



Buckinghamshire County Council

Agenda

OVERVIEW & SCRUTINY COMMISSIONING COMMITTEE

Date	Tuesday 8 September 2009
Time	10.00 am
Venue	Mezzanine Room 3, County Hall, Aylesbury

Agenda Item	Time	Page No
1	APOLOGIES/CHANGES IN MEMBERSHIP	10.00
2	DECLARATIONS OF INTEREST	
3	THE FOLLOWING WILL BE REGULAR ITEMS FEATURING ON THE COMMITTEE'S AGENDA: <ul style="list-style-type: none">• Public Platform – this is an opportunity for members of the public to put their point of view to the committee about matters on its agenda. Each person will have a maximum of three minutes to put forward their views and comments on those items they wish to address. There will be a need to be an overall time limit. The Chairman will be expected to respond within 7 working days detailing any course of action resulting from the representation.• Councillor Calls for Action – this is a standing agenda item for any Councillor to present issues of concern on behalf of their local community.• Cabinet Member decisions – this is a standing agenda item to alert members to forthcoming important or controversial Cabinet or Cabinet Member decisions.• Call-ins – this is a standing agenda item where any potential call-ins of key decisions will be discussed.• Chairman's Update – this is an opportunity for the Chairman to bring the Committee up to date on any relevant matters of interest.	

4	REMIT OF THE OVERVIEW AND SCRUTINY COMMISSIONING COMMITTEE Contributors All Purpose As this is the first meeting, members are invited to note the remit of the new committee, as agreed at Full Council. Paper <ul style="list-style-type: none"> • Remit of the Overview and Scrutiny Commissioning Committee submitted to Council 23 July 2009 	10.10	1 - 2
5	ENERGY FROM WASTE INITIATIVE Contributors Martin Tett, Cabinet Member Planning and Environment, and Martin Dickman, Waste Management Service Manager Purpose To inform members of the processes followed to select the preferred bidder for the Energy from Waste initiative and to outline how the decision will be communicated. Context Cabinet will announce its preferred bidder for the Energy from Waste procurement Project on 14 September 2009. Martin Tett will attend the meeting to inform members of the process that Cabinet have followed to select the final tender, the communication strategy employed and the timescales. Papers <ul style="list-style-type: none"> • Energy from Waste initiative update - Cabinet decision on 14th September 2009 (Media release from Buckinghamshire County Council – 31 July 2009) • Waste Procurement Project: Appointment of Preferred Bidder 	10.15	3 - 6
6	SECONDARY SCHOOL CATCHMENT AREA REVIEW 2009 Contributors Marion Clayton, Cabinet Member for Achievement and Learning, and Louise Goll, Divisional Director Achievement and Learning Purpose To brief members on the forthcoming review of secondary school catchment areas Context In April 2009, the Cabinet Member for Achievement and Learning agreed the determined admission arrangements for September 2010. However, in response to a significant amount of feedback from parents in specific areas of the county, it was agreed that there should be a review of secondary catchment areas. The	10.45	7 - 8

Cabinet Member for Achievement and Learning has been invited to the committee to talk through the methodology that will be followed, including the criteria for the review, how the consultation will be carried out and the timescale

Paper

- Secondary School Catchment Area Review 2009

7 WORK PROGRAMME DISCUSSION 11.30

Contributors

All

Purpose

To plan the work programme priorities for the coming year

Context

This will be the committee's first opportunity to consider and discuss their priorities for the work programme for the coming year. A flow chart to help determine priorities is included in the information pack which will be circulated at the meeting.

Paper

none

8 DATE OF NEXT MEETING

The date for the next meeting is Tuesday 6 October 2009, 10.00am, Mezzanine 2, County Hall, Aylesbury.

*For further information please contact: Katy MacDonald on 01296 383604
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Members

Mr B Allen
Mr P Cartwright (VC)
Mrs A Davies
Mr M Edmonds
Mr T Egleton (C)

Mr P Hardy
Mr N Hussain
Mrs B Jennings
Mrs W Mallen
Ms R Vigor-Hedderly

**Remit of the Overview and Scrutiny Commissioning Committee
submitted to Council 23 July 2009**

- To oversee and manage the County Council's scrutiny process
- To maintain an overview of, and challenge the performance of the County Council and the Local Area Agreement
- To hold the Cabinet individually and collectively to account for the decisions they take as part of the democratic process
- To hold discussions with cabinet members and senior officers as and when appropriate
- To monitor the County Council's Forward Plan of key decisions
- To maintain an overview of and comment on the Sustainable Community Strategy and major policy issues of the County Council
- To maintain an overview of and comment on the implementation, delivery and performance of the Pathfinder agreement
- To undertake scrutiny of the Medium Term Plan and annual budget process
- To determine the work programme and the initial scope for each scrutiny review and to manage the forward plan
- To review reports and recommendations from Task and Finish Groups
- To hold the countywide Crime and Disorder Reduction Partnership, known as the Safer Bucks Partnership, to account for the decisions it takes and to take part in joint reviews with District Councils of District Crime and Disorder Reduction Partnerships
- To contribute to the Improvement Plan for Buckinghamshire
- To hear, discuss and determine how to deal with call-ins and Councillor Calls for Action, which may include the setting up of a Scrutiny Task and Finish Group
- To consider suggestions for scrutiny reviews from County Councillors, local communities, service providers and other sources
- To listen to residents through the establishment of public question time and the use of local links
- To represent the County Council on and contribute to joint scrutiny reviews with District Councils
- To undertake quality control of scrutiny procedures and outputs
- To monitor the implementation of scrutiny recommendations and take action where appropriate
- To evaluate the impact of scrutiny and to present the annual report to County Council
- To determine, in discussion with its chairman, which issues within the context of Adults and Families Wellbeing may be examined by the Public Health Overview and Scrutiny Committee
- To oversee the development of member skills in undertaking scrutiny and to contribute to the programme for scrutiny conferences

Energy from Waste initiative update - Cabinet decision on 14th September 2009 (Media Release from BCC)

Date: 01-08-2009

We have been able to bring forward the date when Cabinet will select a preferred bidder for the Energy from Waste Procurement Project.

Earlier this month, the decision date had to be deferred to enable final legal, financial and technical appraisals and checks to take place. However, these due diligence processes have been completed earlier than expected and the Cabinet will now be able to announce a preferred bidder from either Covanta Energy or WRG on Monday 14 September 2009.

Buckinghamshire County Council's Cabinet Member for Planning and Environment, Cllr Martin Tett, said:

"I am pleased that we're able to select a preferred bidder earlier than we expected. On the 14th September, the County Council's Cabinet will select a single bidder which will have put forward the most robust Energy from Waste solution to divert non-recyclable or compostable waste away from landfill.

"Landfilling waste is not only environmentally damaging, it's also subject to increasingly punitive fines and taxes which our Council Tax payers will have to pay. This is why an alternative to landfilling municipal waste is urgently needed.

"I hope that this decision will give local residents clarity and certainty on the preferred bidder, the location of their proposed Energy from Waste facility and associated infrastructure. Before making this announcement public, we spoke with the opposition campaign group SAVI, numerous local councillors and John Bercow MP, so they were the first to know of our change of date. This will enable those wishing to oppose any aspect of the decision to plan any rallies and petitions in good time ahead of the mid-September decision. We have specifically avoided making any decision during August as it is the holiday season and we felt that it would be unfair to interested parties who might be away."

The process for selecting a preferred bidder is based on thorough assessments of the final tenders submitted by both companies to the County Council, which have been evaluated using pre-agreed criteria.

Waste Procurement Project: Appointment of Preferred Bidder

The Outline Business Case for the Waste Procurement Project (WPP) was approved by Cabinet in January 2007, and on 1st March 2007 the Council published a Contract Notice in the Official Journal of the European Union (OJEU). The procurement process progressed through a number of key stages, as detailed below:

- 12 Pre Qualification Questionnaires were received and evaluated;
- 7 bidders were invited to participate in dialogue (ITPD) and submit Outline Solutions by September 2007;
- 3 bidders were selected to participate in further dialogue and submit Detailed Solutions (ISDS) by June 2008;
- Veolia were deselected in August 2008, and Covanta and WRG participated in further dialogue;
- Dialogue was closed on 19th December 2009 and final tenders invited to be submitted (ISFT) by 12th January 2009;
- The Final Tenders were rigorously evaluated, and the WPP Project Board was presented with the results of the evaluation at their meetings on 9th and 26th June 2009.

The Community and Environment Overview & Scrutiny Committee were briefed on the procurement process and evaluation of Detailed Solutions on 9th July 2008, and on the evaluation of Final Tenders on 28th January 2009.

The Project Team was supported throughout the dialogue and evaluation process by specialist legal, technical and financial advisers, as listed below:

- Ernst & Young (Finance)
- Sharpe Pritchard (Legal)
- RPS (Technical)

Each Final Tender was evaluated against a range of criteria, which were broken down into two tiers. In order for a Final Tender to be considered compliant, it was necessary to score at least 2 out of 5 in each of the Tier 1 criteria. Table 1 below details the Tier 1 criteria and their weightings, and summarises the Tier 2 criteria considered in the evaluation.

Table 1 – Evaluation Criteria & Weightings:

Tier 1 Criteria	Tier 1 Weighting	Tier 2 Criteria
Technical & Operational	10%	Availability; Feedstock Flexibility; Contributions to recycling, recovery, energy & emissions targets; Service Quality.
Deliverability & Planning	25%	Deliverability; Planning & Permitting.
Environmental & Social	10%	Process residues; Energy balance; Greenhouse gases; Transport impact; Job creation; Stakeholder engagement.
Financial & Commercial	40%	Affordability; Economic cost; Robustness.
Legal	15%	Delivery vehicle; Legal impediments; Project Agreement; Warranties/security; Facility transfer.

In addition to evaluation against these criteria, each Final Tender underwent a Value for Money (VfM) assessment against the 'do minimum' option of maintaining the current waste management system. Sensitivity testing was also carried out around a range of waste collection scenarios, which

would impact on the residual waste tonnage and therefore cost of the solutions. These assessments have again shown that the 'do minimum' option does not offer the best VfM option to the Council.

Communications Strategy

In the week prior to the preferred bidder decision, BCC will issue a press release to local media which sets out the format of the Cabinet meeting. The release will aim to manage residents' expectations and ensure they are aware the Cabinet will debate the decision in private session.

Following the Cabinet's decision on 14th September there will be a number of communications activities carried out, during that day and over the subsequent weeks. The following stakeholders will be notified of the cabinet decision:

Council	External
Activities on 14th September	
<ul style="list-style-type: none"> • Phone calls to Members in areas of EfW and Waste Transfer Station sites; • Emails/letters to: <ul style="list-style-type: none"> ○ all Bucks County Councillors; ○ all Bucks Town and District Councillors; ○ BCC Waste Management staff; ○ BCC PE&D staff, and Corporate Communications team; ○ District Council Chief Executives; ○ all Parish Council clerks; ○ all Bucks MPs and MEPs; ○ Joint Waste Committee and Waste Technical Officers Group. 	<ul style="list-style-type: none"> • Press conference and interviews given by Martin Tett; • BCC website news page update; • Email to Cabinet members and senior officers at Central Bedfordshire Council; • Updates to Frequently Asked Questions page on BCC website; • News release to local, regional and national media; • News release to waste management trade media; • Emails/letters to EEDA, SEEDA, Government Office East and Government Office South East, Health Protection Agency, Primary Care Trust, Environment Agency and other relevant stakeholders.
Activities after 14th September	
<ul style="list-style-type: none"> • September edition of Manager's Brief; • October edition of Team Brief; • Next edition of Changing Times; • Q&A session for BCC PE&D staff. 	<ul style="list-style-type: none"> • Autumn edition of Bucks times magazine.

Alcatel

The Cabinet decision to appoint a preferred bidder will be made subject to an Overview and Scrutiny Committee call-in period and other requirements, as defined within the recommendations to Cabinet. On 14th September BCC will issue Alcatel letters to all 12 bidders which submitted a Pre Qualification Questionnaire at the beginning of our procurement to inform them of the Cabinet decision, in order to meet the requirements of EU procurement procedures.

Next Stages

Following the Cabinet decision the Project Team will work with the selected bidder towards their formal appointment as Preferred Bidder. The Cabinet Member for Planning and Environment will play an active role in delivering the recommendations of the Cabinet report, up to and including entering into contract for the long term waste disposal facilities, and the Project Team will continue to provide updates to Cabinet and the Overview & Scrutiny Committee as necessary.



Briefing Paper for Overview and Scrutiny Commissioning Committee

Date **8 September 2009**

Title **Secondary School Catchment Area Review**

Contact Officer **Louise Goll, Divisional Director, Achievement and Learning**

Background

In April 2009, The Cabinet Member for Achievement and Learning agreed the determined admission arrangements for admission in September 2010. However, in response to a significant amount of feedback from parents in specific areas of the county agreed that there should be a review of secondary catchment areas.

The Cabinet Member wrote:

“It is six years since we undertook a significant review of catchment areas for secondary schools in Buckinghamshire. I will, therefore, immediately following the Easter holidays, be asking Officers to set out terms of reference for an independent review of our secondary catchment areas. I will announce more details of this as soon as I am able. We will, of course, work with schools, parents and communities in trying to achieve the best outcomes for children and young people throughout Buckinghamshire.”

The Local Authority is currently undertaking development work and consultation on School Place Planning across the county and therefore any review of catchment areas must take this work into account and ensure that any subsequent proposals do not compromise the Area Plans.

Terms of Reference

Aim of the Review:

To assess the impact of current secondary school catchment areas on the Local Authority and the school based admission authorities and to recommend a range of options for further development which may better secure the fair allocation of places. Any recommended changes could not be implemented before September 2011.

Age Group Covered:

10 – 19 years

Groups Affected:

Children and young people and their parents, schools and communities throughout Buckinghamshire.

Objectives of the Review:

- To review and analyse the impact of the current admission arrangements, with reference to the statutory requirements of the School Admissions Code 2008
- To identify available options for change
- To make recommendations to the Cabinet Member

Key Tasks:

- To understand and analyse the current arrangements and areas of low parental satisfaction
- To listen to the views of parents, councillors, officers, stakeholders and the Admissions Forum
- To review and evaluate available options, measuring them against the effectiveness of current arrangements, the current level of parental satisfaction and fairness, taking current legislation into account
- To ensure options are compatible with the School Place Planning Framework and Area Plans
- To present options to the Cabinet Member concerning any revision to catchment areas or admission rules and to identify the next steps in implementing any changes
- To make recommendations to the Council and other appropriate authorities concerning consultation, timeline and publication of proposals

Timescale:

- Meeting with Admissions Forum members September 2009
- Informal consultation September to November 2009
- Interim report on analysis and review to Cabinet Member October 2009
- Report outlining available options December 2009

Recommendation:

Members are asked to note the details of the review.