

APPENDIX
Agenda Item No. 5

KINGSBURY MANAGEMENT – CALL-IN Director of Environment and Planning

1.0 Purpose

- 1.1 The Committee, in accordance with Paragraph 15 of the Scrutiny Procedure Rules, is required to consider what action it wishes to pursue in relation to the Cabinet decision taken on 20th July, 2004 in respect of Kingsbury Management.

2.0 For Decision

- 2.1 The rules relating to call-ins allow the following options from which the Committee may choose:
- (i) refer the decision back to Cabinet setting out the nature of the Committee's concerns;
 - (ii) refer the matter to full Council for it to express views to Cabinet; or
 - (iii) not refer the matter to the Cabinet or full Council and allow the decision to be implemented immediately.

3.0 Background

- 3.1 Attached as Appendix 1 is the report considered by Cabinet at its meeting on 20th July, 2004 in relation to the future management of Kingsbury. Appendix 2 (attached) is the Cabinet Decision Notice published 22nd July, 2004 which gives details of the Cabinet's decision on this issue.
- 3.2 A call-in request was received from Councillors Patrick, Stuart and Turner on the grounds that the Cabinet's decision had been taken without consulting Aylesbury Town Council and that the decision should not stand until such consultation has taken place.
- 3.3 The Committee has 3 options available:
- (i) If the Committee still has concerns regarding this decision then it may refer the decision back to Cabinet, setting out in writing, the nature of its concerns. The Cabinet will then have 10 working days to reconsider the decision before adopting a final decision, with or without amendment.
 - (ii) If the Committee still has concerns regarding this decision then it may alternatively refer the decision to full Council, setting out in writing the nature of its concerns. Council then has the opportunity to state its objections to or agreement with the decision. In the event that Council does not object to the decision then it will become effective from the date of the Council meeting. Should Council object to the decision, the matter, together with Council's views, is referred back to the Cabinet who will have 10 working days during

which to consider Council's view and adopt a final decision, with or without amendment.

- (iii) If, after consideration the Committee does not refer the matter further then the decision may be implemented immediately.

Contact Officer: Derek Willmer (01296) 585060
Background Documents:

Dtw-kmci-exst – greens may 2003
Economy1082004

APPENDIX 1

KINGSBURY MANAGEMENT Director of Environment and Planning
Councillor Mrs Paternoster
Cabinet Member for Planned Development

(1) Purpose

- 0.1 This report sets out the proposals for the future management and use of Kingsbury when the construction is complete in September.

(2) Recommendation

- 1.1 The Cabinet are recommended to agree to the proposals and authorise officers to implement the proposals.

(3) Supporting Information

- 2.1 The construction work in Kingsbury is due to be completed at the end of August and preparatory work has been undertaken to establish how the area will be managed and used in the future.
- 2.2 Kingsbury (including George Street) is partly owned by the Council and partly public highway which is the responsibility of Buckinghamshire County Council (BCC). The original paved area in the centre of Kingsbury is owned by the Council. In view of the different responsibilities, Officers have been in discussion with BCC to enable Kingsbury to be managed by the Council partly on behalf of BCC. This would be simpler for physical maintenance and for the granting of consents and licences for the use of the area. Users are almost certainly going to straddle both public highway and Council owned land and contact with one body will speed up the process of approvals for the anticipated use.
- 2.3 It is proposed that a clear vision for the use of Kingsbury be established in order to manage its future use. Drawing on our Vision for a Vibrant Aylesbury Vale, it is proposed that this should revolve around:-
- A café culture where traders can operate in Kingsbury in a controlled way providing food and drink throughout the year – this to be food led.
 - Random specialist markets throughout the year.
 - Street entertainment.

The objective is to create an active and lively area that is well used and not just a sterile pedestrian area.

- 2.4 It is important that any decisions about Kingsbury take into account the views of local traders. A consultation letter has been sent to all traders in the area to establish their response and enthusiasm for the proposals. This has been followed up with a personal visit by the Town Centre Manager to those traders who expressed an interest

in trading food and drink in Kingsbury. There are about 4/5 serious traders interested and a letter has now been sent to them with an outline of the quality standards and a designated area where they can operate. Clearly this is a significant investment for the traders which they need to think through carefully if the quality and standards are to be maintained. The intention is to allow the traders to operate as soon after the works as is possible.

2.5 A report will be submitted to the Licencing Committee in August to agree the Street Trading Pitches and any consents applied for, ready for a commencement in September.

2.6 The conditions relating to trading in Kingsbury will cover the following issues:

- Designing the Pavement Café
 - Size and layout
 - Creating a boundary
 - Pavement café frontline
- Managing the Pavement Café
 - Service
 - Food hygiene
 - Litter/cleaning

2.7 In order to facilitate the trading in Kingsbury it is necessary that the following consents are made to each trader:

- Licence under 115 of the Highways Act if trading on the highway abutting their premises.
- Street trading consent if trading is on highway or our land but at a location remote from the premises.
- Planning consent.

2.8 In order to simplify the process, a planning application has been made by the Council for the whole of Kingsbury and George Street but the ultimate control will be via the issue of licences and street trading consents. Negotiations are currently under way with BCC to enable the Council to issue S115 Notices on their behalf. A verbal update of progress with BCC will be given at the meeting.

2.9 In respect of the physical maintenance of the surfaces and features, BCC are receptive to a joint working arrangement and the detail is currently being discussed with them. It is hoped that this can be undertaken by one Council to ensure the quality and standards created by the new scheme. It is likely that BCC will only contribute funding equivalent to a normal highway maintenance. This will mean that the Council will need to fund any maintenance over and above the funding provided by BCC.

2.10 The area will be subject to the highest level of cleansing as with other parts of the town. In addition, provision will be made for daily removal of graffiti, posters and chewing gum. This has been incorporated in the new street cleansing contract. The surfaces are to be specially treated to help the cleansing process.

(4) Resource Implications

- 3.1 There are no resource implications in relation to the organisation and management of the use. There will be a cost in relation to the maintenance of Kingsbury surface. In addition there will be maintenance costs associated with the water feature and this is estimated at £4-5k per annum. It is expected that this can be funded from the savings resulting from the closure of Kingsbury Toilets.

The maintenance of the surfaces will be low in the first 5 years however a budget will be required from September 2005 onwards which has yet to be quantified.

(5) Response to Key Aims and Outcomes

- 4.1 The proper maintenance and management of Kingsbury will contribute to the Local Economy by enabling the retention and expansion of local businesses. It will also contribute to the Local Environment by ensuring the public areas are well maintained and enhanced.

Contact Officer: David Betts 01296 585239
Background Documents:

Djb-km-fsq – greens may 2003
Cabinet2072004

EXTRACT FROM CABINET DECISION NOTICE

20th July, 2004

**AGENDA ITEM NO. 9
KINGSBURY MANAGEMENT**

(a) Decision(s)

That approval be given to the implementation of the proposals referred to in the report submitted.

(b) Reason(s) for decision(s)

To ensure that the area is managed in accordance with the Council's aspirations for creating a "vibrant Aylesbury Vale".

(c) Alternative options considered

None.