

Environment and Living Scrutiny Committee

25 SEPTEMBER 2018

PRESENT: Councillor S Jenkins (Chairman); Councillors B Everitt (Vice-Chairman), A Cole, S Cole, P Cooper, S Jarvis, R Stuchbury (In place of M Bateman) and M Rand

IN ATTENDANCE: Councillors J Brandis and Sir Beville Stanier Bt

APOLOGIES: Councillors S Chapple, T Hunter-Watts and R King and M Winn

1. MINUTES

RESOLVED –

That the minutes of the meeting held on 24 July 2018 be approved as a correct record.

2. HOUSING & HOMELESSNESS STRATEGY 2018

Local authorities had a statutory requirement under the Homelessness Act 2002 to produce a Homelessness Review and Strategy outlining the main causes of homelessness in their area and the strategic plans and actions in place to tackle them. As a minimum requirement, the strategy should be revised and rewritten every five years.

The Committee received a report which contained the Housing and Homelessness Strategy 2019-2022. The Strategy had been produced following a review of the housing and homelessness needs of residents within the Vale and outlined the council's plan on addressing these needs for the next three years. The Strategy was created by a working group made up of internal officers and representatives from local partners including the Vale of Aylesbury Housing Trust (VAHT), Aylesbury Homeless Action Group (AHAG), Connection Support and Heart of Bucks.

Research and customer insight to inform the Strategy had begun in February 2018 with work including interviews with customers and a survey of providers offering services to homeless people. A consultation event was held on 19 April 2018 and was attended by 41 delegates from local partnership organisations, statutory and voluntary organisations, registered providers and local members. Following this, a full public consultation was completed in July/August 2018. Updates had been made to the draft Strategy to reflect the consultation responses and policy changes that had come into place since the draft was published.

There were four strategic priorities to ensure that those who want to make the Vale their home are supported and empowered to do so:-

- Prevent and reduce homelessness and rough sleeping
- Continue to facilitate and maximise the supply of affordable housing
- Respond to the ongoing challenges of welfare reform
- Contribute to the improvement of health and wellbeing services for people at risk of homelessness

House prices and private rents had increased in part due to the population growth in Aylesbury Vale. Conversely, the Vale had also had the third highest increase in its housing stock throughout England over the last five years and had the highest ratio of housing delivery to existing housing stock of any authority in the Cambridge-Milton Keynes-Oxford Corridor. AVDC had seen an increase of 25% in the number of

applicants found as unintentionally homeless and in priority need since 2013. The biggest rise was seen in families with dependent children with the loss of tenancy being the most common reason for someone losing their home.

Since the last Homelessness Review, changes in both local and central government legislation and policy had had a significant impact on the approach taken by local authorities to preventing and dealing with homelessness. Official statistics continued to show an upward trend with the number of homelessness acceptances and rough sleepers rising year on year since 2014. Compared to the national picture and in general, the council's homelessness figures were relatively low. However, the Aylesbury Vale 2017 rough sleeping rate (per 1,000 households) at 0.26 was marginally higher than national average of 0.20.

The Housing and Homelessness Strategy Action Plan would evolve to identify actions that would be taken to achieve the Strategy's priorities. The Plan would act as a health check on the effective delivery of the service and would be updated quarterly on the AVDC website once live.

A statement was read out by the Chairman regarding this item on behalf of the Cabinet Member who was unable to attend the meeting.

Members sought more information from officers and were advised that:-

- i. Quarterly reports would also be provided to the Assistant Director and the Cabinet Member.
- ii. The monitoring of Universal Credit's impact on residents and landlords would be ongoing throughout the Strategy. Claimants would be helped to access UC applications online and advice on AVDC's website would be correct and current with signposting to relevant services as necessary. A communications plan within AVDC was established and debt advice leaflets would be available for registered providers to distribute with their clients. Further actions would be added as necessary.
- iii. Following the gradual national roll-out, AVDC would become a Full UC Service from Autumn 2018
- iv. The Government's P1E data collection system used under previous strategies did not go into as much detail as the new HCLIC system. This allowed the new Strategy to go into further depth to identify those at risk of homelessness earlier. This outcome would be reported to Government.
- v. Residents who had difficulty with rental shortfalls as a result of LHA caps could approach AVDC for housing advice. Managing expectations early was important in this instance. Depending on the shortfall and officer investigation into affordability, discretionary housing payments could be offered.
- vi. Although the Strategy would begin in 2019, actions were still ongoing to address rough sleeping. Funding had recently been received to help with rough sleepers which had already achieved housing outcomes for 11 people and additional funding for support services, including a Band 6 Community Psychiatric Nurse. These were quick ways to ensure that rough sleeping did not become entrenched which was an underlying issue for the service. In addition, a rough sleeper count would be carried out later in the week during the early hours of the morning which would be combined with intelligence based information to agree a figure.
- vii. It was acknowledged that there was a difference between rough sleepers, individuals who had sought and been granted homelessness assistance by the local authority and those who were begging but had somewhere to stay.
- viii. Despite affordable housing numbers being in VALP, it was appreciated that some affordable rented properties might not be affordable because of welfare reforms. This would be fed back to the Strategic Team.

- ix. The impact of VALP on the delivery of new affordable housing may take years to accurately measure.

Members felt that the Strategy was comprehensive and balanced overall, however concern was expressed over the impact that UC would have on residents which would influence the effectiveness of the Strategy. The Strategy needed to be agile enough to manage this change but assurance was felt with the flexibility of the action plan and that AVDC was a Full UC Service. Although the Strategy acknowledged that responding to Welfare Reform was a priority, on balance, Members felt that their concerns about UC should be made clear to the Cabinet Member. The Committee saw merit in an update being brought back to Committee in March 2019 which would allow for the impact of the winter and UC to be understood.

Further clarity was also sought from Members regarding the outcome of the targets and actions from the previous Strategy 2014-2017; it was agreed that this should be circulated to Members in due course. A report would only come to Committee on this if deemed necessary by Members.

RESOLVED –

That:-

1. The approach to the development of the Strategy 2019-2022 be endorsed and that Cabinet and the Cabinet Member take consideration to the discussion and concerns raised by the Committee in relation to UC and the Strategy.
2. A note be distributed to the Chairman and Vice-Chairman regarding the outcome of the 2014-2017 Strategy.
3. An update be scheduled to come back to the Committee on the Strategy in March 2019.

3. GAMBLING POLICY 2019-2022

The Committee received a report which outlined the proposed Gambling Policy 2019-2022. Section 349 of the Gambling Act 2005 required all licensing authorities to prepare and publish a statement of principles that they propose to apply in exercising their functions under the Act. The statement of principles or licensing policy must be reviewed and republished every three years. The council's policy was now due for revision and a new version must be published in January 2019.

The Licensing Committee had met on 2 July 2018 to discuss the new draft policy. Following their discussions, the main changes made related to the preparation and publication of a Local Area Profile and expansion of the sections referring to risk assessments and licensing objectives. There had also been some minor changes to other sections within the policy.

There had been a legal requirement for the new draft policy to be distributed for consultation which had taken place between 9 July and 31 August 2018. The policy had been available on AVDC's website and a wide range of potential stakeholders were consulted which included:-

- Responsible authorities under the Gambling Act
- Local organisations working with those potentially vulnerable to gambling related harm
- Premises licence and permit holders within the District
- Organisations representative of gambling businesses
- District and Borough Councillors

- Parish Councils and neighbouring Districts

AVDC received one response throughout the consultation from GamCare. The Licensing Committee met again on 10 September 2018 to consider the policy further and made no further changes. The Chairman of the Licensing Committee was present for this item and answered any questions raised by Members regarding the Gambling Policy.

A separate document alongside the policy would also be published entitled Local Area Profiles. This was a statistical document with its contents governed by the policy. The Licensing Committee had agreed that this document should be fluid in nature to allow timely changes to be made without the requirement for full consultation and Council approval.

The Committee asked officers for further information and were advised that:-

- i. There was an understandable concern that AVDC could not impose limits on the number of gambling establishments in an area particularly if it was an area of residential growth.
- ii. Applications could be challenged through the proposed Local Area Profile as this provided context as to the risk of particular locations. The applicant would have a legal obligation to show the methods to mitigate the risk for the area.
- iii. The number of gambling establishments had appeared to plateau and it was expected that the introduction of legislation that capped the stakes on fixed odd betting terminals might reduce the number of establishments on the high street.
- iv. The Chairman of Licensing Committee had written to the Government regarding concerns that the council was powerless to control the proliferation and clustering of betting shops. The letter asked Government to consider giving local authorities the ability to introduce Cumulative Impact Policies in relation to gambling establishments.
- v. Online gambling was a growing concern as its concerns may not be seen in town centres but its impacts were felt socially.
- vi. Restrictions of gambling establishments in the VALP and neighbourhood plans would be communicated to Members separately.

RESOLVED –

That the comments of the Committee on the Licensing Policy be noted.

4. EMPTY HOMES POLICY

The Empty Homes Agency (EHA) estimated that there were over 200,000 long term empty homes in England in 2017. This represented 0.85% of the total number of homes in England and was considered a substantial wasted resource. As of April 2017, Aylesbury Vale had 239 private homes which were unoccupied from a total housing stock of 78,850; this represented 0.3% of the housing stock. Although this was below the national and regional average, it was still a cause for concern.

The council was committed to tackling the problems that empty properties caused and was keen to adopt a more proactive approach in supporting owners to help to return their property to use. Empty properties constituted a wasted housing resource, both for individual owners and the local community. Long-term empty properties could fall into a state of disrepair and become dangerous as well as having a negative impact on neighbours and the wider community. It was felt that a coordinated and sustainable

approach to empty properties could contribute towards improving standards as well as reducing the number of empty homes.

Between 2011 and 2017 the number of empty properties in Aylesbury Vale was reduced by 45%. This was achieved through a combination of measures which included:

- Property inspections
- Provision of help and advice to owners
- Publicity through mailings and the Vale Times magazine

There were broadly two types of empty residential properties: transactional empty properties and long-term empty properties. Transactional empty properties were generally empty for up to six months. This was usually due to a change in tenant or ownership and was part of the normal cycle of moving house. The vast majority of all empty properties were empty for less than six months though they may be empty longer should they be subject to renovation works.

Empty properties could have a negative impact upon the lives of people in the vicinity and could attract anti-social behaviour. Tackling empty properties not only helped provide additional much-needed homes but also contributed to the improvement of the local environment and benefits communities. The policy outlined in the report would focus on 'long term empty properties' which were those houses that had been empty for over two years and those that were situated in or close to the larger towns within the Vale. The policy allowed flexibility with regard to the criteria used to prioritise empty properties for action and to ensure that any new guidance, legislation or funding that becomes available could be made full use of in future. The policy described AVDC's 'graduated' approach to enforcement whereby advice and incentives were offered to landlords to assist them in bringing properties back into use prior to considering formal measures.

The Committee also heard that it was recognised that there were a number of challenges associated with returning empty properties back into use. These could include ownership disputes, personal circumstances of the owner, disappearance of the owner and properties left intentionally empty. Enforcement Officers already had the skills required to trace property ownership, inspect houses and identify hazards under the Housing Health and Safety Rating System.

A statement was read out by the Chairman regarding this item on behalf of the Cabinet Member who was unable to attend the meeting.

Members sought more information and were advised that:-

- i. The use of compulsory purchase powers to purchase empty commercial properties for conversion into residential dwellings was outside the scope of the policy. Conversions were already happening in the Vale through private companies if there was the market for it.
- ii. An office in Aylesbury town centre was currently going through the Planning process for conversion into dwellings.
- iii. The service received monthly reports from Council Tax on properties that were newly declared empty and tracked how long they had been empty for. Information on empty properties was supplemented by intelligence from complaints made by local residents and other officers when carrying out inspections and complaint investigations.
- iv. Empty properties were exempt from Council Tax for the first month then charged at the full amount. Properties empty for longer than 24 months were subject to a 150% Council Tax rate. False claims had severe penalties.

- v. If a property was empty due to structural issues then the Council Tax exemption was for six months to allow for works to be carried out. After that time normal charges would be incurred.

RESOLVED –

That the empty homes update be noted and Committee's comments referred to Cabinet when they consider the item.

5. CONCESSIONARY TRANSPORT REVIEW

In 2011 Buckinghamshire County Council replaced AVDC as the Travel Concession Authority (TCA) and took over responsibility for the administration of concessionary travel. Also, AVDC and BCC entered into a delegation agreement which allowed AVDC to administer a discretionary concessionary travel token scheme on behalf of the County. The discretionary concessionary transport scheme, in the form of taxi tokens originally operated alongside Aylesbury Vale Dial-a-Ride service, which closed in March 2016. The discretionary concessionary taxi token scheme was an alternative option for people that qualify for a free bus pass, do not have access to their own private transport and meet the following eligibility criteria:

- in receipt of the state pension and cannot use buses because of disability or frailty
- have a disability as defined by the Disability Discrimination Act

AVDC purchased the tokens from an external specialist company, National Transport Tokens Ltd. Those qualifying could apply for up to £90 of tokens per year which they spent with a participating local taxi firm on essential journeys. The tokens could be used to fully or partly fund a journey in a taxi up to the cost of £15. The taxi firm then had to exchange the tokens for payment through the specialist company from which the council sourced the tokens.

There had been a significant decline in the number of participating taxi operators involved in the scheme (from 21 operators in 2011 to 5 in 2017). This was due to it not being financially viable for operators to do so because the minimum value of tokens that they could exchange with the company was £100 and the number of journeys that they were being asked to provide was not high enough to make this worthwhile. Operators would continue to accept the tokens up until 30 September 2018; after this date the tokens would not be valid. This was an optional service that taxi companies could choose to offer their customers and they were under no obligation to provide it. Current taxi operators were from Aylesbury, Wing and Winslow, and only two offered wheelchair accessible vehicles. There were no operators who supported the scheme in Buckingham.

There had also been a decline in the number of users of the scheme from 314 in 2012, 184 in 2017 and 116 so far in 2018. The scheme was fully funded by AVDC and the budget was £33,400 per annum. The current cost to provide the scheme was £7,200 per annum which covered staffing and recharge costs. The remainder of the budget was available to source the provision of tokens. A review had been conducted on the service which included the following:

- Mapping of current community transport in the Vale.
- A survey of current users.
- Consultation with the Transport Hub.
- National research on older people and transport needs.
- Conversations with community and statutory partners.

- Review of scheme as it currently stands.
- Research on what other options are available in other areas of the county.
- Commissioning of Community Impact Bucks to signpost existing users to alternative provision.

Officers noted that review had highlighted that the majority of service users were from Aylesbury Town Centre and that no suitable alternatives had been found. The report the Committee received outlined the outcome of the review and proposed two viable options: cease the service and/or retain current funding for a limited period to fund new or existing community transport schemes. Members were asked to comment on these two options. A statement was read out by the Chairman regarding this item on behalf of the Cabinet Member who was unable to attend the meeting.

The Committee considered that those most affected by the scheme's removal in Aylesbury Town Centre already had alternative transport such as bus routes. On the other hand, Members saw merit in ring fencing the current funding for future consideration if a comparable scheme could be found. The Committee also emphasised that if the service was to cease then it should be made clear that this was separate to the survey and review being carried out by Buckinghamshire County Council in relation to council supported rural bus services.

RESOLVED –

That the Committee's comments be noted and that Cabinet give consideration to retaining some of the current funding within the budget for a time limited period for the purpose of funding new or existing community transport schemes. If none can be found then the provision of the concessionary transport scheme should be ceased.

6. FOOD SERVICE PLAN

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 which contained the Food Service Plan for 2018/19. Key features of the plan included:-

- There were 1798 registered food businesses in Aylesbury Vale.
- Premises were given a risk rating from A to E. Resources were targeted to ensure higher risk premises (A, B, Non-compliant C and Unrated) are inspected in accordance with the FSA Code of Practice.
- The number of premises which were deemed to be 'broadly compliant' with the law was 98%.

- In 2017/18 AVDC achieved 87% of programmed interventions with 99.3% of premises inspections rated A- non compliant C were completed.
- The backlog of unrated inspections from the previous year had been reduced by 84.

The report also highlighted areas of improvement or exploration to improve efficiency and to ensure AVDC was offering the best service to customers. The Cabinet Member was in attendance and endorsed the work carried out to formulate the plan.

Following the report's introduction, Members had further questions and were advised that:-

- i. Primary and secondary schools and academies were inspected if they were preparing, supplying and/or serving food with a risk score based on factors. William Harding was used as an example of this.
- ii. A recent inspection had been carried out at Bucks College and Bourton Meadow Academy had received a 5-rating at its last inspection.
- iii. It was only compulsory for premises to show their 'Scores on the Doors' in Wales. Plans to mandatorily show 'Scores on the Doors' in England were not likely in the foreseeable future. However, ratings for all premises could be found on the FSA website.
- iv. 'Broadly Compliant' was an FSA prescribed term. It was appreciated that this terminology was not particularly clear.

RESOLVED –

That the contents of the 2018-19 Food Service Plan be noted and comments be referred to the Cabinet Member.

7. WORK PROGRAMME

The upcoming work programme for the next three meetings was discussed with particular note to the debate had on the Housing and Homelessness Strategy 2018.

RESOLVED –

That the current work programme be noted.