide range of planning information can also be accessed via the web site.

Complaints should be made using the form on our web site to ensure that the appropriate information is provided. (<http://www.aylesburyvaledc.gov.uk/report-possible-breach-planning-control>)

However, we will accept other written complaints and require the following information.

- Your name, address, telephone number and e-mail address.
- Precise description of the suspected breach and address.
- Any other relevant background information, photographs can be particularly helpful.
- The harm caused by the suspected breach.
- What action you would like to be taken

In some cases, where monitoring over a period of time is required, we may need to rely on complainants to collect information. In such cases, we will provide details of the information required in the form of diary sheets and guidance notes.

Anonymous complaints will only be accepted in exceptional circumstances where the information provided clearly describes the suspected breach and demonstrates that it potentially causes serious harm.

Repeat complaints will only be investigated where new information is submitted or it is demonstrated that a change in circumstances has occurred since the closure of the previous case.

Confidentiality, the identity of complainants' will not be disclosed, although in some cases the source of the complaint will be obvious. However, where a complaint leads to formal action we may ask a complainant to forgo their anonymity, and appear as a witness for the Council.

A diagram summarising the steps involved with investigating a suspected breach of planning control is attached at the end of this plan

How we prioritise complaints

So that we can make best use of our resources, complaints are prioritised in accordance with the potential seriousness of the suspected breaches, so that those which may be causing irreversible harm or where prompt action may prevent the growth of a breach are quickly investigated. However, the priority given may be the subject of change as more information comes available on the actual seriousness of the breach.

On occasions we may have to concentrate our resources on a high priority case and this may regrettably have an impact our ability to pursue lower priority cases.

Category 1: High	
Development which could cause irreparable harm or where serious harm could be pre-empted	Action and timescale
<ul style="list-style-type: none"> • On going works to <ul style="list-style-type: none"> ○ listed buildings ○ protected trees ○ protected hedgerows • Extensive development in the countryside. • Works on development sites in breach of conditions which seek to protect trees, ecology, archaeology or another irreplaceable asset. 	<p>We will visit the site and/or contact the developer the day the complaint is received and if not possible the next working day.</p> <p>We will reach a decision on the course of action to be taken within 3 working days of receiving the complaint.</p>
Category 2: Medium	
Development which could cause serious harm or where further work could be pre-empted	Action and timescale
<ul style="list-style-type: none"> • Building work in progress • Activities causing serious harm (i.e. affects more than one person, creates a highway or other hazard/danger) • non compliance with pre-commencement conditions which cannot be addressed at a later date (i.e. slab levels) 	<p>We aim to complete our initial investigation and to a reach a decision on the course of action to be taken within 10 working days of the receipt of a complaint.</p>
Category 3: Low	
All other developments (most cases)	Action and timescale
<ul style="list-style-type: none"> • Building works already completed. • advertisements • All other planning related enquiries 	<p>We aim to complete our initial investigation and to a reach a decision on the course of action to be taken within 25 working days of the receipt of a complaint.</p>

The investigation

Its purpose is to collect the relevant facts to establish whether a breach of planning control has occurred, and if so, the nature and degree of harm caused.

The investigation will in most instances involve an office based exercise including:

- Research of the planning history of the site.
- Identification of any special designations or constraints e.g. Listed buildings.
- Where applicable the search of other Council or publicly held information
- Speaking to the person responsible for the suspected breach or sending them a pro forma to complete.
- Liaising with other Council Services, for example in relation to information that they may hold, the effect of the breach or on the action they could take.

We will only visit a site when the information required cannot otherwise be collected or when it is needed in order to reach a planning judgement.

Officers have certain legal rights of entry onto private land and buildings when investigating breaches of planning control. Where possible the information required will be collected from a public or accessible place, however, in other cases arrangements will be made to visit the site. Sometimes in order to assess the nature or degree of harm caused, we may also need to visit the complainant's or neighbours property.

Where the required information on the nature and/or duration of a breach cannot be collected by informal means from the person suspected of the breach, we will issue a formal notice known as a planning contravention notice to require its provision.

In those cases where to allow the breach to continue could lead to irreparable or serious harm we will serve a Temporary Stop Notice to require the immediate cessation of the works or use for a 28 day period to enable the harm to be assessed and a decision to be taken on further action.

Once an enquiry has been investigated and we have collected all the relevant information we will decide on the course of action to be taken, taking into account relevant legislation, national guidance as well as local planning policies and guidance.

Possible outcomes of an Investigation

No breach is established because the alleged breach has not occurred or has ceased, is permitted development or is outside planning control. Where it is considered that the matter may fall within the control of another council service such as Environmental Health (licensing, noise and pollution) or Buckinghamshire County Council (waste, minerals, highways) we will forward the enquiry to them for their attention.

The development is immune from action and lawful for planning purposes because it has existed for a certain period of time:

- 4 or more years:- for building works, starting from the time they were substantially completed and also the use of a building as a dwelling.
- 10 or more years:- for all other developments, including breaches of planning conditions.

Where there is any doubt the developer will be invited to apply for a formal determination through the submission of an application for a certificate of lawfulness.

Where there is evidence that a breach has deliberately been concealed an Enforcement Order can be sought from the Magistrates Court for the suspension of immunity for a 12 month period to enable enforcement action to be instigated.

It should be noted though that there is no period of immunity for breaches of listed building control.

There is a breach, but it does not cause harm. The fact that a breach has occurred does not automatically mean that formal action will be required. Some breaches of planning control are so minor that they are of no consequence or do not cause any harm, so that if an application were to be submitted it would be unconditionally approved. In these instances the Council will use its discretion not to take further action as it would not serve a useful purpose or be a good use of our resources. The developer though will be advised that permission is required and that its absence may hamper any later sale of the property.

Negotiations to find a solution, can lead to a quicker and more advantageous resolution than the use of formal powers by securing the cooperation of the developer. Where appropriate we will investigate with the developer options to address the harm resulting from the breach, this may involve the removal of building works and uses, or lesser actions such as modifications to building works, changes to the organisation or intensity of an activity.

In cases where the developer proposes a solution that involves an alternative siting, building, or use they will be encouraged to use the Council's pre application advice service, which can be accessed on the Council's web site via the following link.
<http://www.aylesburyvaledc.gov.uk/section/step-2-you-apply>

So that negotiations do not become protracted we will request an undertaking within 14 days that the owner/occupier is willing to enter into discussions and a timescale will then be set for its conclusion, which may involve the submission of an application.

Retrospective Planning Applications, to seek to regularise a development are permitted by legislation. Except for those cases where it is considered that there is no prospect of permission being granted we will invite an application to seek to regularise the breach, including where applicable the imposition of conditions to address the identified harm. This allows the planning merits of the breach to be fully and openly considered, in the same way as an application for proposed development. In addition, it provides an opportunity for local residents and the Parish/Town Council to make their views known, and for those views together with any technical comments received to be taken into account in the determination of the application.

In most cases we will seek an undertaking within 14 days that an application will be submitted within a further 28 days. It is recognised that the submission of an application may take more than 28 days where there is a need to engage an agent to draft plans and supporting information and in appropriate cases we will be prepared to set a longer target date.

If an undertaking is not received, or the application is not submitted by the target date without a satisfactory explanation, we will consider the need for formal action.

Formal Enforcement Action will be taken where negotiation including the submission of application has been unsuccessful or where a retrospective application has been refused. In some cases where a serious or potentially irreparable breach is concerned we may take formal action straight away in order to prevent further harmful activity.

The action taken will be proportionate to the breach and the harm caused, the key question again is whether permission if sought would be refused or only granted subject to conditions to control any actual or potential harm.

There is a range of formal powers available to the Council to be used at its discretion depending on the circumstances of a particular case. In most cases there is a right of appeal either to the planning inspectorate or through the courts.

A summary of the main powers is listed below.

Planning Contravention Notice	Requires the submission of information on suspected unauthorised activities.
Temporary Stop Notice	Requires the immediate cessation of specified activities for a period of up to 28 days to enable investigations/negotiations to take place and if appropriate further action.
Breach of Condition Notice	To secure compliance with conditions attached to a planning permission
Enforcement Notice	Specifies the steps to be taken to address a breach of planning control and also breaches of listed building control
Stop Notice	Can be used with an enforcement notice to bring about an immediate cessation of activity.
Enforcement Orders	Where there is evidence that a breach has been deliberately concealed an Order can be sought from the courts for a 1 year extension of the period of immunity.
Prosecutions	<p>A failure to comply with one of the above notices is a criminal offence.</p> <p>The enforcement of advertisement control is secured by a prosecution of the offence of displaying an unauthorised advertisement rather than by the service of a notice.</p>
Injunctions	As a pre-emptive measure in exceptional circumstances to prevent unauthorised development taking place
Article 4 Directions	Can be used to remove permitted development rights where their exercise would cause demonstrable harm
Urgent Works Notices	To secure the preservation of an unoccupied listed building by securing works urgently necessary to keep it wind and weatherproof, safe from collapse, or secure from theft or vandalism.
Repairs Notices	To secure the preservation of a listed building by requiring works necessary to address its poor state of repair.
Replanting notices	To require the planting of trees or hedgerows which have been removed without consent.

The carrying out of unauthorised works to listed buildings, trees and hedgerows is a criminal offence, reflecting the fact that the harm caused is often irreparable. In addition to the Council's ability to require remedial works there is also the option of a criminal prosecution to punish persons involved in the breach.

Compliance with formal enforcement action

Formal action usually involves a requirement to carry out certain steps to remedy a breach within a specified period of time.

We will monitor compliance with notices and will contact the developer 28 days before the expiry of the period for compliance to draw it to their attention, together with the penalties for non compliance and asking them to let us know if there are any reasons why they will be unable to comply.

An extension of time for compliance with the notice will only be given where we are satisfied that there are genuine reasons why compliance has not been achieved such as weather conditions, personal circumstances or other matters outside of their control. Where an extension of time is given we will agree a phased timetable for compliance which will be closely monitored.

Once the period for compliance has expired (and not exceeding 7 days of the expiry of the date for compliance) we will visit the site to establish whether the terms of the notice have been met. If they have been met we will confirm this in writing to the developer and to any complainants. Conversely, where compliance has not been achieved and we have not given an extension of time, an assessment will be given within 28 days to the following courses of action

- 1 A prosecution in the Magistrates Court in relation to the criminal offence of failing to comply with the terms of the notice.
- 2 Taking direct action, we can enter the land and carry out the steps set out in the notice.
- 3 The obtaining of a Court injunction to require compliance.

In most cases we will pursue option 1 and the developer will be invited to attend a taped interview under a formal caution to enable them to tell us any reasons for their failure to comply and which they may want to rely on should the matter go to court.

Prosecutions-

The criminal process is an important component of the enforcement process and can be used to secure a punishment for some breaches of planning control and/or to require compliance with a planning notice. The Council will use its discretion in deciding whether to prosecute and will have regard to the "Code for Prosecutors" used by the Crown Prosecution Service. The more serious the offence, the more likely it is that a prosecution will be needed in the public interest.

The following will be taken into account in arriving at a decision whether to instigate a prosecution.

- Is there enough evidence to provide a realistic prospect of conviction against each defendant on each charge and is a conviction likely to result in a significant sentence
- The seriousness of the offence and of the harm caused, including whether any feature altered or destroyed can be replaced or replicated.
- Whether the offence is a result of a deliberate, reckless or negligent act or alternatively was the result of a genuine mistake or misunderstanding.
- Has the alleged offender offered or taken appropriate remedial action.
- Are there grounds to believe that the offence is likely to be continued or repeated, for example a history of breaches
- The offence although not serious in itself is widespread in the area where it is committed and cumulatively causes serious harm, and it is appropriate in the circumstances to draw attention to the need to comply with the law.

- Where appropriate the age and evidence of the state of health of the alleged offender.
- In the instance of breaches of advertisement control - has permission been refused or would be refused if sought.

In support of a prosecution the Council will seek an order to recover its costs to minimise the cost to the residents of the Vale.

Where there is evidence that the defendant has accrued significant financial benefit from the breach of planning control, the Council in conjunction with a prosecution will also give consideration to making an application to the Court under the Proceeds of Crime Act 2002 for the recovery of this gain.

Proactive Compliance

In addition to reacting to complaints concerning suspected breaches of planning control, it is recognised that a proactive approach can prevent some breaches from occurring or lead to their early detection before they have become fully established.

The Council recognises the importance of compliance with planning permissions and other consents, where failure to accord with the approved details and/or the conditions imposed can undermine the very reasons for granting permission or imposing the condition, leading to harm to planning interests.

106 agreements (legal undertakings) which are concluded as part of the grant of planning permission and require positive action on behalf of the developer for example the provision of affordable homes or financial contributions to off site leisure provisions are separately monitored and managed.

In terms of compliance with conditions and approved plans there is no formal requirement for a developer to notify us when various stages of the development are carried out or for any associated planning checks.

Whilst the onus for compliance is on the developer, proactive action will encourage and enable compliance and ensure that the development remains acceptable, and should lead to a reduction in the number of reactive or retrospective complaints.

In order to be proactive the Council must operate a risk based approach in deciding where resources are to be targeted to ensure that they have the maximum effect.

Priority will be given to the following

- Monitoring and compliance with 106 Agreements.
- Where significant works to listed buildings are involved
- Conditions which seek to protect trees, ecology, archaeology or another irreplaceable asset.
- Where there has been a history of non compliance
- Sites with specific difficulties such as contamination or significant level changes.
- Retrospective planning permissions which require a modification of a development as built.
- Planning permissions for a replacement building/dwelling which are conditioned to require the demolition of an existing building/dwelling
- Temporary period planning permissions

How will we monitor and secure compliance

- On decision notices we will identify those conditions which need to be met, prior to commencement, and those that require action before or on completion and/or occupation.

- In our dealing with developers and their agents we will work proactively to ensure compliance with approved details and conditions. In particular, when determining applications to discharge conditions and/or non material amendments we will remind developer's of any conditions which remain outstanding.
- We will liaise across other Council services, in particular those relating to Building Regulations, street numbering and council tax concerning the information they hold on the commencement, completion and occupation of developments.
- On selected cases, we will compare the approved planning details with those submitted with the subsequent building regulation application to ascertain consistency.
- We will visit identified sites to confirm compliance with approved details and conditions and where necessary, liaise with Building Control Officers, on selected cases to gain the benefit of their periodic site inspections as a development progresses.
- In the case of conditions which cannot be retrospectively met such as those relating to archaeology, ecology, trees or slab levels we will actively use Temporary Stop Notices to prohibit further activity, unless immediate appropriate remedial action is taken by the developer.
- If a negotiated resolution cannot be reached we will make use of breach of condition notices and/or enforcement notices where necessary to secure compliance with planning conditions and approved details.

What you can expect from the Planning Enforcement Service

General

- Everyone (complainants and persons suspected of a breach) will receive the same standard of courteous and impartial professional service at all times.
- We will deal with breaches of planning control in a manner reflecting the degree of harm caused.
- Proven breaches which cause harm will be vigorously pursued, and where necessary, we will take formal action appropriate and commensurate to the breach and follow this through to conclusion.

Complainants

- We will hold your personal details in the strictest confidence.
- Complaints/enquiries will be acknowledged in writing within 3 working days of receipt, giving the name and email address of the investigating officer.
- If we cannot deal with a complaint we will if appropriate pass it on to the relevant service in this Council, or County Council, or advise you of the body you should contact.
- We will work closely with other parts of the Council and the County Council to share information and to ensure that best use is made of the available powers.
- We aim within 5 weeks to reach a decision on whether a breach of planning control has occurred, and if so, to decide on the course of action to be taken.
- We will update complainants in writing at key stages/events for example;- the decision on action, submission of a retrospective application, authorisation of enforcement action and issue of notices.
- If we conclude that there is no breach or decide not to take action we will clearly explain the reason.
- We will not allow the voluntary resolution of a breach to become unreasonably protracted, and will set and monitor timescales for action.

Persons suspected of a breach

- Where we identify a breach of planning control we will write to the owner/occupier and state clearly the alleged breach that has occurred, the options and timescale available to resolve it and what will happen if matters are not put right.
- We will give the owner/occupier an initial opportunity to resolve matters through negotiation.
- Where we invite an application and it is submitted within the timescale set, we will usually suspend enforcement action pending its determination.
- We will advise the owner/occupier in writing when a decision is taken to authorise formal action.
- We will be open to meaningful negotiations to remedy a breach even after formal action has been commenced.

Review of the Local Enforcement Plan

The Council will review the plan, at least every 3 years in response to changes in legislation, enforcement guidance and the Council's procedures taking into account experience and feedback on its performance.

This document is not the subject of formal public consultation. However, comments on this document are welcome and will be considered as part of the review process and should be emailed to planningenforcement@aylesburyvaledc.gov.uk.

Further Information

AVDC

On the Council's website <http://www.aylesburyvaledc.gov.uk> there is information on enforcement notices and appeals and copies of enforcement leaflets. In addition there is extensive information on other aspects of planning including how to make a planning application, details of planning applications and the implications of owning a listed building.

You can also carry out a property search to find for your self; the planning history of site, whether it is a listed building or in a conservation area and if any trees are protected by a tree preservation order by the following link <http://www.aylesburyvaledc.gov.uk/quick-map-search>

The website in addition includes information on other Council services and how the Council operates, including details of the constitution of the Council, Councillors, requests for information and the Council's comments, compliments or complaints process.

Planning Portal

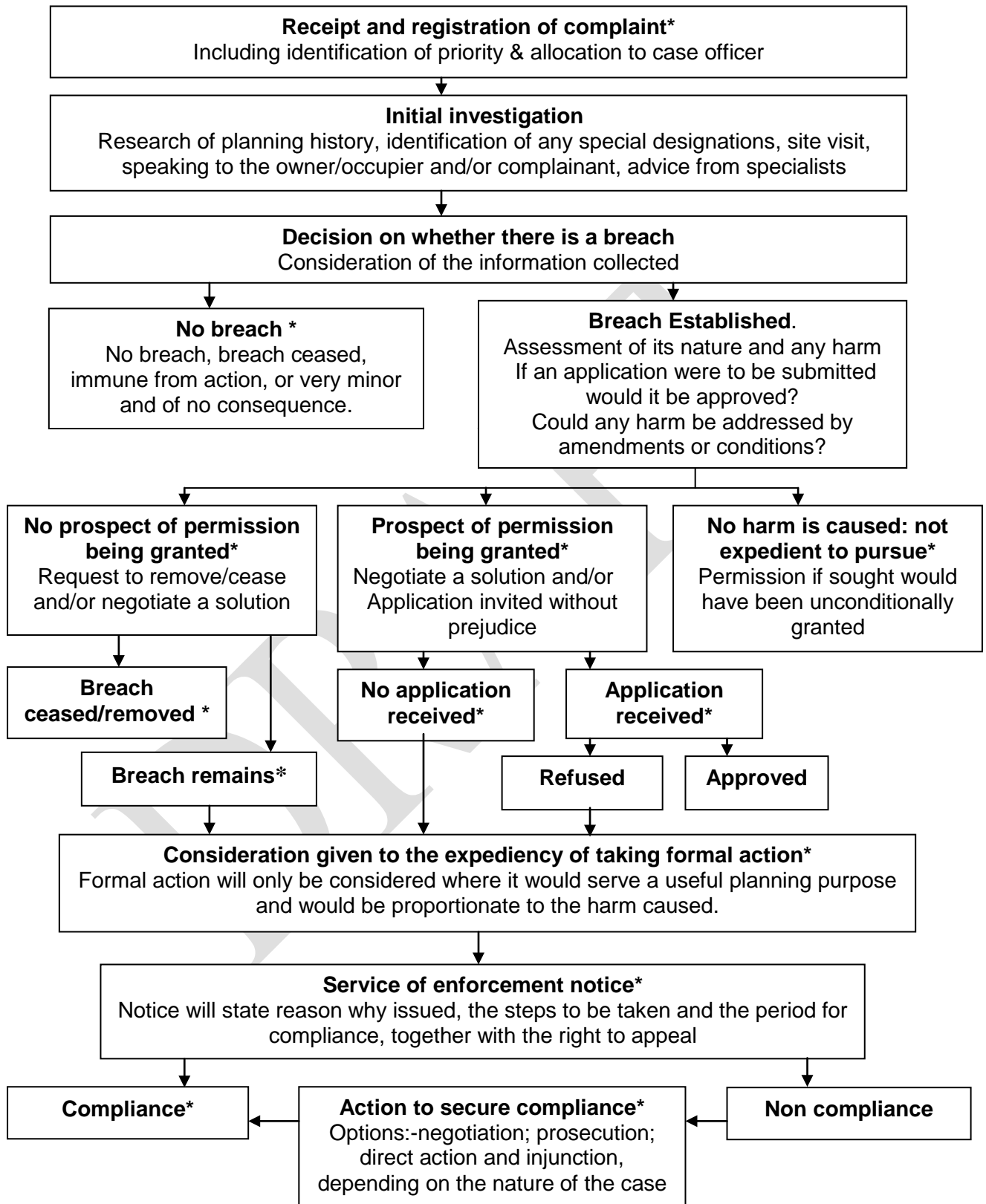
A national online planning resource where you can learn about the planning system and research latest government policy, with links to other related web sites. <http://www.planningportal.gov.uk>

The Royal Town Planning Institute

The professional body for Town Planners. The web site provides planning guidance, information on planning consultants and on the Institute's Planning Aid service and provides links to a number of related sites. <http://www.rtpi.org.uk/>

What happens to an enforcement complaint?

The following provides a simplified explanation of the steps involved with investigating a suspected breach of planning control



In the majority of cases we should be able to determine within 5 weeks whether a breach of planning control has occurred. Where a breach has occurred the time taken to reach a final resolution is dependant on the circumstances of the case and the particular course of action followed. * letter/e-mail to complainant

The planning enforcement customer charter

Aylesbury Vale District Council has adopted an Enforcement Plan which sets out the purpose of the Council's planning enforcement service and how it will be delivered to the community. As part of the Enforcement Plan we set the service standards that apply when we are investigating or dealing with suspected breaches of planning controls. These standards are set out below.

General

- Everyone (complainants and persons suspected of a breach) will receive the same standard of courteous and impartial professional service at all times.
- We will deal with breaches of planning control in a manner reflecting the degree of harm caused.
- Proven breaches which cause harm will be vigorously pursued, and where necessary, we will take formal action appropriate and commensurate to the breach and follow this through to conclusion.

Complainants

- We will hold your personal details in the strictest confidence.
- Complaints/enquiries will be acknowledged in writing within 3 working days of receipt, giving the name and email address of the investigating officer.
- If we cannot deal with a complaint we will if appropriate pass it on to the relevant service in this Council, or County Council, or advise you of the body you should contact.
- We will work closely with other parts of the Council and the County Council to share information and to ensure that best use is made of the available powers.
- We aim within 5 weeks to reach a decision on whether a breach of planning control has occurred, and if so, to decide on the course of action to be taken.
- We will update complainants in writing at key stages/events for example;- the decision on action, submission of a retrospective application, authorisation of enforcement action and issue of notices.
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- We will give the owner/occupier an initial opportunity to resolve matters through negotiation.
- Where we invite an application and it is submitted within the timescale set, we will usually suspend enforcement action pending its determination.
- We will advise the owner/occupier in writing when a decision is taken to authorise formal action.
- We will be open to meaningful negotiations to remedy a breach even after formal action has been commenced.

Comments

We hope you will be satisfied with the service we provide to you. If you wish to make a suggestion as to how we can improve our service please use our comments, compliments or complaints service. We are committed to improving our service and dealing promptly with any shortcomings.

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SERVICES PROVIDED BY THE COMMUNITY SPACES TEAM

1 Purpose

- 1.1 To inform the Committee about the services provided by the Community Spaces Team.

2 Recommendations

- | |
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| 2.1 That Members note the services provided by the Community Spaces Team and the realignment of some services. |
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3 Executive summary

- 3.1 The Community Spaces Team (CST) was formed in 2012 through merging two separate client teams ahead of tendering a single horticulture and street cleaning contract.
- 3.2 The current team structure includes 2 Senior Officers; one focused on the day to day management of delivering contracts and the other focused on parks management, parks planning matters incl S106, and improvement of parks.
- 3.3 Services covered by the CST includes:
- (a) Procure, manage, monitor, and administer contracts covering; horticulture and street cleaning operations, public conveniences cleaning, public health funerals, and parks improvements;
 - (b) Identify and deliver improvement projects in parks and open spaces;
 - (c) Secure external funding to enable the delivery of improvement projects;
 - (d) Provide safe and good quality play provision;
 - (e) Develop partnerships with suppliers, community groups, and statutory bodies;
 - (f) Manage and monitor developer S106 leisure contributions;
 - (g) Develop and maintain sports pitches and related facilities including booking service;
 - (h) Investigate instances of fly tipping and enforce fly tipping laws in liaison with the Waste Partnership for Bucks;
 - (i) Investigate reports of abandoned vehicles and arrange for disposal;
 - (j) Manage and deliver the public health funerals service;
 - (k) Fulfil customer enquires including service requests, compliments, complaints, and comments.
- 3.4 While the services being delivered remain, the staffing structure of those involved in delivery is changing to take account of the Heritage Team Leader post becoming vacant. In the interests of achieving savings, improving the strategic management of AVDC parks and green infrastructure, and building closer links between street cleaning and recycling and waste there will be a simple realignment of duties to cover managerial needs.
- 3.5 The detailed breakdown of the services covered by the CST in Appendix 1 includes which team is proposed to take responsibility for each element.

4 Background

- 4.1 Prior to January 2013 the horticulture and street cleansing services were delivered via two contracts and were managed by two separate client teams; the Green Spaces Delivery Team and Contract Services.
- 4.2 In 2012 the Community Spaces Team (CST) was formed through merging the two separate client teams ahead of tendering a single contract to deliver the horticulture and street cleaning services.
- 4.3 When formed the CST included 13 posts, through staff leaving and redundancies the number of officers is now 7; providing much needed savings. In addition to this the team secured approx. £200,000 per year savings on the Street Cleaning and Horticulture Contract and since letting the contract have secured further significant savings and income through effective contract management.
- 4.4 At the time of forming the CST, some of the services delivered by the previously separate teams were allocated as follows:
 - AVDC office cleaning responsibility aligned to the Facilities Team
 - Christmas lights became the responsibility of the Engineers (now under the Facilities Team)
 - Markets became the responsibility of the Town Centre Manager
- 4.5 During a restructure of the Leisure Department the CST team transferred to Recycling and Waste based on the synergies with street cleaning. At this time the remaining Green Spaces Officers continued the strategic management of parks and green infrastructure, and delivery of the arboriculture and biodiversity services.

5 Recent changes

- 5.1 Approximately 12 months ago the Green Spaces Team was realigned across the organisation, which included the redundancy of some posts. The result of this was the planning aspects of the arboriculture service transferred to Development Control under the management of the Heritage Team along with the biodiversity service, (now referred to as Ecology).
- 5.2 The management of trees on AVDC land transferred to the CST along with the strategic management of AVDC parks, including our representation on the Buckinghamshire & Milton Keynes Natural Environment Partnership.
- 5.3 Work related to commenting on planning applications and S106 negotiations for leisure infrastructure also transferred to the CST, with no additional posts created to cover this work.

6 Services provided

- 6.1 The CST is based within Recycling & Waste, the current team structure is provided in Appendix 2, and includes 2 Senior Officers; one focused on the day to day management of delivering the contracts the team is responsible for and the other focused on parks management, parks planning matters incl S106, and major repairs and improvement of parks.
- 6.3 The existing structure is beneficial given each team member is aware of all business either strategic or day to day. However, this does mean that on occasions those who should be working more strategically get pulled into day to day issues and vice versa.

- 6.4 As well as procuring and managing the Street Cleaning and Horticulture Contract the CST also provide the public health funerals service and manage the contract for cleaning public conveniences.
- 6.5 A detailed breakdown of the services covered by the CST is included in Appendix 1 and is summarised below:
- (a) Procure, manage, monitor, and administer contracts covering; horticulture and street cleaning operations, public conveniences cleaning, public health funerals, and parks improvements/major repair works;
 - (b) Identify and deliver improvement projects in parks and open spaces, and the street scene and civic spaces working with internal and external partners and agencies;
 - (c) Secure external funding to enable the delivery of improvement projects and facilitate on-going monitoring and reporting;
 - (d) Provide safe and good quality play provision for children and young people through improvements to play areas;
 - (e) Further develop partnerships with outside bodies such as voluntary groups, community groups, statutory bodies, friends groups;
 - (f) Manage and monitor developer S106 leisure contributions for both AVDC and parish councils, provided towards increasing leisure provision associated with developments across the district;
 - (g) Develop and maintain sports pitches and related facilities including booking service;
 - (h) Investigate instances of fly tipping and enforce fly tipping laws in liaison with the Waste Partnership for Bucks;
 - (i) Investigate reports of abandoned vehicles and arrange for disposal;
 - (j) Manage the estate and arrange the funeral of the deceased where no one else is available to do so;
 - (k) Process day to day customer enquires.

7 Key achievements

- 7.1 The best achievement of the team was the OJEU compliant procurement of a single contract to provide horticulture and street cleaning services across the district. Compared to the previous separate contracts this saves £200,000 each year of the 7 year contract with minimal changes to service standards. Over the life of the contract that's a £1.4M saving.
- 7.2 Positive outcome from an internal audit regarding our management of the Street Cleansing and Horticulture Contract, including monitoring of work and financial controls.
- 7.3 Working differently to reduce staff number from 13 to 7 employees. This has meant some functions such as the Vale Park warden service have stopped, although with minimal impact given the site has a presence through PCSOs and Aqua Vale Leisure Centre, combined with changes to make the site safer.
- 7.4 Reduced costs for all towns and parishes using the dog waste service by including this service within the horticulture and street cleaning contact instead of a separate standalone contract.
- 7.5 Horticulture services provided to Buckinghamshire Fire Brigade via our Street Cleaning and Horticulture Contract; providing another public body with savings compared to their previous arrangements.
- 7.6 Green Flag awards for Vale and Bedgrove Parks have been secured.
- 7.7 The subsidy of pitch provision for football has been reduced by closely monitoring demand to ensure each pitch is fully utilised.
- 7.8 The outcome of a RoSPA access and play value audit confirmed all sites have a minimum play rating of good.
- 7.9 Management plans for closed churchyard we are responsible for have been produced with excellent stakeholder involvement and have been published on our website. Linked to this a programme for memorial testing is now in place.
- 7.10 External funding secured from; WREN for Bridge Street play area, SITA Trust for Cottesloe Green ball court, Sport England for an artificial cricket wicket at Alfred Rose Park.
- 7.11 Support the establishment and continuation of parkrun at Riverside Walk, Aylesbury and Heartlands, Buckingham.
- 7.12 No loss of town/parish sport/leisure S106 funds, due to funds being spent within the agreed deadline.

8 Service realignment

- 8.1 While the services being delivered remain, the staffing structure of those involved in delivery is changing to take account of the Heritage Team Leader post in Planning becoming vacant. In the interests of achieving savings, improving the strategic management of AVDC parks and green infrastructure, and building closer links between street cleaning and recycling and waste there will be a simple realignment of duties to cover managerial needs.
- 8.2 The detailed breakdown of the services covered by the CST in Appendix 1 includes which team will take responsibility for each element. The main changes that will require time to embed includes:
 - (a) Street cleansing services and abandoned vehicles remains in Recycling and Waste. This includes the day to day enquiries received by the CST, which are initially handled by one officer and only handed off to others when expert input or a site visit is required.

- (b) Delivery of the Street Cleaning and Horticulture Contract and Public Conveniences Cleaning Contract to remain in Recycling and Waste, including the future procurement of new contracts, or bring part or all services in house.
- (c) Budgets related to parks and open spaces to be under the responsibility of Heritage & Parks; the team will be a customer of the Community Spaces Team, similar to Facilities, Parking Services, and Town Centre Management.

8.3 Service requests from Members will still be processed by the Community Spaces Team where appropriate. Request should be submitted via the 'AVDC Request from Member' form, which can be found on the Members area of our website:
http://eforms.aylesburyvaledc.gov.uk/ShowForm.asp?fm_fid=291

9 Resource implications

- 9.1 A review of the existing Planning Tree Officer job description is underway and will be submitted for Hay evaluation and permission to recruit. All other posts remain at their current grade.
- 9.2 The realignment ensures the continuity of the Heritage Service while increasing opportunities for further improving service delivery of the recycling, waste, street cleaning, and grounds maintenance functions.

Contact Officer: Gareth Bird (01296) 585228

Background Documents: Parks & Open Spaces Management, Recent Work & Accreditations (Environment & Living Scrutiny Committee Report 11 February 2015).

Encouraging Use of Parks and Open Spaces (Environment & Living Scrutiny Committee Report January 2016)

Appendix 1: Services provided by the Community Spaces Team and realignment

The below lists the services managed and delivered by the Community Spaces Team. Headings in bold are a summary of each service, with a detailed breakdown below in italics. Alongside this is the team and portfolio, services will be realigned to.

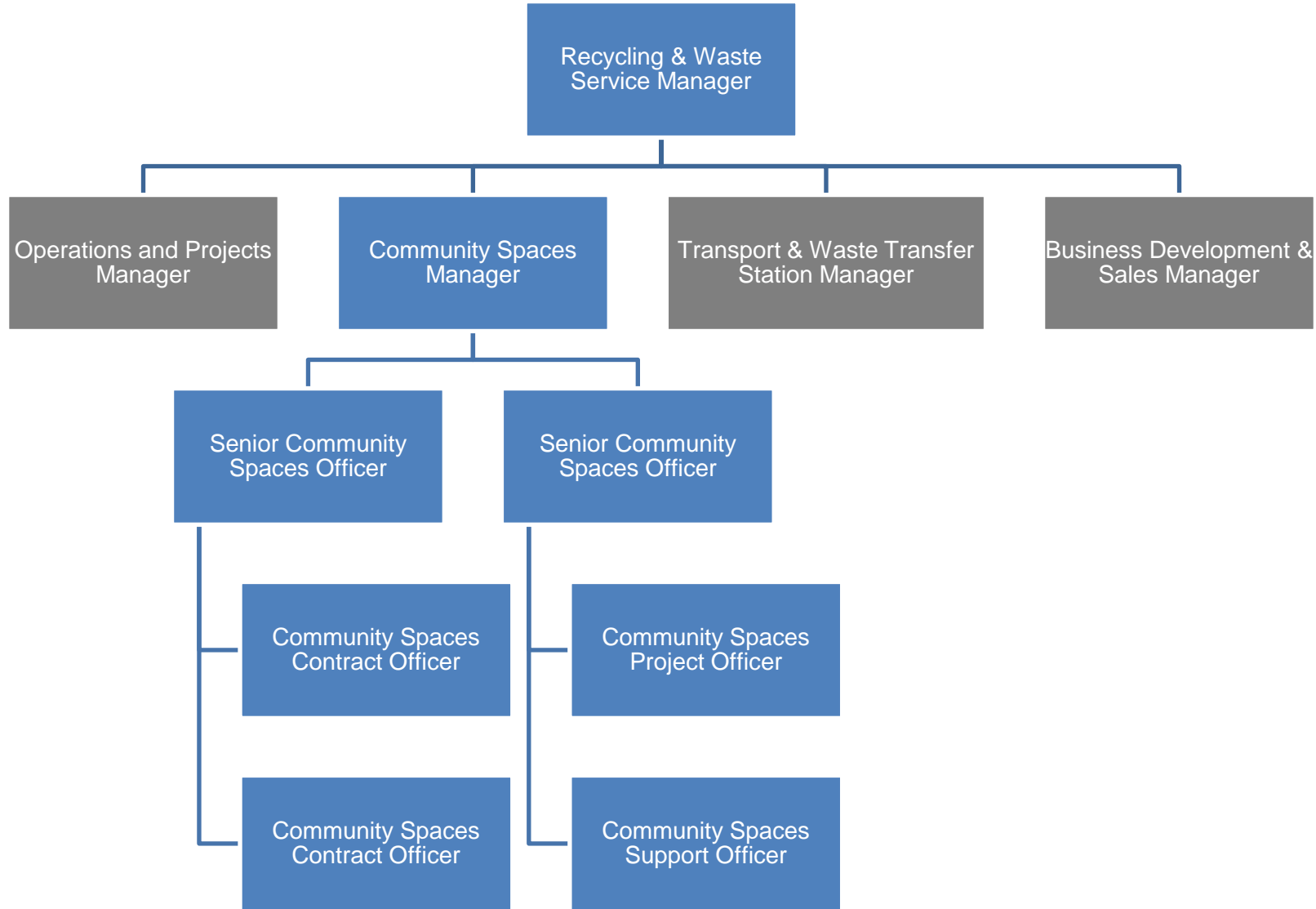
Ref	Service	Team	Portfolio
A	Procure and manage the Horticulture and Street Cleaning Contract	Recycling, Waste, Community Spaces	Environment & Waste
A1	<i>Contract review and procurement (OJEU)</i>		
A2	<i>Litter picking of roads footpaths and public open spaces</i>		
A3	<i>Mechanical sweeping of roads and cycle paths</i>		
A4	<i>Removal of fly tipping, graffiti, and fly posting from public property</i>		
A5	<i>Supply and install litter and dog bins for town and parish councils (chargeable service)</i>		
A6	<i>Emptying and sanitising of street litter bins</i>		
A7	<i>Emptying and sanitising of litter and dog waste bins (chargeable service)</i>		
A8	<i>Cleaning of AVDC owned car parks, community centre grounds, parks, playing fields, open spaces, planted areas, and play areas including equipment</i>		
A9	<i>Cleaning of output areas in Aylesbury, Buckingham, Winslow and Wendover towns, including manual sweeping</i>		
A10	<i>Seasonal leaf clearance</i>		
A11	<i>De-icing and snow clearance on selected AVDC property</i>		
A12	<i>Grass cutting on AVDC land (charged for service offered to others)</i>		
A13	<i>Maintenance of sports grounds including artificial sports surfaces, and pitch hire service</i>		
A14	<i>Safety inspections, repair and maintenance of play areas</i>		
A15	<i>Maintenance of planted areas, (shrubs, herbaceous beds, hedges)</i>		
A16	<i>Tree works including planting</i>		
A17	<i>Erect and dismantle Aylesbury market stalls</i>		
A18	<i>Removal and storage of dead domestic animals from highway incl contact with owners</i>		
A19	<i>Prioritising of Blitz Team work, includes clearance of fly tipping and dead animals</i>		
A20	<i>Specialist cleansing, e.g. sharps, asbestos, oil, chemicals</i>		
A21	<i>Provision of horticultural services to Bucks Fire Brigade</i>		
A22	<i>Ensuring drug data is reported to Communities and DAT</i>		
B	Procure and manage the Public Convenience Cleaning Contract	Recycling, Waste, Community Spaces	Communities & Civic Amenities
B1	<i>Contract document review and procurement</i>		
B2	<i>Monitoring delivery of contract</i>		
B3	<i>Provision of additional services</i>		
B4	<i>Ensuring drug data is reported to Communities and DAT</i>		
B5	<i>Liaising with public</i>		
C	Manage and maintain closed churchyards	Heritage & Parks	Communities & Civic Amenities
C1	<i>Closed Churchyards Management Plan</i>		
C2	<i>Commission structural surveys and act upon any recommendations</i>		
C3	<i>Organise memorial testing and act upon any recommendations</i>		
C4	<i>Apply for faculty consent to enable identified works to be carried out</i>		
C5	<i>Monitor contracted horticulture works and oversee any over and above requests</i>		
C6	<i>Liaise with internal teams and external bodies; Parochial Church Councils and Diocese</i>		
D	Abandoned vehicles	Recycling, Waste, Community Spaces	Environment & Waste
D1	<i>Identifying the appropriate course of action to reports of possible abandoned vehicles</i>		
D2	<i>Assess abandoned vehicle, checks with police, issue notice, photograph, and document</i>		
D3	<i>DVLA database enquiry and record in accordance with Data Protection Act. Issue letter to registered keeper</i>		
D4	<i>Make second site visit and if required arrange for vehicle disposal</i>		
D5	<i>Car removal negotiations and arrangements with vehicle disposal company and Bucks CC</i>		

Ref	Service	Team	Portfolio
D6	<i>Keep accurate records available for DVLA audit</i>		
D7	<i>Note AVDC have not taken devolved powers from DVLA to investigate nuisance vehicles or parking issues</i>		
E	Public Health Funeral service	Recycling, Waste, Community Spaces	Environment & Waste
E1	<i>Contract review and procurement</i>		
E2	<i>Visit property and establish next of kin and presence or absence of a will</i>		
E3	<i>Arrange for registration of death</i>		
E4	<i>Make funeral arrangements</i>		
E5	<i>Establish value of estate and pass to treasury solicitors</i>		
E6	<i>Responding to FOI's relating to Public Health Funerals</i>		
F	Delivery of green space improvements including children's play areas	Heritage & Parks	Communities & Civic Amenities
F1	<i>Carry out biannual quality evaluation of AVDC parks and open spaces</i>		
F2	<i>Parks and open space risk assessments</i>		
F3	<i>Produce contract documents and procurement for improvements/one off works</i>		
F4	<i>Works overseen, snags highlighted and invoices paid</i>		
F5	<i>Works prioritised taking into account site safety, popularity/importance, condition of existing facilities and user feedback</i>		
F6	<i>Cllrs, stakeholders, users consulted, engaged or informed</i>		
F7	<i>Press releases, opening ceremonies organised, website updated as appropriate</i>		
F8	<i>Memorial bench applications (applicants fund and maintain)</i>		
F9	<i>Parks and open space street furniture, seating, litter bins, signage etc.</i>		
F10	<i>Sourcing and securing external funding to support the above e.g. funding applications to WREN, SITA Trust, Sport England, etc</i>		
F11	<i>Footpath inspections on AVDC owned parks, open spaces and closed churchyards, identify hazards and implement repairs</i>		
F12	<i>Annual RoSPA play area safety inspections and rectifying faults identified</i>		
G	Promoting parks and open spaces	Heritage & Parks	Communities & Civic Amenities
G1	<i>Develop and deliver promotion strategy</i>		
G2	<i>Identify community park champions</i>		
G3	<i>Liaise with town and parish councils to encourage use of open space across the district</i>		
G4	<i>Ensure requirements for events are in place</i>		
H	Park and open space strategy	Heritage & Parks	Communities & Civic Amenities
H1	<i>Rolling programme of site visits to identify and record open space improvements</i>		
H2	<i>Produce over arching strategy for AVDC parks and open spaces, taking consideration of future growth areas</i>		
H3	<i>Produce management plans for key sites e.g. Green Flag sites and deliver action plans</i>		
H4	<i>Deliver and review Green Infrastructure Strategy (including links to County and neighbouring authority GI strategies)</i>		
H5	<i>Represent AVDC at Natural Environment Partnership</i>		
H6	<i>Develop AVDC sports pitch strategy</i>		
H7	<i>Improve GIS data</i>		
I	Secure Green Flag awards	Heritage & Parks	Communities & Civic Amenities
I1	<i>Write and keep management plans up to date</i>		
I2	<i>Submit Green Flag applications</i>		
I3	<i>Organise Green Flag raising ceremonies and press releases</i>		
I4	<i>Ensure all judges recommendations are delivered</i>		
J	Planning related to leisure	Heritage & Parks	Communities & Civic Amenities
J1	<i>Record all S106 income and expenditure</i>		

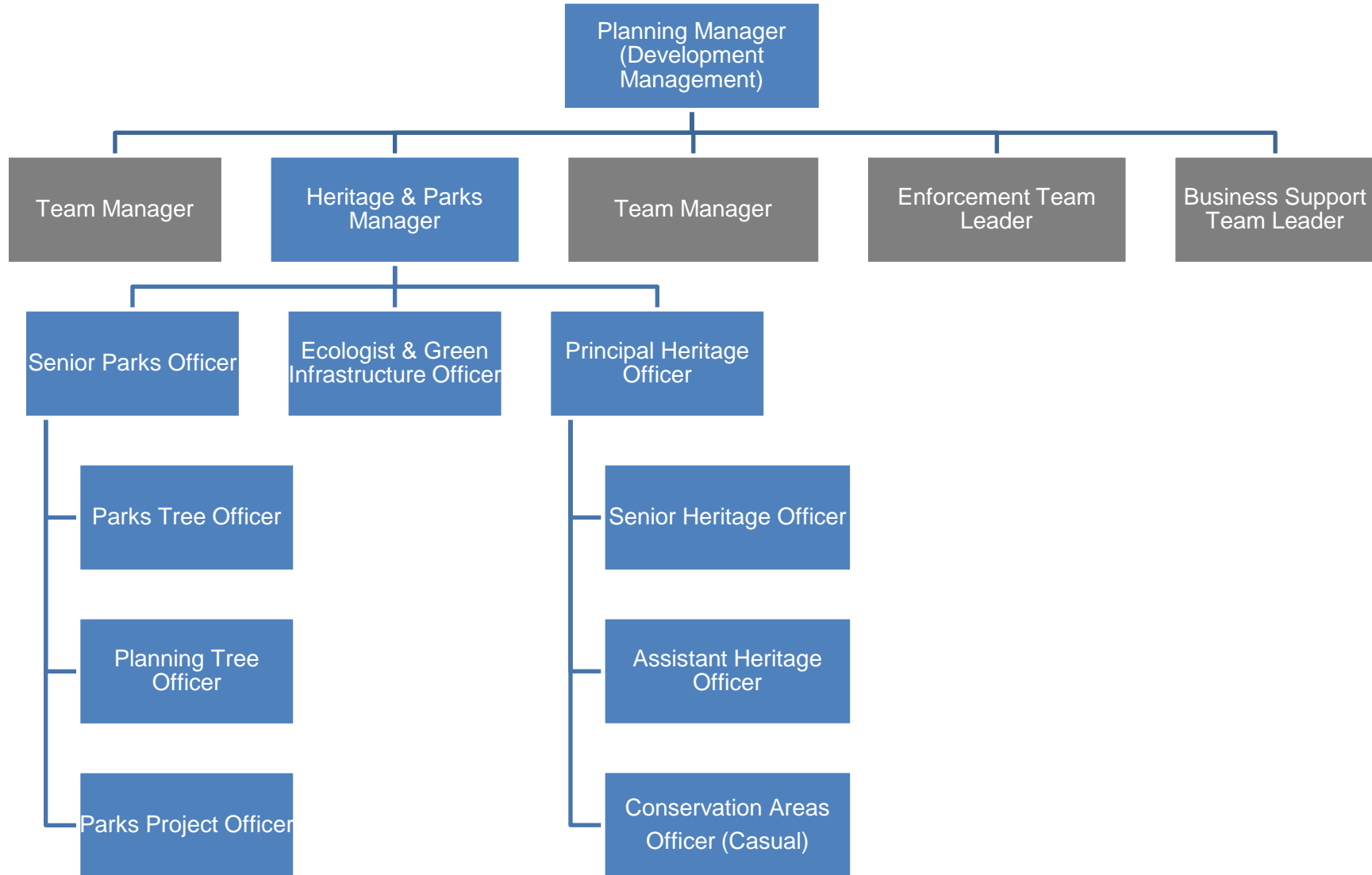
Ref	Service	Team	Portfolio
J2	<i>Liaise with parish/town councils to ensure all S106 funds are spent on appropriate sport and leisure projects within the district</i>		
J3	<i>Administer the S106 authorisation form completion and sign off processes</i>		
J4	<i>Recommend release of S106 funds</i>		
J5	<i>Respond to all applications with a net gain of 10 or more dwellings regarding on/off-site sport and leisure facilities and off-site financial contributions</i>		
J6	<i>Negotiate directly with developers over the above</i>		
J7	<i>Liaise with planning/legal and relevant parish/town Councils regarding the inclusion of appropriate sport and leisure projects to be included within S106 legal agreements</i>		
J8	<i>Liaise with planning/legal regarding the drafting of S106 legal agreements</i>		
J9	<i>Prepare for and attend planning hearings</i>		
J10	<i>Update equipped play provision audit data on GIS layer</i>		
K	Open space adoptions	Recycling, Waste, Community Spaces	Communities & Civic Amenities
K1	<i>Inspect sites regarding any snagging works required prior to being adopted by AVDC and added to Street Cleaning and Horticulture Contract</i>		
K2	<i>Liaise with Bucks CC regarding adoption of highways, add any adopted areas to the Street Cleaning and Horticulture Contract</i>		
K3	<i>Update GIS to account for adoptions</i>		
L	Events on AVDC land	Heritage & Parks	Communities & Civic Amenities
L1	<i>Ensure AVDC land is a suitable standard for events to take place</i>		
L2	<i>Liaise with the Communities Team and advise on works taking place that could affect events etc.</i>		
L3	<i>Provide up to date maps detailing site information</i>		
M	Customer care and data	Recycling, Waste, Community Spaces	Environment & Waste
M1	<i>Promotion of Keep Britain Tidy campaigns</i>		
M2	<i>Webpage updates incl forms</i>		
M3	<i>Process Waste Data Flow returns</i>		
M4	<i>Responding to Freedom of Information requests</i>		
N	Health & Safety	Recycling, Waste, Community Spaces	Environment & Waste
N1	<i>Complete incident report forms and forward to Business Assurance, liaise on any resulting insurance claims</i>		
N2	<i>Monitor contractor risk assessments</i>		
N3	<i>Monitor and review the contractor's working practices</i>		
O	Contract management	Recycling, Waste, Community Spaces	Environment & Waste
O1	<i>Monitor contractors return data (mainly using Smartsheet)</i>		
O2	<i>Performance management</i>		
O3	<i>Environmental Standards Management (EPA code of practice)</i>		
O4	<i>Issuing contractor with rectification instructions and defaults</i>		
O5	<i>Issuing one off and permanent variation orders</i>		
O6	<i>Ensuring correct monthly payments are processed</i>		
P	Trees	Heritage & Parks	Communities & Civic Amenities
P1	<i>Management incl. surveying of trees on AVDC land</i>		
P2	<i>Ordering and monitoring tree works</i>		
P3	<i>Commenting on tree matters on planning applications</i>		
P4	<i>Applications for works on trees covered by preservation orders</i>		
P5	<i>Requests for trees to be covered by tree preservation orders</i>		
P6	<i>Review tree preservation orders</i>		
P7	<i>Notification of works to trees in conservation areas</i>		

Ref	Service	Team	Portfolio
P8	<i>Serving notice on landowners where there's an imminent danger to public</i>		
P9	<i>Review and update Tree Strategy</i>		
Q	Customer fulfilment	Recycling, Waste, Community Spaces	Environment & Waste
Q1	<i>Incoming and outgoing calls for Community Spaces</i>		
Q2	<i>Community Spaces e-mail processing initial enquires (in full where possible e.g. clearance of fly tips/dead animals with Contractor, additional litter clearance/sweeping, missed bin empties, basic tree enquires, grass cutting, etc)</i>		
Q3	<i>Raise customer care requests on contractor's service request system</i>		
Q4	<i>Monitor work flow for complaint responses</i>		
Q5	<i>Submit information to Waste Data Flow</i>		
Q6	<i>Update customer Care Unibase system</i>		
Q7	<i>Arranging supply, fitting, and emptying of dog waste and litter bins on behalf of towns and parishes</i>		
Q8	<i>Dog waste service recharges</i>		
Q9	<i>Reconciling pitch hire fees and claim from contractor</i>		
Q10	<i>Recharges to Bucks CC (related to abandoned caravans, sweeping related to incidents)</i>		
Q11	<i>Recharges for clearing fly tips from private property</i>		
Q12	<i>Collating drug data</i>		
R	Finance	Recycling, Waste, Community Spaces	Environment & Waste
R1	<i>Updating Finance and customer on changes to contract expenditure/service prices</i>		
R2	<i>Set annual fees and charges (as part of annual Council budget report)</i>		
R3	<i>Verifying and processing monthly invoices for contracts</i>		
R4	<i>Manage income from pitch hire, dog waste service, Bucks Fire Brigade, Bucks CC, recharges for any ad hoc services provided</i>		

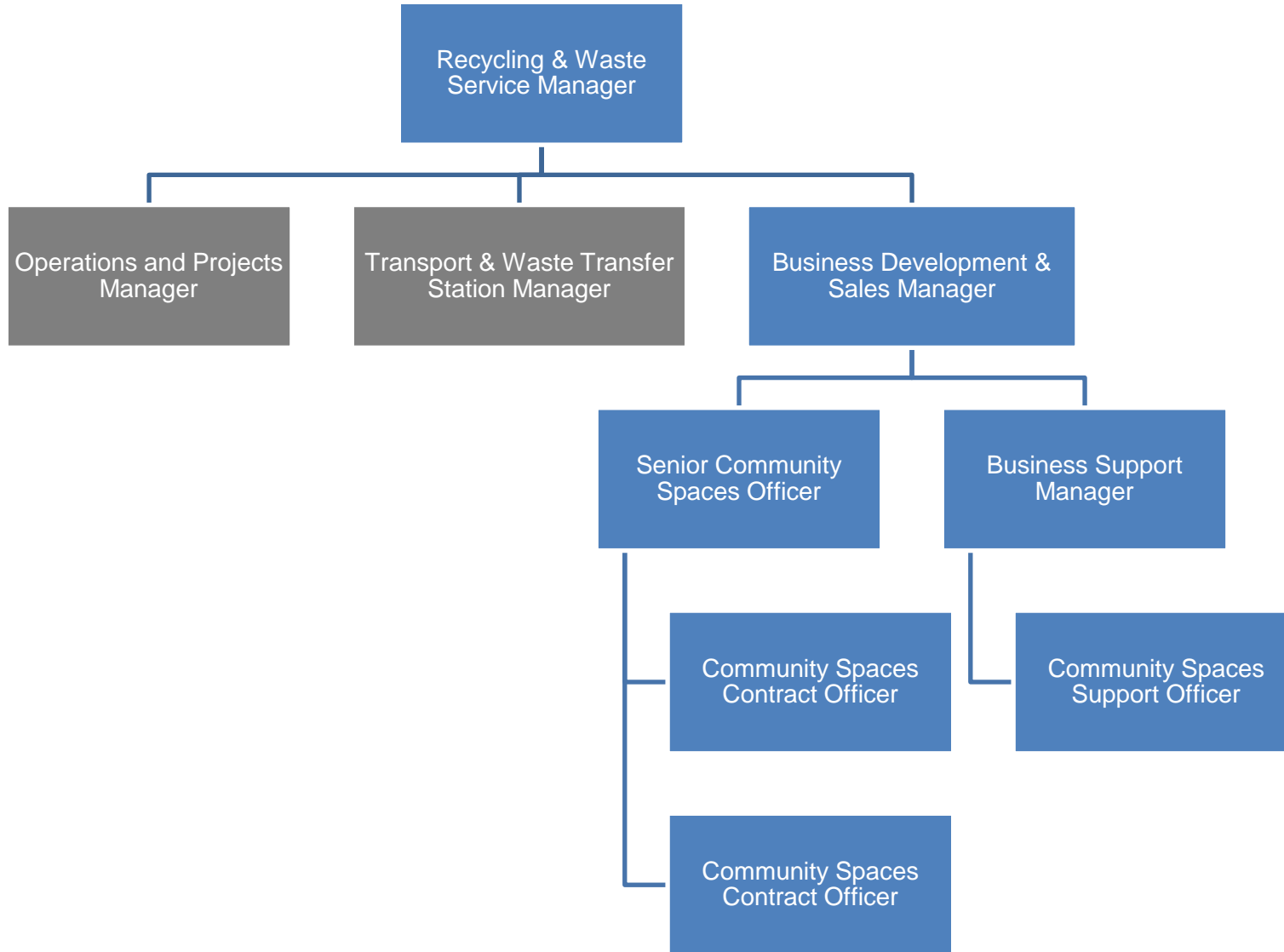
Appendix 2: Community Spaces Team existing structure



Appendix 3: Heritage & Parks Team



Appendix 4: Recycling & Waste (only showing direct alignment of Community Spaces Officers; other staff not shown)



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