



## Cabinet minutes

Minutes of the meeting of the Cabinet held on Tuesday 7 June 2022 in The Oculus, Buckinghamshire Council, Gatehouse Road, Aylesbury HP19 8FF, commencing at 10.00 am and concluding at 12.10 pm.

### Members present

M Tett, Cllr A Macpherson, G Williams, S Bowles, S Broadbent, J Chilver, A Cranmer, C Harriss, M Winn and G Hall

### Others in attendance

P Drayton, D King, R Matthews, R Stuchbury, S Wilson and S Morgan

### Apologies

P Strachan

### Agenda Item

#### 1 Apologies

Apologies were received from Councillor P Strachan.

#### 2 Minutes RESOLVED –

**That the Minutes of the meeting held on 10 May 2022 be approved as a correct record.**

#### 3 Declarations of interest

There were none.

#### 4 Hot Topics

The following topics were raised:

#### Leader

The Leader referred to the recent Platinum Jubilee weekend where a hundred street parties were held in Buckinghamshire and the Council had waived the fee for temporary road closures. In addition activity packs had been sent out to schools and care homes, 60 events had been organized by libraries and a schools competition had been held for the best platinum jubilee cake which had been judged by Lorraine

Kelly (ambassador for Bucks Swans) and the Chief Executive.

Reference was made to the cost of living crisis including pressures on energy prices from the Ukrainian war. The Government had announced a raft of measures to help with this. In September there would be a one-off disability cost of living payment of £150 to people claiming disability benefits like Personal Independence Payment (PIP), and pensioners would get £300. Households in council tax bands A to D should receive a £150 rebate and the Council was also supporting some households in Bands E to H who were income poor. Energy customers would also receive a £400 grant from October 2022. The government would be giving a £650 one-off payment for those households on means-tested benefits. An additional £2.4 million had also been given through the Household Support Grant which the Helping Hands Team were distributing as quickly as possible and providing support to residents.

### **Deputy Leader and Cabinet Member for Environment and Climate Change**

The Cabinet Member apologised to residents about missed bins, issues with reporting problems with unacceptable call centre waiting times and then no follow up collections in the South of Buckinghamshire. Veolia, inherited from the previous contractors, unbalanced and long rounds that made it difficult to rectify misses and blocked roads leading to higher than expected missed bins over the last year and a half. During May 2022, the introduction of the new rounds had seen a change of bin collection day for 90% of residents. The Council were aware that these changes would and were causing some disruption as residents and crews got used to the new arrangements. One issue was that the previous contractor had not passed on intelligence to new crews with more complicated collections such as narrow roads, blocks of flats, premises with security codes. To mitigate the forecast impacts of the round reorganisation Veolia were currently operating with 30% more drivers and loaders than business as usual, building extra resilience to support crews if required. This 30% figure includes 6 additional vehicles and crews dedicated to supporting the new rounds and collecting any outstanding work and reported missed collections. The Cabinet Member thanked staff for working so hard over the Bank Holiday weekend.

### **Cabinet Member for Accessible Housing and Resources**

In relation to the above waste issue the Cabinet Member reported that a further six call handlers were taking Southern Waste calls in the Customer Service Centre and a further four in the Waste Team for escalated cases. However due to the high volume of calls and their complexity the wait times were in excess of what the Council expected, which was due to the failure from Veolia to rectify multiple missed misses. Senior Management and back office teams were also assisting with call taking to help address the spike in calls. The Cabinet Member for Accessible Housing and Finance reported that they had double the amount of calls each day which combined with a peak in calls regarding revenue and benefits relating to rebates and council tax bills. Further improvements would be looked at including using webchat and other technologies.

### **Cabinet Member for Transport**

The Cabinet Member referred to the Emerald way route which formed the wider Buckinghamshire Greenway walking and cycling route from Brackley to the Colne Valley. To tie in with and commemorate the upcoming Queen's Platinum Jubilee, the cycleway would be rebranded the Platinum Way. The proposed scheme would provide an upgraded route along Rabans Lane, through Fairford Leys and into the Town Centre, which would be more in keeping with Aylesbury Garden Town aspirations. The proposed route would pass through Somerville Park, providing a more attractive traffic-free option to Fowler Road. In some areas, works such as dropped kerbs could be required as well as improved and additional crossings. The routing would include quieter roads and the planting of additional trees and shrubs to create a welcoming and greener route. There would be some footway widening and improved wayfinding signage as well as additional lining. The Cabinet Member thanked Chiltern Rangers and local communities for the planting of 1000 bulbs which would be undertaken during National Tree Week in the Autumn.

### **Cabinet Member for Education and Children's Services**

The Cabinet reported that of 500 children in care in Buckinghamshire, 200 were in foster care with 125 carers. However, Buckinghamshire Council was always identifying opportunities to recruit more foster carers particularly since covid where some carers no longer provided foster care support.

### **Cabinet Member for Communities**

Following the recent half term break the Council had administered 12500 vouchers to eligible pupils including Ukrainian and Afghan families. With regard to community safety Operation Sceptre had taken place to help reduce knife crime in the Thames Valley through community engagement events with amnesty bins in Aylesbury and High Wycombe. The Cabinet Member also mentioned that Heart of Bucks offered grants to help reduce crime and disorder. Credit was paid to Service Director Claire Hawkes and her team and Councillor Mark Winn for their work on settling Ukrainian families in Buckinghamshire. Community Boards were also helping settle families and some Boards (Aylesbury, Haddenham and Waddesdon, Wendover and Villages and Wing and Ivinghoe) had set up a friends and family hub on 19<sup>th</sup> May. The Leader reported that Buckinghamshire was the best Council in terms of matching hosts with refugees and he thanked residents for all their help and support.

### **Cabinet Member for Homelessness and Regulatory Services**

The Cabinet Member reported that a new hostel called Bridge Court in Desborough Road, High Wycombe was now finished and comprised 58 one-bed modular apartments. The opening would take place in September/October and in the meantime staff training would take place as well as putting white goods into the apartments. The Cabinet Member also thanked Environmental Health for all their checks carried out for the settlement of Ukrainian families.

### **Cabinet Member for Culture and Leisure**

The leisure centres were now back to full capacity since the pandemic.

5 **Question Time**

**Question from Councillor Stuart Wilson to Councillor Peter Strachan, Cabinet Member for Planning and Regeneration**

**“Application of Legacy Authority Planning Policies to Former Wycombe Area for Little Marlow Lakes Country Park and Burnham Beeches SAC SPD**

Natural England have given late consent to the Slate Meadow Reserved Matters planning application (21/07006/REM) to mitigate Burnham Beeches SAC recreational impacts through a payment due under the Burnham Beeches SAC Strategic Access Management and Monitoring Strategy Supplementary Planning Document (SAMMS), November 2020. This contravenes the application of the SAMMS policy which clearly states: **“This Supplementary Planning Document solely applies to the south and east planning areas of Buckinghamshire Council. Whilst the 5.6km zone... takes in part of the western area of Buckinghamshire, the Wycombe Local Plan has its own mitigation strategy for growth in the western planning area. [Paragraph 1.2.1] It does not apply to the former Wycombe District Council area which now forms part of Buckinghamshire Council. This is because the former council agreed its own avoidance and mitigation measures with the government’s conservation advisors”**. [Paragraph 2.2.6]

Can the Cabinet Member categorically confirm today that:

- a) the Burnham Beeches SAC SAMMS SPD does not apply in any way to development sites in the former Wycombe Area in accordance with recent mandatory planning training on legacy Local Plan policies?
- b) that Planning Officers have not and will not seek to apply this specific SAMMS SPD to development sites in the former Wycombe Area?
- c) that Natural England will be advised by Planning Officers to withdraw their consent immediately to the Slate Meadow 21/07006/REM application until such time this may be given or refused in accordance with the relevant Wycombe Local Plan policies and its own previously stated preferences?
- d) that the long overdue report on Little Marlow Lakes Country Park will presented to the next Cabinet meeting on July 12<sup>th</sup>, 2022?

**RESPONSE from Councillor Strachan (provided at the meeting by Councillor G Hall)**

- a) Habitats Regulations Assessment needs to consider the most up to date evidence at each stage of decision making. Whilst the Burnham Beeches Supplementary Planning Document [BB SPD] expressly does not apply to the Wycombe (west) area, that does not prevent contributions towards the Burnham Beeches Strategic Access Management and Monitoring Strategy [BB SAMMS] being secured in relation to planning applications in the Wycombe (west) area.

All that it means is that the council cannot use the BB SPD as *justification* for the contribution. Nothing in the BB SPD seeks to preclude a contribution

from other parts of the council's administrative area. Instead, the BB SPD is merely making clear which areas its supplementary planning *guidance* applies to.

The council's appropriate assessment identifies the need for mitigation and there is no reason why the council cannot (irrespective of the BB SPD) conclude that a contribution towards the BB SAMMS would constitute appropriate mitigation. In particular, the Council is obliged to take into account any change of circumstances since the BB SPD was prepared. Given that all the funding for the BB SAMMS has not been secured (as a result of the withdrawn Chiltern and South Bucks Local Plan), it can properly be said that a contribution to the BB SAMMS from a planning permission in the Wycombe (west) area would deliver mitigation.

- b) The council as competent authority for the Habitats and Species Regulations has a duty to protect such designated habitats and species. Habitats Regulations Assessment relies on the most up to date evidence. Outline permission 18/05597/OUT was granted 27 June 2019 and the BB SPD was adopted on 22 November 2020.

Policy BE1g of the Wycombe Local Plan requires Slate Meadow to:

BE1g) *Mitigate recreational impacts at Burnham Beeches SAC.*

Fulfilling policy BE1g policy, BB SAMMS is capable of mitigating the recreational impacts of Slate Meadow and is correct do so as set out in my answer to question 1. The weight to be attached to specific mitigation proposed for sites in the former Wycombe area will be a matter for planning committee when considering all of the evidence.

- c) Natural England is the government's advisor for the natural environment and is a statutory consultee of this council as competent authority for the Habitats regulations. Its consideration of the application for Slate Meadow 21/07006/REM, is wholly at its discretion and cannot be restrained or restricted by the council.
- d) As has previously been indicated in earlier responses, a paper is currently being prepared for Cabinet's consideration to explore the appropriate next steps for Little Marlow Lakes Country. There are a number of technicalities which must be considered before presenting a report to Cabinet so whilst I am not in a position to guarantee a report in July, I can assure Cllr Wilson that all best endeavours are being used to report as soon as possible.

**Question from Councillor Robin Stuchbury to Councillor Peter Strachan, Cabinet Member for Planning and Regeneration**

**"Buckinghamshire Local Plan**

At the Council meeting on 27 April 2022, the Cabinet Member for Planning and Regeneration (Councillor G Williams at that time) informed Members that they would have the opportunity to be involved with the oversight of the Local Plan, which would include Member briefings and scrutiny and oversight from the cross party Growth, Infrastructure and Housing Select Committee.

Could the Cabinet Member please advise whether a separate cross party Working Group, standing Committee or Local Plan Select Committee will be established to enable the wider membership of the Buckinghamshire Council, including local Councillors, to question key and important elements of the development plan as it is being developed?"

**RESPONSE from Councillor Strachan (provided at the meeting by Councillor G Hall)**

"At present we have an active Local Plan Member Working Group which meets quarterly where key issues and topics are considered and discussed and appropriate direction given to officers on particular and relevant subjects. Whilst we have no intention at this stage to alter the Working Group membership, we welcome involvement in the Local Plan from the wider group of Buckinghamshire Council Members. In order to continue to allow suitable scrutiny of the progress (or preparation) of the Local Plan we will continue to bring regular papers to the Growth, Infrastructure and Housing Select Committee whereby members of that committee and other members will have the opportunity to consider and question the Local Plan progress. In addition we held 'all-councillor' briefings on the Local Plan in autumn 2020 and we will consider, as part of the local plan preparation, holding similar events open to all members as work on the plan progresses."

**Question from Councillor Penny Drayton to Councillor Gareth Williams, Deputy Leader and Cabinet Member for Planning and Regeneration**

**"New Household Waste Collection Service**

Since the change of contracts for waste services at the start of May 2022 there have been a huge number of complaints from residents across the whole of the South of the County. This includes missed collections, issues with not being able to report problems, automated responses and no follow up collections. Some residents have reported not having had a collection since the new contract began.

Could the Cabinet Member please advise what is being done to resolve these issues and ensure they do not continue? I would be grateful if the answer could include: an explanation of why bin collections are being missed, what assurances can we offer residents, and how they can raise the issue if their collection is missed to ensure that the data received is correct? There needs to be accountability."

## **RESPONSE from Councillor Williams**

The contract with Veolia commenced in September 2020 in the former Chiltern and Wycombe area, then, in November 2021 the former South Bucks area joined to create a contract covering the entire South of Buckinghamshire.

Veolia, inherited from the previous contractors, unbalanced and long rounds that made it difficult to rectify misses and blocked roads leading to higher than expected missed bins over the last year and a half. The current changes to bin collection rounds in the former Chiltern, Wycombe and South Bucks district areas are vital to rebalance and make the rounds more efficient and sustainable going forward, they are also contractually required.

During May 2022, the introduction of the new rounds have seen a day change for 90% of residents. We knew that these bin collection changes would and are causing some disruption as residents and crews get used to the new bin collection days. However, the benefits that the new collection rounds will bring to the service far out way the short-term issues and pain that we are unfortunately seeing.

To mitigate the forecast impacts of the round reorganisation Veolia are currently operating with 30% more drivers and loaders than business as usual, building extra resilience to support crews if required. This 30% figure includes 6 additional vehicles and crews dedicated to supporting the new rounds and collecting any outstanding work and reported missed collections.

We also knew that there would be more calls coming into the customer contact centre so have deployed a further six additional call handlers taking Southern Waste calls in the Customer Service Centre and a further four in the Waste team for escalated cases. However due to the high volume of calls and their complexity the wait times are in excess of what we expected, which is due to the failure from Veolia to rectify multiple missed misses.

CSC teams are doing a sterling job under some extremely challenging circumstances trying to resolve increasingly very frustrated customers, which is impacting on their morale.

However, to mitigate against the huge volume of calls coming into the CSC we have:

- Senior Management and back-office teams assisting with call taking to deal with spikes in call volumes.
- Improvements to the Interactive Voice Response (IVR) to play position in queue for customers.
- Improved call insight - The progress chasing data is now provided monthly by Service/Topic to all Customer Service Account Managers and service areas reps, and this helps to drive improvements.
- Targeted messages on IVR to manage demand and expectation.
- CSC staff has been offered toil and overtime to assist out of hours with Contact us Forms

- Call back facility offered in queue
- Webchat deployed on waste pages to assist customers online

For a change of this scale, we knew that over the first 2 to 3 weeks there would be a large number of missed bins due to new crews servicing unfamiliar rounds, especially unrural and semi-rural settings, where collection points are not as straight forward as urban areas. The missed bin numbers set out below show that happened, but improvements are now starting to happen with fewer missed bins and I expect these improvement to continue week on week.

Unfortunately, there are still several examples where Veolia crews are not learning from their previous errors and there are pockets of significant disruption leading to residents having more than one missed bin and no waste collected for a couple of weeks. This is not acceptable, and we are working closely with Veolia on a daily basis to strongly contract manage the situation and ensure that they continue to drive improved performance from their crews. To mitigate these very unfortunate cases the additional support vehicles are being deployed to clear these missed misses and our Waste Team are doing an excellent job of coordinating the reports that are coming in directly from residents via the website, call centre and councillors. I apologise to those residents that have and are experiencing multiple missed bins and I can assure them that we are doing everything we can to ensure that Veolia don't let these happen again.

#### Missed Bin Statistics

- Pre-Round re-org - 436
- Week 1 Re-org - 2198
- Week 2 Re-org - 3611
- Week 3 Re-org - 1680
- Week 4 Re-org – 1105 (projected – update prior to submission) only 3 days

The preferred way for residents to report a missed bin is via the Council website, which needs to be done within 24 hours, as the missed bin reports directly link into the Veolia collection system. The rounds have been designed so that the next day's work is geographically adjacent to the previous day's work, which allows for greater efficiency and for the crew that missed any bins to rectify and then 'learn' the miss for the next week.

So, when a report is completed within the 24 hour period, over 50% of missed bins are corrected on the same day or by the next day and the majority of the other reported misses collected within 2 days. It is very much "the earlier the better" in terms of reporting missed collections.

Although the level of missed bins is higher than we would expect under BAU conditions, we are assured by Veolia that they are working hard to continue to improve the collection rounds so that missed bins dramatically reduce and residents can experience excellent service standards.

## **6 Forward Plan (28 Day Notice)**

The Leader introduced the Forward Plan and commended it to all Members of the Council and the public, as a document that gave forewarning of what Cabinet would be discussing at forthcoming meetings.

**RESOLVED –**

**That the Cabinet Forward Plan be noted.**

## **7 Harmonisation of Strategies, Policies and Charges**

Following vesting day the new Council had inherited a significant number of statutory duties, together with the five former Council's existing strategies, policies, plans, reviews, schemes and statements. These were key to service delivery or to provide clarity to residents, Members, staff or other stakeholders by outlining what the Council would do, how and why.

The Government's transitional regulations stipulated three key dates by which 15 of the new council's statutory policies had to be harmonised and implemented by 1 April 2022, although the Homelessness Strategy had not been agreed until 27 April 2022. These were detailed in Appendix A to the Cabinet report together with the statutory deadline set for harmonisation. All other policies including any statutory ones not listed in Appendix A continued to have effect (over the geographical area they previously applied) as if made by Buckinghamshire Council, until they are substituted/replaced.

There were no timescales set by the regulations for the new Council to prepare substitutes/replacements for these. For these policies the council was left to consider the practical impacts on the delivery of services if policies were not harmonised and existing statutory plans continue, although there was also a need to consider whether these existing arrangements complied with any specific legislative requirements of that service.

The Cabinet report also included information:

- on the 50 strategies and policies that had been harmonised (Appendix B).
- that work was progressing on the local plan development documents under Section 23 of the Planning and Compulsory Purchase Act 2004, which was on track to be harmonised by 1 April 2025.
- on work being done to harmonise fees and charges. Although there was no blanket obligation to do so, legal advice received during the transition had stated the Council should consider if the differential area charges for the same or similar service could pose a reputational and legal risk of residents raising lawsuits especially if there was a prolonged continuation of differential charges after vesting day. Some charges would remain different if there were specific and valid reasons, for example, the council cemeteries operated differently with different arrangements in place for the services that were provided.
- at Appendix C on fees and charges yet to be harmonised and the current

- expected timescales for harmonisation, where this was known.
- at Appendix D on a further 70 strategies and policies the council was planning to harmonise or update by April 2023.

The Cabinet Member for Homelessness and Regulatory Services reported that the body piercing and skin colouring report would be split into two reports; one fees and charges and the second one adoption of byelaws, the latter would need to be agreed at Full Council in September 2022. The report relating to stray dogs and pest control would now be taken as a Leader report. Cabinet Members thanked officers for the work undertaken to harmonise policies.

#### **RESOLVED –**

**That the strategies, policies, and charges that have been harmonised since 1 April 2020, and those expected to be reviewed before April 2023, be NOTED.**

#### **8 Buckinghamshire Electric Vehicle (EV) Action Plan 2022-27**

Transportation currently contributed 51% of carbon emissions in Buckinghamshire, with 65% of these generated by cars. The uptake of EVs in Buckinghamshire was higher than the national average (0.9% of population owned an EV, versus 0.6%), reflecting the relative affluence of the population, and was shown in Appendix 1.

The Government's Transport Decarbonisation Plan 20203 included ambitious targets for phasing out internal combustion engines across various vehicle types including buses, taxis and fleet. The most challenging being the banning of the sale of new petrol and diesel cars by 2030, vans by 2035, and HGVs by 2040.

In light of the Government's targets a draft Electric Vehicle (EV) Charging Infrastructure Strategy had been produced for the Council by consultants Jacobs in 2020. However, progress on adoption of the strategy had been delayed due to the COVID pandemic. To reflect rapid changes in the EV market, and in order to extend the scope of the original strategy to include buses and the Council's vehicles in line with the Council's adopted Climate Change and Air Quality Strategy 2021, an update to the work had been commissioned as the previous work undertaken had been very technical. That original work would be maintained as a standalone background research document known as the 'Electric Vehicle Study 2022'.

A shorter 'EV Action Plan' had been developed from the evidence in the Study, as well as input from Council officers, feedback from Members, and assistance from the Energy Saving Trust who administer the multiple government EV charge point funding streams.

The Study and Action Plan were considered key in supporting the continued uptake in EVs across Buckinghamshire and the delivery of key targets in Climate Change and Air Quality Strategy 2021.

The Cabinet report also included information on the Action Plan's objectives, short

term actions/objectives (to 2024/25) and on medium term actions/objectives (to 2025/27). In the short term it was intended to double the number of EV charging spaces across Buckinghamshire, compared to February 2022 (this would equate to 175 new parking bays by 2023/4), focusing on coverage in areas currently without access to a charge point. In the medium term it was intended to continue to provide and extend a high quality, efficient and comprehensive publicly available EV charging network across the council area, and to support the delivery of 1000 charging spaces across Buckinghamshire by 2027. The Cabinet Member referred to feedback from the Energy Savings Trust who provided feedback to Councils on action plans who had commented that the target was realistic and achievable. The Council had agreed a new capital funding allocation of £200k per annum for four years. There were further funding opportunities from the Local Electric Vehicle Infrastructure Fund (LEVI) to provide innovative trials for on street charging. Other technologies were also being looked at such as hydrogen.

The Cabinet Member for Environment and Climate Change reported that providing the right infrastructure for electric vehicles was critical to achieving the carbon neutrality target for 2050 and reducing vehicle emissions and improving air quality.

The Leader asked about the infrastructure for rural areas and the Cabinet Member responded that they would work with town and parish councils to look at innovative ideas and also to increase provision of home charging. One of the aspects of the LEVI bid was to look at terraces that had no off street parking and looking at cable gullies in pavements and wireless charging through lampposts or street bollards. At home charging would also be addressed through the Local Plan. In the last Vale of Aylesbury Local Plan all new developments would have to have charging points (10 houses) and car parks would need to provide charging points. Storage would also be a factor.

The Leader asked another question about cars overstaying in electric vehicle charging spaces and using them as a parking facility. The Cabinet Member referred to a penalty charge if cars overstayed.

In answer to a question regarding electricity generation the Council's energy from waste plant provided a considerable amount of energy. Reference was also made to the fact that some charging points may also have solar panels as well.

**RESOLVED –**

**That the Buckinghamshire Council's Electric Vehicle Action Plan (EVAP) 2022-2027 be ADOPTED.**

## **9 Budget Monitoring Outturn 2021/22**

Cabinet received a report that set out the Revenue and Capital outturn position for Buckinghamshire Council for the financial year 2021/22. This would be subject to external audit and to continued pre-audit quality checks. Portfolio revenue and capital entries had been concluded, although work was ongoing to quality assure the final position. It was anticipated that any movements would be offset by corresponding use of reserves.

The Revenue outturn position for 2021/22 was a favourable variance of £2.2m, 0.5% of Portfolio budgets. This was an improved position from the Quarter 3 forecast, where a favourable variance of £0.9m (0.2%) had been forecast. The main drivers for this increase in favourable variance were:

- (i) an improved position in the Health and Wellbeing portfolio of £0.8m, due to £0.5m additional clawbacks of Direct Payments following successful migration of providers, and £0.3m from maximisation of Covid-19 grants, in particular the workforce and retention grant.
- (ii) An improved position in the Finance, Resources, Property & Asset portfolio with efficiencies realised in travelling expenses and webcasting costs, plus an increase in legal costs recovered.

On 29 March 2022, Cabinet had approved the principle of transferring unused contingency budgets at year end to an earmarked reserve to help mitigate heightening risks around inflation from global, political and economic turbulence, the potential impact of future funding reform, reform of Adult Social Care and the ongoing effect of Covid-19. The forecast at that time was that £6.2m of contingency budgets would not be required. However, a further £1.5m had been held back in order to mitigate any further risks that might arise during the final quarter. These potential pressures had been managed within the Portfolios and so a further £1.5m was now available to transfer to the proposed new earmarked reserve.

The overall favourable variance of £2.2m was also proposed to be transferred to the reserve, giving a total of £9.9m. This would considerably help to address the increased financial risks and pressures already being experienced within 2022/23, whilst also providing an opportunity to review the robustness of all budgets from 2023/24 onwards as part of the Medium Term Financial Planning process.

Inflation was a key risk for the Council at the current time and the Cabinet report contained detailed information on how this would impact on the Council, with upward pressure on wages, pressures within the supply chain for particularly housing/property costs and transport costs, risks that suppliers could withdraw from contracts in areas such as Client Transport and Home Care. Construction inflation was especially concerning as it was currently running at 20% and would affect the Council's capital programme with increased cost of delivery of capital schemes; which in turn would impact on the level of future financial borrowing required and on revenue budgets in terms of interest payable. In addition, budgets such as repairs and maintenance expenditure would be impacted by an increase in raw material costs.

Although it was anticipated that the exceptionally high inflation rates would be temporary, HM Treasury estimates for financial year 2023 were still very broad, ranging from 1% to 6.4%. For each 1% change in inflation, the estimated cost was £4.6m annually in revenue and £5.2m across the 4 year capital programme. Although the revenue budgets for 2022/23 contained some contingencies that would provide an element of mitigation, a prudent provision for risk at outturn was recommended.

The Appendix provides further detail for each Portfolio and information about performance relating to overdue debts and late payments of commercial debt.

£13.2m of savings were incorporated into the approved 2021-22 Revenue budgets. The table below shows performance against those targets. Overall there had been a shortfall of £0.5m (£0.5m Q3) which had been fully considered and taken into account when approving the 2022/23 budget.

The final outturn position on capital slippage was £18.7m that was 9.5% of budgets. This was an improved position from the Q3 forecast of £22.5m (11.7%) and brought the outturn to within the Council's target of 10% of budgets. Focus would remain on challenging the robustness of capital budgets, and as part of the MTFP process, the profile of capital expenditure would be reviewed to ensure that realistic budgets based on achievable timescales were set. Further details for each portfolio were at **Appendix 1**.

The Leader referred to the unused contingencies which the Council no longer required and also commented that the underspend could be used to offset new pressures for this financial year. He also welcomed the £12.8 million savings which had been achieved through efficiencies.

#### **RESOLVED –**

- (1) That the outturn for the financial year 2021/22 and the associated risks and opportunities, be NOTED.**
- (2) That the transfer of £9.9m arising from the unused contingencies (£7.7m) and a favourable outturn variance (£2.2m) to earmarked reserve be APPROVED, to mitigate heightening risks around the financial implications associated with increased inflationary pressures, global turbulence, Local Government Finance reform and Adult Social Care reforms.**
- (3) That the carry-forward of slippage on capital schemes where budget is required on approved capital projects in future financial years be APPROVED.**

#### **10 Q4 Performance Report 2021-22**

The Cabinet Member for Finance, Resources, Property and Assets introduced the report which comprised the following two items:

- The performance report, which provided details of the key performance measures reported through the corporate performance framework for 2021/22. The report also includes several indicators without targets for this year, that were being monitored to establish a baseline level of performance and monitor trends. Commentary was provided for each indicator explaining what was being measured, explaining the narrative behind each outturn and detailing improvement actions.
- The performance scorecard, which provided information on four key elements of performance for the Council covering Finance, Customer Service, Performance and Human Resources indicators. These were arranged in four

quadrants.

Within the performance report and performance scorecard, outturns that were performing at or better than target were classified as Green, those which are within 5% of the target are Amber and those which are more than 5% of the target are Red. At the end of Quarter 4, 93 indicators had outturns reported with a Red, Amber or Green status. Of these, 66 were Green (71%), 7 were Amber (8%) and 20 were Red (22%). This compared to Quarter 3 where 62 are Green (69%), 12 are Amber (13%) and 16 are Red (18%).

Cabinet Members then provided comprehensive explanations for the performance marked as red where performance was more than 5% off the target for each of their portfolio's, these were as follows:

#### **Leader**

- **Unemployment Claimant Rate** – The indicator compared the Buckinghamshire Claimant Rate with the National Claimant Rate of those claiming 'out-of-work' benefits as a proportion of the working age population. Pre-Covid-19, Buckinghamshire's Claimant Rate tracked at 55% of the National Rate and this had been set as the target for this measure. Buckinghamshire's Claimant Count Rate was 2.9%, which was lower than the National Claimant Count Rate of 4.3%. This equated to 67% of the national rate but was above the 55% target. Buckinghamshire's claimant count rate was one of the lowest in the country (7th lowest of all 38 LEP areas), however, the Wycombe Parliamentary Constituency area had a rate that exceeds the national average (4.4%). The report included information on the initiatives underway (both nationally led and locally led) to help move people off the claimant count and into work. There was a shortage of labour at the moment in particular social workers and planners for local government, film industry and the hospitality sector.

#### **Cabinet Member for Climate Change and Environment**

- **% of waste collected for recycling, reuse, composting or anaerobic digestion from household sources (household collection and Household Recycling Centres)** – target of 60% against a current value of 44.12%. Performance for Q3 2021/22 showed a drop from Q2 and was lower than the same period in 2020/21. This was due to a marked drop in organic material (food waste) sent for anaerobic digestion or composting affecting Q2-3, due to disruptions to kerbside collections arising from driver shortages. While Buckinghamshire's performance had fallen and was below the South East average (46%), it remained above the England average (42.3%). Q4 outturns (not yet validated) were projected to be much improved at around 53%.
- **Percentage of Missed Bin Collections** – the current figure was value 0.24%, which was up on previous quarters and above the target of 0.15%. The upturn in missed collections was related to an increase in unplanned staff absence amongst the South team (Veolia) due to Covid-19 during January, which resulted in delayed and incomplete rounds. Although relief staff had been deployed, they often lacked the same level of local knowledge. Performance

consistently improved during February and was below target (good) throughout March, which had been attributed to a decline in unplanned staff absence towards the end of Q4.

#### **Cabinet Member for Communities**

- **% of total economic recovery spend across all Community Boards compared to profiled spend** – this figure showed a current value of 29.33% against a target of 100%. This indicator measured a priority area of spend for the Community Boards total budget. Having reduced the funding available to Community Boards and given the Boards had more autonomy over how they spent their funding, these measures were no longer relevant. New performance indicators were currently being developed for Community Boards.

#### **Cabinet Member for Culture and Leisure**

There were no indicators for this portfolio area marked as red where performance was more than 5% off the target.

#### **Cabinet Member for Education and Children's Services**

- **% of assessments completed in 45 working days** – target was 84% – during Q4 the percentage of children's assessments completed within 45 working days had been 74%. The overall number of children that the social care service was working with rose by 22% in the year ending March 2022. As a result, the number of assessments starting rose by 30% between 2020/21 and 2021/22. During Q4, there was an average of 585 assessments started each month, compared to 489 started during Q4 in the previous year. In response to this increased demand, capacity within the service had been increased leading to improved performance during Q3. During Q4 the percentage of children's assessments completed within 45 working days was 74%, which was positive given the increase in demand highlighted.
- **% of children with Initial Child Protection Conferences completed within 15 working days of the strategy discussion** – the target was 85% against a current value of 76% (34% in Q2, 61% in Q3). Additional resource had been put in place to support the administration of ICPCs, and capacity within the service had increased to help manage the rise in demand. This had led to continued improvement in performance in Q4, during March 84% of ICPCs had been completed on time.
- **% of Children in Need seen within 4 weeks** – target was 90% - at the end of March 2022, 80% of children on a CIN plan were seen within 4 weeks. This was a decrease from 88% at the end of December 2021. The overall number of children that the social care service was working with had risen by 22% in the year ending March 2022 and the increased activity has also resulted in a rise in the number of children on CIN plans (a 28% rise). Of the 1,318 children on a CIN plan at the end of March 2022, 96% were seen within 6 weeks. Managers were working closely with social workers to manage visits week by week to ensure visits took place as soon as possible. Recruitment activity was also being prioritised to ensure resources were available to manage the

increased demand.

#### **Cabinet Member for Accessible Housing and Resources**

- **Average % of phone calls in Customer Service Centres abandoned before being answered** – target was 10% - Q4 performance was 11.3% against a target of 10%. This was a reduction in performance against Q3 of 6.1 percentage points. The higher abandonment rate was due to the normal annual billing exercise undertaken during Q4 which generated a high number of Council tax enquiries. Excluding Revenues and Benefits, the abandonment rate for Q4 had been 9.3%.
- **Average call wait time** – target was 3 minutes – Q4 average call wait time was 9 minutes and 4 seconds (Q3 – 2 minutes, 27 seconds). The Wycombe and Aylesbury Revenues and Benefits system had been suspended during Q3 to allow a new system to be implemented. This had created a backlog plus a number of issues as the new system bedded in during Q4. The average call wait time excluding Revenues and Benefits had been 2m 49s.
- **Staff voluntary turnover % (BC - rolling year)** – target 12% - Q4 performance was 14.5% (Q3 at 13.6%). There had been a reduction in voluntary turnover during the pandemic compared to pre-pandemic quarters. Turnover rates had consistently increased as the economy continued to recover and as the labour market changed. Turnover was monitored on a monthly basis.

#### **Cabinet Member for Health and Wellbeing**

- **% of service users due an annual review that receive their review** – target 61% - Q4 performance was 55%, which had been impacted by the Omicron variant during Q3 and Q4, and by increased safeguarding activity during the year. Additional agency resource had been brought in to support the completion of Annual Reviews that were overdue on 1 April 2022, to allow long-term teams to continue to undertake reviews that were due to be undertaken during April 2022 to March 2023.
- **% of births that receive a face-to-face New Birth Visit within 14 days by a health visitor in the quarter** –target of 90% with a current value of 69.3% (69.9% in Q3, 79% in Q2). The proportion of visits had decreased due to staff shortages within the Aylesbury and Wycombe teams. The majority of visits (94%) have taken place within 21 days. There had not been any significant changes to the proportion of children with no recorded visit which has remained at less than 2% across the contract year. Information was provided on improvement actions being taken to improve future performance.

#### **Cabinet Member for Homelessness and Regulatory Services**

- **Number of applicants with/expecting children who have been in non-self contained Bed & Breakfast accommodation for longer than 6 weeks** – there was one family affected against a target of 0. For Q4, one family who had been in non self-contained B&B accommodation for longer than 6 weeks had been moved to B&B accommodation on safety grounds. The family was now in alternative self-contained accommodation.
- **Number of households living in temporary accommodation for over 12**

**months** – the current value was 85 (86 in Q3, 78 in Q2) against a target of 32. Numbers had increased due to a change in how they were recorded. The target would be reviewed going forward. In addition, there had been a significant upturn in demand for TA compared to pre-pandemic levels which meant some households were spending longer in TA due to the supply of social housing.

- **% of homelessness decisions taking over 56 days** – the target was 40% but the current value was 55% (50.7% in Q3, 52% in Q2, 57.7% in Q1). There had been a significant upturn in applications – over 4,000 applications in 2021/22 compared to 1,918 in 2020/21. This increased case load had a knock-on impact on decision times and the ability of the housing service to try and prevent people from becoming homeless. Improvement actions included changing some procedures and stronger performance monitoring, and the recent recruitment of new Homelessness Advisers although the new recruits would require training and development.

#### **Cabinet Member for Planning and Regeneration**

- **% of enforcement appeals allowed** – the current value was 50% (28.5% in Q3, 25% in Q2) and the target 20%. Cabinet Members noted that the results were affected by low numbers of appeals. In the last quarter, 4 out of 8 appeals had been allowed. The 12 month rolling appeal performance was 31% of appeals allowed (7.5 out of 24). The position would continue to be monitored closely and appropriate action taken, if necessary.

#### **Cabinet Member for Transport**

- **% of gullies cleaned against the cyclical gully programme** – the target was 88% against a current value of 83%. The last quarter had continued to be a challenge in terms of the difficulties in delivering this programme due to a greater number of driver and operator absence issues and the severe storms in February had also caused further delay as the gully crews were deployed on emergency measures, with the gully boom inoperable in such high winds.
- **National Highways and Transport (NHT) Public Satisfaction on the condition of road surfaces** – In 2021 Buckinghamshire had scored a satisfaction score of 20%, which was down from 24% in 2020. This was below the cohort regional average of 22%. All members of the agreed cohort (which was used for benchmarking in this and previous samples as they were similar authorities and as such a suitable comparison) had reduced scores in this indicator year on year. Whilst Buckinghamshire's score dropped by 4%, the NHT average dropped by 5%. This was likely to be because the level of satisfaction was influenced by external factors most importantly the severity of the winter.
- **NHT Public Satisfaction Survey: (KBI 15) % of customers satisfied with their local Rights of Way Network** – In 2021, Buckinghamshire scored a satisfaction score of 54% against a South East 2021 average score of 57%. This was down from 2020 (scored 58%) and was the worst in the South East region alongside Kent, Southampton, Medway and East Sussex. Milton Keynes scored highest with 61%. The reason for the poor performance had been attributed to the impact of the Covid-19 lockdown periods, which had seen an increase in

footfall damaging footpaths. There had also been an increase in complaints of trespassers from landowners, and associated preventative measures taken by landowners obstructing footpaths. Furthermore, path volunteers were stood down during Covid-19, which had meant some maintenance tasks could not be completed. The Council had successfully bid for funding to recruit a new Rights of Way Officer to reduce the current backlog of outstanding issues on the network.

- **Major transport schemes: % of profiled spend achieved** – current value of 93.97% against target of 100% - after a delay to the start of works, good progress had been made on site on the A41 project. Both Westhorpe and ABLIS continued to experience significant delays due to external design approvals and significant optioneering requirements respectively. The Crest Road project had been completed onsite and the Princes Risborough project had delivered significant accelerated in year spend. Total year end spend would continue to be monitored, it was anticipated there would be less than 10% slippage.

**RESOLVED –**

- (1) **That the Council’s performance for the Quarter 4 period 2021-22 be NOTED.**
- (2) **That the actions being taken to improve performance, where required, be NOTED.**

**11 Enterprise Zone Memorandum of Understanding Update**

The Aylesbury Vale Enterprise Zone (AVEZ) had been established in 2016 under the government’s Enterprise Zone policy to attract and develop new business investment and promote growth in three key locations in the Aylesbury Vale area. It had begun as a partnership between 4 parties (Ministry of Housing, Communities and Local Government, Buckinghamshire Local Enterprise Partnership, Aylesbury Vale District Council and Buckinghamshire County Council).

A Year 5 evaluation of the EZ had been undertaken in early 2021 and a new Implementation Plan had been prepared for the period 2021-26. The first 5 years (2016-21) had focused on EZ set up and establishment of development within the zone. The next period would focus on accelerating site development and providing greater business, skills, and inward investment support.

AVEZ had been set up as an informal partnership under a Memorandum of Understanding (Appendix 1) that was signed in 2017 and lasted for 4 years. In December 2021 it had changed its name to Buckinghamshire Enterprise Zone following agreement with government.

A MOU was a statement of serious intent that was entered into voluntarily by the respective parties. It had moral force but did not create legal obligations, unless it was expressly stated that it was to be a legally binding document. Now expired, the original MoU held little weight and the EZ relied on the goodwill of the parties to

continue working together, as they had done. The absence of a MoU could be problematic if there was an issue or disagreement between partners.

Given the passage of time and new local government and policy context since the original MoU it was important to refresh it with a new agreement to govern the EZ. Buckinghamshire Council officers had worked with EZ/LEP staff to review the MoU to identify the main provisions to be retained, updated, or removed in creating a new MoU.

The Cabinet report at paragraphs 2.6 to 2.14 the financial provisions of the MOU including the basic principle that the Council should not be made financially worse off by loss of business rates receipts under the EZ arrangements than without the EZ designation. This included information on business rates including from new developments, and 'ringfencing', income retention and sharing 'surplus' income (proposing to change this from a 70:30 split in favour of the EZ to a 50:50 split with the Council), when surplus income would be drawn and the priority order for investment of retained business rates. The MoU's intent was that a 'Surplus' payment to BC or BLEP would arise only once EZ priority infrastructure interventions/commitments identified in the Implementation Plan, or other priority interventions approved by the EZ Board, had been funded.

The EZ Board supported the view that neither the LEP nor Council should take out a 'Surplus' payment at this time, enabling the EZ to continue investing in projects to maximise the potential to generate additional business rates, floorspace, jobs and GVA growth. It was recommended that during the next 5-year EZ Implementation Plan period there is no distribution of 'Surplus' income as the EZ continues to create a critical mass of development to contribute to the economic recovery and growth of Buckinghamshire.

The Cabinet agenda also included a number of confidential appendices on the Aylesbury Vale EZ 5 Year Business Plan (April 2021), the original EZ agreement (September 2015), the updated draft terms of reference (December 2021), and the AVEZ Business Rates Relief Policy.

#### **RESOLVED –**

**That the recommendations that have been agreed by the Aylesbury Vale Enterprise Zone Board be SUPPORTED, to:**

- (i) Refresh the Memorandum of Understanding to reflect changes in governance since the EZ's inception.**
- (ii) Change the split of surplus income generated by the EZ from 70:30 (Bucks LEP : Bucks Council) to 50:50 to reflect the Council's 50% share of uplift on business rates.**
- (iii) Not activate the EZ MoU provision for distribution of 'Surplus' income in the period up to March 2026 to enable the EZ to maximise use of funding to maintain momentum and accelerate development of the EZ sites and support other relevant initiatives for the recovery and growth of the**

## **Buckinghamshire economy.**

### **12 Proposed residential development at the site of the former Buckinghamshire County Council Community Sports and Social Club Land**

The former Bucks CC Sports and Social Club was located off Lower Road in Stoke Mandeville. It was approximately 3.7 hectares in size. The Site currently comprised a closed club house surrounded by open land which had formerly been used as sports pitches and tennis courts. The former Sports and Social Club Land had remained unused for some years and as it currently stood represented a drain on the Council's resources in ensuring public safety while enforcing security.

The proposal was for the demolition of all existing structures and the Outline Planning Application set the scene for the future development in seeking consent for the construction of up to approximately 100 residential units with a re-provision for open space for day-to-day use and included in excess of the LPA's statutory requirement that 30% of that number be affordable accommodation. Consent was also sought for improving the main access to lower road and extending the main estate road to provide Booker Park School with a new second vehicular access point that would greatly relieve congestion adjacent to the existing school entrance.

The scheme had been revised following pre-app advice and then again following consultation with Stoke Mandeville Parish Council and SMPC's retained architects. There would likely be further detailed refinements, but the hope was that the quantum of development was now fairly settled. The specific uses of the residential units were not referenced in this application as they would be dealt with as reserved matters once the mix of accommodation was agreed.

The Stoke Mandeville site was also identified as the preferred location for a new primary electricity substation which was part of Bucks Council's HIF investment programme and was targeted to bring in substantial HIF funding, that would hugely benefit the Council and Buckinghamshire residents and supported the future growth of Aylesbury by alleviating any existing grid capacity constraints. A separate planning application to deal with this would be submitted soon by UK Power Networks.

An Outline Planning Application was intended to preserve the flexibility of future design and composition of the development and represents a good opportunity to provide mainly affordable and key worker homes in an ideal location due to the proximity with Stoke Mandeville Hospital. This same specific location provided a rare prospect to include a provision for bespoke and adaptable housing for the special exigent needs of clients of both adults and children's services.

The Cabinet agenda also included a confidential appendix on the indicative financial implications of the development. The Cabinet Member referred to the pre-planning public consultation and although the report was not yet finalised sufficiently to attach as an appendix to the report it was clear that there was local resistance to the loss of open green space. This was considered by the meeting and it was important to emphasise that there had been no public right of access and these plans would

bring the site back into community use with over 40% of open green space. This could include a full size football pitch to the south of the site designated as community sports provision. The Leader confirmed that the site never had public open space and it was previously a private club. In addition to the football pitch there was also a garden square within the development. The Cabinet Member in summing up said that this report would bring a range of benefits in delivering on the Council's affordable housing commitments, bringing the site back into community use with new sporting facilities and improving local traffic flows. Part of the manifesto commitment was to look at surplus property from the legacy councils to see which sites could be used for affordable and key worker housing. The local Parish Council and local Members also supported the planning application.

A Cabinet Member referred to the local public feeling against the planning application but again emphasised that this site had never had green open space and in fact new green open space had been included in the planning application. Key worker housing was crucial to fill vital public service jobs particularly with the additional cost of living crisis and this development was also next to Stoke Mandeville Hospital. Housing affordability was a key issue in Buckinghamshire. The Cabinet Member for Homelessness and Regulatory Services had previously referred to the increase in homelessness. Cabinet Members welcomed the report.

**RESOLVED –**

**That approval to submit an Outline Planning Application for the proposed residential development at the site of the former Buckinghamshire County Council Community Sports and Social Club land be AGREED.**

**13 Wycombe Air Park and Aero Airways Associations Ltd (AAA lease)**

The report provided details of a linked transaction that would provide the Council with the opportunity to procure a major development and employment project on 24 acres of land ("Area A" in the report) immediately to the south of Wycombe Air Park. This would enable the development of a comprehensive and permanent film studio scheme subject to receipt of planning and would bring forward employment development on Site B in accordance with the August 2019 adopted Wycombe District Local Plan ("WDLP"), subject to receipt of a satisfactory planning permission and the securing of vacant possession to all the site.

The overall transaction would generate rental income for the Council that would support the Council's Medium-Term Financial Plan. In addition, the Council would receive a significant capital receipt that would contribute to the capital receipts target to fund priority capital projects of the Council. Aside from the financial and economic benefits of the transaction to the Council, it would also provide a capital receipt to AAA; enable the return of Booker Gliding Club ("BGC") to Wycombe Air Park and a cessation of legal proceedings between AAA and the Council without further costs.

The Cabinet agenda included a confidential appendix on the detailed financial terms

of the transaction.

**RESOLVED –**

**That, subject to the necessary planning permission being granted, authority be delegated to the Service Director for Property and Assets, in consultation with the Cabinet Member for Accessible Housing and Resources, the Service Director for Legal and Democratic Services and the Section 151 Officer to:**

- (i) Authorise and undertake necessary outstanding due diligence, agree final terms for both a lease re-gear with AAA and a Collaboration Agreement for the disposal of Site B (“the principal transaction”) and exchange and complete relevant legal documentation for the reasons detailed in the Cabinet report and in the confidential appendix.**
- (ii) Authorise and undertake necessary outstanding due diligence, agree final terms for the sale of Site B to the current proposed investor/developer or an alternative party (“the associated transaction”), and to exchange and complete relevant legal documentation for the reasons set out in the Cabinet report and the confidential appendix.**

**18 Date of next meeting**

The next meeting would be held at 10am on Tuesday 12 July 2022.