

# Agenda

# Cabinet

Date: Monday 21 May 2018

Time: 10.30 am

Venue: Mezzanine Rooms 1 & 2, County Hall,  
Aylesbury

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<b>5</b>	<b>Question Time</b> This provides an opportunity for Members to ask questions to Cabinet Members	
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For further information please contact: Rachel Bennett on 01296 382343

**Members:     **Martin Tett (Leader)****

Mike Appleyard	Cabinet Member for Education & Skills
Noel Brown	Cabinet Member for Community Engagement & Public Health
Bill Chapple OBE	Cabinet Member for Planning & Environment
John Chilver	Cabinet Member for Resources
Lin Hazell	Cabinet Member for Health & Wellbeing
Mark Shaw	Deputy Leader & Cabinet Member for Transportation
Warren Whyte	Cabinet Member for Children's Services

# Minutes

## Cabinet

Date: 23 April 2018

Venue: Mezzanine Rooms 1 & 2, County Hall, Aylesbury

Time: 10.30 am to 11.30 am

### **MEMBERS PRESENT**

Mr M Tett (in the Chair).

Mr M Appleyard, Mr N Brown, Mr W Chapple OBE, Mr J Chilver, Lin Hazell, Mr M Shaw and Mrs J Teesdale

### **OTHER MEMBERS IN ATTENDANCE**

Mr S Lambert

### **OFFICERS IN ATTENDANCE**

Ms R Bennett, Mr R Ambrose, Mrs S Ashmead, Ms R Shimmin and Ms G Quinton

### **1 APOLOGIES FOR ABSENCE**

Apologies were received from Mr W Whyte, with Mrs J Teesdale, Deputy Cabinet Member for Children's Services attended as a representative. as a substitute.

### **2 DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **3 MINUTES**

**RESOLVED:** The minutes of the meeting held on 5 March 2018 were agreed as an accurate record and signed by the Chairman.



#### **4 HOT TOPICS**

Cabinet's attention was brought to the following;

**Leader;** Paid tribute to all those that had ran the London Marathon including the Assistant Chief Executive Ms S Ashmead.

**Deputy Leader and Cabinet Member for Transportation;** Updated Cabinet that, with the recent improvements in the weather, the programme of filling potholes was well underway. Residents were urged to report any potholes using the online tool. The Leader clarified that the potholes would be prioritised on a technical assessment and resources available.

#### **5 QUESTION TIME**

Mr S Lambert, County Councillor attended to ask the following question regarding Direct Care and Support Services report:

*'Can all recommendations come back to Cabinet for decision rather than being delegated to the Cabinet Member as set out in the recommendations of the report'?*

L Hazel, Cabinet Member for Health and Wellbeing responded by stating that the proposal did include consulting with end users and that this would ensure that when decisions are taken there is sufficient feedback and information in order to take an informed decision. Mr Tett stated that he had no objections to decisions being taken by Cabinet as long as it didn't have an impact on time frames to implement and budget implications. It was agreed that each proposal could be reviewed on a case by case basis as to who would take the decision.

**RESOLVED: Cabinet AGREED to this approach.**

#### **6 FORWARD PLAN FOR CABINET AND CABINET MEMBERS**

**RESOLVED: Cabinet NOTED the report.**

#### **7 CABINET MEMBER DECISIONS**

**RESOLVED: Cabinet NOTED the report.**

#### **8 SELECT COMMITTEE WORK PROGRAMME & INQUIRY WORK PROGRAMME**

**RESOLVED: Cabinet NOTED the report.**

## 9 MODERN SLAVERY INQUIRY

Mr S Lambert, Member of the Transport, Economy and Environment Select Committee, Chairman of the inquiry attended the meeting to present the report. During discussion key points were highlighted as follows:

- The inquiry examined the implications of the Modern Slavery Act 2015 (“the Act”) for local authorities and the steps the Council should take in order to comply with its duties under the Act.
- The report had been discussed at length at the Cabinet meeting in March and the report set out eight recommendations for Cabinet to consider
- The key role of tackling modern slavery were how to identify and support victims
- A new pilot victim support service delivered by RAHAB had been set up and was being funded by the Police and Crime Commissioner
- 2,500 cases currently identified in the Thames Valley area, but there was still difficulty in identifying the true number of victims

Members raised and discussed the following points:

- Thanks was given to the Chairman of the Select Committee Mr D Carroll, Members of the Committee and Ms K Wager, Committee and Governance Advisor for their hard work on such a significant and important inquiry
- Concerns were raised about funding of the over the two year strategy and what would happen once this funding was withdrawn and if there would then be a financial pressure on the County Council. Mr Lambert confirmed that the funding was from the Police and Crime Commissioner and that the County Councils role was to signpost to support available. Mr Lambert also confirmed that Buckinghamshire County Council were leading the way in their response to the duties put upon them by the Modern Slavery Act 2015
- Concerns were discussed in relation to the number of victims identified rising over the coming years and the need for this to be monitored closely and reviewed as part of the six month update coming back to Cabinet
- Members discussed the areas the pilot scheme covered and Mr Lambert confirmed that Buckinghamshire and Berkshire will share the victim service with Oxfordshire deciding not to commission the service
- Mr Lambert confirmed that the service delivered by RAHAB would help to identify the true impact of Modern Slavery in Bucks.

Mr N Brown Cabinet Member for Community Engagement and Public Health made reference to the Cabinet responses to the recommendations and are appended to these minutes. Mr Brown also put on record his thanks to Mrs C Marriot who had initiated the project before leaving the organisation.

**RESOLVED: Cabinet AGREED the recommendations as follows:**

Recommendation	Agreed Yes/No
<p>1. That the Council prepares a statement on anti-slavery and human trafficking which should be published on the Council's website and reviewed annually.</p>	Yes
<p>2. That Business Unit Plans should explicitly identify any potential risk of slavery and human trafficking and the steps that will be taken to manage that risk.</p>	Partially
<p>3. That the Council should develop a training strategy for modern slavery and roll out training across the organisation. The strategy should:</p> <ul style="list-style-type: none"> <li>• Identify who should be trained, for whom training should be mandatory and what the training needs are (e.g. first responder, frontline staff)</li> <li>• Prioritise training for frontline staff in safeguarding teams and first responders.</li> <li>• Identify the best approach to training (e.g. face to face, online, e-learning, awareness campaigns).</li> <li>• Identify other key stakeholders/partners who should receive the training (the Committee's further inquiry work may inform this).</li> </ul>	Partially
<p>4. That an internal awareness raising campaign for all Members and Council staff be initiated imminently, using resources available to local authorities on the government website.</p>	Yes
<p>5. That the Council should introduce a clear process and guidance for completing the national referral mechanism form and notification of potential victims of modern slavery form MS1. This guidance and links to the referral forms should be accessible on the Council's website.</p>	Yes
<p>6. We recommend that the Council should agree an appropriate approach to designated single points of contact for modern slavery and first responders across the whole of the Council. First responders should receive mandatory training on their role and the process for completing the NRM referral process.</p>	Yes

<p><b>7. We recommend that an agreed data collection process should be introduced to record internally, the referrals made to and by the Council. Dedicated lead officers/first responders should be responsible for collecting this data, which should be collated centrally by adults safeguarding.</b></p>	<p>Yes</p>
<p><b>8. We recommend that the pilot Victim Support service should be evaluated at 6 and 12 months and a report presented to the TEC Select Committee on the progress and outcomes of the pilot service as part of the recommendation monitoring.</b></p>	<p>Yes</p>

## 10 DIRECT CARE AND SUPPORT SERVICES

Lin Hazel, Cabinet Member for Health and Wellbeing, presented the report, joined by Ms Quinton, Executive Director for Communities and Adult Social Care. The purpose of the paper was to outline the future commissioning intentions for the Council's in-house Direct Care and Support services, previously called ex-Buckinghamshire Care services. During discussion key points were highlighted as follows:

- Lin Hazell introduced the report by reminding Cabinet of the background to the establishment of Buckinghamshire Care 2013 and services and staff subsequently being brought back in house in 2017
- The Adult Social Care Transformation programme had revised its strategic programme and set out three service tiers; Living Independently, Regaining Control and Living with Support
- Plans for individual services will be subject to particularised consultation so projected future models are officer proposals following their consideration of options and could be revised through due process.
- Plans for Direct Care and Support Services had also been designed to achieve best solution for service users, greatest value for money and meet savings targets, including for the Medium Term Financial Plan

Members raised and discussed the following points:

- Mr Tett reminded Cabinet Members of the discussion taken under Question Time in relation to the recommendation for any decisions on proposals being amended
- Buckinghamshire Care provided a small proportion of ASC services provided by the County Council and the service was brought back in as soon as issues were identified.
- The importance of good communications and consultation with all service users and providers
- For any further alternative options that have become available since the report was written to be explored
- Ms Quinton stated that currently no decisions were being taken and that the report merely set out the direction of travel for the service.

## **RESOLVED**

**Cabinet APPROVED the recommendations with the following amendments:**

- 1. The approval of further key decisions to be delegated to either the Cabinet Member or return to Cabinet depending on time and budget restrictions**
- 2. Any further options that become available since the report was written are explored**

### **11 DATE OF THE NEXT MEETING**

21 May 2018, Mezzanine 1 & 2, County Hall, Aylesbury

**MARTIN TETT  
LEADER OF THE COUNCIL**



## CABINET/CABINET MEMBER FORWARD PLAN

Item	Description	Local Members	Member(s) / Contact Officer	Comments
<b>Cabinet 21 May 2018</b>				
Financial Sustainability	Information item		Cabinet Member for Resources / Richard Ambrose	First notified 9/5/18
Outturn 2017/18	Annual report		Cabinet Member for Resources / Richard Ambrose	First notified 20/4/18
Woodlands Development and Education Contributions	Cabinet to consider recommendations	Aston Clinton & Berton	Cabinet Member for Education and Skills, Cabinet Member for Resources / Richard Ambrose	First notified 3/5/18 This decision is being taken forward through the Council's general exception procedure as time critical to ensure implementation

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Item	Description	Local Members	Member(s) / Contact Officer	Comments
<b>Cabinet 18 June 2018</b>				
Acquisition of Investment Properties	Potential acquisition of Investment Property - if required		Cabinet Member for Resources / Oster Milambo	First notified 14/9/17 Likely to contain confidential appendices
Adult Services Update	An update on the national, regional and local developments in relation to Adult Social Care and support activity taking place to further improve Adult Social Care services in Buckinghamshire.		Cabinet Member for Health and Wellbeing / Gillian Quinton	First notified 28/12/17
Children's Services Update	6-monthly update		Cabinet Member for Children's Services / Tolis Vouyioukas	First notified 19/2/18
Education and Skills Strategy	To endorse and agree the Education and Skills Strategy following a consultation with parents/carers, schools and the wider educational community and other key stakeholders.		Cabinet Member for Education and Skills / Maria Edmonds	First notified 14/9/17
Highway Services Policy	The Highway Services Policy sets out the organisation's risk-based approach and describe how its Service Levels are mapped against the Council's Strategic Aims and Objectives. This is required to align the organisation to the principles of the latest Code of Practice - Well Managed Highways. The new code requires Service Levels to be based on local needs and priorities and requires authorities to manage their service and network risks.	All Electoral Divisions	Deputy Leader & Cabinet Member for Transportation / Keith Carpenter	First notified 28/3/18
Parking Delivery Plan	This document sets out a revised delivery plan for managing and delivering the Buckinghamshire County Council's Vision for Parking.	All Electoral Divisions	Deputy Leader & Cabinet Member for Transportation / Dave Roberts	First notified 24/1/18

<b>Item</b>	<b>Description</b>	<b>Local Members</b>	<b>Member(s) / Contact Officer</b>	<b>Comments</b>
Q4 Council Performance Report	How the Council has performed in Quarter 4 (January, February, March).		Leader of the Council / Sarah Ashmead	First notified 14/6/17
Short Breaks Strategy	To approve the Council's strategic approach to short breaks		Cabinet Member for Children's Services, Cabinet Member for Health and Wellbeing / Jane Bowie	First notified 25/4/18
Youth Justice Strategic Plan	Cabinet to agree the Youth Justice Strategic Plan		Cabinet Member for Children's Services / Oliver Foxell	First notified 19/2/18

Item	Description	Local Members	Member(s) / Contact Officer	Comments
<b>Cabinet 9 July 2018</b>				
Child Obesity Inquiry report	For Cabinet to review the Child Obesity Inquiry report and recommendations from the Health & Adult Social Care Select Committee		Cabinet Member for Community Engagement and Public Health / Liz Wheaton	First notified 9/5/18
CSC&L Select Committee - Permanent Exclusions Inquiry	For Cabinet to consider the report and recommendations of the Children's Social Care and Learning Select Committee inquiry into reducing permanent exclusions from school.		Dev Dhillon / Sarah Hawkswood	First notified 22/2/18
Cultural Strategy	To agree a partnership Cultural Strategy for Buckinghamshire		Cabinet Member for Community Engagement and Public Health / Gillian Quinton	First notified 23/6/17
Director of Public Health Annual Report	Annual report		Cabinet Member for Community Engagement and Public Health / Jane O'Grady	First notified 11/5/18
Q1 2018/19 Finance Monitoring Report	Quarterly report		Cabinet Member for Resources / Richard Ambrose	First notified 20/4/18
<b>Cabinet 10 September 2018</b>				
<b>Cabinet 22 October 2018</b>				
<b>Cabinet 12 November 2018</b>				
Q2 2018/19 Finance Monitoring Report	Quarterly report		Cabinet Member for Resources / Richard Ambrose	First notified 20/4/18

Item	Description	Local Members	Member(s) / Contact Officer	Comments
<b>Cabinet 10 December 2018</b>				
Adult Services Update	An update on the national, regional and local developments in relation to Adult Social Care and support activity taking place to further improve Adult Social Care services in Buckinghamshire.		Cabinet Member for Health and Wellbeing / Gillian Quinton	First notified 28/12/17
Children's Services Update	6-monthly update		Cabinet Member for Children's Services / Tolis Vouyioukas	First notified 19/2/18

Item	Description	Local Members	Member(s) / Contact Officer	Comments
<b>May 2018 Cabinet Member Decisions</b>				
<u>Cabinet Member for Education and Skills</u>				
Consultation by John Hampden School, Wendover	The governing body of the school are consulting on a proposal that from January 2019 they lower their age of admission to 3 years of age.	Wendover, Halton & Stoke Mandeville	Cabinet Member for Education and Skills / Andrew Tusting	First notified 8/1/18
Dagnall Church of England School	A proposal that from 1 September 2018 Dagnall Church of England School increases its age range to admit children up to year 6 (11 years of age). If implemented the change would be phased in, starting with the admission of year 3 children from September 2018 and then to build up over a number of years.	Ivinghoe	Cabinet Member for Education and Skills / Andrew Tusting	First notified 28/2/17
Proposal by Burford School to open a nursery in September 2018	The governing body of the school is consulting widely on a proposal, that subject to planning permission, they open a nursery in the former caretaker's house from 1 September 2018. If agreed the school's age range would change from 4-11 to 3-11 years of age.	Marlow	Cabinet Member for Education and Skills / Andrew Tusting	First notified 5/12/17
<u>Cabinet Member for Education and Skills and Cabinet Member for Resources</u>				
Allocation of grant for Supported Internships	The Department for Education provided funding for specific purposes, but these were not ring-fenced grants. This report seeks to release £86,844 to Education to develop supported internships for young people with special educational needs and disabilities.		Cabinet Member for Education and Skills, Cabinet Member for Resources / Sarah Callaghan, John Hickson	First notified 27/3/18
<u>Cabinet Member for Health and Wellbeing</u>				
Funding for Hughenden Gardens Village	A cabinet member decision is required for BCC to underwrite the costs of the care team at Hughenden Gardens Village	Downley; Terriers & Amersham Hill	Cabinet Member for Health and Wellbeing / Christopher Reid	First notified 23/11/17 May contain confidential appendices

Item	Description	Local Members	Member(s) / Contact Officer	Comments
<u>Cabinet Member for Planning and Environment</u>				
Land Drainage Enforcement Policy	Approval of Land Drainage Enforcement Policy as part of BCC's role as Lead Local Flood Authority		Cabinet Member for Planning and Environment / David Sutherland	First notified 22/2/17
Memorandum of Understanding to support the management of Unauthorised Encampments in Buckinghamshire	Memorandum of Understanding to support the management of Unauthorised Encampments in Buckinghamshire between: Aylesbury Vale District Council Buckinghamshire County Council Chiltern District Council South Bucks District Council Wycombe District Council Thames Valley Police		Cabinet Member for Planning and Environment / David Sutherland	First notified 28/3/18
<u>Cabinet Member for Resources</u>				
Mansfield Farm, Iver - Proposed 49.5MWh Battery Project	It is proposed that a development area of 1.05Ha of land at Mansfield Farm, Iver is to be leased out by Bucks County Council for use as a power and/or storage generation station with ancillary facilities	Iver	Cabinet Member for Resources / Marion Mayhew	First notified 9/3/18 May contain confidential appendices
Transfer of Land at Spade Oak, Marlow	The transfer of land held by Buckinghamshire County Council as Trustee of the Thameside Preservation Trust to new Trustees. The land was purchased with monies raised by public subscription and is to be preserved for the benefit and recreation of the public.	Marlow	Cabinet Member for Resources / Linda Forsythe	First notified 6/4/17

Item	Description	Local Members	Member(s) / Contact Officer	Comments
<u>Deputy Leader and Cabinet Member for Transportation</u>				
A412 Uxbridge Road / Black Park Road junction	Consultation to implement changes to the existing road layout to reduce collisions by a 'No Right Turn' ban from Black Park Road, a 'No U turns' ban for southbound traffic on the A412, a reduction in the existing speed limit for northbound vehicles on A412 from 60mph to 50mph with a reduction to one lane through the Black Park Road junction.	Iver; Stoke Poges & Wexham	Deputy Leader & Cabinet Member for Transportation / Trevor Bonsor	First notified 28/11/17
A413 Buckingham Road, Winslow - Zebra crossing	Proposal to install Zebra crossing, near Station Road, Winslow.	Winslow	Deputy Leader & Cabinet Member for Transportation / Paul Roberts	First notified 18/1/18
Addington Road, Buckingham - Traffic Reduction Scheme	Proposal to introduce a scheme consisting of a series of speed cushions and a No Entry / One Way movement Traffic Regulation Order to reduce volume / speed of traffic using Addington Road, Buckingham	Buckingham East	Deputy Leader & Cabinet Member for Transportation / Sian Thomas	First notified 17/11/17
Appointments to Outside Bodies 2018/19	The Deputy Leader will be asked to approve the list of appointments to outside bodies for the year 2018/19		Deputy Leader & Cabinet Member for Transportation / Sara Turnbull	First notified 1/11/17
Asheridge Road, Chesham - Waiting Restrictions	Introduction of No waiting at any time, waiting restriction - along Asheridge Road and its junction with Ash Close, Chesham	Chiltern Ridges	Deputy Leader & Cabinet Member for Transportation / Shane Thomas	First notified 2/5/18
Beaconsfield cycleway	Proposed shared cycleway. Upgraded of existing footway, between Grenfell Road and Ledborough Lane. 3 week Consultation to commence 03 March 2017.	Beaconsfield	Deputy Leader & Cabinet Member for Transportation / Adrian Lane	First notified 28/2/17



<b>Item</b>	<b>Description</b>	<b>Local Members</b>	<b>Member(s) / Contact Officer</b>	<b>Comments</b>
Beaconsfield Waiting Restrictions	Proposed waiting restriction measures 'No waiting at any time' (double yellow line restrictions) on various roads in Beaconsfield.	Beaconsfield; Gerrards Cross; Penn Wood & Old Amersham	Deputy Leader & Cabinet Member for Transportation / Mark Averill	First notified 12/3/18
Berryfields Proposed Waiting Restrictions	Berryfields Proposed Waiting Restrictions at Aylesbury Vale Academy School & The Berryfields Primary Academy School & The Green Ridge Primary Academy School.	Stone and Waddesdon	Deputy Leader & Cabinet Member for Transportation / Kirk Adams	First notified 22/3/18
Chalfont St Peter Waiting Restrictions	Proposed introduction of No waiting at any time (Double yellow line) waiting restriction at junction of North Park and Packhorse Road, Chalfont St Peter	Chalfont St Peter	Deputy Leader & Cabinet Member for Transportation / Mark Averill	First notified 9/3/18
Chepping Wye Valley Waiting Restrictions	Chepping Wye Valley LAF Area Waiting Restrictions Key Decision Report	Flackwell Heath, Little Marlow & Marlow South East; Hazlemere; The Wooburns, Bourne End & Hedsor; Tylers Green & Loudwater	Deputy Leader & Cabinet Member for Transportation / Shaun Pope	First notified 19/6/17
Commissioning of construction – A355 Improvements Project	The A355 scheme is programmed to begin construction in June 2018; to meet this timeline, a contract for construction needs to be awarded by April/May 2018, in order to deliver the scheme by the end of June 2019.	Amersham & Chesham Bois; Beaconsfield; Gerrards Cross; Little Chalfont & Amersham Common; Penn Wood & Old Amersham	Deputy Leader & Cabinet Member for Transportation / Ulrika Diallo	First notified 17/4/18 May contain confidential appendices

<b>Item</b>	<b>Description</b>	<b>Local Members</b>	<b>Member(s) / Contact Officer</b>	<b>Comments</b>
Cryers Hill Layby Parking/Weight Restrictions and Clearway	That the Cabinet Member for Transportation approves to; - Impose Pay	Ridgeway East	Deputy Leader & Cabinet Member for Transportation / Peter Smyth	First notified 1/3/18
Gerrards Cross Waiting Restrictions	Proposed various waiting restriction measures 'No waiting at any time' (double yellow line restrictions) Limited Waiting (Single yellow line restrictions) Resident Permit Parking and Disabled Parking Bay within Gerrards Cross	Denham; Gerrards Cross	Deputy Leader & Cabinet Member for Transportation / Mark Averill	First notified 9/3/18
High Wycombe Town Centre Masterplan - Phase 5 Consultation Decision	A Cabinet Member Decision for Phase 5 & 6 design following a formal consultation period in November 2017	Abbey	Deputy Leader & Cabinet Member for Transportation / Ben Fletcher, Ian McGowan	First notified 18/10/17
Phase 6 - Cressex Road / Cressex Link Road Junction Improvements and Proposed Cycleway	Phase 6 - Cressex Road / Cressex Link Road Junction Improvements and Proposed Cycleway along Cressex Road. The Public Consultation is from the 02nd March until the 06th April 2018.	Abbey	Deputy Leader & Cabinet Member for Transportation / Ben Fletcher	First notified 13/3/18
Proposed conversion of limited waiting bays to pay and display – King George V Road, Amersham.	This report summarises the results of the statutory consultation for the conversion of the limited waiting bays in King George V Road, Amersham in accordance with the County Council's adopted policy.	Amersham & Chesham Bois	Deputy Leader & Cabinet Member for Transportation / Simon Dando	First notified 11/4/18
Reclassification Order, Bellingdon Road and Townsend Road, Chesham	A short section of Bellingdon Road and Townsend Road in Chesham are classified as B Roads. It seems that this is a historic issue which was not correctly dealt with at the time the A416 St Marys Way was constructed. This order resolves this historic issue	Chesham	Deputy Leader & Cabinet Member for Transportation / Keith Carpenter	First notified 2/8/17

Item	Description	Local Members	Member(s) / Contact Officer	Comments
Revocation of the improvement line HW-RW-11, High Wycombe	This decision relates to an improvement line that has been held for improvements along Desborough Road in High Wycombe. These improvements have now been completed so the land no longer needs protecting. The aim of this decision is to revoke the improvement line.	Abbey	/ Jessica Everett	First notified 24/4/18
<u>Deputy Leader and Cabinet Member for Transportation and Cabinet Member for Education and Skills</u>				
Sustainable Modes of Travel Strategy (SMoTS) for Education	The Sustainable Modes of Travel Strategy (SMoTS) for Education is a supporting document to the Local Transport Plan 4 (LTP4). The strategy is designed to promote sustainable modes of transport to schools, colleges and other education centres. It explains what school transport is in place at the moment and what we want it to be in the future. This includes the transport needs of 16+ and Special Educational Needs and Disabled pupils. It sets out how we will work (and support others) to meet the objectives set out in this document and encourage sustainable education transport. The document is particularly aimed at schools, to help them inform their school travel plans. However, this document should be useful to any groups or individuals with an interest in school travel.		Cabinet Member for Education and Skills, Deputy Leader & Cabinet Member for Transportation / Ryan Bunce	First notified 10/8/17
<u>Leader</u>				
Consultation Policy	To consider the new Consultation Policy for approval and inclusion on the Policy Register		Leader of the Council / Kim Parfitt	First notified 5/3/18

Item	Description	Local Members	Member(s) / Contact Officer	Comments
<b>June 2018 Cabinet Member Decisions</b>				
<u>Cabinet Member for Health and Wellbeing</u>				
Choice and Top-Up Policy	Revision of the County Council's Choice & Top-Up Policy for Adult Social Care	All Electoral Divisions	Cabinet Member for Health and Wellbeing / Jane Bowie	First notified 12/4/18
Direct Payment Policy	Cabinet Member to agree the Direct Payment Policy		Cabinet Member for Health and Wellbeing / Marcia Smith	First notified 29/3/17
<u>Cabinet Member for Planning and Environment</u>				
Bucks and MK Environmental Records Centre - new fee rates for data searches	Bucks and MK Environmental Records Centre - new fee rates for data searches		Cabinet Member for Planning and Environment / David Sutherland	First notified 8/5/18
Rights of Way Enforcement Policy	To review and update the existing Rights of Way Enforcement Policy The document will outline the legislative powers available to the authority regarding enforcement, give details of what action our customers may expect the authority to take on illegalities found on the rights of way network.		Cabinet Member for Planning and Environment / David Sutherland	First notified 28/3/18
<u>Deputy Leader and Cabinet Member for Transportation</u>				
Roberts Lane, Chalfont St Peter - Prohibition Of Motor Vehicles	Prohibition Of Motor Vehicles on Roberts Lane, Chalfont St Peter	Chalfont St Peter	Deputy Leader & Cabinet Member for Transportation / Scott White	First notified 24/4/18
Freight Strategy	To consider adopting the new Freight Strategy for Buckinghamshire.	All Electoral Divisions	Deputy Leader & Cabinet Member for Transportation / Antony Swift	First notified 8/2/18

Item	Description	Local Members	Member(s) / Contact Officer	Comments
Highways Development Management Guidance	<p>The Highways Development Management Guidance intends to help developers create great places and thriving communities as Buckinghamshire grows. It is a practical guide for developers.</p> <p>It sets out key principles and guidance points relating to: 'Creating Great Developments in Buckinghamshire', 'Designing for Transport in Developments', 'Managing Transport Impacts' and 'Delivering Works on the Highway'.</p> <p>The guidance is part of Buckinghamshire County Council's work to help ensure all types of transport infrastructure and services keep pace with growth.</p> <p>The Highways Development Management Guidance is a supporting document to the Local Transport Plan 4.</p>		Deputy Leader & Cabinet Member for Transportation / Abigail Nichols	First notified 27/3/18

Item	Description	Local Members	Member(s) / Contact Officer	Comments
<b>July 2018 Cabinet Member Decisions</b>				
<u>Cabinet Member for Education and Skills</u>				
Denham Village Infant School	The Local Authority and governing board are consulting the local community on a proposal that from September 2018 the school becomes a ½ form entry all-through primary school. If the proposal was implemented children would stay at the school until the end of Key Stage II until they transferred to a secondary school and there would no longer be the automatic option of children transferring at KSII to Denham Green E-Act Academy. The consultation will run from 20 October 2017 through to 8 December 2017. Parents, the local community, nearby schools and other interested parties are being made aware of the consultation. Depending on the outcome of the consultation and if the necessary funding and planning permission is gained the next step would be the publication of a statutory notice followed by a four week representation period for people to support, comment on or object to the proposal.	Denham	Cabinet Member for Education and Skills / Andrew Tusting	First notified 19/10/17
<u>Cabinet Member for Health and Wellbeing</u>				
Market Position Statement	The Market Position is a single commissioning document describing health and social care needs and gaps across Buckinghamshire. The purpose is to outline areas where the Council, Clinical Commissioning Groups and independent providers (including the voluntary, community and faith sector) can work together to best support our residents and achieve better health and wellbeing outcomes.		Cabinet Member for Health and Wellbeing / Jane Bowie	First notified 27/3/18

Item	Description	Local Members	Member(s) / Contact Officer	Comments
<b>October 2018 Cabinet Member Decisions</b>				
<u>Cabinet Member for Health and Wellbeing</u>				
Respite provision	Proposal for re-provision of residential respite for people with multiple and complex disabilities in Buckinghamshire		Cabinet Member for Health and Wellbeing / Jane Bowie	First notified 4/1/18
<b>March 2019 Cabinet Member Decisions</b>				
<u>Cabinet Member for Health and Wellbeing</u>				
Care Market Pressures	Annual response to care market pressures from providers		Cabinet Member for Health and Wellbeing / Jane Bowie	First notified 29/3/18





**Please note the following information since the report included in the previous Cabinet agenda:-**

- 4 decisions have been published but not yet taken
- 6 decisions have been taken
- 25 decisions on the forward plan are pending for May

## DECISIONS TAKEN

Cabinet Member for Community Engagement and Public Health

27 Apr 2018

### **CE03.18 - Review of Mobile Library services (Decision Taken)**

#### **Recommendation**

**The Cabinet Member:**

- Agreed to the discontinuation of the service on June 1<sup>st</sup> 2018 and the removal of all three vehicles to save £113,000 in Year 1 and £180,000 each year thereafter, and**
- Agreed the implementation of alternative service arrangements as set out in this Report and the Appendices as soon as the Cabinet Member decision has been made.**

Cabinet Member for Health and Wellbeing

20 Apr 2018

### **HW02.18 - Supporting the Care Market: Adult Social Care Proposal for Fee Increases 2018-19 (Decision taken)**

**The Cabinet Member APPROVED the following recommendations:-**

- **An allocation of £1.76m to meet contractual obligations for Adult Social Care providers**
- **An allocation of £0.725m to address legislative changes**



- All payments to be backdated to April 1<sup>st</sup> 2018

4 May 2018

#### **HW04.18 - Future of Supported Living Services 2018 - 2040 (Decision taken)**

**The Cabinet Member:**

- I. **APPROVED** the new approach for supporting people with disabilities, moving away from a service model to a more holistic and outcomes based approach, designed to maximise opportunities for independence and enabling fulfilling lives
- II. **APPROVED** the future procurement timetable linked to supported living contracts as set out in paragraph 1.4
- III. **APPROVED** the award of contract decision to be delegated to the Executive Director for CHASC
- IV. **APPROVED** the recommended options for the first wave of contracts expiring in 2018

Cabinet Member for Health and Wellbeing and Cabinet Member for Community Engagement and Public Health

4 May 2018

#### **HW03.18 - Adult Social Care Strategy (Decision taken)**

**The Cabinet Members:**

- | **APPROVED** 'Better Lives', the Adult Social Care Strategy for 2018-2021

Cabinet Member for Resources

10 May 2018

#### **R03.18 - Temporary and Agency Staffing Sourcing Strategy Business Case (Decision taken)**

**The Cabinet Member AGREED:**

| **To directly award a contract to Pertemps, for 4 years under the Yorkshire Purchasing Organisation (YPO) framework on a master vendor basis, in conjunction with other interested parties, phasing out the Translator & Interpreter service over time but retaining the option of interim supply**

Deputy Leader & Cabinet Member for Transportation

4 May 2018

#### **T05.18 - TFB licences and charges (Decision taken)**

**The Deputy Leader and Cabinet Member for Transportation:**

- 1 **APPROVED** the list of revised charges and **AGREED** new charges as outlined in Appendix 1 to the report
- 2 **APPROVED** the change to an annual review of the charges

## DECISIONS TO BE TAKEN

### Cabinet Member for Planning and Environment

9 May 2018

#### **PE03.18 - Land Drainage Enforcement Policy (Decision to be taken)**

##### **Recommendation**

The Cabinet Member is asked to endorse the policy and agree that it can be published on our website and referred to for future enforcement cases. The policy will be reviewed whenever there is a significant change in legislation, national or local policy, or otherwise when the Cabinet Member and Strategic Flood Management Team deem necessary

### Deputy Leader & Cabinet Member for Transportation

8 May 2018

#### **T06.18 - Cryers Hill Layby Parking/Weight Restrictions and Clearway (Decision to be Taken)**

##### **Recommendations**

**That the Cabinet Member for Transportation approves the imposition of;**

- a Pay & Display zone during the hours between 10am – 2pm Mon to Fri.
- a weight limit of 7.5t at all times on the layby.
- carriageway and verge clearways south of the layby to the extents shown on the plan.

9 May 2018

#### **T07.18 - Beaconsfield Waiting Restrictions (Decision to be taken)**

##### **Recommendation**

- a. The Deputy Leader & Cabinet Member for Transportation considers the objections and feedback received at Statutory Consultation;
- b. That the Traffic Regulation Order (TRO) be made as advertised at Statutory Consultation in November-December 2017;
- c. That responders to the statutory consultation be informed of the decision taken by the Deputy Leader & Cabinet Member for Transportation.

14 May 2018

**T08.18 - Addington Road, Buckingham - Traffic Reduction Scheme (Decision to be taken)**

**It is recommended that:**

- a. The Deputy Leader & Cabinet Member for Transportation consider the Objections and Feedback received at Statutory Consultation**
- b. That the Traffic Regulation Order (TRO) be made as advertised at Statutory Consultation in February-March 2018**
- c. That responders to the Statutory Consultation be informed of the Deputy Leader & Cabinet Member for Transportation Decision**

For further information please contact: Rachel Bennett on 01296 382343

## Select Committee Combined Work Programme

### About our Select Committees

*This work programme sets out all formal meetings of the Council's Select Committees.*

*The purpose of Select Committees is to carry out the Council's overview and scrutiny function. Their role is to support public accountability and improve outcomes for residents through scrutinising the work of decision-makers.*

*Select Committees can carry out this function either through an in-depth Inquiry or one-off item at Committee meetings.*

*A scrutiny Inquiry is an investigation on a topic that will lead to a report and evidence-based recommendations for change to decision-makers. The key difference between one-off committee items that are not part of an inquiry and scrutiny inquiries is that Select Committees normally only make recommendations to Cabinet as a result of an in-depth Inquiry.*

*Evidence for scrutiny Inquiries may be gathered in different ways depending on the topic, this includes taking evidence at formal Select Committee meetings and/or informal meetings, visits or external research. Prior to any work commencing the Select Committee will agree an Inquiry scoping document which will outline the terms of reference, the methodology and inquiry timeline.*

*For more details about Select Committee Inquiries and guidance please see <http://www.buckscc.gov.uk/services/council-and-democracy/scrutiny/>*

[Finance, Performance & Resources Select Committee](#)

[Children's Social Care & Learning Select Committee](#)

[Health & Adult Social Care Select Committee](#)

[Transport, Environment & Communities Select Committee](#)

Date	Topic	Description and purpose	Lead Service Officer	Attendees
<b>Finance, Performance &amp; Resources Select Committee</b>				
3 Jul 2018	Election of Chairman		Fazeelat Bashir, Committee & Governance Advisor	
3 Jul 2018	Work Programme Update	For Members to discuss the Committee's work programme.	Fazeelat Bashir, Committee & Governance Advisor	
11 Sep 2018	Budget Scrutiny 2018 - 6 month progress report	<p>The Committee will examine a progress report on the implementation of the recommendations from Budget Scrutiny 2018 after 6 months. Members will have an opportunity to question the Cabinet Member for Resources and the Director of Finance and Assets, before discussing and allocating a RAG status for the progress of each recommendation.</p> <p>Contributors: Mr John Chilver, Cabinet Member for Resources Mr Richard Ambrose, Director of Finance and Assets</p>	Fazeelat Bashir, Committee & Governance Advisor	

Date	Topic	Description and purpose	Lead Service Officer	Attendees
11 Sep 2018	Modernising Local Government - Update	Details to be confirmed. Contributors: Mr John Chilver, Cabinet Member for Resources Mrs Sarah Ashmead, Assistant Chief Executive and Monitoring Officer	Sarah Ashmead, Executive Director (Resources)	
13 Nov 2018	Budget Scrutiny 2019 - Scope	The Committee is asked to consider and agree the draft inquiry scope for the Budget Scrutiny Inquiry 2019.  Contributors: Mrs Fazeelat Bashir, Committee and Governance Adviser All Members of the FPR Select Committee	Fazeelat Bashir, Committee & Governance Advisor	
13 Nov 2018	Work Programme Update	For Members to discuss the Committee's work programme.	Fazeelat Bashir, Committee & Governance Advisor	
11 Dec 2018	Work Programme Update	For Members to discuss the Committee's work programme.	Fazeelat Bashir, Committee & Governance Advisor	

Date	Topic	Description and purpose	Lead Service Officer	Attendees
<b>Children's Social Care &amp; Learning Select Committee</b>				
15 May 2018	Education Standards	For Members to look at the 2017 Educational Attainment Results for Buckinghamshire pupils including assessing performance at reducing the gap between disadvantaged pupils and their peers	Sarah Callaghan, Service Director Education	
15 May 2018	Elective Home Education	For Members to look at the impact for children and young people on the rise in pupils being educated at home	Sarah Callaghan, Service Director Education	
15 May 2018	Looked After Children: Child Sexual Exploitation and Safety	A summary of safeguarding actions, arrangements and protocols for looked after children and young people in Bucks.	Sarah Hawkswood, Committee & Governance Advisor	
15 May 2018	Ofsted Update - Action Plan Progress	For the Committee to receive an update on progress against the Ofsted Action Plan approved by Cabinet on 19th February 2018	Sarah Hawkswood, Committee & Governance Advisor	
5 Jun 2018	Permanent Exclusions Inquiry	Report	Sarah Hawkswood, Committee & Governance Advisor	Inquiry Report for approval by Committee



Date	Topic	Description and purpose	Lead Service Officer	Attendees
10 Jul 2018	Early Help Service	For the Committee to receive a verbal update on the Early Help Service.	Phil Dart, Programme Director - Change for Children, Tolis Vouyioukas, Executive Director Children's Services	
4 Sep 2018	Voice of the Child and Young Person Inquiry	For the Committee to look at progress in implementing the outstanding recommendation(s) from the inquiry.	Sarah Hawkswood, Committee & Governance Advisor	
27 Nov 2018	Work Programme Update	For Members to discuss the Committee's work programme.	Sarah Hawkswood, Committee & Governance Advisor	

Date	Topic	Description and purpose	Lead Service Officer	Attendees
<b>Health &amp; Adult Social Care Select Committee</b>				
22 May 2018	Child Obesity Inquiry report	For Committee to approve the Child Obesity Inquiry report	Liz Wheaton, Committee and Governance Adviser	
22 May 2018	Director of Public Health Annual report	For Members to scrutinise the Director of Public Health's Annual report.	Jane O'Grady, Director of Public Health	
22 May 2018	Future GP provision	Item to be developed	Liz Wheaton, Committee and Governance Adviser	Attendees from the Clinical Commissioning Group and One Public Estate to be confirmed
22 May 2018	Hospital Discharge Inquiry - 12 month recommendation monitoring	For Members to review and assess the 12 month progress of the recommendations made in the Hospital Discharge Inquiry report.	Liz Wheaton, Committee and Governance Adviser	
24 Jul 2018	Adult Social Care Transformation Plans	The Committee heard about the transformation plans at its November meeting so this item will be for Members to hear about the progress in terms of delivery of the plans.	Liz Wheaton, Committee and Governance Adviser	Denise Porter, Head of ASC Transformation Jonathon Noble, Commercial Director
24 Jul 2018	Director of Public Health Annual Report	For Committee Members to receive the Director of Public Health Annual Report.	Jane O'Grady, Director of Public Health	

<b>Date</b>	<b>Topic</b>	<b>Description and purpose</b>	<b>Lead Service Officer</b>	<b>Attendees</b>
24 Jul 2018	Work Programme Update	For Members to discuss the Committee's work programme.	Liz Wheaton, Committee and Governance Adviser	
25 Sep 2018	GP provision	For the Committee to hear in more detail about the plans for GP provision across the County.	Liz Wheaton, Committee and Governance Adviser	Lou Patten, Accountable Officer, Bucks Clinical Commissioning Group
25 Sep 2018	The impact of the Government's Green Paper	For the Committee to hear from Adult Social Care about the impact of the Government's Green Paper on funding options around social care.	Liz Wheaton, Committee and Governance Adviser	Gill Quinton, Executive Director
25 Sep 2018	Work Programme Update	For Members to discuss the Committee's work programme.	Liz Wheaton, Committee and Governance Adviser	
20 Nov 2018	System Resilience and Integration update	For the Committee to review the system Winter resilience plans and to hear about the progress being made towards health and social care integration.	Liz Wheaton, Committee and Governance Adviser	Gill Quinton, Executive Director, Bucks County Council Neil Macdonald, Chief Executive, Bucks Healthcare Trust Lou Patten, Accountable Officer, Bucks Clinical Commissioning Group
20 Nov 2018	Work Programme Update	For Members to consider the Committee's work programme.	Liz Wheaton, Committee and Governance Adviser	

<b>Date</b>	<b>Topic</b>	<b>Description and purpose</b>	<b>Lead Service Officer</b>	<b>Attendees</b>
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Date	Topic	Description and purpose	Lead Service Officer	Attendees
<b>Transport. Environment &amp; Communities Select Committee</b>				
29 May 2018	County Museums: Ensuring long term sustainability	Members will review the Trusts' current and planned areas of focus and activity to ensure the long term sustainability of the County museum for residents of and visitors to Buckinghamshire. They will consider recent performance of the Trust, audience development and community engagement going forward and the financial sustainability (funding and income generation opportunities) of the Trust.	Wendy Morgan-Brown, Registration Service Manager, Ruth Page, Culture Development Project Manager	Noel Brown, Cabinet Member for Community Engagement.
29 May 2018	Freight Strategy	PRE DECISION SCRUTINY Members will review and examine the feedback from public consultation and the plans for the new Freight Strategy before a key decision is taken to approve it. Members will consider whether it will provide the best possible protection for our local communities, while balancing the needs of the freight industry.	Antony Swift, Transport Strategy Officer	Mark Shaw, Cabinet Member for Transportation.
29 May 2018	Growth; Is the Council Ready?: 6 Month Recommendation Review	Members will review and assess the progress towards implementation of the inquiry recommendations.	Rachel Wileman, Infrastructure Strategy Manager	

Date	Topic	Description and purpose	Lead Service Officer	Attendees
29 May 2018	TfB Annual Review	Members will consider the TfB Annual Report for 17/18, the Improvement Plan and the Business Plan for 18/19. Members will review areas of success and challenge, performance of key areas of business and areas of focus within the improvement plan going forward. Members will identify if there are specific areas of business that require further examination within the Committee's work programme.	Mark Kemp, Director of Transport	Mark Shaw, Cabinet Member for Transportation Paul Irwin, Deputy Cabinet Member for Transportation
17 Jul 2018	Energy and Growth - Future Demand, Challenges and Income Generating Opportunities	Pre Decision Scrutiny:  Members will review the draft strategy and the emerging priorities within it. Members will examine the national context and local approach to meeting the increasing energy demands of the county. They will consider the roles, responsibilities and relationships between the County Council and the Local Enterprise Partnerships in developing and implementing the strategy, and the key challenges and opportunities. Members will be able to provide their views on the emerging priorities to inform the action plan and implementation of the strategy.	Edward Barlow, Head of Energy & Resources, Kama Wager, Committee Adviser	

<b>Date</b>	<b>Topic</b>	<b>Description and purpose</b>	<b>Lead Service Officer</b>	<b>Attendees</b>
17 Jul 2018	Sustainable School Travel Inquiry: 12 Month Recommendation Monitoring	The Committee will review and assess the progress towards the recommendations made within the inquiry report, as agreed by Cabinet in April 2017.	James Gleave, Transport Strategy Manager, Joan Hancox, Head of Transport Strategy	Joan Hancox, Head of Transport Strategy
18 Sep 2018	Modern Slavery Inquiry: 6 Month Recommendation Progress Review	Recommendation Monitoring: Members will monitor and review the progress towards the implementation of the inquiry recommendations as agreed by Cabinet.	Faye Blunstone, Community Safety Co-Ordinator, Nigel Sims, Strategic Commissioning Manager	Noel Brown, Cabinet Member for Community Engagement Nigel Sims, Strategic Commissioning Manager Faye Blunstone, Community Safety Coordinator
18 Sep 2018	Work Programme Update	For Members to discuss the Committee's work programme.	Kama Wager, Committee Adviser	
6 Nov 2018	Growth Inquiry; Is the Council Ready? 12 Month Recommendation Update	Members will review and assess the progress towards completion and implementation of the inquiry recommendations.	Rachel Wileman, Infrastructure Strategy Manager	
6 Nov 2018	Gulley Cleaning and Drainage System Maintenance	To be developed)	Mark Averill, Head Of Highways (client)	Mark Shaw, Cabinet Member for Transportation





## SCRUTINY INQUIRY WORK PROGRAMME – OVERVIEW OF SELECT COMMITTEE CURRENT INQUIRIES

Inquiry Title	Inquiry Chairman	Lead Officer	May 18	June 18	July 18	Aug 18	Sept 18	Oct 18
<b>Finance, Performance, Resources (FPR)</b>								
Budget Scrutiny 2019	David Watson	Fazeelat Bashir						
<b>Children’s Social Care &amp; Learning (CSC&amp;L)</b>								
Permanent Exclusions	Dev Dhillon	Sarah Hawkswood						
tbc	Dev Dhillon	Sarah Hawkswood						
<b>Health, Adult Social Care (HASC)</b>								
Childhood Obesity	Brian Roberts	Liz Wheaton						
tbc	Brian Roberts	Liz Wheaton						
<b>Transport, Environment &amp; Communities (TEC)</b>								
tbc	David Carroll	Kama Wager						
tbc	David Carroll	Kama Wager						

^ To be agreed



Scoping



Evidence gathering



Committee Approval Report



Cabinet / NHS

For further information on scrutiny work please contact Kelly Sutherland, Committee & Governance Manager on 01296 382343.  
[www.buckscc.gov.uk/democracy](http://www.buckscc.gov.uk/democracy). Last updated on 11 May 2018

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# Report to Cabinet

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<b>Title:</b>	<b>Financial Sustainability</b>
<b>Date:</b>	Monday 21 May 2018
<b>Author:</b>	Martin Tett, Leader of the Council
<b>Contact officer:</b>	Richard Ambrose, Director of Finance, 01296 383120 Richard Schmidt, Head of Strategic Finance, 01296 387554
<b>Local members affected:</b>	All
<b>Portfolio areas affected:</b>	All

*For press enquiries concerning this report, please contact the media office on 01296 382444*

[Guidance can be found on the intranet at the following link:

<https://intranet.buckscc.gov.uk/how-do-i/member-services/decision-making/>

Is the report confidential? Please contact Democratic Services.]

## Summary

This report reviews recent material on financial sustainability in local government, most particularly a recent National Audit Office (NAO) report on this topic and the Best Value Review of services provided by Northamptonshire County Council. The NAO report especially draws attention to the growing service and financial pressures on local authorities with social care responsibilities.

This report then goes on to look at the key findings from the Northamptonshire Best Value Review and compare where Buckinghamshire stands on these issues. In conclusion Buckinghamshire is in a very different place. No concerns have been raised by the external auditor, there is a good record of managing spend within the overall budget, there are sufficient levels of reserves (allocated and unallocated), there is high Member involvement in the budget process and a strong Regulatory & Audit Committee exists.

However, national pressures in relation particularly to children's and adults services are still pertinent and there is no room for complacency. Specifically the Council has been addressing the challenges following the Ofsted review of Children's Social Care and has also been further strengthening its financial management arrangements.

## Recommendation

**Cabinet are asked to NOTE the contents of the report and the appendix, including the on-going work around further strengthening financial management arrangements across the authority.**

**Cabinet are also asked to NOTE that it is imperative that the authority retains a strong financial grip in the run up to the potential creation of unitary local government for Buckinghamshire.**

### A. Narrative setting out the reasons for the decision

#### 1. *National Context*

- 1.1 There has been much reported recently in both the trade and national press about the financial sustainability of local government, particularly those authorities with care responsibilities. This report is aimed at reviewing this material and considering the applicability to Buckinghamshire, in particular, and what actions the County Council can take to mitigate the risks.
- 1.2 On 5<sup>th</sup> March 2018 the National Audit Office (NAO) published their report, "financial sustainability of local authorities 2018". At the beginning of their report the NAO sets out a number of key facts that also provide a useful contextual backdrop for this cabinet report.

#### NAO Key Facts

- From 2010/11 to 2017/18 the real terms reduction in Central Government funding of local authorities is **49.1%**
  - From 2010/11 to 2017/18 the real terms reduction in local authority spending power (Gov funding + Council Tax) is **28.6%**
  - From 2010/11 to 2016/17 the real terms reduction in local authority spending on social care services was **3%**
  - From 2010/11 to 2016/17 the real terms reduction in local authority spending on non-social care services was **32.6%**
  - The overspend on local authority service budgets in 2016/17 was **£901m**
  - The percentage of local authorities with care responsibilities that drew down on their reserves during 2016/17 was **66.2%**
- 1.3 According to the NAO report the Ministry of Housing, Communities and Local Government (MHCLG) views local authorities' ability to deliver their statutory services as the defining test of their financial sustainability.

- 1.4 Key findings from the NAO work are:
- 1.4.1 As well as facing funding reductions local authorities have faced considerable demand pressures in some areas such as: a **33.9%** increase in homelessness, a **10.9%** increase in the number of looked after children and a **14.3%** increase in the number of over 65's in need of care. Further, local authorities have experienced a number of significant inflationary pressures such as from: national insurance contributions, the apprenticeship levy and the national living wage.
  - 1.4.2 Typically local authorities have changed their approach to balancing the books over the 6 year period considered. For the first three years local authorities reduced the level of services offered e.g. reduced standards of care, reduced bus subsidies, reduced bin collections etc. In the latter three years the emphasis has shifted to making savings in corporate/central costs such as debt financing, contributing less to reserves (or drawing upon them), or generating alternative sources of income.
  - 1.4.3 Local authorities spend less in real terms on virtually all services, but the reductions are far less in care services due to demographic increases and the greater statutory requirements that exist compared to other services where more discretion is available.
  - 1.4.4 On the topic of financial sustainability specifically the NAO states, *“Compared with the situation described in our 2014 report, the financial position of the sector has worsened markedly, particularly for authorities with social care responsibilities.”*
  - 1.4.5 Financial resilience varies considerably between authorities. The NAO notes that despite overall social care authorities having higher levels of reserves than in 2010/11, some 10.6% have reserve levels (ear-marked and non-ear-marked) that would be fully consumed in less than three years if the current rate of decline were continued. Clearly this is not a sustainable position.
  - 1.4.6 In considering how well MHCLG assesses the funding need of local authorities, the NAO comments that the process for the 2015 spending review was an improvement over that for 2013. This improved process identified that adult social care was the key pressure facing local authorities leading to increased flexibility in Council Tax setting. However, they also note that the Government has announced multiple short-term funding initiatives, but does not have a long term plan for funding local government.
  - 1.4.7 Whilst MHCLG monitoring of local authorities financial sustainability has improved, the NAO notes that there is a lack of on-going co-ordinated monitoring of the impact of funding reductions across the full range of local authority services. Monitoring by individual government departments, e.g. DoH, DfE, DfT, etc. for their own area of interest is adequate, but the central co-ordination by MHCLG to understand the impact of one service area on another is not.

- 1.5 The NAO report concludes that the sector has done well to cope with the reductions in funding, but that cracks are now starting to appear in the system. Local authorities face a range of new demand and cost pressures, whilst statutory obligations have not reduced. Non-social care budgets have been reduced substantially, which has now eroded both local discretion over service delivery and the ability to find further savings going forward. Further, the lack of resolution to the revised funding arrangements for local government has created financial uncertainty which in turn encourages short-termism and threatens value for money.
- 1.6 Looking more broadly at the role of central government the NAO concludes that there is not central understanding of service delivery from local government as a whole, or the interaction between service areas. It also notes that the current spending review period has been characterised by **one-off short term fixes** and that “this increasingly crisis-driven approach to managing local authority finances also risks value for money.”
- 1.7 The NAO report makes a number of recommendations about how MHCLG should work with other major funding departments to continue to improve the over-sight and understanding of the impact on services of local authority funding levels and mechanisms. It particularly recommends that MHCLG should work with the local government sector to deliver from the Fair Funding Review a system that addresses the financial and demand pressures and secures financial sustainability for the longer term.
- 1.8 In addition to the NAO report the Chartered Institute of Public Finance and Accountancy (CIPFA) has also made comment on this topic. Immediately following the publication of the Northamptonshire Best Value Review (see below), CIPFA set out what it believes are key lessons that need to be learnt:
  - 1.8.1 The need for resources to be more appropriately distributed to meet the service demands placed on councils at a local level. This is especially key for those upper tier councils with high statutory demand services such as adults and children’s services.
  - 1.8.2 A call for greater transparency and ownership of the financial challenges faced by the sector, so that councils can make the tough decisions needed to maintain a balanced and resilient budget.
  - 1.8.3 To ensure council reserves are maintained to an appropriate and sustainable level and that future plans to deliver services remain realistic and avoid any risk of optimism bias in their finances.
- 1.9 CIPFA are also proposing to take a number of actions to increase support to local authorities such as:
  - 1.9.1 A new code of practice on Financial Management and Planning to complement the existing codes on Accounting, Treasury Management and Borrowing.
  - 1.9.2 Consultation on a methodology to identify councils’ financial resilience with respect to reserves, so that there is publically available early warning rather than media speculation.
  - 1.9.3 The development of a programme of events and training sessions for Member and officer leadership teams on financial planning.

- 1.10 The Local Government Association (LGA) has undertaken some research and this shows that nationally 75% of councils reported an overspend of more than £0.5m in 2015/16 within Children’s Social Care and that the national overspend on Adult Social Care in 2016/17 was £366m.

## **2. Northamptonshire County Council**

- 2.1 Northamptonshire County Council (NCC) has attracted much media attention for being the first local authority in over 20 years to issue a Section 114 notice, which effectively means that in the opinion of the Chief Finance Officer there is a high likelihood that the authority cannot balance its books, or is choosing not to do so.
- 2.2 Prior to the S114 notice the Secretary of State had already sent in an Inspector to carry out a best value review of the authority. The report from that inspection was published on 16<sup>th</sup> March 2018. The S114 notice and Best Value inspection came following some earlier warning signs of concern. The external auditors had qualified their value for money audit opinion for both 2015/16 and 2016/17. A Local Government Association (LGA) peer review carried out in September 2017 also found concerns in respect of effective financial management. Also during the inspection period the external auditors issued an Advisory Notice indicating that they believed the Council was about to set an illegal budget.
- 2.3 The headline finding of the Best Value review was that NCC had failed to comply with its duty to provide best value in the delivery of its services and went on to recommend that two new unitary authorities be created to cover Northamptonshire and in the meantime consideration be given to asking commissioners to run the authority.
- 2.4 *Appendix 1* to this report sets out a detailed list of the issues identified by the Best Value review and draws direct comparison with the situation in Buckinghamshire. However, the key findings from the report are set out below:
- 2.4.1 Northamptonshire recognised that they faced a challenging operating environment and developed their “Next Generation” model in response. However, the model did not have any hard edged business plan or justification to support it.
- 2.4.2 Following the adverse Ofsted inspection report of Children’s Social Care in August 2013, the authority lost tight budgetary control and effective budget setting scrutiny (it abandoned its “Star Chamber” process).
- 2.4.3 The Council used large amounts of capital receipts (£21m in 2016/17 and £21.5m in 2017/18) to fund its revenue transformation programme without proper authorisation and pushing the boundaries of legality.
- 2.4.4 The report identified that NCC struggles to take the necessary hard decisions at both Member and officer level to control and restrain expenditure, even after the issue of the S114 notice.
- 2.4.5 It was further identified that the Council does not respond well, if at all, to external or internal criticism.

### **3. *The Position in Buckinghamshire***

- 3.1 It is important given the general and specific concerns around local government finance that Buckinghamshire County Council reviews its current position and practices. *Appendix 1* sets out a detailed comparison between Buckinghamshire and Northamptonshire against each of the issues raised in the Best Value Review.
- 3.2 There are many reasons why Buckinghamshire is not in the same position as Northamptonshire. BCC has a reasonably healthy level of reserves both unallocated and earmarked, whereas Northamptonshire has applied virtually all of its reserves to propping up its recurrent funding. The level of unallocated reserves equates to nearly 8% of the net operating budget. This compares favourably with other authorities and is above the old recommended level of 5% that used to be quoted for guidance. Levels of reserves should be based on the financial risks facing an authority.
- 3.3 Furthermore, BCC does not use its capital receipts to fund revenue expenditure. BCC has a four year budget plan for both revenue and capital which is fully balanced with specific savings/income generation proposals. The issue of the Advisory Notice by Northamptonshire's external auditors challenges whether they even have a balanced budget for one year let alone four. BCC has a strong record of bringing the budget in on target even when faced with challenges in the year, whereas Northamptonshire's history shows regular and substantial overspending.
- 3.4 There is a strong Regulatory & Audit Committee at Buckinghamshire. The Committee regularly scrutinises and challenges internal audit findings, including financial governance and controls, and the risks facing the authority (strategic risks, BU risks and financial risks).
- 3.5 Despite these very distinct differences there are also some parallels to be drawn. Both BCC and NCC have had adverse Ofsted inspections of Children's Social Care services leading to additional funds being allocated to support and improvement programme. Although at a corporate level BCC has a strong track record of spending within its budget, Children's Social Care has overspent on a number of occasions, albeit not at the same level as in Northamptonshire. Both authorities had a fairly devolved/distributed operating practice for financial transactions and management, NCC more so than BCC.
- 3.6 Although both the underlying financial position and the operational practices in Buckinghamshire compare favourably with Northamptonshire there is no room for complacency. The financial challenges described by the NAO apply to all local authorities and especially those with social care responsibilities. A number of shared challenges with Northamptonshire have been identified, the most significant of which is the position of children's social services.
- 3.7 Faced with these challenges it is essential that the Council should have robust financial management arrangements in place. To this end the Corporate Management Team have commissioned a review of Financial Management across the Council. The investigation phase of the review has now been completed and a detailed improvement plan drawn up. Implementation of the plan is being regularly monitored by the Corporate Management Team and Cabinet Members.



- 3.8 Given the known fluctuations and risks in terms of the volume of vulnerable clients we have proactively instigated weekly budget meetings in both Children's Services and Adult Social Care to help manage this. These are chaired by the S151 Officer and include the full leadership teams of the service areas. As well as seeking ways to improve the financial position these have been reviewing financial processes and governance arrangements and strengthening these in order to enhance financial management arrangements, improve forecasting and tighten the grip around finance.
- 3.9 To ensure that the council sets a balanced budget and that it manages the finances within the approved budget the council has had to be innovative in order to reduce costs and maximise income. For example, the council has invested in property for a return, been successful in bidding for external funding and borrowed to finance an Energy for Waste plant. Careful due diligence and strong business cases have been scrutinised before such decisions are made.
- 3.10 It is also clear that one of the top priorities for the Council must be to address the issues identified by the recent Ofsted inspection on Children's Social Care. Not only should this have direct benefit for the vulnerable children and young people of Buckinghamshire but it would improve the Council's reputation and minimise the associated financial risks.

**B. Other options available, and their pros and cons**

Not applicable, as this is a review of existing material.

**C. Resource implications**

Implementing any improvement programme will inevitably require an injection of additional resource, albeit that this may be expected to be time limited. Funding for the required children's social care improvement programme has been allowed for within the approved budget based on the agreed service improvement plan.

**D. Value for Money (VfM) Self Assessment**

This report essentially concerns itself with a strategic overview of value for money. The Value for Money Opinion provided by the Council's external auditors, Grant Thornton, has been qualified for the past three years but only because of the Ofsted findings. This is likely to remain so until the adverse Ofsted opinion of Children's Social Services is addressed. The audit opinion indicates that other aspects of the way the Council is run do offer appropriate value for money. This demonstrates the importance of addressing the issues identified by Ofsted for the whole of the Council and not just Children's Services.

The wider environmental conditions identified by the NAO also demonstrate the continuing need for vigilance in the way that the Council manages its financial affairs. Value for Money is not a static concept and it is likely that in order to deliver the best possible value to residents within tightening financial constraints will require tough decisions to be taken. Unpopular as it may be it is probable that a number of lower priorities will have to be reconsidered or delayed.

## **E. Legal implications**

There are no legal implications arising directly from this report.

## **F. Property implications**

There are no property implications arising directly from this report.

## **G. Other implications/issues**

It is important that all Members and managers within the organisation remain alive to the environmental conditions prompting this report and take appropriate action to mitigate the risks and issues emerging in order to provide the most effective service to residents within the resources available and to avoid reputational damage.

## **H. Feedback from consultation, Local Area Forums and Local Member vie**

Not applicable

## **I. Communication issues**

The Ofsted Improvement work already includes a communication plan and a similar approach will be taken in respect of the Financial Management Review.

## **J. Progress Monitoring**

The financial management improvement plan will be monitored regularly by Corporate Management Team.

## **K. Review**

Review arrangements in respect of the Ofsted Improvement Programme and the Financial Management Improvement Programme will be agreed as part of the reports on those specific items.

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## **Background Papers**

[Northamptonshire County Council Best Value Inspection](#)

[NAO - Financial Sustainability of Local Authorities 2018](#)

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## ***Your questions and views***

*If you have any questions about the matters contained in this paper please get in touch with the Contact Officer whose telephone number is given at the head of the paper.*

*If you have any views on this paper that you would like the Cabinet Member to consider, or if you wish to object to the proposed decision, please inform the Democratic Services Team by 5.00pm on [Date]. This can be done by telephone (to 01296 382343), or e-mail to [democracy@buckscc.gov.uk](mailto:democracy@buckscc.gov.uk)*

## Northamptonshire CC – Best Value Inspection

*“NCC has failed to comply with its duty to provide best value in the delivery of its services”.*

The outcome of the inspection is that it **recommends the creation of two new Unitary Councils** but in the meantime considers whether commissioners should take over the running of its services.

### Headlines

- Lost tight budgetary control and effective budget setting scrutiny after the Ofsted Inspection report in August 2013 (abandoned its Star Chamber process).
- ‘Next Generation’ model structure adopted – did not have any hard edged business plan or justification to support it.
- Use of capital receipts to fund transformation (revenue) not properly authorised and pushes the boundaries of legitimacy (£21m in 2016/17 and £21.5m in 2017/18).
- Struggles to take the necessary decisions at both member and officer level to control and restrain expenditure (even following issue of S114 notice).
- Council does not respond well (if reacts at all) to external or internal criticism.

<u>Key Points</u>	<u>BCC Assurance</u>
External auditor’s (KPMG) gave adverse value for money opinions relating to the 2015/16 and 2016/17 accounts. Reports not taken seriously.	For the last two years the external auditor’s (Grant Thornton) have given an unqualified opinion of the financial statements (true and fair view) and, with the exception of the Ofsted findings, they ‘are satisfied that, in all significant respects, the Authority put in place proper arrangements for securing economy, efficiency and effectiveness in the use of resources for the year ended 31 March’.
NCC has a council tax lower than the average for all county councils but high council tax base growth compared to others.	BCC has a council tax at just below the county council average. Council tax base growth has been fairly high compared to others.
Overall overspend across Adults and Children’s has increased year on year from 2013/2014 to 2016/2017. 2013/14 = £3.2m (adults = £0.6m, children’s = £2.6m), 2014/15 = £22.4m (adults = £11.9m, children’s = £10.5m) 2015/16= £29.4m (adults = £8.5m, children’s = £20.9m), 2016/17 = £33m (adults = £25.6m, children’s = £7.4m). Offset mainly from use of reserves and one-off corporate resources.	Overall overspend across Adults and Children’s has been as follows:-  2013/14=£2.5m (adults=£0, children’s=£2.5m) 2014/15=£1.35m (adults=£0, children’s=£1.35m) 2015/16=£4.5m (adults=£2.4m, children’s=£2.1m) 2016/17=£3.3m (adults=£1.8m, children’s=£1.5m)  2017/18=£1.7m (adults=£0,children’s=£1.7m)  The LGA has undertaken some recent research and this shows that nationally 75% of councils reported an overspend of more than £0.5m in 2015/16 within children’s social care and that the national overspend on adult social care in 2016/17 was £366m. Overall there is expected to be a £2bn shortfall in funding by 2020.

<p>Council has fallen well short on achieving its planned savings particularly from 2015/2016 onwards when the savings requirement doubled (to £68m). Shortfall of £21.2m in 2015/16, £21.6m in 2016/17 and £27.1m forecast in 2017/18.</p>	<p>Generally achieved savings targets although about £1m shortfall in 2017/18, mainly relating to the implementation of a new operating model within adults. This equates to less than 5% of the total required savings.</p>
<p>Earmarked reserves have fallen from £57.7m in 2013/14 to £8.8m by 01/04/2017. General fund reserves remained at roughly £12m.</p>	<p>Earmarked reserves have fallen from £120m in 2013/14 to about £84m by 01/04/17. This reduction is mainly due to the use of the waste reserve that had been built up.</p> <p>General Fund reserves were £31m at the end of 2013/14 and £24.5m at the end of 2016/17 (having reduced to £17.4m at the end of 2015/16).</p> <p>Since 2015/16 we have proactively tried to increase our level of General Fund reserves. They currently stand at £26.2m.</p>
<p>Concerns that Public Health grant being applied to fund inappropriate services.</p>	<p>All use of Public Health grant is legitimate and signed off by the Director of Public Health and Director of Finance.</p>
<p>Staff within LGSS not deployed flexibly to meet need or working to common standards (just top layer of management).</p>	<p>Not part of LGSS. Savings have been achieved from shared service with LB Harrow (legal and HR/OD). We have put strong emphasis around ensuring that we have effective contract monitoring arrangements.</p>
<p>LGSS relationship confuses accountability with little strategic thinking on support services within the council. Not helped by weak commissioning. No council lead for HR/OD and no obvious OD strategy to support the Next Generation council.</p>	<p>N/A</p>
<p>No effective work to turn the 'Next Generation' vision into a practical system making it difficult to establish what was going on with the absence of effective controls, budget management and governance.</p>	<p>Bucks Care Services have been transitioned back to BCC and a paper was considered by Cabinet in April 2018 around the future commissioning intentions. Activities are currently being transitioned back for Bucks Learning Trust.</p> <p>There has been proactive management around enhancing both performance and financial management within BCC.</p>
<p>Over past 5 years there has been significant change in the personnel at the top of the officer structure. No sense of working together to solve the council's problems (silo working and poor communications).</p>	<p>There have been some changes within both the Children's and Adults Leadership teams. However, a corporate approach is taken by the Executive Directors. The County Council has deliberately sought to recruit experienced Directors at a senior level.</p>
<p>In October 2015, the then S151 officer issued a letter to the Chief Executive talking about a 'significant financial crisis' and a 'change of culture and behaviour where overspending is acceptable and there are no sanctions for failure'. This warning was not taken seriously.</p>	<p>No such letters have been issued. Spend controls were introduced across the Council in 2015/16 when a forecast overspend was being forecast. BCC has only overspent on its approved budget once in the last seven years (and by less than £1m in that year).</p>

At the time of LGA peer review and the issue of the S114 report there was a lack of leadership of the organisation.	N/A
Council has weak budgetary control as services repeatedly overspend and fail to deliver the required savings. This has been exacerbated as a result of the 'Next Generation' approach as it has made oversight difficult.	There is not a history of repeatedly overspending in overall terms. However, the council has recently commissioned an external review of its arrangements for financial accountability across the organisation, including benchmarking against best practice. Furthermore, the Director of Finance has been chairing weekly budget meetings within both Adults and Children's to ensure that we have a firm grip of the finances. There are clear expectations that should an overspend be forecast then the service involved will immediately develop action plans and strategies to mitigate this.
The S151 officer has no staff supporting him directly in the delivery of the financial management of the Council (all within LGSS).	The Director of Finance has all finance staff reporting under him with the BU Finance Directors now reporting directly to him.
Delays in reporting the Adults overspend (2017/18) to Cabinet and even when reported only highlighted risks saying that the 'Federated Vehicle' was managing its pressures within its overall resources envelope.	Processes have been reviewed to ensure that forecasting is accurate and timely. Overspends are reported to Cabinet Members together with actions being taken to mitigate these. This included reporting recent overspends in Adults and Children's to the budget scrutiny committee prior to their examination of the draft budget.
Significant overspends in Children's Services with the conclusion that 'the council does not have the process in place to control budgets and ensure they are delivered'.	Weekly budget meetings being held within the Children's BU. The number of LAC has increased in the second half of the 2017/18 financial year having been fairly stable for a couple of years (455 to 485). However, overall numbers are in line with expectation according to benchmarking averages.  In order to reduce the on-going pressures the service is finalising our sufficiency strategy around in-house foster carers, reviewing our high cost placements, reviewing the effectiveness of the panel process and looking at the effectiveness of our edge of care models.
Actions now being taken forward by S151 officer include a rewrite of Financial Regulations, mandatory budget holding training, support to budget holders based on a risk based assessment, revised internal audit plan, clarity around budget holder responsibilities and more frequent reporting and briefings with Director and Portfolio holders.	A finance improvement plan will be taken forward following the outcome of the current review of financial management arrangements. This will be reported and tracked by the S151 Officer, the Corporate Management Team and appropriate Cabinet Members.
Poor Medium Term Financial Planning with pressures increasing dramatically from what previously assumed. This is partly due to not achieving savings but also due to poor financial modelling (including demographic and workforce pressures).	The financial modelling assumptions used as part of the MTFP are updated on an annual basis and include demographic changes, inflation, pay and funding.

Lack of data analysis and accountability around non-delivery of savings or budget overspends. Just accepted and added into the budget.	Delivery of assumed savings has previously been an issue in some parts of the Council with a lack of accountability / ownership of these savings. More detailed savings plans have been drafted for 2018/19 but these will require careful monitoring in order to manage overall spend within the approved budget. This will be undertaken by the BU Boards, by the S151 in his weekly meetings and through the CMT Budget Board.
Business plans not aligned to budgets and a lack of measureable outcomes for the year ahead.	Business Unit Plans are aligned to budgets and a template exists to review how all new proposals link to both the strategic plan and BU plans.
No real support for the budget strategy recently approved by Council and a lack of scrutiny in existence. Examples of unnecessary secrecy at Cabinet meetings (e.g. sale and lease back of HQ building).	Members are fully involved in the budget process, including having a strong and thorough review of the budget proposals by a cross-member scrutiny committee.
The Local Government and Social Care Ombudsman reported that 'NCC was one of the most difficult authorities the Ombudsman had engaged with both in terms of the time taken to respond in the course of investigations but also in the authority's approach to complaint handling, learning from mistakes and remedying injustice'.	N/A
Scrutiny by the Audit Committee is not effective due to members being repeatedly thwarted and delays in receiving reports.	Strong Regulatory & Audit Committee with regular reports around internal audit findings, including financial governance and controls.
LGA Finance Peer Review (September 2017) has not been followed up in any strategic way having only produced a tactical action plan which is described as poor and does not address the recommendations explicitly. Little accountability for actions.	N/A
Poor Risk Management with the Audit Committee struggling to get it to be taken seriously in the council.	Strong Risk Management Group (sub-group to Regulatory & Audit Committee) where strategic risks, BU risks and financial risks regularly reviewed and challenged.
Poor partnership working with the districts and NHS partners with significant levels of distrust.	Close working with NHS partners through the ACS / STP. Relationships with districts difficult in current circumstances although working well on specific projects (e.g. Woodlands Development).

# Report to Cabinet

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**Title:** Budget Monitoring Report – Outturn 2017/18

**Date:** Monday 21 May 2018

**Date can be implemented:** Tuesday 29 May 2018

**Author:** Cabinet Member for Resources

**Contact officer:** Jane Parker, Senior Accountant x2843

**Local members affected:**

**Portfolio areas affected:** All

*For press enquiries concerning this report, please contact the media office on 01296 382444*

## Summary


### Purpose of the Report



This report provides information on the financial performance for the Council to the end of financial year 2017/18

### Background

The financial information informs Cabinet of the revenue and capital outturn position for the financial year 2017/18. A full analysis of the outturn of Portfolios is contained in the appendices to this report.

As well as narrative information, financial performance against target is shown visually as follows:

	<b>Green</b>	Performance is on or above target.  (Revenue under spends against budget and overspends up to +0.1% are shown as green) (Capital slippages are shown as green)
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	<b>Amber</b>	Performance is below target (+0.1% to +1%) for financial performance
	<b>Red</b>	Performance is well below target (worse than +1%) for financial performance

## 1. Revenue budget outturn

- 1.1. The revenue budget outturn is summarised in Table 1 below. The key Portfolio variances are explained in **Appendix 1**.

The overall revenue outturn is an **underspend of £2.89m**, comprising portfolio overspends of £0.82m offset by an underspend of £3.71m in Corporate Costs. This is a significant achievement given that the LGA Budget Submission in Autumn 2017 identified significant national funding pressures. In particular it recognises that children's services and adult social care are at tipping point.

As a result, the General Fund balance has increased to £27.4m. In April 2018, the County Council agreed to release £1.2m from the General Fund to finance plane and patch repairs to roads, giving a General Fund balance at the end of April 2018 of **£26.2m**.

Whilst most Portfolios have come close to break-even, there are significant variances within Children's Services and Planning & Environment.

Children's Services portfolio has overspent by £1.7m which is in line with the overspend forecast at the end of quarter 3. There has been pressure due to the increase in the number of looked after children in year as well as increased unit costs. The main increase has been in residential care placements with more complex cases attracting higher costs, as well as others in external fostering placements now being placed in residential care. Nationally, Children's social care is being pushed to breaking point with 75% of councils overspending by more than £0.5m in 2015/16; collectively overspending their budgets by £605m.

The Planning & Environment Portfolio has achieved an underspend of £0.9m. The principal underspend is in Waste Management (£1.2m) relating primarily to EfW contract performance which is off-set by a shortfall of £0.4m in the delivery of historic savings targets and pressures around internal cost recoveries around business improvement and corporate overheads of £0.2m. The overachievement of Agricultural Estate income of £0.2m has contributed to the overall underspend.

Corporate Costs has delivered an underspend of £3.7m as a result of pressures relating to the National Living Wage and the risks of non-delivery of savings plans not being as significant in the current year as they may have been. The redundancy contingency has not been fully utilised this year and has a small underspend reported.



**Table 1 – Summary of Council revenue budget outturn**

Portfolio Area	Outturn £000	Budget £000	Variance £000	Variance %
Leader	6,937	6,955	(18)	(0.3%)
Community Engagement	9,509	9,490	19	0.2%
Health & Wellbeing	131,274	131,275	(1)	(0.0%)
Children's Services	67,326	65,618	1,708	2.6%
Education & Skills	26,638	26,750	(112)	(0.4%)
Resources	24,735	24,677	58	0.2%
Planning & Environment	9,769	10,637	(868)	(8.2%)
Transportation	27,549	27,516	33	0.1%
<b>Subtotal - Portfolios</b>	<b>303,737</b>	<b>302,918</b>	<b>819</b>	<b>0.3%</b>
Corporate Costs (non Portfolio)	(306,625)	(302,918)	(3,707)	1.2%
<b>Overall BCC</b>	<b>(2,888)</b>	<b>-</b>	<b>(2,888)</b>	

1.2 During the year an additional £6.1m of income was generated against a budget increase of £5.7m (7% over achievement). Performance against the targets for income generation in the year are covered in detail in Appendix 2.

## 2. Capital budget outturn

- 2.1 The capital budgets are summarised in Table 2 below. There is an overall underspend / slippage of **£23.9m** (18%) of which £5.1m is the underspend on Orchard House and £1.7m relates to the third lift.
- 2.2 There is a total of £7.9m unreleased capital budget across the Authority, reflecting schemes which have yet to satisfy criteria for the release of funding.
- 2.3 The notable areas of underspend / slippage are Education & Skills (£8.5m) and Resources (£6.4m). These are detailed in the relevant Portfolio tables that follow.

**Table 2 - Capital budget**

Portfolio Area	Outturn £000	Budget £000	Variance £000	Variance %
Leader	10,574	13,998	(3,424)	(24.5%)
Community Engagement	167	716	(549)	(76.6%)
Health & Wellbeing	-	1,450	(1,450)	(100.0%)
Children's Services	743	992	(249)	(25.1%)
Education & Skills	26,645	35,138	(8,493)	(24.2%)
Resources	41,912	48,341	(6,429)	(13.3%)
Planning & Environment	1,239	2,277	(1,038)	(45.6%)
Transportation	26,938	28,665	(1,727)	(6.0%)
<b>Subtotal - Portfolios</b>	<b>108,217</b>	<b>131,575</b>	<b>(23,358)</b>	<b>(17.8%)</b>
Corporate	-	561	(561)	(100.0%)
<b>Overall BCC</b>	<b>108,217</b>	<b>132,137</b>	<b>(23,919)</b>	<b>(18.1%)</b>

## **Recommendation**

### **Cabinet is asked to:**

- 1. Note the year end outturn for revenue and capital budgets and discuss areas of concern.**
- 2. Recommend that portfolio overspends and underspends from 2017/18 financial year are not carried forward.**

#### **A. Narrative setting out the reasons for the decision**

A full analysis of the forecast outturn and financial performance for the Council for the financial year 2017/18 is contained in the attached appendices.

#### **B. Other options available, and their pros and cons**

None arising directly from this report.

#### **C. Resource implications**

Actions resulting from consideration of this report may influence future expenditure in areas of concern / interest. Financial Regulations state that all revenue overspends are to be carried forward and that 75% of Business Unit underspends are carried forward via a Business Unit specific reserve. However, given the County Council's overall financial position and the additional pressure that this would place on Children's Services, this report recommends that there is no carry forward of any underspends or overspends.

#### **D. Value for Money (VfM) Self Assessment**

All decisions involving finances are scrutinised to ensure that the best value for money is achieved.

#### **E. Legal implications**

None arising directly from this report

#### **F. Property implications**

None arising directly from this report

#### **G. Other implications/issues**

None arising directly from this report

#### **H. Feedback from consultation, Local Area Forums and Local Member views**

None arising directly from this report

**I. Communication issues**

Quarterly budget monitoring reports are published on the Council's website.

**J. Progress Monitoring**

The budget monitoring report is updated on a monthly basis.

**K. Review**

Not applicable

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**Background Papers**

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***Your questions and views***

*If you have any questions about the matters contained in this paper please get in touch with the Contact Officer whose telephone number is given at the head of the paper.*


*If you have any views on this paper that you would like the Cabinet Member to consider, or if you wish to object to the proposed decision, please inform the Member Services Team by 5.00pm on 18 May 2018. This can be done by telephone (to 01296 382343), or e-mail to [democracy@buckscc.gov.uk](mailto:democracy@buckscc.gov.uk)*



## 1. Portfolio summary


**Cllr Martin Tett, Leader of the Council**

### Financial Performance – Leader Portfolio

Type	Budget for year £000	Outturn £000	Variance		Performance
			£000	%	
<b>REVENUE</b>	<b>6,955</b>	<b>6,937</b>	<b>-18</b>	<b>-0.3%</b>	

#### REVENUE – COMMENTS

The Leader portfolio delivered an underspend of £18k



Type	Budget for year £000	Outturn £000	Variance		Performance
			£000	%	
<b>CAPITAL</b>					
<b>Released</b>	<b>14,779</b>	<b>10,574</b>	<b>-4,205</b>	<b>-28.5%</b>	
<b>Unreleased</b>	<b>-781</b>	<b>0</b>	<b>781</b>	<b>-100%</b>	
<b>Funding</b>	<b>-11,919</b>	<b>-10,152</b>	<b>1,767</b>	<b>-14.8%</b>	

#### CAPITAL - COMMENTS

Slippage on gross expenditure of £2.2m on A355 due to construction and planning approval delays; £1.5m slippage on High Wycombe Town Centre Masterplan due to delay in agreement with contractor negotiations; corresponding reduction in match-funding.

**Cllr Noel Brown**


**Financial Performance – Community Engagement and Public Health**

Type	Budget for year £000	Outturn £000	Variance		Performance
			£000	%	
<b>REVENUE – Community</b>	<b>9,490</b>	<b>9,509</b>	<b>19</b>	<b>0.2%</b>	 
- <b>Public Health</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>	

**REVENUE – COMMENTS**

Community Engagement has delivered a small overspend of £19k due to the delay in implementing 'Fix My Street' which has delayed the reduction of staff in the Contact Centre.


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Type	Budget for year £000	Outturn £000	Variance		
			£000	%	
<b>CAPITAL</b>					
Released	<b>372</b>	<b>167</b>	<b>-205</b>	<b>-55.1%</b>	
Unreleased	<b>344</b>	<b>0</b>	<b>-344</b>	<b>-100%</b>	
Funding	<b>-40</b>	<b>-11</b>	<b>29</b>	<b>-72.5%</b>	

**CAPITAL – COMMENTS**

Slippage is due to changes to the design of Aylesbury Library following consultation.


Financial Performance – Health & Wellbeing Portfolio

Type	Budget for year £000	Outturn £000	Variance		
			£000	%	
REVENUE	131,275	131,274	-1	0%	

**REVENUE – COMMENTS**

The portfolio has delivered in line with the budget. The improved position since quarter 3 (forecast £1.3m overspend) is due in large to a reduction in care package spend (£469k), additional income (£179k) and recovery from Health in relation to high cost placements (£505k)


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Type	Budget for year £000	Outturn £000	Variance		
			£000	%	
CAPITAL Unreleased	1,450	0	-1,450	-100%	

**CAPITAL – COMMENTS**

The Orchard House project has not gone ahead.


**Financial Performance –Children’s Services**

Type	Budget for year £000	Outturn £000	Variance		Performance
			£000	%	
<b>REVENUE</b> Children’s Services	65,618	67,326	1,708	2.6%	

**REVENUE – COMMENTS**

Children’s Services portfolio has delivered an overspend of £1.7m. There has been an increase in the number of children taken into care, mainly in the residential care category, which is the main contributing factor for the variance.

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Type	Budget for year £000	Outturn £000	Variance		Performance
			£000	%	
<b>CAPITAL</b> <u>Children’s Services</u> Released	992	743	-249	-25.1%	


**CAPITAL – COMMENTS**

Slippage of £0.25m relates to the stoppage of some homes due to a review of current children's homes strategy within BCC.




**Cllr Mike Appleyard**

**Financial Performance - Education and Skills Portfolio including Client Transport**

Type	Budget for year £000	Outturn £000	Variance		Performance
			£000	%	
<b>REVENUE</b>					
<b>Education &amp; Skills</b>	<b>26,750</b>	<b>26,638</b>	<b>-112</b>	<b>-0.4%</b>	

**REVENUE – COMMENTS**

The Education and Skills Portfolio has delivered an underspend of £112k. Specific grant monies were used to help support the ongoing SEND transformation work and an underspend due to staff vacancies in Commissioning and Adult Learning offset by overspends elsewhere has resulted in the overall underspend. Pressures, notably in Education Transport (£457k over), will continue into next year and with other outturn results are subject to considerable work on savings going forward.


Type	Budget for year £000	Outturn £000	Variance		Performance
			£000	%	
<b>CAPITAL</b>					
<b><u>Education &amp; Skills</u></b>					
Released	35,401	26,645	-8,756	-24.7%	
Unreleased	-263	0	263	-100%	
Funding	-19,555	-8,149	11,406	-58.3%	

**CAPITAL – COMMENTS**

Actual expenditure slippage/underspend of £8.7m includes unutilised contingencies within the programme of £3.8m with a small underspend of £0.3m. Slippage amounts to £7.6m of which £2.1m related to delays at Bierton Primary school due to newts and contractual issues. Other schools had similar contractual and planning issues not assisted by bad weather in February and March eg Hughenden, Haydon Abbey, Millbrook and Oakridge. There was slippage of £0.8m relating to Asbestos and Legionella projects that have been surveyed but not started and £0.5m on emergency works relating to school boilers that did not fail over the winter. Overspends due to accelerated spends amounted to £3m. Income shortfall of £11.4m on s106 relates to the under-utilisation against current schemes which now carry forward.

**Cllr John Chilver**



**Financial Performance – Resources Portfolio**

Type	Budget for year £000	Outturn £000	Variance		Performance
			£000	%	
<b>REVENUE</b>	<b>24,677</b>	<b>24,735</b>	<b>58</b>	<b>0.2%</b>	

**REVENUE – COMMENTS**

The Resources portfolio has delivered a small overspend of £58k. This masks an overspend of £652k in HR/OD, largely due to the use of interims to fill senior vacancies and a delay in some of the savings associated with the shared HR service with Harrow due to protected salaries and transition costs; and an underspend in Finance & Assets of £565k arising from unfilled vacancies and additional income generated by the over-delivery of Property Asset savings.

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Type	Budget for year £000	Outturn £000	Variance		Performance
			£000	%	
<b>CAPITAL</b>					
<b>Released</b>	<b>41,760</b>	<b>41,912</b>	<b>152</b>	<b>0.4%</b>	
<b>Unreleased</b>	<b>6,581</b>	<b>0</b>	<b>-6,581</b>	<b>-100%</b>	
<b>Funding</b>	<b>-37,490</b>	<b>-856</b>	<b>36,634</b>	<b>-97.7%</b>	

**CAPITAL – COMMENTS**


The Resources Property overspend of £152k is largely as a result of an overspend on non-schools property maintenance of £478k due to increased emergency and remedial asbestos work on the corporate estate and an overspend due to the accelerated delivery of the BI Tools project. The overspend was partially offset by slippage of £329k on SAP development projects, £181k on Corporate Applications development and £100k on the development of the Sharepoint service.

There is £3.6m forecast underspend for the Southern Area Office project that is no longer going ahead and £1.7m underspend for the NCO Additional Lift.




**Cllr Bill Chapple OBE**

**Financial Performance – Planning & Environment Portfolio**

Type	Budget for year £000	Outturn £000	Variance		Performance
			£000	%	
<b>REVENUE</b>	<b>10,637</b>	<b>9,769</b>	<b>-868</b>	<b>-8.2%</b>	

**REVENUE – COMMENTS**

The Planning & Environment Portfolio has achieved an underspend of £868k. The principal underspend is in Waste Management (£1.2m) relating primarily to EfW contract performance (Amersham site, lower Band 3 tonnages, income from electricity sales). This is off-set by a shortfall of £0.4m in the delivery of historic savings targets (addressed within the MTFP) and pressures around internal cost recoveries around business improvement and corporate overheads of £0.2m. The overachievement of Agricultural Estate income of £0.2m has contributed to the overall underspend.


Type	Budget for year £000	Outturn £000	Variance		Performance
			£000	%	
<b>CAPITAL</b>					
<b>Released</b>	<b>2,277</b>	<b>1,239</b>	<b>-1,038</b>	<b>-45.6%</b>	
<b>Unreleased</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>	
<b>Funding</b>	<b>-446</b>	<b>-243</b>	<b>203</b>	<b>-45.5%</b>	

**CAPITAL – COMMENTS**

Slippage on gross expenditure relates to planning delays on Waste Transfer Station (Dano site at High Heavens £233k) and Biowaste Treatment (£551k).

**Cllr Mark Shaw, Deputy Leader**


**Financial Performance – Transportation Portfolio**

Type	Budget for year £000	Outturn £000	Variance		Performance
			£000	%	
<b>REVENUE</b>	<b>27,516</b>	<b>27,549</b>	<b>33</b>	<b>0.1%</b>	

**REVENUE – COMMENTS**

The Transportation portfolio has delivered a £33k overspend. This small overspend overall masks £379k of additional works over budget on Routine Maintenance due mainly to the increased work on potholes in quarter 4; and an overspend in Winter Maintenance of £330k following significant snow events. This has been met by additional income of £501k, mostly from Temporary Traffic Regulation Orders and Parking and a contribution from the Adverse Weather reserve.

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Type	Budget for year £000	Outturn £000	Variance		Performance
			£000	%	
<b>CAPITAL</b>					
Released	28,655	26,938	-1,717	-6.0%	
Unreleased	10	0	-10	-100%	
Funding	-2,982	-2,402	580	-19.5%	

**CAPITAL – COMMENTS**

Transportation (TfB) gross slippage of £238k. Action was taken to address the forecast slippage of around £1.4m in January/February 2018 relating to contractual contributions by recycling £500k into a further plane & patch programme and £628k to supporting into particular preparation works for 2018/19 Programme. Slippage of £969k on delivery of a roundabout at Westcott, now expected in 2018/19 and on HS2 Mitigation Schemes - £312k due to construction date delays on Roberts Lane.

## **2. Corporate Costs**

Corporate Costs has delivered an underspend of £3.7m as a result of pressures relating to the National Living Wage and the risks of non-delivery of savings plans not being as significant in the current year as they may have been. The redundancy contingency has not been fully utilised this year and has a small underspend reported.

### 3. Contingencies

	Original Budget	Allocations	Unallocated
	£'000	£'000	£'000
<b>Budget Risk Contingency</b>			
Inflation	100	- 39	61
Risk on MTP proposals	1,500	- 508	992
National Living Wage	2,572	- 1,142	1,430
Major Projects	431	- 431	-
Corporate Contingency	4,154	- 3,621	533
<b>Total</b>	<b>8,757</b>	<b>- 5,741</b>	<b>3,016</b>
<b>Pay &amp; Pensions Contingency</b>			
Pay inflation - BCC	1,378	- 1,137	241
Pension uplift	2,350	- 2,350	-
<b>Total</b>	<b>3,728</b>	<b>- 3,487</b>	<b>241</b>
<b>Service Risk Contingency</b>			
Older People care package choices	250	- 100	150
Social Care pressures	600	- 600	-
Demographics - H&W	1,100	- 1,100	-
Demographics - CS	600	- 600	-
Pressures within the Health & Social Care system	1,000	- 1,000	-
Childrens safeguarding - high cost placements	500	- 500	-
Property Reprocurement	150	- 150	-
<b>Total</b>	<b>4,200</b>	<b>- 4,050</b>	<b>150</b>
<b>Redundancy Contingency</b>			
Redundancy Contingency	700	- 428	272
<b>Total</b>	<b>700</b>	<b>- 428</b>	<b>272</b>
<b>Total Contingencies</b>	<b>17,385</b>	<b>- 13,706</b>	<b>3,679</b>



#### 4. Payment targets – 10 day payments

Portfolio (Target 90%)	Invoices Paid	Paid Late	% Paid on Time
Health & Wellbeing	2,143	168	92%
Children's Services	1,140	139	88%
Education & Skills	929	104	89%
Community Engagement	1,197	24	98%
Leader	177	9	95%
Planning & Environment	289	20	93%
Resources	918	74	92%
Transportation	237	13	95%
Unallocated	26	3	88%
<b>Year to Date</b>	<b>7,056</b>	<b>554</b>	<b>92%</b>

## 5. Outstanding Debt

Portfolio	Outstanding Debt				Total Due
	0-30 days	31-90 days	91-180 days	more than 180 days	
<b>Secured Debt</b>					
Health & Wellbeing	170	161	176	1,671	2,178
Children's Services	-	-	-	35	35
Resources	-	2	-	3	5
Portfolio Not Determined	12	-	8	92	96
<b>Total Secured Debt</b>	<b>182</b>	<b>163</b>	<b>168</b>	<b>1,801</b>	<b>2,314</b>
<b>Unsecured Debt</b>					
Health & Wellbeing	564	551	310	1,843	3,268
Children's Services	48	107	19	371	545
Education & Skills	1,097	2,067	198	170	3,532
Community Engagement	37	1	-	8	46
Leader	3	5	3	22	33
Planning & Environment	67	65	1	48	181
Resources	67	191	142	254	654
Transportation	88	103	22	230	443
Corporate Costs	36	34	-	21	91
Portfolio Not Determined	- 99	- 30	- 10	- 260	- 399
<b>Total Unsecured Debt</b>	<b>1,908</b>	<b>3,094</b>	<b>685</b>	<b>2,707</b>	<b>8,394</b>
<b>Total Debt</b>	<b>2,090</b>	<b>3,257</b>	<b>853</b>	<b>4,508</b>	<b>10,708</b>

## 6. General Reserves

		£m
General Fund at 1 April 2017		24.508
Add	2017/18 Underspend	2.888
<b>General Fund at 31 March 2018</b>		<b>27.396</b>
Council agreed 18/19 release for pot holes		- 1.234
General Fund at 30 April 2018		<u>26.162</u>



## Appendix 2

### **Monitoring of Income Generation targets**

Following the Budget Scrutiny process last year, Cabinet accepted the proposal that income generation targets in the Medium Term Financial Plan should be reported and reviewed by Cabinet on a regular basis.

### **Year-end update on income generation**

The following reflects budget outturn for all 'Additional Income' lines from the last Medium Term Financial Plan.

There were proposals from 6 Portfolios, totalling £5.7m in 2017/18, with this figure rising to £7.5m by 2020/21.

The majority of these proposals were fully delivered in 2017/18. The exceptions to this are below;

- Biomass Boiler income
- Highways Development Management additional income
- Improved recovery for third party damage
- Provision of HR Services to Harrow

Overall non-delivery in 2017/18 thus totalled £448k (7.9%), out of the total of £5.7m

In addition there are proposals within Community Engagement, Health & Wellbeing and Resources which are over-achieving their additional income targets. These total £831k, and more than offset the shortfall in other portfolios.

Looking beyond 2017/18 income from property assets and investment properties in particular is in a strong position to meet its 2018/19 target already with the full year effect of the new investments in 2017/18.

### **Management action to address future year shortfalls**

A number of proposals have been identified as undeliverable (or partly deliverable) in future years and have been addressed through alternative proposals in the latest Medium Term Financial Planning process.

The majority which were identified as undeliverable have been removed as part of the MTFP process for 2018-22, however for the Harrow HR Shared Services there are further improvements to explore in order to maximise savings opportunities in future years.

## Appendix 2

Where there are material and significant shortfalls in delivering these targets in the current year these should have been reported in Appendix 1 of this report.

Table 1 (below) details all the current proposals and includes comments from service management teams on the outturn position against the 2017/18 target for each proposal.

## Appendix 2

### Table 1

Portfolio	Service	Activity	Description	2017/18 £000	2018/19 £000	2019/20 £000	2020/21 £000	Comment - year end	
Community Engagement	Culture & Leisure	Registrars	Fee Increase	(20)	(40)	(60)	(60)	Target for 17-18 more than achieved (£23k) , outturn shows additional one off income of £75k	
	Trading Standards	Trading Standards	Review of charges	0	(15)	(15)	(15)	Full delivery expected	
Health & Wellbeing	Centrally Managed Budgets	Centrally Managed Budgets	Permanent budget adjustments	(2,000)	(2,000)	(2,000)	(2,000)	Delivered in16-17 on recurrent basis	
			Financial Assessments	(1,500)	(1,500)	(1,500)	(1,500)	Delivered in16-17 on recurrent basis	
	Older People (inc Older People Mental Health)	Older People / Older People Mental Health Fairer Charging Income	Client Income, Carers Assessments	0	(50)	(50)	(50)	Not to be pursued & alternative proposal identified	
	Physical & Sensory Disabilities	P&SD Fairer Charging Income	Annual Financial Reassessments	(100)	(200)	(300)	(400)	Overall client income overdelivered saving	
Leader	Growth & Strategy	Growth & Strategy Development	High Speed 2 mitigation and qualifying authority staffing resource with income	(80)	(80)	(80)	(80)	Income has been invoiced to HS2, funding agreement in place.	
Planning & Environment	Environment Services	Country Parks & Green Spaces	Country Parks - increased income from capital investments funding by reserve	(50)	(50)	(50)	(50)	Delivered through car parking income and improved public areas.	
		Energy & Resources	Biomass boilers - increased income	(47)	(52)	(52)	(52)	Income target missed by £70k (against overall £200k target). RHI income has been increased and plans are now in place to address this. Anticipate will achieve target in 2018/19.	
			Energy & Resources - income opportunities / fund reductions	(50)	(165)	(175)	(175)	Current year target met. £60k undeliverable in future years addressed through MTFP. Battery storage project on track to deliver balance of	
		Waste	Third party waste charges and contract income	(145)	(151)	(160)	(171)	Delivered for 2017/18 through EFW electricity sales; and contract with Slough re HRCs.	
Resources	Assurance	Strategic Assets	Property Asset income generation	(500)	(750)	(1,000)	(1,000)	Over delivered in-year, and on track for future years	
			Investment Property Investment	(575)	(575)	(575)	(575)	Fully delivered	
	Consultancy Services	Applications	PSN additional income	(9)	(9)	(9)	(9)	Delivered	
	Operations	HR Operations	Provision of HR Services to Harrow	(310)	(451)	(451)	(451)	Shortfall in-year, met by over-delivery in other areas There are some further improvements to explore in order to maximise savings	
Operations Director BSP		Increase in net revenue from sales	(72)	(72)	(72)	(72)	Fully delivered		
Transportation	Digital and Strategic Options Appraisals	Digital and Strategic Options Appraisals	Winslow car park income	0	0	0	(319)	Delayed due to project slippage. Reprofiled in new MTFP.	
	Environment Services	Highways Development Control	Highways Development Management additional income	(18)	(18)	(18)	(18)	Specific target has been removed as part of this year's MTFP process. Overall team is looking now to expand and increase income	
	Growth & Strategy	Transport Strategy	School crossing patrollers - alternative funding / reduction	0	0	0	(24)	On track.	
	Transport Services	Highways (Client)	Advertising & sponsorship income	(50)	(50)	(50)	(50)	Delivered £49k in 2017/18 outturn. Now anticipating to be on track going forward.	
			Third party damage, improved recovery	(50)	(75)	(100)	(100)	Off-track, income of £179k achieved but offset by debt write-offs; action plan in place to increase recovery. Debt recovery agents Opus	
				Increased charges	(79)	(79)	(79)	(79)	Delivered target through a number of different charges including Parking and Traffic Management Act income.
				Pay & Display Increased Income	(58)	(116)	(174)	(174)	Delivered £200k increase in Parking income achieved at year-end. Delays in specific schemes remain.
			Licence fees additional income	(10)	(25)	(40)	(40)	Delivered £45k increase in licence fees at year end. Future years on	
			(5,723)	(6,523)	(7,010)	(7,464)			





# Report to Cabinet

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<b>Title:</b>	<b>Woodlands Development and Education Contributions</b>
<b>Date:</b>	Monday 21 May 2018
<b>Date can be implemented:</b>	Tuesday 29 May 2018
<b>Author:</b>	Richard Ambrose, Director of Finance and Procurement
<b>Contact officer:</b>	Stephen Chainani, School Place Planning Officer
<b>Local members affected:</b>	Bill Chapple, Aston Clinton & Berton
<b>Portfolio areas affected:</b>	Cabinet Member for Resources Cabinet Member for Education and Skills

*For press enquiries concerning this report, please contact the media office on 01296 382444*

## Summary

The Aylesbury Woodlands Development provides a unique opportunity to bring forward high quality commercial floor-space, creating local employment opportunities, in addition to providing the funding mechanism to underpin the costs of developing the Eastern Link Road (South). The development would provide up to 1,100 market and affordable dwellings and an additional 60 residential extra care units, together with a mixed use local centre and provision of land for a new primary school. The development represents a unique public sector planning promotion through a joint partnership between Buckinghamshire County Council (BCC) and Aylesbury Vale District Council (AVDC).

The application went before AVDC planning committee on 26 October 2017 where they recommended that permission be deferred and delegated to Officers for approval subject to the satisfactory completion of a Section 106 (S106) planning obligation agreement in respect of necessary infrastructure requirements arising from scheme including education.



## Recommendation

Cabinet are asked to consider the proposals and the associated risks set out in the report and to agree:

1. the delivery of the Aylesbury Link Road and Employment Enterprise Zone through a £4.6m reduction in education contribution on the Woodlands development
2. the strategy outlined in the report to mitigate the shortfall in education contribution including a viability review mechanism, seeking alternative sources of funding and developing a cost effective infrastructure procurement framework.

### A. Narrative setting out the reasons for the decision

#### Background

In March 2016 Buckinghamshire Advantage (BA) submitted a planning application for Aylesbury Woodlands, College Road North, Aston Clinton to deliver:

- (i) up to 1,100 market and affordable dwellings (including a proportion of custom build dwellings) and an additional 60 residential extra care units, together with a mixed use local centre and provision of land for a new primary school;
- (ii) substantial economic growth (up to 102,800sqm of employment floor-space) within the designated Arla/Woodlands Enterprise Zone (EZ);
- (iii) essential highway infrastructure as 'up-front' provision (i.e. strategic link road connecting the Eastern Link Road (North) to the A41 Aston Clinton Road) enabling a new orbital route to be created around Aylesbury (including flood mitigation measures);
- (iv) additional sports facilities to provide the platform for a Sports Village to support the growing Aylesbury community; and
- (v) green infrastructure to establish a sustainable, connected community.

The application is considered to be in line with the strategy of the emerging Vale of Aylesbury Local Plan and the objectives for the Government approved Aylesbury Garden Town initiative. The Woodlands site is a designated Government Enterprise Zone and combined with Aylesbury's recent designation as Garden Town, the site is well placed to deliver infrastructure and growth. The application was first reported to Cabinet on 26 June 2017 when Members acknowledged that Woodlands was integral to a new orbital route around Aylesbury although expressed concerns about the proposed reduced contributions. Cabinet requested that the proposal come back to Cabinet for further consideration once the application had been through AVDC planning committee. AVDC planning committee has since recommended that Officers approve the application once the S106 agreement has been completed.

#### The development approach

The Woodlands development is being promoted by Buckinghamshire Advantage (BA). This is a company wholly owned by Bucks Business First (representing the business community of Buckinghamshire) and the five Councils but the Woodlands development only involves BCC and AVDC. BA is the operational arm of Buckinghamshire Thames Valley Local Enterprise Partnership (BTVLEP) on the delivery of BTVLEP funded capital schemes, ensuring local growth funds are invested to maximum effect. It also promotes and delivers

capital projects helping Buckinghamshire's economy develop sustainably. The woodlands development represents a unique public sector planning promotion through a joint partnership between BCC and AVDC.

## **Key advantages**

The Woodlands development represents a large, mixed use, employment and infrastructure led development. AVALB has always intended for Woodlands to be an employment led scheme and a significant portion of the site has subsequently acquired Enterprise Zone status.

The development is designed to be complementary and not competitive with other development market activity, some of which is adjacent to this site. It is a difficult site to develop because of flood issues and has no planning policy status yet. The area has not been attractive to the wider market due to these constraints. However, because of the work and evidence supporting the planning application has been shown capable of addressing the constraints, the site has been put forward for allocation within the draft Vale of Aylesbury Local Plan and the Eastern Link Road component forms a key link road identified in the Aylesbury Transport Strategy.

The main benefit is the delivery of the Eastern Link Road and employment land, with compatible flood plain and open, sporting space. Housing also makes a key contribution to Aylesbury's growth target, and is included to meet local need, create a sustainable community, and improve the cash-flow and to pay for the primary infrastructure and flood mitigation.

The development offers the potential for exemplary and innovative approaches e.g. custom build, heat transfer systems, business incubation, in addition to a Joint infrastructure delivery plan with neighbouring developers at Hampden Fields with appropriate cost sharing provisions to mitigate transport impacts. The Councils have taken an active role to date in the development through Aylesbury Vale Advantage Legacy Board<sup>1</sup> (AVALB) to be positioned to be able to influence the standard of development and innovation potential. The Woodlands development is a key part of unlocking growth and connectivity around Aylesbury and has the potential to be an iconic quarter, showcasing high quality design and Garden Town principles.

## **Viability and policy compliance**

The viability of Woodlands remains a significant challenge because of the site constraints – development within the floodplain and the need to provide expensive infrastructure up front to unlock the site (Eastern Link Road South) – and also due to its land use comprising significant commercial/employment provision (102,800sqm) and smaller housing component (1,100 units) than traditional urban extension developments.

A viability appraisal was undertaken by Savills (May 2017) on behalf of AVALB and subsequently reviewed by the District Valuation Service (DVS) to agree baseline assumptions. In order to be policy compliant the scheme would require delivery of the following planning obligations:

- 30% affordable housing (made up of 70% affordable rent and 30% intermediate e.g. shared ownership);

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<sup>1</sup> AVALB is a subset of BA involving just BCC and AVDC - as this scheme is ring-fenced to just these two partners.

- Financial contributions covering Education, Highways infrastructure, Open spaces and other infrastructure;
- Provision of the Eastern Link Road (South) at an estimated cost of £28m; and
- considerable flood mitigation and drainage measures.

Initial scenario testing of the viability appraisal submitted by the developer showed a funding shortfall. To ensure, the scheme can be delivered viably and in order to mitigate the funding shortfall, the developer is proposing that the planning obligations be prioritised and has put forward the following measures to address the shortfall:

- A reduced Secondary Education Contribution of £1.8m out of a total £6.4m (i.e. a shortfall of £4.6m) payable to BCC as Education Authority.
- A reduction in the Affordable Housing to 20% together with a revised affordable tenure mix.

A balancing exercise was undertaken as part of the report to October 2017 AVDC Planning Committee to demonstrate that the 'benefits of the scheme outweighs the dis-benefits'. In respect of this development, there are clear transport benefits around the delivery of the Eastern Link Road (South) and the employment floor space to be provided.

Members should note that a similar approach to what is being proposed by the developer for the Aylesbury Woodlands development was agreed on the Kingsbrook Development (2450 homes).

### **Options to mitigate any shortfall in Education Contributions**

It is a statutory responsibility of BCC to ensure that there are sufficient school places and so any shortfall in Education Contributions will require mitigations to be found. Various options are currently being considered in order to mitigate this potential shortfall. These include:

- A review mechanism to revisit the viability of the scheme as it progresses (as agreed for the Kingsbrook development). This could allow the S106 contribution to increase should land values rise;
- As well as receiving the full contribution for primary and special school provision (£7.5m), the proposed 2FE primary school site could accommodate demand from neighbouring development (based on pupil yield estimates from Woodlands);
- Pursuing cost effective approaches to drive down expected costs (e.g. develop effective procurement framework, value engineering etc.);
- Investigating potential opportunities to secure additional third party funding e.g. through the Housing Infrastructure Fund bids (HIF)<sup>2</sup> or Garden Town initiative.
- Seek approval from the BTVLEP / EZ Board to use some of the retained business rates from the Enterprise Zone;
- Secure greater flexibility/control on developer contributions with regard to both the level (i.e. any cost savings made in one sector be used to offset deficits in other areas) and timing (e.g. forward funding mechanism on phased payments);
- Negotiate down the other land owners target receipts;
- Creation of a new free school via suitable sponsor or equivalent government initiative;

<sup>2</sup> The joint AVDC/BCC HIF Marginal Viability bid for £9.5m to support delivery of the major housing growth at Aylesbury Garden Town (AGT) has been successful. A key priority for the award is to support the marginal viability of the Woodlands scheme and the progression of the ELR. A joint AVDC and BCC HIF Forward Funding bid for £204m was submitted 28th September 2017 and includes a request to support delivery of the Aylesbury Ring Roads. The Expression of Interest bid was successful in progressing to the next stage.

- Seek approval from AVALB to recycle any forecast profit from acting as the developer, should this materialise.

## **Key Issues and Risks**

Key financial risks include:

- There is a risk that the mitigation strategy does not cover the funding shortfall and as a result BCC has insufficient funding for the proposed provision of secondary education school places - preventing BCC from meeting its statutory sufficiency duty.
- Forward funding may be required if schools infrastructure is delivered in advance of planned S106 Education contributions (as with any other new schools as a result of new development).
- Viability of Woodlands - site constraints / development within the floodplain, up front infrastructure to unlock the site e.g. ELR(s), significant commercial provision and smaller housing component than traditional urban developments, means that the site has only marginal viability. Development / infrastructure costs assumed within the viability could increase despite efforts to value engineer the costs down; plus residual land values may decrease due to changes in the economy.
- If planning approval is not granted then there will be a missing part of the link road around Aylesbury and the investment costs made to date through the AVALB will not be repaid as currently assumed.

### **B. Other options available, and their pros and cons**

The authority could decide not to accept any reduced Education Contributions and, therefore, not to support the development as it is currently proposed. However, the authority would still need to deliver the ELR (S) and the currently allocated LGF funding is insufficient to do this.

### **C. Resource implications**

The decision to agree a reduced Education contribution will result in a £4.6m shortfall in funding for the required School places. A robust mitigation strategy is in place and as a result this risk has been appropriately managed.

The financial viability of the development has been assessed and tested as a key part of the progressing of the development to planning approval stage.

There are financial risks around the scheme (see above). Delays in the delivery of the required infrastructure in a timely fashion could also lead to cost pressures and overruns.

Some investment has already been made by BCC in order to support the delivery of the scheme to outline planning approval stage (which is due to be repaid by AVALB).

### **D. Value for Money (VfM) Self Assessment**

The viability of the scheme has been reviewed by Savills to ensure that the scheme is affordable and offers value for money. The scheme provides wider value for money benefits through the securing of the Eastern Link Road (South) - a key piece of strategic

highway infrastructure required to complete the Aylesbury link roads - and commercial infrastructure within the Enterprise Zone site.

## **E. Legal implications**

In considering the viability mitigation measures proposed by the developer set out in this report, members should note that the government's policy (as set out in Paragraph 173 of the NPPF) is that development should not be subjected to such a scale of S106 obligations that the development becomes unviable. Accordingly, where an applicant has demonstrated satisfactorily through a tested viability appraisal (as has been the case with the Woodlands development) that a planning obligation being required would cause the proposed development to be unviable, local authorities are advised to be flexible in seeking such planning obligations but at the same time ensuring that the adverse impacts from the proposed development are adequately mitigated.

BCC local guidance on education planning obligations which was adopted June 2010 (see Appendix 1) also acknowledges scenarios where obligations may have to be prioritised in the event that planning obligations render a development unviable and paragraph 6.13 states in relevant part:

“BCC accepts that in some circumstances the planning obligation requirements associated with a development may render it unviable, although paying too much for the site is not necessarily reasonable justification. In such cases, BCC will require developer to share a viability appraisal, financial information or a valuation report (with current values) with Council Officers for independent scrutiny. Whilst commercially sensitive information will be treated in confidence, it may be necessary to report key issues and conclusions to senior Council Officers and elected Members at both BCC and the relevant planning authority when considering the planning application. If it is subsequently agreed that a developer cannot afford to meet all of the requested S106 requirements associated with their development, planning obligations may be prioritised in negotiation with the developer subject to the proposal being acceptable in all other respects. BCC and the local planning authority will need to come to a view as to whether, on balance, the benefits of the scheme (e.g. its contribution to the sustainability of the local area) outweigh the disbenefits of the developer not fully funding the necessary infrastructure. Consideration will also be given to support from other sources of funding (e.g. Social Housing Grant) or likely future market changes (i.e. any reductions in planning obligations agreed at the bottom of the market may be recovered in full or part when the market picks up).”

This was the same basis on which reduced education contributions were agreed on the Kingsbrook development.

## **F. Property implications**

Strategic property have been consulted on the proposals and delivery of appropriate infrastructure.

## **G. Other implications/issues**

The development has wide ranging potential impacts and briefings have been held to ensure that partners and other parts of the Council are aware of and can feed into the proposal. Separately to this report, Cabinet will be asked later in the year to consider the options around the ongoing development of the site and the provision of the Eastern Link Road (South).

## **H. Feedback from consultation, Local Area Forums and Local Member views**

Formal public consultation was undertaken in 2016 prior to submission of the planning application and by Aylesbury Vale District Council, as planning authority, following the submission. The Local Member has been briefed on the proposal. On 26 October 2017 AVDC planning committee recommended that permission be approved subject to the satisfactory completion of a S106 agreement.

## **I. Communication issues**

These will need to be considered should planning approval be granted.

## **J. Progress Monitoring**

Further updates to be provided regularly as required.

## **K. Review**

A review mechanism will be built into the S106 agreement to revisit the viability of the scheme as it progresses. When appropriate, through the Medium Term Financial Planning Process.

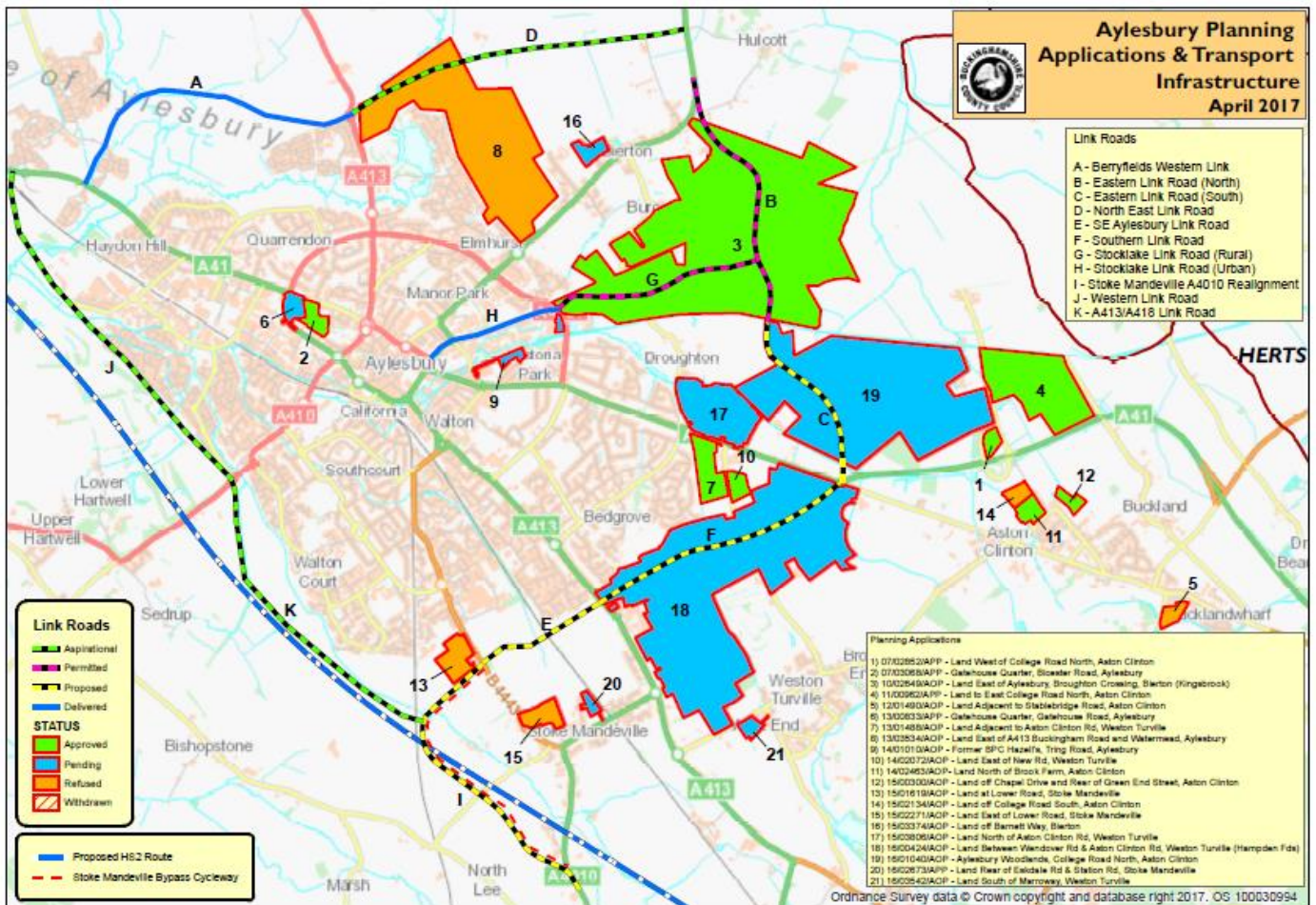
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## Background Papers

Aylesbury Woodlands Planning Application – 16/01040/AOP

<https://publicaccess.aylesburyvaledc.gov.uk/online-applications/search.do?action=simple&searchType=Application>

Aylesbury Woodlands Website - <http://aylesburywoodlands.co.uk/>



## Your questions and views

If you have any questions about the matters contained in this paper please get in touch with the Contact Officer whose telephone number is given at the head of the paper.

If you have any views on this paper that you would like the Cabinet Member to consider, or if you wish to object to the proposed decision, please inform the Member Services Team by 5.00pm on Friday 18 May 2018. This can be done by telephone (to 01296 382343), or e-mail to [democracy@buckscc.gov.uk](mailto:democracy@buckscc.gov.uk)



# Appendix 1

## Buckinghamshire County Council

### Children and Young People's Service

#### Guidance on Planning Obligations for Education Provision



## **1. Introduction**

- 1.1 Buckinghamshire County Council (BCC) has a statutory duty to ensure that there are sufficient early years and school places in its area and to promote parental choice through increasing the diversity of provision.
- 1.2 In Buckinghamshire the challenge for school place planning is to address a decline in the pupil population in some areas leading to surplus places; Whilst other areas (such as northern Aylesbury Vale, Aylesbury Town and High Wycombe) face a shortfall of school places because of housing growth. In Chiltern and South Bucks Districts, indications are that the pupil population is not falling as anticipated; it is believed that young families are moving into the area from outside the County due to the reputation of its schools for high educational standards, and its close proximity to London for commuters. Combined with this is an increase in fertility rates across the county which are at their highest levels since 1980. This increase in population is placing significant pressure on school places.
- 1.3 To create sustainable communities, BCC needs to ensure adequate provision of education infrastructure. Developers are expected to meet demands or mitigate the impacts of their proposals through planning obligations.

## **2. Vision**

BCC's vision for the provision of education in the County, as agreed by Buckinghamshire Children and Young People's Strategic Partnership, is as follows:

*In Buckinghamshire, we want all our children and young people to have the best start in life and to be able to lead safe, healthy and fulfilling lives, and to be able to make a positive contribution to their communities and to society. We will ensure access to a range of universal services as well as developing more targeted services to meet their specialist needs.*

## **3. Purpose**

- 3.1 The aim of this guidance is to secure a coherent and consistent approach to ensuring that developers provide or make appropriate contributions to meet the costs of additional education infrastructure requirements generated by new housing developments. This will help to reduce the uncertainty and time spent on negotiating individual planning applications. The guidance also aims to inform the four Buckinghamshire District Councils in the preparation of policies on developer contributions. It will be regularly reviewed as necessary to take account of changes in Government guidance, experience gained through subsequent negotiations, and to incorporate the latest available building costs and figures on occupancy levels - without the need for a full scale review.
- 3.2 This guidance establishes:
  - (i) the process for agreeing developer contributions for education provision;
  - (ii) the criteria by which the demand for additional education services are assessed;
  - (iii) the basis on which the costs of providing those services is established; and
  - (iv) the payment of contributions and how they will be spent.

## **4. Government and Local Policy on Planning Obligations**

### National Policy

- 4.1 Developers may be required to contribute towards the cost of securing the infrastructure necessary to meet the increased needs for services arising from developments. Section 106 (S106) of the Town and Country Planning Act 1990 allows a local planning authority (in Buckinghamshire, the four District Councils) to enter into a legally-binding agreement with a developer or for a developer to provide a unilateral undertaking to secure those contributions.
- 4.2 Guidance issued by the Secretary of State on Planning Obligations (Circular 05/05) sets out the framework within which local planning authorities may seek planning obligations. Paragraph B15 recognises that if a proposed development would give rise to the need to provide additional or expanded community infrastructure, for example, a new school classroom, which is necessary in planning terms and not provided for in the application it might be acceptable for contributions to be sought towards this additional provision through a planning obligation. The Circular states that planning obligations should only be sought where they meet all of the following policy tests:
- a. *relevant* to planning (i.e. in order to bring a development in line with the objectives of sustainable development as articulated through the relevant local, regional or national planning policies);
  - b. *necessary* to make the proposed development acceptable in planning terms;
  - c. directly *related* to the proposed development – for example, there should be functional or geographical link between the development and the planning obligation;
  - d. fairly and reasonably related in *scale and kind* to the proposed development;
  - e. *reasonable* in all other respects. The developers may reasonably be expected to contribute to the cost of all, or that part of, additional infrastructure provision which would not have been necessary but for their development.

The Circular also provides guidance on different types of contributions which may be made, for example pooled contributions – i.e. where the cumulative impact of a number of developments creates the need for infrastructure, it may be reasonable to pool contributions to secure infrastructure in a fair and equitable way. It also encourages local authorities to employ formulae and standard charges to indicate the level of contribution likely to be sought.

### Regional and Local Policy

- 4.3 Government's Planning Policy Statement 12: Local Spatial Planning (June 2008) states that the development plan is made up of the Regional Spatial Strategy (RSS) produced by the Regional Assembly and Development Plan Documents (DPD) produced by local planning authorities within the local development framework (LDF). The Core Strategy is the principal DPD which includes the overall vision setting out how the area and the places within it should develop, strategic objectives for the area focusing on the key issues to be addressed and a delivery strategy for achieving these objectives. The core strategy should be supported by evidence of what infrastructure is needed to enable the amount of development proposed for the area,

taking account of its type and distribution. Supplementary Planning Documents (SPD) provide greater detail on the delivery of policies in its DPDs.

4.4 The South East Plan which covers South East England and was produced by the South East England Regional Assembly (SEERA) is the RSS and was adopted in May 2009. The plan requires the following new homes for each district between 2006 and 2026:

- Aylesbury Town: 16,800
- Rural Areas of Aylesbury Vale District: 10,090
- Chiltern District: 2,900
- South Bucks District: 1,880
- Wycombe District: 8,050

Policy CC7 of the plan states that contributions from development will be required to help fund the necessary infrastructure. The policy also states that local authorities should provide clear guidance on the role of developer contributions towards infrastructure to provide clarity for landowners and prospective developers.

However on the 27 May 2010, the new coalition government made a commitment to abolish RSSs including the removal of Regional and District level housing targets. Decisions on housing supply will rest with Local Planning Authorities and LDFs will continue although there may be a need to revise them. As details of the changes emerge, they will need to be incorporated into this guidance.

4.5 In April 2007 Wycombe District Council adopted a comprehensive developer contributions SPD as part of their LDF which includes details on how and when development should contribute to the provision of education infrastructure. The SPD takes precedence over this guidance, although this document may be used to help inform future reviews of the SPD.

4.6 BCC is currently consulted by Aylesbury Vale District Council (AVDC) on all developments above a 10 dwelling threshold and has the ability to negotiate contributions towards education provision directly with the developers. Policy GP94 of the Aylesbury Vale District Council Local Plan to 2011 (adopted January 2004) states: "In considering applications for residential development the Council will have regard to the need for the provision of community facilities arising from the proposal. Conditions will be imposed on permissions, or planning obligations sought in order to secure appropriate community facilities, or financial contributions thereto, reasonably related to the scale and kind of housing proposed." Further, policy CS14 of AVDC's submitted Core Strategy states: "The Council requires, through the use of developer contributions, that all new development provides or contributes to necessary on or off-site infrastructure requirements which are required to support the development in order to avoid placing additional burden on the existing community. A developer contributions SPD is to be produced that will set out the process for calculating developer contributions and the mechanism for securing them, which may include pooling contributions."

4.7 The currently adopted Local Plan's for both Chiltern (CDC) and South Bucks (SBDC) covering the period 1996-2006 refer to BCC's Structure Plan (now superseded by the South East Plan) which acknowledges the importance of community provision and states that "new residential development must be consistent with the availability of

services, including schools."

CDC's emerging Core Strategy which covers the period 2006-2026 states that the Council will encourage the provision of infrastructure to serve the requirements of the District's residents and businesses. Where appropriate, new developments will be required to help achieve this, and as a minimum will be expected to provide sufficient infrastructure to meet the needs of future occupiers. The Council will work closely with infrastructure providers in the District to identify solutions to remedy existing infrastructure deficiencies and to ensure that the infrastructure requirements of new development are met. If a need is identified, the Council will seek financial contributions from new development to help meet infrastructure provision in the District. Infrastructure requirements will be dealt with in more detail in the Delivery DPD (Policy CS 36).

South Bucks District Council's emerging Core Strategy preferred policy approach 28 (Securing infrastructure through planning obligations) states: "The preferred approach is to seek to enter into planning obligations with developers, in order to mitigate the impact of a development by helping to secure a particular facility needed in connection with that development, for example by securing contributions towards additional or enhanced community infrastructure."

- 4.8 The Community Infrastructure Levy (CIL) Regulations came into force on 6 April 2010. The CIL is a national tariff-based scheme which would be based on square metre of gross internal floorspace as opposed to number of bedrooms. Adoption of the CIL by local planning authorities is discretionary. However, local authorities would be empowered to charge the CIL on new developments to help finance the infrastructure needed to support growth. It would replace the current system of negotiated planning obligations and pooled contributions, but it would not cover on-site works (e.g. where the developer provides a new school). As a pay-as-you-go scheme, the CIL would make it impossible to ask developers to forward fund infrastructure.

## **5. BCC School Place Planning Principles**

- 5.1 After extensive consultation BCC's adopted policy on Early Years and School Place Planning established the following principles to guide decision making:

- Improved outcomes - developing high quality provision by encouraging partnerships between schools and ensuring buildings are fit to meet the 21<sup>st</sup> Century curriculum;
- Maximising efficiency in pursuit of high quality by ensuring cost effective provision through removal of surplus places<sup>1</sup>, developing links to other initiatives (e.g. extended services) and actively seeking developer contributions;
- Local schools for local children by promoting community cohesion (e.g. providing schools of the right size and in the right place to serve their communities);
- Facilitates diversity of educational provision to promote choice to parents;

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<sup>1</sup> Audit Commission recommend planning for 95% occupancy in schools to allow for year on year changes in births and parental choice.

- Sustainability of schools in terms of financial, social and environmental impacts;
- Consultation as part of the commissioning process;
- Working in partnership with key stakeholders.

## **6. Process for agreeing contributions**

- 6.1 BCC is not the plan making body for local spatial planning (i.e. Local Development Frameworks) nor does it determine the majority of planning applications, including residential development. As such, planning obligations for County Council services must be achieved in co-operation and agreement with the relevant District Planning Authority (DPA). When lack of education provision is a major issue in the consideration of development proposals at a public enquiry or appeal, where appropriate, BCC will provide evidence to the DPA in support of the requirement and make available a suitable expert witness to appear at inquiry. BCC will underwrite any costs awarded against the District Council, in respect of education matters at appeal or enquiry, where BCC has been judged to have acted unreasonably.
- 6.2 BCC is working with each of the Bucks Districts to include education provision requirements into a Developer Contributions SPD – similar to the arrangements already in place with Wycombe District Council. However, until such policies are in place, it is incumbent on BCC to identify proposals from the weekly planning application lists published by the District Councils on which we would wish to comment.
- 6.3 Best practice guidance on the validation of planning applications suggests a checklist of what planning applications should include. Amongst other things the principles of an agreement, or “Heads of Terms”, will normally be expected to be established prior to an application being determined and the necessary legal agreement will need to be completed before a planning consent is issued by the local planning authority. A flow-chart showing the S106 planning obligations system as typically applied by a local planning authority in relation to a minor planning application is provided as Appendix 1
- 6.4 Contributions will only be sought on development proposals of four or more dwellings where BCC indicates to DPAs that there is already pressure to provide education services. This is the same threshold used by Wycombe District Council and has been adopted to strike a balance between an equitable system of contributions and the imposition of disproportionate costs in dealing with small applications. On average a development of four dwellings will generate a single pupil which is a meaningful level of contribution that will have an impact on facilities. In the future, BCC would wish to see the threshold reduced to one dwelling to ensure fair and consistent treatment of all developments and to reflect the fact that small projects may not in themselves have an impact on infrastructure within an area but collectively they do create additional demands.
- 6.5 Contributions will not be sought from housing where it can be demonstrated that the accommodation will not generate additional children into the education system (e.g. sheltered housing or homes which are exclusively for students or the elderly).

- 6.6 When a planning application involves demolition and rebuilding, contributions will apply to the net number of new dwellings created.
- 6.7 Education infrastructure required may include land and buildings for a new school or more typically an extension to an existing school to increase the capacity of the school to meet the needs of additional pupils. In view of the number of smaller residential developments currently taking place in the County and their cumulative impact on the capacity of educational facilities, developer contributions will be pooled in accordance with Circular 05/05 so that infrastructure can be secured in a fair and equitable way.
- 6.8 Applications seeking to renew planning permissions will require reassessments where there has been a material change of circumstances.
- 6.9 BCC will alert the District Councils to the potential need for planning obligations at the earliest opportunity - usually through the Development Plan Process. This will identify potential need, enabling developers to build education infrastructure requirements into their land cost calculations, and providing a clear policy background for the needs to be a material consideration when determining any application. It should however be noted that requirements do not need to be published in a local plan for them to be regarded as a material consideration.
- 6.10 Some developments are not known about until Planning Application stage and comments will be incorporated in any response to the District Planning Authorities on Strategic Planning merits, including those objected to on planning policy grounds within the required 21 day period.
- 6.11 Consultation should take place at outline/full application stage even if the site has previously been investigated at Local Plan or Development Brief stage as significant changes in school rolls can occur in a short period. Consultations at pre-application discussion stage would be welcomed.
- 6.12 District Councils will be advised when applicants (or their consultants) make direct contact with BCC, and will receive all copies of all correspondence and information relating to the development site throughout the process.
- 6.13 BCC accepts that in some circumstances the planning obligation requirements associated with a development may render it unviable, although paying too much for the site is not necessarily reasonable justification. In such cases, BCC will require developers to share a viability appraisal, financial information or a valuation report (with current values) with Council Officers for independent scrutiny. Whilst commercially sensitive information will be treated in confidence, it may be necessary to report key issues and conclusions to senior Council Officers and elected Members at both BCC and the relevant planning authority when considering the planning application.

If it is subsequently agreed that a developer cannot afford to meet all of the requested S106 requirements associated with their development, planning obligations may be prioritised in negotiation with the developer subject to the proposal being acceptable in all other respects. BCC and the local planning authority will need to come to a view as to whether, on balance, the benefits of the scheme (e.g. its contribution to the sustainability of the local area) outweigh the disbenefits of the developer not fully

funding the necessary infrastructure. Consideration will also be given to support from other sources of funding (e.g. Social Housing Grant) or likely future market changes (i.e. any reductions in planning obligations agreed at the bottom of the market may be recovered in full or part when the market picks up).

6.14 A contribution calculator is available to calculate the number of children likely to be generated by a development and assess the level of contribution required.

## **7. Assessing Need**

### **Primary and Secondary School Provision (4-18 year olds)**

7.1 The Audit Commission<sup>2</sup> best practice guide on school place planning (Trading Places) recommends that school occupancy should be reviewed on an annual basis at both aggregate level for sub areas and at individual school level. It is right to try and ensure that there are sufficient places at catchment area level - as parents have an expectation that their child will be able to secure a place at their local school and minimise the distance they need to travel. However, it is also important to plan at an area level to recognise the complexities of parental preference. Indeed the Education and Inspections Act 2006 places a duty on local authorities to promote choice and diversity in relation to provision of school places. Forecasting at planning area level also has the effect of cancelling out the effect of changes in parental preference (and ensuring uniform trends in pupil numbers) which allows local authorities to make more effective decisions about adding and removing capacity.

BCC's policy on Early Years and School Place Planning is based on Local Area School Place Plans which reflect the needs and aspirations of the local community. The planning areas are based on

- (i) established patterns of pupil movement;
- (ii) local community boundaries established by BCC for the delivery of local services;
- (iii) feeder school links;
- (iv) physical boundaries;
- (v) school catchment areas.

The 2 and 3 mile radii used by the Department for Education (DfE) for assessing borrowing requirement allowances is not appropriate for assessing school place requirements, as they do not take into account parental preference, the rural nature of the authority or catchment area boundaries.

In the County there are four secondary planning areas (one for each district) and 18 primary/nursery planning areas. The planning areas for secondary schools are much larger than those for primary schools as parental choice is exercised to a greater degree at secondary level.

An area planning approach satisfies the policy test set out in Government Circular 05/05 (Planning Obligations) which states that where off-site provision / enhancement of a facility is required there is to be a functional or geographical relationship with the proposed development. Significant pupil movement as a result of parental choice and overlaps between school catchment areas show that developments will not only

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<sup>2</sup> The Audit Commission is an independent watchdog, funded by Central Government, to ensure economy, efficiency and effectiveness in local public services.



have an impact on the catchment schools but also on other schools within their relevant planning area. In September 2008, a decision by the Secretary of State (Application ref CH/2006/1772/OA) confirmed that BCC's methodology for assessing need (i.e. planning not just for the catchment area school but also for the wider area) met the policy tests of Circular 05/2005 - despite the lack of detailed spending plans or detailed policies within the District Council's adopted Local Plan.

- 7.2 Projections of supply/demand for school places are based on Audit Commission recommendations. They are calculated for a five year period for primary schools and a 10 year period for secondary schools and are derived from current number on roll, demographic information about births, data on planned housing and pupil number trends. It would be difficult for a local authority to plan further ahead due to the uncertainty in forecasting future births and changes to government policy. The projections are updated at least every two years.
- 7.3 Pupil demand is assessed against school capacity<sup>3</sup> which is equivalent to the higher of the school's DfE net capacity calculation (including temporary classrooms) and its current number on roll.
- 7.4 It is generally accepted that schools should not operate at 100% of their capacity, and a small surplus in places does not necessarily equate to there being sufficient capacity within schools. The Audit Commission recommends that local authorities should plan for a 95% occupancy rate in schools to allow for volatility in preferences from one year to the next (e.g. year on year changes in the birth rate). BCC is meeting this requirement in most areas. An exception to this is the grammar sector where BCC plans for 0% surplus capacity - where owing to the Greenwich Judgement<sup>4</sup> any spare capacity is generally filled by pupils living outside Buckinghamshire (although overall there is little net movement of secondary pupils across the County boundary). If surplus capacity falls below the 5% threshold of sustainability described above (or 0% for grammar schools), a contribution towards provision of school places will be required.
- 7.5 Although education post 16 is currently non-statutory, there is a statutory requirement to secure the required further education provision for children aged 16-18.

Further, the White Paper *Raising Expectations* (published on 17 March 2008) sets out proposed changes to the delivery system for education and training as participation age is raised to 18. The government proposals included the following as set out in the Education and Skills Act 2008:

- Responsibilities will be transferred from the Learning and Skills Council (LSC) to LAs (effective from 2010/11);
- LAs will have the strategic lead for planning, commissioning, funding and organising 14-19 education and training within the local area.

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<sup>3</sup> The Audit Commission definition of surplus places

<sup>4</sup> The Greenwich Judgement court case established that LA boundaries should not be considered relevant if parents chose that their children should be educated in a different LA school, provided that that school had a place available.

As teaching spaces in secondary schools are shared between pupils aged 11-15 and 16+ it is necessary to assess 11-15 and post 16 provision together.

This guidance will need to be reviewed once the full impact of the proposed changes to the 14-19 curriculum are known. The proposal to raise the participation age to 18 is likely to impact on both post 16 staying-on rates and pupil generation rates.

- 7.6 Current projections show there is a shortfall in places in the secondary phase in all parts of the County (apart from in South Bucks grammar schools), and many primary planning areas are already, or are anticipated, to have a deficit in capacity in the next five years (See Appendix 2 for areas of shortfall in primary and secondary school places).

#### Pre-School Provision (3-4 year olds)

- 7.7 The local authority has a duty to provide free early years provision for every child who wants it from the term following their third birthday. This means that a child is entitled to spend up to five terms in an early year's provision before admission to a school's reception class. These children are accommodated through a mixture of maintained (i.e. school), voluntary, private or independent sector provision (i.e. pre-school, nursery, independent school, accredited childminder). Where the number of nursery aged pupils generated by a development cannot be accommodated within existing provision, BCC will seek a contribution towards the capital costs of additional facilities. Any increased demand for early years places generated by developments will be assessed on a case by case basis. The data on Early Year's provision is currently being reviewed as part of BCC's update to its Childcare Sufficiency Assessment and will be published by March 2011.

At present early education provision is an entitlement to 12.5 hours per week which will increase from September 2010 to 15 hours per week - offered flexibly over a minimum of 38 weeks per year. In addition, the government now fund some provision for a limited number of 2 year olds who meet specific funding criteria as part of a pilot programme.

#### Children Centres including Early Years Provision (0-3 year olds)

- 7.8 The Apprenticeships, Skills, Children and Learning Bill now makes it a statutory duty for LAs to ensure that every community is served by a Sure Start Children's Centre, offering permanent universal provision across the country, ensuring that every child gets the best start in life. Children's Centres offer services for under fives and their families, bringing together health, early education, childcare and advice and support for parents. In addition, the Childcare Act 2006 requires local authorities to secure adequate early learning provision and to secure sufficient childcare for parents who wish to work. Development of around 3000 dwellings will generate the need to secure accommodation and land for one Children's Centre. The size of a typical Children's Centre is 200 sqm (excludes pre-school provision) and building costs (including external works, furniture and equipment and professional fees) are equivalent to £2,500 per sqm. The size of the external area should be 235 sqm and will need to include a fenced canopied play area, parking for staff, buggy and bike storage in line with the Governments `Healthy Living` policy.

## Special School Provision

7.9 For developments over 200 dwellings an assessment will be made of the need to secure additional accommodation for pupils with special educational needs (SEN). Special school provision across the County is already at capacity with significant numbers of temporary classrooms in place to cope with existing demand from within county. BCC is also a significant net exporter of pupils to non-Bucks maintained special school provision (in particular pupils with an autistic spectrum disorder and with behavioural, emotional and social difficulties).

The proportion of Bucks primary and secondary pupils who attend a special school is 1% and 2.4% respectively – therefore to determine the number of special school pupils generated from a site, it is necessary to apply these percentages to the mainstream pupil estimates. The pupil yield figures for mainstream schools are accordingly reduced by the same percentage. Based on DfE Building Bulletin 102, a special school pupil requires between four to five times the space of a pupil in mainstream provision. The cost per pupil for providing a special school place is therefore estimated at four times the build cost of mainstream provision.

7.10 Where a need to provide additional capacity has been identified, contributions for education will normally be sought for:

- 3 – 4 years (Nursery places)
- 4 - 10 years (Primary School places)
- 11 - 18 years (Upper School places)
- 11- 18 years (Grammar School places)
- Children Centres including Early Year's provision
- Special School places

## **8. Calculating Contributions**

8.1 Where developer contributions are required, they will be calculated by multiplying the number of children likely to be generated by the net dwellings from the development (Table 1) by the costs of providing additional places (Table 2).

8.2 BCC will make neighbouring authorities aware of any developments planned in areas of the county that are covered by the catchment area of schools maintained by neighbouring authorities. Similarly, BCC will comment on any planning applications in neighbouring authorities which fall within the catchment area of a Buckinghamshire school.

8.3 BCC's medium to long term pupil generation rates have been derived from an analysis of 2001 Census data and information from the Survey of English Housing (2003/04). The analysis excludes dwellings owned outright which contain a high proportion of households made up of elderly persons and are therefore not representative of modern housing development. It is also based on South East Plan requirements that all new developments should incorporate 35% affordable housing. Secondary pupil generation rates are based on 33% of the population qualifying for a grammar school place and a staying on rate of 50% in upper schools and 100% in grammar schools. On average new dwellings are likely to generate pupils at the rates shown in the table 1 below (rates calculated as at June 2009):

Provision Type	Table 1: Pupil generation rates by dwelling type per 100 dwellings							
	Flats			Houses				Bucks Average
	1 Bed	2 Bed	3+ Bed	1 Bed	2 Bed	3 Bed	4+ Bed	
Nursery	0.4	1.4	2.7	1.6	3.3	5.8	6.7	4.4
Primary	2.8	9.6	19.1	11.5	23.1	40.3	47.3	30.4
Upper	1.0	3.4	9.8	5.1	9.7	22.0	28.3	15.9
Grammar	0.6	1.9	5.7	2.9	5.6	12.6	16.3	9.2

The average rates used by BCC are comparable to those used by neighbouring authorities.

8.4 Table 2 below gives a breakdown of the build cost per pupil used by BCC to determine developer contributions towards education provision (as at 1 Jan 2009):

Table 2: Breakdown of BCC Cost Multipliers

Provision Type	DfE Cost Multiplier elements				Additional Cost elements			Total Cost Multiplier
	Building Costs	Site Works	Fees	Furniture & Equipment	Abnormals	ICT Infrastructure	ICT Hardware	
Nursery	£9,551	£1,137	£1,466	£962	£669	£225	£906	£14,915
Primary	£9,551	£1,137	£1,466	£962	£669	£225	£906	£14,915
Upper	£13,974	£1,662	£2,146	£2,258	£978	£225	£1,450	£22,693
Grammar	£14,131	£1,681	£2,170	£2,258	£989	£225	£1,450	£22,903

The DfE cost multiplier is used to determine the capital allocation to local authorities and includes external works, professional fees and furniture and equipment but excludes site abnormals, ICT, site acquisition costs, VAT and the effect of regional variations in prices. In line with the DfE methodology for funding LAs, an average multiplier for adaptations and new build is used (which is weighted to reflect the national balance of such projects). As such, the above costs do not apply to the provision of new schools where this has been identified. As the DfE cost multipliers are only updated every two or three years, they will be inflated at the time of agreement using the Buildings Cost Index published by the Building Cost Information Service (BCIS). ICT and abnormal costs are based on the DfE funding allocation model for their Building Schools for the Future initiative. Abnormals are any extra costs that are a consequence of particular site factors or constraints and are based on an average for all building projects. Abnormals are common and include items such as poor ground requiring complex foundations or additional costs arising from local planning requirements. Many poorly designed builds assessed in an audit carried out by the Commission for Architecture and the Built Environment (CABE) - the government's advisor on architecture - suffered from inadequate budgets as a result of unexpected abnormals. An average location factor of 7% across Buckinghamshire, as published by BCIS, has been applied to all costs apart from ICT costs. ICT hardware costs are based on minimum DfE targets for computer:pupil ratios of 1:8 in primary and 1:5 in secondary schools. Planning applications will be assessed using the latest available BCC cost multipliers without the need for a full scale review.

8.5 Table 3 below converts the above tables into costs per dwelling:

Provision Type	Table 3: Cost per dwelling							
	Flats			Houses				Bucks Average
	1 Bed <sup>5</sup>	2 Bed	3+ Bed	1 Bed	2 Bed	3 Bed	4+ Bed	
Nursery	£60	£209	£403	£239	£492	£865	£999	£656
Primary	£418	£1,432	£2,849	£1,715	£3,445	£6,011	£7,055	£4,534
Upper	£227	£772	£2,224	£1,157	£2,201	£4,992	£6,445	£3,608
Grammar	£137	£435	£1,305	£664	£1,283	£2,886	£3,733	£2,107

8.6 BCC will require a new school where existing schools do not have the scope to expand or are unsuitable to accommodate planned development (e.g. pupils would need to cross a major road). Where this has been established, contributions will be sought based on the cost of new build as determined by the DfE (as at 1 Jan 2009) – equivalent to £2,640 and £2,750 per gross sqm of building area<sup>6</sup> for primary and secondary facilities respectively. BCC’s preferred size of new school is in line with government guidance which states that primary and secondary schools with 1-2 and 6-8 forms of entry<sup>7</sup> respectively are the most efficient model and promote effective teaching and learning. It will also normally be appropriate to base the costs on whole forms of entry to reduce the need for mixed aged teaching which is unpopular with both parents and teachers.

Alternatively, provision of the school and associated facilities by the developer will be considered in appropriate circumstances. These will need to accord with the DfE Schools Building Bulletin Guidance supplemented by the BCC Local Estate Strategy Guidance, with design and build costs also paid by the developer. Further, in line with recent DfE policy, developers will also be required to install sprinklers in new schools and ensure that the buildings are assessed and signed off by a licensed BREEAM<sup>8</sup> Education Assessor with at least a BREEAM ‘Very Good’ rating. It is also essential that the architect and BCC collaborate throughout the design period for the new school. All designs will be evaluated by a design assessment panel to ensure that they meet the highest design quality. Developers will be expected to provide a suitable site and meet all the design and build costs including site infrastructure and playing fields, full capital costs of fixtures and fittings (i.e. fixed furniture including ICT infrastructure) and furniture and equipment (i.e. loose furniture including ICT hardware equivalent to £1511 per primary aged pupil and £2335 per secondary aged pupil) to enable the delivery of the curriculum. The Agreement will normally be ensured by a bond.

Under the terms of the Education Act 2002, new schools will be subject to new competition requirements where a charitable body is invited to bring forward proposals to run the school. Contributions will be applied towards such new provision, whether or not BCC is responsible for running the school.

Where there is a requirement for land, the developer will either provide a suitable site (see Appendix 3) in line with the latest size guidance from the DfE (Appendix 4

<sup>5</sup> A bedroom is a private room used mainly for sleeping purposes, even though the use may be occasional (Census 2001)

<sup>6</sup> Costs as at 1 Jan 2009. Gross square metre building area is based on the DfE building bulletin area guidelines including the provision of a kitchen and dining area in accordance with our estates strategy that all children have access to at least one hot school meal each day.

<sup>7</sup> One form of entry is equivalent to cohort of 30 pupils

<sup>8</sup> Building Research Establishment Environmental Assessment Method

provides minimum areas for a range of schools based on DfE Building Bulletin 98 and 99) or sufficient funding to acquire such a site. Land costs will be valued at the level agreed in a Certificate of Appropriate Alternative Development (Section 17, Land Compensation Act 1961) or other agreed valuation of the land.

## **9. Payment of contributions and repayment of any unspent contributions**

9.1 All payments should normally be made on commencement of development rather than occupation, and should not be subject to unduly onerous monitoring requirements to:

- safeguard the authority against developers defaulting on their commitments where 'need' is clearly identified;
- allow BCC to plan more effectively by providing greater certainty as to the receipt of contributions;
- keep pace with the completion of the development to enable provision to be in place when the pupil numbers arise.

For larger developments staged payments on commencement of agreed phases of the project will be acceptable.

9.2 Where staged payments are proposed, if money is spent in advance of contributions being received then BCC will still receive the appropriate monies from the developer at the agreed time.

Similarly, in cases where an item of infrastructure necessitated by the cumulative impact of a series of developments is provided by the local authority before all developments have come forward, the later developers will still be required to contribute the relevant proportion of the costs provided the need for the infrastructure is set out in advance. This is in line with guidance at paragraph B23 of Circular 05/05.

9.3 If payment due under these agreements is paid late, interest will be payable from the due payment date to the actual date of payment so that the value of the money in real terms does not deteriorate. Where land transfers are involved, BCC will need to agree the precise site location and transfer terms as part of any S106 negotiation.

9.4 The developer will be responsible for paying BCC's reasonable legal and administration costs in connection with the negotiation, preparation, completion and monitoring of the planning obligations in relation to education provision. BCC monitors compliance with individual S106 provisions to ensure adherence to the terms of the legal agreements. To assist with this process BCC employs a dedicated Developer Contributions Co-ordinator whose main duties and responsibilities are:

- To be the main point of contact within the County Council for all matters concerning developer contributions to the authority's service requirements;
- To monitor planning applications received by the District Council and to coordinate a response from all services including Legal on planning obligations;
- To monitor agreements and developments to ensure that payments are both collected and spent in accordance with the terms of the agreement;
- To maintain a Contributions database for the above purposes.

## **10. How contributions will be spent and restrictions**

- 10.1 BCC expects to be a party to legal agreements, whether separately or jointly negotiated, to ensure that terms are acceptable and so that contributions are received and monitored at the appropriate time. As such, legal agreements should make provision for payments to either be made either direct to BCC, or to the relevant District Council so that the correct index linked amount can be obtained and to facilitate audit trails for expenditure.
- 10.2 Appendix 2 shows those planning areas / schools that are projected by BCC to have insufficient capacity to meet the extra demands placed upon them from new development over the projection period. Developers will be expected to provide or contribute to new facilities or adaptation of existing ones within a planning area. Requirements for additional accommodation will not necessarily be identified in our Asset Management Plans until after a proposal is submitted and approved, as the plan will not have yet been updated to take account of the effect of that proposal and the needs arising from it. Further, any proposals will need to be developed and consulted upon - in partnership with key stakeholders - as part of BCC's development of Local Area Early Years and School Place Commissioning Plans. Once these have been adopted they will form an appendix to the guidance and will be kept under review on a regular basis.

In an appeal decision on the 21st April 2009 (APP/P1940/A/09/2094781), the inspector concluded that apart from transport all other requirements for planning obligations (including education) met the tests of Circular 05/05. Despite the lack of spending plans or an SPD, the inspector accepted Hertfordshire County Council's evidence of need and the condition that contributions would be used to provide adequate provision in the locality for the additional needs arising from the development.

- 10.3 To help implement our local planning area strategies, developer contributions should be made towards education facilities within the planning area and not be confined to the catchment area school for nursery, primary, special and secondary contributions.
- 10.4 All financial contributions will be index-linked in any S106 legal agreement or undertaking from the date of signing to the date of payment based on the Buildings Cost Index published by BCIS. Any contributions unused or uncommitted will be repaid to developers, together with any interest accrued, 10 years from the date of receipt. This is to ensure sufficient time is built into the complex and lengthy commissioning process to enable payments to be committed for expenditure and spent. Where the delivery of infrastructure is dependent on other service providers or delays beyond the Council's control, BCC will seek to retain the contributions beyond the ten year period.
- 10.5 The County Council maintains a transparent accounting system to ensure that all financial contributions can be traced from payment to final expenditure or repayment.

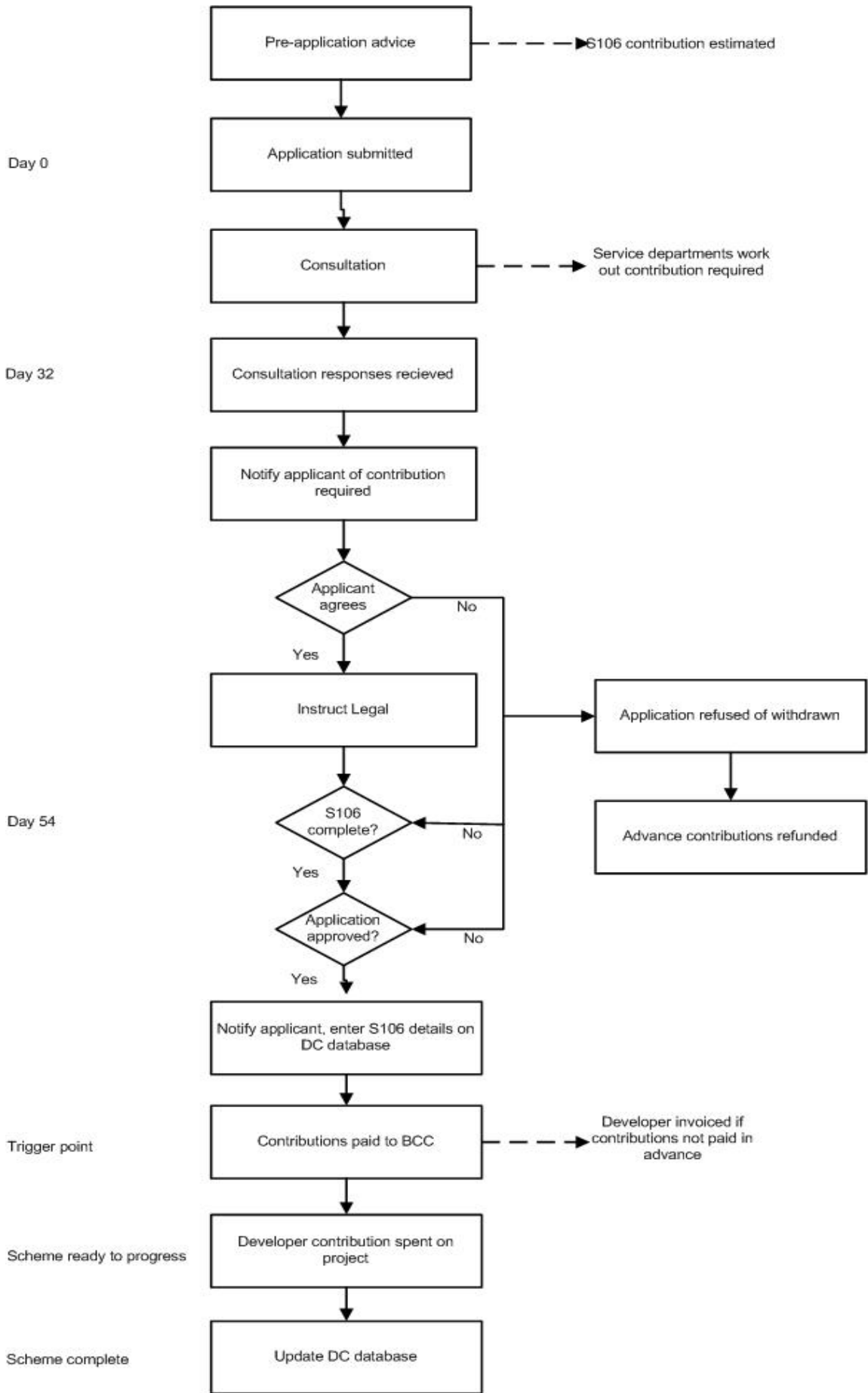
## **11. Status of Guidance**

- 11.1 The guidance has been developed by BCC Officers and incorporates the views of all key stakeholders (including elected members, schools, all Buckinghamshire District and Parish Councils and development industry stakeholders) through the consultation

exercise between June and July 2009 and was adopted on the 8 June 2010. The guidance acts as interim guidance for applicants on BCC's approach towards developer contributions for education provision until the adoption of a relevant planning policy document (most likely an SPD) by the respective District Council. This guidance will be reviewed annually to reflect any material local, regional or national changes to ensure that it continues to meet the needs of BCC and its community.



# Appendix 1: Planning Obligations process



## Appendix 2: Primary and Secondary School Places

The table below shows the current and projected surplus/deficit places for all primary and secondary planning areas:

Primary Planning Area	No. of Schools	2008/09 Capacity	2008/09 Actual Pupils	Surplus/Deficit 2008/09		Incl Current Planning Permission			Incl Permissions and Housing allocated in the Core Strategy		
				Places	%	2012/13 Projected Pupils	Surplus/Deficit (2012/13)		2012/13 Projected Pupils	Surplus/Deficit (2012/13)	
Buckingham	6	1675	1429	246	15%	1437	238	14%	1607	68	4%
Winslow and Waddesdon	20	2987	2435	552	18%	2426	561	19%	2518	469	16%
Wing and Ivinghoe	8	1680	1365	315	19%	1377	303	18%	1465	215	13%
Haddenham	10	1515	1363	152	10%	1341	174	11%	1414	101	7%
Aylesbury Town	19	6582	6003	579	9%	6563	19	0%	6693	-111	-2%
Wendover	5	1305	1202	103	8%	1302	3	0%	1317	-12	-1%
Chesham	9	1851	1570	281	15%	1681	170	9%	1854	-3	0%
Amersham	10	2001	1858	143	7%	1967	34	2%	2251	-250	-12%
Great Missenden	7	1191	1094	97	8%	1023	168	14%	1023	168	14%
Princes Risborough	8	1688	1445	243	14%	1458	230	14%	1504	184	11%
High Wycombe	29	8305	7743	562	7%	8291	14	0%	8985	-680	-8%
West Wycombe	7	1146	914	232	20%	853	293	26%	876	270	24%
Marlow	8	2019	1845	174	9%	1783	236	12%	1826	193	10%
Bourne End	7	1797	1673	124	7%	1800	-3	0%	1832	-35	-2%
Beaconsfield	3	840	809	31	4%	891	-51	-6%	938	-98	-12%
Gerrards Cross and The Chalfonts	12	2867	2649	218	8%	2702	165	6%	2935	-68	-2%
Ivers	4	807	678	129	16%	742	65	8%	771	36	4%
Beeches	10	2360	2252	108	5%	2403	-43	-2%	2471	-111	-5%

Secondary Planning Area	No. of Schools	2008/09 Capacity	2008/09 Actual Pupils	Surplus/Deficit 2008/09		Incl Current Planning Permission			Incl Permissions and Housing allocated in the Core Strategy		
				Places	%	2018/19 Projected Pupils	Surplus/Deficit (2018/19)		2018/19 Projected Pupils	Surplus/Deficit (2018/19)	
Aylesbury Vale Upper Schools	7	8153	7114	1039	13%	7976	177	2%	11031	-2878	-35%
Chiltern Upper Schools	5	5605	5363	242	4%	5401	204	4%	5793	-188	-3%
South Bucks Upper Schools	2	1635	1537	98	6%	1493	142	9%	1546	89	5%
Wycombe Upper Schools	7	1096	5872	465	7%	5936	401	6%	6361	-24	0%
Aylesbury Vale Grammar Schools	4	4911	4848	63	1%	5084	-173	-4%	6852	-1941	-40%
Chiltern Grammar Schools	3	3613	3607	6	0%	3500	113	3%	3692	-79	-2%
South Bucks Grammar Schools	2	1982	1908	74	4%	1748	234	12%	1798	184	9%
Wycombe Grammar Schools	4	4703	4698	5	0%	4695	8	0%	4942	-239	-5%

The primary projections exclude any developments for which new provision is being made. The schools within the planning areas highlighted are projected to have a shortfall of places when we include Audit Commission recommendations that LA's should plan for 95% occupancy in schools to allow for volatility in preferences from one year to the next. Contributions will still be required within planning areas which are projected to have surplus capacity, if there are projected to be insufficient places to accommodate the catchment children and the catchment school has a site suitable for expansion.

The contribution calculator will allow planning authorities and developers to determine the number of surplus places available for a particular development. The planning area for the site is identified when the name of the catchment school is entered. To identify which primary school catchment area the site is within, enter the postcode of the proposed development into BCC's catchment checker facility on the following website:

[www.buckscc.gov.uk/bcc/schools/ea\\_school\\_postcode\\_checker.page?](http://www.buckscc.gov.uk/bcc/schools/ea_school_postcode_checker.page?)

The following map shows the 18 primary planning areas in Buckinghamshire:



### **Appendix 3: School Site Specifications**

Where a developer is required to provide land to accommodate new school provision, Buckinghamshire County Council will require that the site include the following:

- a) The site should be in the heart of the community encouraging walking or other environmentally friendly means of pupils going to and from school (e.g. providing access to public transport and safe routes to school – i.e. pupils do not have to cross a major road). Proximity to other local community facilities (which pupils can visit as part of their learning and development) and associated parking areas (separate from staff car parking) are vital. The local authority is keen to encourage the co-location of other services (e.g. children centres, libraries, community centres, health centres, childcare facilities, adult learning, learning support units, places of worship, leisure facilities etc.). However, community use facilities on the school site (where use is intended during the school day) need to have a separate access and adult and pupil facilities should not be shared.
- b) School security is important. For example, a school in a remote area is more vulnerable because it is not overlooked by neighbours.
- c) Ensure the size of the overall site is dependent on number/age range of pupils given for each individual school (in line with the latest size guidance from the DfE) and any additional specially resourced or community facilities required. The site should also be capable of temporary expansion to accommodate any peaks in pupil numbers<sup>9</sup>.
- d) Boundaries to be of regular shape, particularly around playing field areas otherwise a larger site will need to be provided.
- e) Satisfactory road frontage to be provided compatible with the requirement for good “sight lines” to road access. Careful consideration should be given when designing the main entrances to the school and the likely congestion at peak times - in particular the safe pick up and drop off of pupils. The developer will be responsible for providing pick up and drop off area, footways/cycleways and crossing points which may be required as part of the brief for the new school.
- f) Contours and undulations on the site will vary according to the topography of the area. A level site is recommended in order to minimise any requirement for earth shaping in order to accommodate buildings and playing fields.
- g) Services and an unobstructed access road for construction purposes are to be available to the site boundary for the building start date.
- h) Where practicable sub-soil to be suitable for normal building loads i.e. 3 storeys for secondary schools and single storey for most other educational buildings.
- i) The developer to be responsible for removing any encumbrances including (although not limited to) buildings, soil stockpiles and overhead lines prior to the building start on site date. Sites should be largely free from building constraints such as pipelines, brooks, pylons, sewers, trees with preservation orders, landfill sites or rights of way. Developers shall be responsible for securing any surveys, such as archaeological and site contamination investigations (as necessary) and mitigating any risks/findings.

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<sup>9</sup> A survey carried out in Milton Keynes showed that in the short to medium term, with any major housing development, pupil numbers initially are slow to build up but then accelerate before falling to a settled number.

- j) Sites should not be liable to flooding. A storm water outlet is required.
- k) Sites should not be adversely affected by noise from external sources (e.g. traffic from major roads, industry) or offensive odours
- l) Site transfer should take place to enable new primary schools to be opened at the point in which admissions into reception from within the development reaches 15 pupils (which BCC estimates to be on occupation of the 350th home or four years from commencement whichever is the earlier) sufficient to justify the opening of a new school balanced against the environmental and financial cost of transporting pupils to neighbouring schools. If schools are opened earlier, this could impact negatively on the rolls at neighbouring schools as well as the viability of the development.

m) **Appendix 4: Minimum Site Areas**

Key Formulae are based on Building Bulletins 98 and 99 – Briefing Framework for Secondary and Primary School Projects. Minimum site areas for different size primary and secondary schools are shown below:

<----- Minimum Site Areas (sqm) ----->													
	Admission Number	Capacity (excl Nursery)	Nursery (FTE)	Pitches	Soft Play (Social)	Games Courts (Hard Surfaces)	Hard Play (Social)	Habitat	Float	Total Net Site Area	Non-Net area	Nursery Attachment	Total Gross Site Area incl Nursery
Primary	15	105	13	2100	1063	810	558	305	525	5360	1340	163	6863
	30	210	26	4200	1325	1020	715	410	1050	8720	2180	325	11225
	45	315	39	6300	1588	1230	873	515	1575	12080	3020	488	15588
	60	420	52	8400	1850	1440	1030	620	2100	15440	3860	650	19950
	90	630	78	12600	2375	1860	1345	830	3150	22160	5540	975	28675
Upper	120	720		35200	2600	2040	1480	920	4600	46840	11640		58480
	150	900		41500	3050	2400	1750	1100	5500	55300	13800		69100
	180	1080		47800	3500	2760	2020	1280	6400	63760	15960		79720
	210	1260		54100	3950	3120	2290	1460	7300	72220	18120		90340
	240	1440		60400	4400	3480	2560	1640	8200	80680	20280		100960
	270	1620		66700	4850	3840	2830	1820	9100	89140	22440		111580
	300	1800		73000	5300	4200	3100	2000	10000	97600	24600		122200
Grammar	120	840		39400	2900	2280	1660	1040	5200	52480	13080		65560
	150	1050		46750	3425	2700	1975	1250	6250	62350	15600		77950
	180	1260		54100	3950	3120	2290	1460	7300	72220	18120		90340
	210	1470		61450	4475	3540	2605	1670	8350	82090	20640		102730
	240	1680		68800	5000	3960	2920	1880	9400	91960	23160		115120
	270	1890		76150	5525	4380	3235	2090	10450	101830	25680		127510
		300	2100		83500	6050	4800	3550	2300	11500	111700	28200	

An area greater than the minimum will usually be required for each category. The overall recommended net and gross area allows for the average area required under each category, through the provision of a 'float'. The float can be used to provide additional accommodation where it is most needed by each school.

Games Courts (hard surfaced) count towards the current Education (School Premises) Regulations 1999 requirement for team game playing fields (see below) only if it is used for team games. All weather pitches can be counted twice as they can be used for significantly more than seven hours a week required of team game playing fields.

Non-net area for buildings includes kitchens, toilets and circulation. Non-net area for sites include (i) the footprint of all buildings (ii) delivery access (iii) refuse areas (iv) entrance paths (v) car parking and may vary depending on the position and layout of the site or buildings. They also ensure flexibility and adaptability to allow for change (such as the governments promotion of access and inclusion of pupils with SEN, developments in the Early Years and 14 to 19 curriculum and the DfE requirement to introduce hot school meals) or short term peaks in pupil numbers typical of all major development.

The Government is encouraging the provision of healthy school lunches by ensuring that all children have access to at least one hot school meal each day. Government guidance recommends that these meals are freshly cooked and where possible prepared on the premises from local ingredients; and served, presented and consumed in surroundings which encourage children to use the schools' catering facilities. In accordance with this aspiration, our estates policy requires building plans for all new schools to include the provision of kitchen and dining areas.

Area guidelines exclude facilities not available to the school for more than 80% of the school day that would normally require supplementary net area such as children centres, specially resourced provision or community facilities.

Building and site areas for special schools will be based on building bulletin 102 and will depend on the age and type of SEN of the pupils.

The table below shows the statutory minimum area required for team game playing fields:

<i>Total number of pupils who have attained the age of 8 years (i.e. Year 4 and above) including post 16 pupils</i>	<i>Minimum total area in m<sup>2</sup></i>	
	<i>Primary Schools</i>	<i>Secondary Schools</i>
100 or fewer	2,500	5,000
101 to 200	5,000	10,000
201 to 300	10,000	15,000
301 to 400	15,000	20,000
401 to 500	20,000	25,000
501 to 600	25,000	30,000
601 to 750	30,000	35,000
751 to 900	35,000	40,000
901 to 1,050	40,000	45,000
1,051 to 1,200	45,000	50,000
1,201 to 1,350	50,000	55,000
1,351 to 1,500	55,000	60,000
1,501 to 1,650	60,000	65,000
1,651 to 1,800	65,000	70,000
1,801 to 1,950	70,000	75,000

- Team game playing fields are playing fields (i.e. open air recreational space) having regard to their configuration are suitable for the playing of team games and are laid out for that purpose. Their location, size and shape should be based on a number of considerations including the statutory requirements, safety considerations, gradient, relationships between winter games pitches and summer athletics and cricket provision, orientation of pitches and accessibility.
- For a playing field to count towards the minimum requirement, it should be able to sustain the playing of team sports for at least 7 hours a week during term time;
- Any part of team game playing fields which has an all weather surface, (that is to say a hard porous surface, a synthetic surface or a polymeric surface) may be treated as if it were twice its actual area.
- Regulations do allow for a 'reasonable' reduction in the minimum area if suitable alternative facilities are available either at the school or elsewhere locally.

