

County Council 28 April 2016

Agenda Item

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Written questions and responses attached

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INVESTOR IN PEOPLE



Written Questions & Answers for Council: 28 April 2016**Mr Stuchbury to: Warren Whyte, Cabinet Member for Planning & Environment**

Q1. In the County Council's agreement with FCC Environment, what leeway has been granted in the case that the EFW plant is not able to utilise full capacity? In particular, does FCC have any exit clauses that would allow them to exit the contract early?

The 30 year contract with FCC Buckinghamshire Ltd (FCCB) puts the County Council into a partnership with a major waste management company that is best placed to deal with a number of the key risks that are apparent in any such large scale residual waste contract. Securing third party tonnage (such as waste from other local authorities), is a contractual obligation that lies fully with FCCB and one in which they have no recourse to the County Council should they fail to secure adequate levels of waste. It is worth noting in this context that other commercial risks, like securing income from gate fees or selling the power from the facility, equally rest with FCCB, which is where these risks are best placed.

FCCB cannot easily exit the contract at any time should they not be able to secure adequate third party waste. As would be expected, the County Council is protected in a number of ways under the contract; for example they would be liable for substantial damages. There are substantial Parent Company Guarantees should FCCB become in some way insolvent as a result of this and they would stand to lose their equity in the contract which is tens of millions of pounds.

Q2. Who will carry the costs of building the staging posts, used to collect waste for the plant, and the costs for the additional road maintenance caused by traffic to the EfW plant? (Background link to original Cabinet decision on the Efw Plant:

[https://democracy.buckscc.gov.uk/Published/C00000124/M00004909/\\$\\$Supp13567dDocPackPublic.pdf](https://democracy.buckscc.gov.uk/Published/C00000124/M00004909/$$Supp13567dDocPackPublic.pdf)

Like most of the large scale residual waste treatment contracts in the UK in recent years, the County Council will pay 85% of the capital costs and FCCB, as the contractor, will pay 15%. As well the Energy from Waste Facility itself these capital costs also cover the construction of up to two Waste Transfer Stations and the access road that links the A41 to the new facility. The capital payment for this contract equates to £180m.

It is unlikely that there will be any noticeable need for increased maintenance because of this development. The reasons for this are covered in detail below but essentially there is a very low increase in numbers of new vehicle movements onto the highway, so the maintenance impact is negligible.

Looking specifically at the question around the impact on the roads, it is important to understand that this was an area of extensive assessment and a key consideration during the planning process. It is worth reiterating here some of the central points.

The EfW site was assessed on the assumption that the two waste transfer stations at Amersham and High Heavens, the subject of separate applications, were to be approved. The planning application at High Heavens has subsequently been approved and the facility is now being used as part of the commissioning process. The application for Amersham is currently under consideration. The municipal waste from these two sites, delivered in bulker vehicles with a capacity of 21 tonnes per load, would result in a maximum of 35 two-way HGV movements per day. Including all ancillary movements (e.g. from the IBA processing facility) this would result in a maximum of 100 two-way HGV movements per day. If instead of the bulker vehicles all waste was delivered in RCVs (refuse collections vehicle) with a capacity of 8 tonnes per load, the worst case scenario would be a maximum of 161 two-way HGV movements per day, of which 94 two-way HGV movements would be from the south of the county. In either scenario, the consented in-vessel composting facility would generate an additional maximum of 38 two-way HGV movements per day, giving overall totals of 138 and 199 two-way HGV movements per day respectively.

The existing traffic associated with the Aylesbury Vale-sourced landfill, approximately 60 two-way HGV movements per day, has now been re-routed to the permitted EfW facility. This element of the traffic is already on the network and therefore was discounted from the traffic generation of the EfW site. In addition, it should be noted that there was an extant landfill planning consent on the EfW site, which permitted up to 690 two-way HGVs per week for the site as a whole, equating to 130 two-way HGV movements per day.

Whilst the worst case scenario of 199 two-way HGV movements per day associated with the EfW site is an increase over that previously permitted, with proposed controlled routing this was considered to be acceptable based on the evidence submitted. It is acknowledged that this higher scenario would not be economically viable and therefore the EfW site would be extremely unlikely to operate in this manner. As such, in reality there is likely to be a marginal increase in HGV traffic over that previously permitted on the site.

So to summarise these points, most of the vehicles tipping waste at either the EfW or WTS network are Buckinghamshire local authority vehicles that would be using the road network anyway to go to landfill sites. Waste coming from further afield is either coming by rail or through a relatively smaller number of bulker vehicles.

As part of the planning application for the EfW site a number of alternative route options were considered, with all but the favoured Akerman Street track bed route option passing through at least one of the villages in the vicinity of the site. Routing for HGVs going to and from the site is secured in a Section 106 Agreement, in line

with the County Council's Freight Policy, which states that HGVs should travel on motorways and main roads and use the best road available for local trips. The routes identified form part of the Strategic Inter Urban Corridors, and it is of particular note that these routes are considered suitable both in terms of existing traffic movement and prolonged weight bearing properties. The Strategic Inter Urban Corridors already carry significant levels of HGV traffic. The percentage increase of HGVs on the strategic road network as a result of this development is therefore minimal.

The routing for High Heavens has been secured in the Section 106 Agreement and is via the M40 and the A41. It is intended that the route for Amersham be via the A413, Aylesbury and A41, which will also be secured in a Section 106 Agreement. AVDC direct delivery vehicles are required to be routed via the A41 if sourced from the Aylesbury area or the A421, A4421, Bicester and A41 route from sources from north of the site.

The highway impact was fully considered at the planning application stage and detailed comments were included in the planning committee report, allowing councillors to make an informed decision. The decision was sent to the Secretary of State, who declined to call in the planning application and has also been subject to a Judicial Review. In summary therefore the impact on the road network can be considered as minimal.

Q3 The business cases showed estimated savings (£315m cost, £5m per year estimated savings) to fully support the 1.6% return claim. The Council's treasury statement published in February 2016 showed that the Council borrowing currently stands at £172.5m, on which the average rate of interest being paid is 5.8%.

Will the Council have saved more money by paying this debt off than by investing to gain a 1.6% return? What are the return on savings on disposal costs, & do you believe these estimates reflect the additional wear and tear to roads plus the cost of building intermediate collection stations across the county?

The return on this investment is measured as an overall contractual saving of some £150 million over the 30 years (see question 4 below). The adjustments to the budget are fully reflected in this year's (2016/17) Medium Term Financial Plan. The costs of the Waste Transfer Stations are included in this infrastructure development as mentioned in question 2. For the points on road maintenance please see previous comment.

The Council has a number of existing loans, taken out at various points and with different interest rates that were available at the time taken. These are fixed rate

loans from Public Works Loan Board (PWLB) and there are repayment premiums for early repayment of these loans, meaning that this is not a value for money option at the present time

Q4 When will the 'bullet payment' of £180m be due for payment? This is an event of enormous implication for Bucks County Council (£267M is this years' total annual Council revenue) - it represents the final commitment. Can you say if this represents a good return on investment or will it be a potential white elephant?

The bullet payment is due to be made at the end of May 2016 when the facility passes its Acceptance Tests. The council is convinced that this is a very good return on investment as it will deliver huge savings of over £150 million over the next 30 years. If the County Council had instead continued to landfill waste, as it has historically done for decades, it was likely that the cost of this would, over the next 30 years, add up to approximately £450-£500 million. The EFW contract saves over £150 million, freeing up vital funds for other key services such as road maintenance or social care.

Also it is worth stressing that FCC is now a major business in the local economy and as a consequence will pay its fair share of taxes into the county's economy, which includes a Business Rates' bill estimated in the region of £1.5 million per annum.

Mr Stuchbury to: Zahir Mohammed, Cabinet Member for Education/Lin Hazell, Cabinet Member for Children's Services/Martin Phillips Cabinet Member for Community Engagement & Public Health

Q5) I would like to ask a question on behalf of my constituents who have expressed concern in relation to the closure of the Buckingham Sexual Health Drop-in Service for young people, particularly in regard to how it will impact upon the nearby schools whose young people benefit from the services currently.

5a) Why is the Buckingham Connexions/Sexual Health Drop-in Service closing?

The Connexions contract changed on 01 April 2016 due to a budget reduction. In collaboration with Connexions, the contract has been refocussed to concentrate on the critical statutory elements; Tracking of the Cohort and DfE Data Returns, Special Educational Needs and Disability (SEND) Support and contribution to the Education, Health and Care Plan (EHCP) process, Careers Guidance to Pupil Referral Unit (PRU), Youth Offending Service (YOS), Care Leavers and preventative work with those who are at risk of NEET, Contribution to the Buckinghamshire Youth initiative to improve outcomes for Young People including those who are NEET and delivery of elements of the BCC Wellbeing Programme.

Connexions have been working exceptionally hard to restructure their workforce, reduce back office costs and implement a new way of working based on referrals. This has resulted in a reduction in capacity and their contributions in some areas including the drop-in centres. It is imperative that given the budget pressures facing Buckinghamshire County Council, priority has to be given to statutory services and difficult decisions have to be made in order to ensure our statutory duties are being delivered in the most effective way.

The sexual health drop-in services in general in Buckingham are not closing, in fact residents are receiving enhanced sexual health services from 01 April 2016 and these are all open to students from schools in that geographic area e.g. Royal Latin and The Buckingham School. These services are delivered by expert and experienced nurses who are able to give advice, information and support on healthy relationships, all sexual health issues, including the provision of contraception and testing & treatment for sexually transmitted infections.

The condom c card is a prevention scheme generally operating at non-statutory sites in the county and involves the provision of condoms to those aged under 25 years to prevent sexually transmitted infections (STIs) and unintended pregnancies. It is only the condom c card scheme at Connexions that is changing and any changes here are linked with the operational changes to the Connexions service as a whole. Condoms will continue to be available via all sexual health services in Buckingham and/or the school nursing service where the school agrees.

5b) Has there been an Impact Assessment taken place specifically for this closure and if so what were the findings and if not why not?

Impact assessment was carried out on 15 October 2015 and published on the BCC website under 'Impact analysis of the draft revenue budget for 2016/17 to 2019/20' - Education and Skills. [http://www.buckscc.gov.uk/about-your-council/community-cohesion-and-equalities/equality-impact-assessments-\(eias\)/council-budget/](http://www.buckscc.gov.uk/about-your-council/community-cohesion-and-equalities/equality-impact-assessments-(eias)/council-budget/)

5c) What mitigating measures are the Council taking to ensure young people in the area have access to sexual health and careers advice?

When difficult decisions like this are made, the impact and mitigations are given great consideration. Connexions Buckinghamshire have changed the delivery model. From 01 April all young people will be met on an appointment-only basis with priority given to those in greatest need. Due to the numbers of young people who are vulnerable and in need, there is not the capacity to deploy staff to run drop-in sessions. Connexions and the Youth Service are implementing a joint allocation panel (Bucks Youth) which will ensure that young people in need see the most appropriate professional. This work is co-ordinated with, and integral to, the Early Help strategy.

Connexions Buckinghamshire will be in contact with all NEET young people in the Buckingham area and will meet with those young people who are at most in need. This work will take place in locations which are convenient for the young person and are easy to access. The main element of the new Connexions contract will be the delivery of support for young people with Special Educational Needs, particularly those who have, or are being assessed for Education, Health and Care Plans (EHCP). All the specialist sexual health services in Buckinghamshire have been recommissioned and the new providers are Buckinghamshire Healthcare NHS Trust and Terrence Higgins Trust from 01 April 2016. The sexual health clinics historically held in Buckingham will be continuing i.e. Terrence Higgins Trust will be providing specialist sexual health services at The Swan Practice on Tuesdays 3pm to 6pm and also continuing with the targeted Monday drop-in for young people under 25 years at the CAB offices between 2.30pm and 5pm. Chlamydia screening for those aged 15 – 24 years is available via the above sexual health services and also via general practice and community pharmacy in the Buckingham area.

In addition the school nurses below have been recently trained on the condom c card scheme for under 25's in the Buckingham area and the provision of chlamydia screening to young people aged 15 – 24 years.

Annette Howlin	Royal Latin School & Others
Jo Wellington	The Buckingham School & Others
Rachel Ambrose	Waddesdon C of E School
Nicola London	Furze Down (Special School) & Others

Mrs Davies to: Mark Shaw, Cabinet Member for Transportation

Q6 I have recently been contacted by a Parish Council who seem to have been prevented by newly introduced bureaucracy from planting a containerised tree next to a bench on a piece of County Council land, to finalise a local tree planting scheme. They have applied for permission and paid the £125 fee. However, previously the County Council provided a plan of any local utilities below ground.

Now the Parish have been told there will be no map provided, even though the County must still have them in their possession, and that in addition to the £125 (for what, I ask?) they must provide their own geophysical survey and employ a licensed contractor to plant the tree, which they have been unable to find for such a small job.

The piece of ground in question is not known to hold any underground utilities by the way, but that's not the point. Please can you ensure that maps or plans continue to be provided and that Parishes can continue to plant their own trees subject to their own liability insurance?

We fully appreciate the issue raised by the Parish Council in relation to the provision of utility information. The public highway is increasingly occupied with utility company apparatus which is constantly evolving to meet the needs of Bucks businesses and residents. Over 30,000 streetworks' permits were issued in Bucks during 2015 to accommodate utility company requested changes.

The County does not hold any utility maps, as these are owned by each respective utility company who is responsible for their update. The County only makes use of this information in the delivery of the service. The accuracy of the maps provided by the utility companies is considered for "information only", and is not accurate. Privately owned utility supplies are rarely indicated.

Experience informs us that, while installing a tree is a relatively simple operation, the excavation in the public space is considered high risk and we recommend that only properly trained personnel undertake this work. The parish council needs to consider these risks when undertaking or commissioning this work.

Utility information is available online and is free, and we suggest parish councils make use of the website below in considering any excavation work in the public space. This should have been communicated to the parish at the time, and for this we apologise.

<http://www.linesearchbeforeudig.co.uk>

