

## Unanswered Member Questions from Full Council Monday 13 April 2015

Written answers despatched under Standing Order 11.11

**8. Question from Councillor R Colomb to the Cabinet Member for Economic Development and Regeneration**

The Council has been participating in a Wood Footprint Study under the EU Urbacht programme for nearly four years. I appreciate the costs are borne by the EU. Would you please advise what benefit the residents of Wycombe District (as EU taxpayers) have received as a result of the programme, which is, I believe, holding its final meeting on Election Day.

The URBACT Wood Footprint project started in April 2012 and the closure conference for the project is being held 22-24 April.

The event alluded to over the election period is the conference that marks the end of the URBACT II programme. All projects completed in the final phase, including Wood Footprint are required to contribute to the event.

As a reminder Wycombe was invited to take part because of our furniture making heritage – hence ‘wood footprint’.

The project agreed on five themes and Wycombe chose to participate in three that complimented our existing plans and would thus add the most value to ‘tax payers’ namely:

- Abandoned buildings  
(Our focus on empty / underutilised industrial / commercial sites and looking for ways to bring them in to reuse)
- Skills and employment  
(Our project partner BNU has focused on ‘future proofing’ course provision in furniture and ensuring students are at BNU)
- Industrial parks for entrepreneurs and growth  
(Our focus has been on developing a BID for Globe Park)

We are finalising our Local Action Plan for submission to URBACT at the end of April.

Having been part of this project we have the potential now to get a ‘green card’ for EU funding opportunities going forward if available.

**9. Question from Councillor R Colomb to the Cabinet Member for Planning & Sustainability**

When the BNU Wellesbourne Campus site was redevelopment by Taylor Wimpey, great efforts were made to separate the houses in Kingshill Court from the rear of the existing houses in Brands Hill Avenue with a comprehensive landscaping scheme. Whilst landscaping schemes are enforceable for five years, Taylor Wimpey conveyed ownership of the land to individual homeowners so the landscaping is no longer enforceable and some homeowners are now removing it to enlarge their gardens.

In view of the proposed development of the five reserve sites, where no doubt landscaping will feature prominently, will the Cabinet Member investigate if there any ways in which more effective and longer protection can be afforded to such landscaping planning conditions?

The landscaping at Wellesbourne was put in last year. It is enforceable for five years. The fact that the land has been conveyed to individual house holders does not alter its enforceability. We have had one enforcement case where some landscaping was being removed, the matter was resolved and the case closed. We would take similar action should any further similar matters be reported.

At the end of the 5 years, the authority may choose to use some other form of protection, such as Tree Preservation Orders.

Looking to the future, we could take a similar approach to that taken at Wellesbourne, placing a 5 year condition on the landscaping. Other measures would also be required to ensure this approach is successful in the long term would include ensuring the gardens are longer than might otherwise be expected, so that there can be a 'functional garden zone' near the house and a second 'landscaped zone' further from the house. It is also advisable for the garden to be clearly designed before it is sold to the householder to clearly demark these 'zones', for example through the provision of some form of fence or hedge. This would allow access to the landscaped area, but help reinforce that it is not for 'general garden' use. We could also place TPOs on any trees at the time they are planted. It is worth noting that Wellesbourne was allowed on appeal.

An alternative approach would be for any landscaped areas to be included within the areas of public open space, and managed on a collective basis. How future maintenance is funded would have to be resolved, and is not a simple matter. However, if the area is simply a planted strip in effect between back gardens, future management is complex. It would not be advisable to have public access to these areas because they would not have active surveillance, and would tend to attract anti-social behaviour. There is also a tendency for areas such as this to receive items 'tipped' from adjacent gardens - which creates a further management cost. For these reasons including the landscaping within longer back gardens can be a more effective long term response.

**10. Question from Councillor R Colomb to the Cabinet Member for HT, ICT & Customer Services**

Does this Council, or any of its appointed service outsourcers have any employees on Zero Hours Contracts?

The Council has 18 people with zero hour contracts. Zero hour contracts are used principally in Community Services such as the Museum, Tourist Information Centre and Resources Zone. The zero hours contracts allow people to undertake work to support local services with no obligation on either party to provide or accept work.

The Council does not use zero hour contracts for established posts.

People for Places, our Leisure Services provider have told us that overall they have 334 employees within the three sports centres and of these, 185 team members are casual employees. The majority of casual staff are school / college or University age and their availability for work alters depending on their education or social life and, as such, the casual contract are of mutual benefit.

Our appointed service outsourcers have confirmed that they do not use zero hour contracts for services provided on behalf of the Council.

**11. Question from Councillor R Colomb to the Cabinet Member for Community**

Are you aware your department placed an advert in the latest edition of the Wycombe District Times for the Duke Street theatre operated by the Renegade Theatre Company?

This conversion of a warehouse went ahead without planning permission encouraged by our officers. The Place Service of Bucks County Council, a statutory consultee, has recommended refusal on the grounds of pedestrian and vehicle safety!

I can confirm that I was not aware of the item in District Times. Officers submit content for Wycombe District Times to the Communications Team, who prepare each edition. New measures were put in place on 20 March to ensure that the Head of Community Services sees and personally approves all advertising and marketing prepared by officers within her team, which should help ensure that future press and publicity takes full account of the wider picture.

**12. Question from Councillor M Knight to the Cabinet Member for Planning & Sustainability**

Over the last few years how often has WDC used the powers set out in Section 215 of the Town and Country Planning Act, requiring property owners to clean up land and buildings, and do you have any examples of how this planning law has been put to effective use in the district?

The Council has found it necessary to serve two Section 215 Notices since 2008, both of which were on untidy residential sites and required specific works to be undertaken in order to tidy the land, both Notices were complied with.

There are limited opportunities to use such notices as most cases of untidy land can be dealt with through negotiation with the threat of action to back up the Council's position.

Section 215 is also used sparingly for other reasons:

Where, due to the storage of items on land, a change of use of the land has taken place, it is more effective to serve an Enforcement Notice. This remains in force even after it has been complied with, so it can deal with any future breaches. A section 215 Notice will only deal with specific issues at a specific time

Section 215 notices need to be clear, precise and unambiguous, where works are required to be undertaken every aspect of those works needs to be set out which requires specialist input which needs to be commissioned from external experts. For example, if you want a wall to be rebuilt you need to specify the foundations required, the method of construction, the type of bricks and mortar, the height and location of the wall.

Where a Section 215 Notice is served and the works are not undertaken it falls to the Council to undertake the works and seek to recover the costs from the landowner(s). With no direct labour force to undertake the works we have to go out to tender, a time consuming process for an already overstretched department, it has proved difficult to find companies to quote to undertake the works and cost recovery can be difficult.

The Council also has to undertake to fund the works, and it could be many years before the costs are recovered – a charge is placed on the land and so until the land is sold, costs cannot always be recovered.

**13. Question from Councillor Julia Wassell to the Cabinet Member for Community**

Further to the recent Improvement and Review Commission Review into Urgent Health Care in Wycombe District, would you agree that further reviews need to be held? Wycombe residents are concerned about over stretched mental health services, the distance to Maternity and Children's services and the difficulty in finding an NHS dentist. In addition, young stroke victims and their families are suffering from a lack of suitable accommodation. I believe all these areas of health merit a locally based investigation.

You raise very important issues regarding the state of mental health services, maternity and children's services, access to an NHS dentist for residents of our District and support for stroke victims. I am pleased that you feel that this Council's work on the urgent health care review was effective, as you are asking for us to undertake further reviews. The key reason for this Council, through the Improvement and Review Commission, to undertake the urgent health care review was to do specific additional work within our District in regard to an existing review that the Buckinghamshire County Council's Health and Adult Social Care Select Committee had conducted. The Buckinghamshire County Council's Health and Adult Social Care Select Committee has the remit to review these services in our District and across the rest of the County, so it is important that we do not duplicate their work. I suggest that this is a matter you take up directly with the County Council's Select Committee.