



Buckinghamshire County Council
Select Committee
Environment, Transport and Locality Services

Date: Wednesday 6 November 2013
Time: 2.00 pm
Venue: Mezzanine Room 2, County Hall, Aylesbury

AGENDA

1.30 pm Pre-meeting Discussion

This session is for members of the Committee only. It is to allow the members time to discuss lines of questioning, areas for discussion and what needs to be achieved during the meeting.

2.00 pm Formal Meeting Begins

Agenda Item	Time	Page No
1 APOLOGIES FOR ABSENCE	14.00	
2 DECLARATIONS OF INTEREST To disclose any personal or disclosable pecuniary interests.		
3 MINUTES Of the meeting held on Wednesday 25 September 2013 to be confirmed as a correct record.		1 - 16



INVESTOR IN PEOPLE



4 PUBLIC QUESTIONS

How can I have my say?

There is a dedicated public platform item where members of the public can register to speak on any agenda item or suggest matters which they would like the Committee to look at. Written notification must be received at least 7 working days in advance of the committee meeting that you would like your issue raised.

For further information please see:

http://www.buckscc.gov.uk/assets/content/bcc/docs/overview_scrutiny/public_platform.pdf

No public questions have been received for this meeting.

5 CHAIRMAN'S REPORT

For the Chairman of the Committee to provide an update to the Committee on recent scrutiny related activity.

6 SECTION 106 (TOWN AND COUNTRY PLANNING ACT) 14.15 17 - 24

For Members to receive an overview of the S106 paper in order to prompt discussions and questions. This paper also went to the Finance, Resources and Performance Select Committee on 31st October for their comments.

7 TRANSPORT FOR BUCKS REVIEW 15.00

A committee discussion to update all Members on the progress of review work into the Transport for Bucks (Ringway Jacobs) contract. Members to comment on and agree any outstanding evidence required and key areas/issues to be highlighted within the final report.

8 COMMITTEE WORK PROGRAMME 15.40 25 - 26

To consider and agree topic areas for the Environment, Transport and Locality Services Select Committee work programme 2013-14.

9 PAPERS FOR INFORMATION 15.50 27 - 30

- To note the update on the Travel Bucks Policies – as requested at the 25th September Committee.
- To note S106 information paper as being discussed within Item 6.

10 DATE OF THE NEXT MEETING

15.55

The next meeting is due to take place on Friday 6 December 2013 in Mezzanine 2, County Offices, Aylesbury at 9.30am. There will be a pre-meeting for Committee Members at 9.00am.

Proposed dates for 2014

Tuesday 4 February

Tuesday 4 March

Tuesday 8 April

Tuesday 13 May

Tuesday 17 June

Tuesday 2 September

Tuesday 14 October

Tuesday 18 November

Purpose of the committee

The Environment, Transport and Locality Services Select Committee shall carry out scrutiny functions for all policies and services relating to environment, transport and locality services, including: Environmental sustainability; Planning & development; Transportation; Road maintenance; Locality services; Community cohesion; Countryside services; Waste, recycling and treatment; Trading standards; Resilience (emergency planning); Voluntary & community sector; Drugs and alcohol issues; and Crime and disorder and crime and disorder reduction partnerships (community safety partnerships).

In accordance with the BCC Constitution, the Environment, Transport and Locality Services Select Committee shall also sit as the designated Crime and Disorder Committee and will 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.

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For further information please contact: Sharon Griffin or Maureen Keyworth on 01296 383691 / 3603; Fax No 01296 382538; Email sgriffin@buckscc.gov.uk / mkeyworth@buckscc.gov.uk

Members

Mr W Bendyshe-Brown

Mr T Butcher

Mr D Carroll (VC)

Mr W Chapple OBE

Mr D Dhillon

Mr P Gomm

Mr S Lambert

Mr W Whyte (C)



Buckinghamshire County Council
Select Committee
Environment, Transport and Locality Services

Minutes

ENVIRONMENT, TRANSPORT AND LOCALITY SERVICES SELECT COMMITTEE

MINUTES OF THE ENVIRONMENT, TRANSPORT AND LOCALITY SERVICES SELECT COMMITTEE HELD ON WEDNESDAY 25 SEPTEMBER 2013, IN MEZZANINE ROOM 2, COUNTY HALL, AYLESBURY, COMMENCING AT 9.30 AM AND CONCLUDING AT 12.30 PM.

MEMBERS PRESENT

Mr W Bendyshe-Brown, Mr T Butcher, Mr P Gomm, Mr S Lambert and Mr W Whyte (Chairman)

OTHERS IN ATTENDANCE

Mr A Clarke, Ms S Griffin (Secretary), Dr J Nethercoat, Mr P O'Hare, Mr S Rooney, Ms R Vigor-Hedderly and Ms K Wager

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Bill Chapple, David Carroll and Dev Dhillon.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 MINUTES

The minutes of the meeting held on the Wednesday 26 June 2013 were agreed as a correct record.

4 PUBLIC QUESTIONS

There were no public questions.



INVESTOR IN PEOPLE



5 CHAIRMAN'S REPORT

The Chairman explained that the Environment, Transport and Locality Services Select Committee has a varied and wide workload.

One of the challenges during the year will be to schedule the agendas as the items arise as well as address some of the big issues/topics already on the agenda for the Committee.

A number of working groups have taken place to look into issues such as grass cutting and weed spraying. A meeting with TfB took place on 12 September examining in detail the TfB contract, its structure, management and key elements. Further meetings of the Working Group have been arranged for October and November to discuss KPI's, Task Orders and Local Area Technician prioritisation of work.

The Working Group discussed and agreed the proposed questions for the Member Satisfaction Survey which will be sent out to all Members in October.

6 WRITTEN RESPONSES REQUESTED FROM COMMITTEE MEETING OF THE 24 JULY 2013

a) ENVIRONMENTAL RESPONSE - GREEN DEAL

Members were referred to the information paper on The Green Deal – The National Perspective, which gives further details on Bucks County Council's involvement with the Green Deal and the creation of a Green Deal Together Community Interest Company.

During discussion, the following questions were asked and points made;

The Green Deal is a Government initiative to encourage energy-saving improvements to be made to homes and businesses without the costs having to be paid up front. From a customer point of view, they have to pay for everything which could also include the initial assessment. This is a regressive situation and there is great difficulty getting people to take up a 'free service' which they now have to pay for. The Chairman explained that the Green Deal and Community Interest Company were discussed during the Cabinet meeting in March. Further discussions by the Environment, Transport and Localities Working Group are needed to flesh about the mechanism for the initiative.

Concern was expressed about the Cabinet Member response of not being in favour of a long term project between the Government and the Local Authority. There is the need to ensure that the right amount of scrutiny is in place. The issues of winter fuel payments and extra funding for the over 75's should also be looked as this affects Adult Social Care. The Green Deal is a national policy. In terms of the efficacy of the scheme, residents have their own differing views. As long as the scheme exists there is the opportunity to provide services for the local community.

Members were asked to consider how the Green Deal can be fed into the Committee Work programme.

The Chairman requested details of how current resources are expended and an update on the status of Community Interest Company.

Action: Kama Wager/Alex Day

b) ENVIRONMENTAL RESPONSE - SUSTAINABLE TRAVEL SCHEME

Members were referred to the information paper on Sustainable Travel Capital Schemes (externally funded cycling and walking schemes)

The information paper advises there is no Bucks County Council Capital Budget allocated to cycling and walking schemes, therefore the Sustainability Team is actively looking to secure funding from external sources, i.e.

- Developer Contributions (Section 106),
- Grants (i.e. from the Department for Transport)

During discussion, the following questions were asked and points made;

Concern was expressed that taking into account the health responsibilities of the Local Authority within the community, there is no capital budget for the cycling and walking scheme. Is there a plan to identify schemes for cycle routes/walks across different areas of the county and is it possible to apply for funding? The Local Sustainable Transport Fund is the single largest source of funding for the cycle infrastructure in Bucks. The Local Authority MTL process for funding is very competitive. Nationally over the last 3-4 years the kind of funding available has been reduced. There are ambitions for cycling routes but unfortunately the funds have been prioritised elsewhere i.e. the maintenance of carriageways. As part of the development of a new dairy on the outskirts of Aylesbury, Arla is committing £367,630 to the canal towpath as part of the Section 106 agreement which will be used to widen the towpath, improve the surface and provide a cycle path.

Is it possible to make use of EU Structural funds i.e. reducing the carbon footprint? It is a surprise that no bids have been submitted for the scheme. Are potential investments streams being missed? A joint visit to the EU Team took place with Bucks Business First. In a comparison of the affluence of counties in the UK, Buckinghamshire was in the lower quarter decile which resulted in exclusion from the funding stream. Clarification can be obtained if BCC have made a recent bid for EU Structural funds.

Action: John Lamb/Nigel Simms

The existing walkways/pathways are badly maintained. There does not appear to be any funding for repairs as the available funds are being used to repair carriageways. The County Council needs to look for further funding

opportunities. The comments about the pathways have been noted. An extra £250,000 has been invested in the carriageway repairs this year. It is hoped that this will continue through the competitive MTP process. Discussions are taking place with the Cabinet Member to address investment in the footway network.

Is there a dedicated officer responsible for sourcing funding from EU grants? There is not a dedicated person to source EU funding. Work is taking place with Bucks Business First to seek a resource. BCC need to have a presence in the Brussels office but there is no capacity to allow this. Avenues and opportunities are being looked into. An update on progression can be given.

Action: John Lamb

At a recent seminar by Bucks Business First, delegates were advised that there is an EU allocation to spend and bids were needed. The missed opportunity is disappointing. An update on bids made by BCC can be provided.

Action: John Lamb

c) **CABINET RESPONSE - TFB (RINGWAY JACOBS CONTRACT)**

The Chairman explained that an enquiry took place into the TfB/Ringway Jacobs contract in February 2012. Following the enquiry, 9 recommendations were made which were briefing discussed at the last meeting of the Environment Select Committee.

Most of the recommendations are part of the current enquiry and any pertinent issues can be carried forward by the ETL Select Committee.

During discussion, the following points were made and questions asked,

It is pleasing to see that Cabinet approved all of the points put forward.

Recommendation 1 – The Cabinet Member and Strategic Client should seek a ‘contract development opportunity’ etc.

The update for the Committee advises independent external yearly audits. This was not raised during a discussion on the 2012/3 audits at the last meeting of the Regulatory and Audit Committee.

Recommendation 2 – Membership of the Strategic Board

Who is the elected Member on the Strategic Board? Janet Blake, Cabinet Member for Planning and Transportation is the elected Member on the Strategic Board.

A recommendation was made to widen the Membership of the Strategic Board to include the two Cabinet Spokesmen. Why has this not been done? The membership of the Strategic Board does not include the two Cabinet Spokesmen as the role of the Cabinet Spokesmen is now defunct.

The Terms of Reference of the Board should have been amended to reflect this.

Why was the recommendation agreed if the role of the Cabinet Spokesmen no longer exists? The Cabinet Member can arrange for a deputy to attend a meeting of the Strategic Board if he/she is unable to attend. Janet Blake is to be contacted for clarification.

Action: Kama Wager

Recommendation 3 – Papers of the TfB Strategic Board should be made accessible to County Councillors

There needs to be clear signposting to the Strategic Board papers.

When was the last meeting of the Strategic Board? The last meeting of the Strategic Board was two weeks ago. The minutes of the meeting are to be circulated to Committee Members.

Action: John Lamb

Recommendation 5 – TfB should introduce a Key Performance Indicator

It has been reported that there has been some difficulty with the ‘report a problem’ facility and the advised go live date (August) has been delayed. Is there a revised go live date for the facility? Work is on-going to resolve the issues. It is hoped that the facility will go live on the 1 October 2013.

Who is on the membership of the Improvement Project Group and are Members of the County Council able to attend by invitation? The Improvement Project group is a small group of people from across Place Service to look at feedback and comments from members of the public. From a client perspective the membership of the Project Group includes senior management. The Group report back to the Customer Board which is chaired by Margaret Aston. Members of the County Council are aware of the work-streams and can interact with the Project Group. One of the objectives is to establish more formal governance for the Project Group.

Recommendation 8 – the ‘While Here’ policy

Concern was expressed that there does not appear to have been any real progress on the ‘While Here’ policy. Unfortunately funding has not been made available to adopt this practice. There is the parallel process of member ambition of the services they would like to be addressed and the reality of the funding available.

The report needs to be amended if the recommendation has not been agreed.

Part of the KPI is for Ringway Jacobs is to repair category 1 potholes. Public perception is that the County Council is not doing a good job when gangs spend 30 minutes repairing one of several potholes in a specific area and leave the rest. It is fundamental that a better way of programming repairs is found. The Council removed the category 2 approach to repairing potholes in 2011. This is being addressed via the MTP process. A review of the categorisation of potholes is also taking place.

The Chairman advised that the issue of potholes and their categorisation can also be addressed by the Working Group.

Action: All

Recommendation 9 – Local Area Technicians (LAT) to be supported to interface

What is the timescale for the conclusion of the LAT review? A workshop took place a few weeks ago during which TfB were given clear objectives by the County Council. TfB has been tasked with providing a clear proposal of how concerns can be managed within the next four weeks. Part of the process is to engage in discussions with Lead Officers and Members of the County Council.

LAT efficiency comes back to empowerment.

The Chairman said that it has been 18 months since the recommendations were published and unfortunately most are still outstanding. Members of the Select Committee have acknowledged that whilst some work is in progress other recommendations have yet to be completed.

Outstanding issues from the meeting today will be taken forward into the current inquiry being carried out by the Committee.

Action: All

7 PUBLIC TRANSPORT: FUTURE RISKS AND CHALLENGES

Andrew Clarke, Passenger Transport Manager, BCC and Mr Paul O'Hare Community Impact Bucks were welcomed to the meeting.

Mr Clarke took Members through the document on bus patronage and subsidies, highlighting the following key points.

Background

The spend on subsidised bus services has been reduced by 30% over the last five years, whilst industry costs such as fuel and insurance are rising. Much of this has been achieved via tendering efficiencies, increasing commercial revenues through short term investment to grow commercial routes and targeted marketing and promotional work. Extensive reviews have taken place of all supported services. One of the key points is that bus services are a deregulated industry and operate on a 'for profit' basis. 40% of the services are entirely commercial; 40% receive an element of support from the Local Authority; 20% are directly contracted to Transport for Buckinghamshire. The Local Authority has influence but not direct control over bus operators. Bus operators can make a commercial decision such as a change to a bus route. The Local Authority can seek to influence the change but cannot prevent the change.

Core services

In rural areas a large number of passengers have a free bus pass. Buckinghamshire has an aging population and the usage of a free bus pass is rising.

Concessionary fares are a statutory responsibility which is devolved to the Local Authority. The Local Authority cannot control the cost of concessionary fares which has been destabilising. Bus operators will receive roughly 50% of the commercial bus fare for carrying the holder of a free bus pass. The Department for Transport has also reduced the Bus Service Operators Grant by 20%.

The focus of the review has been on urban services during which concerns have been raised about a reduction in urban mileage. One of the key points is to try and improve services particularly in urban areas. Options such as community transport is being looked into which could fit in around mainstream services but would ultimately rely on volunteers.

Mr O'Hare explained that part of his role is to manage the community transport hub and to provide support to set up community transport schemes.

The 14 October is 'Give a Lift to Work' week to encourage people to take up community care/transport schemes as an alternative method of transport.

During the update, the following points were made and questions asked;

It is understood that funds are diminishing but there is concern from Members and residents that there was not a public consultation about the proposed reduction/withdrawal of bus services. It is not a statutory requirement for a consultation to be held for commercially operated services. However it is a VOSA requirement for a minimum of 56 days' notice to be given for changes to bus routes. If the County Council make changes to a bus route there is a consultation process. Bus operators do not have a statutory duty to attend a consultation, although they would be encouraged to do so.

With regard to the financial mechanics of commercial services and bus passes, how is the scheme currently funded and is it subsidised by County Council i.e. the bus operator receives 50% commercial fare. On rural transport 90% of the travellers could be using a bus pass. The logical conclusion is that if 100% of the passengers use a bus pass then the service becomes uneconomical and would disappear. This is an issue in rural areas. The Department for Transport (DFT) sets the guidance rates of 50/55 pence in the pound. The majority of the bus services in rural areas are not commercial. The operator receives an element of subsidy from the County Council subsidy budget and concessionary fare reimbursement. Concessionary fares re-imbursement is based on average fares and journey lengths. This means that routes with a high proportion of concessionary pass holders will need a greater level of subsidy to remain viable.

What is the present cost to County Council to subsidise buses? The cost of subsidised services is £2.7 million. The cost of the concessionary fare scheme is £4 million.

Page 29 of the report refers to the Transport for Buckinghamshire contract containing a commitment to provide a 3% reduction in the budget each year. Is this different to the

3% TfB efficiency in the contract? The reduction of 3% in the budget and 3% TfB efficiency are one and the same.

A member said there are severe financial pressures around the viability of the bus services. Community Transport does not receive a subsidy from the County Council. They receive an Approved Mileage Allowance Payment (AMAP) of 45 pence per mile for the first 10,000 miles and 25 pence per mile thereafter. MP's for Buckinghamshire have advised that Bucks receives a lower subsidy per journey that most other counties. There has also been a reduction in fuel subsidy from the Government. It was noted that there is a national scheme and national guidelines around bus services. There is a high frequency of commercially operated services i.e. the 280 bus service which is different from Community Transport. There is some additional grant funding for Community Transport available from the DFT although the funding is difficult to get.

With regard to the Travel Bucks Strategy, Policy 1 - Buckinghamshire County Council will work in partnership with strategic healthcare partners (e.g. NHS) to consider, at the earliest opportunity, the integration of Client Transport and Non-Emergency Patient Transport. What is the current status of the policy and are opportunities to integrate transport being looked into? Currently the Community Hub signpost services to existing transport schemes in the county i.e. if an individual needs transport for a hospital appointment they can be given contact details for services such as the Community Car Scheme and Dial A Ride etc.

As part of the Travel Bucks Strategy is the possible use of transport assets such as school buses during holiday periods being looked into? The use of other transport assets within the county is starting to happen at operator level. Part of the wider strategy is the alignment of contracts. The Local Authority is in the process of forming a partnership with South Central Ambulance Service and Dial a Ride to be transport suppliers in the network. Similar discussions are taking place with the NHS.

Why can't the power given to Commercial Services be given to community led services in the voluntary sector? Bus services are deregulated. Bus operators are free to operate the routes/timetables they choose and communities can operate the services they wish. The Local Authority doesn't licence or control Commercial Services.

Why are communities not allowed to manage their own bus services? They are able to run services if they wish. The Local Authority is trying to broker more engagement with communities. If there is an issue with the set up and running of a Community Bus service, the Local Authority will provide help and support.

There have been several complaints that the Buckinghamshire Community Transport Hub is only open between the hours of 10am/2pm. These hours would suit those who are retired but how would individuals such as school pupils access the Community Hub out of these hours? The contact hours of the service are advertised as 10am-2pm. In reality telephone calls are answered between the hours of 9-4/4.30 as long as there is a member of staff in the office. It has been recognised that there may be the need for information outside

the hours of the service. If an individual calls outside of the core hours they are able to leave a message. Staff will telephone the caller to acknowledge receipt of their message and ask how the service can be of assistance.

Has consideration been given to the Transport Hub being more reactive? Bus services are under threat and there needs to be a system in place to fill transport gaps i.e. last minute GP appointments. A new web portal entitled 'Xchange Bucks' has recently been launched. The website gives details of resources and opportunities for the voluntary, community and charitable sector in Buckinghamshire. Bucks County Council have contributed towards the funding of the website which could provide the opportunity to advertise Community Transport schemes around the County.
<http://www.xchangebucks.org.uk/>

The Chairman asked for a written response to clarify the current status of the 9 policies within the Travel Bucks Strategy as quite critical issues are being dealt with which could help inform future enquires of the Working Group.

Action: Andrew Clarke

8 TFB COMMUNICATION

a) CUSTOMER FOCUS PROJECT

Dr Joe Nethercoat, Senior Manager, Place explained that he has been seconded to the role of Senior Manager as a replacement for Karen Agbabiaka who has left the Council.

The meeting today provides the opportunity to give Members of the Committee an update on the issues being faced by the service area in response to customer complaints in terms of time and quality of the response.

The following issues around business intelligence have been identified;

- The recording of information is not as satisfactory as the Local Authority would like it to be
- Knowing where complaints are coming in and what they are about
- How to channel or lower the demand on services i.e. alternative service methods which could result in earlier reporting.

Work done so far includes 75% of correspondence is now dealt with within 5 days (this figure has recently fallen to 70%).

During discussion, the following questions were asked.

Clarification was requested of the process for receiving problems/complaints for Tfb and County Council services. The County Council mainly receive reports about defects which would go via the Contact Centre. The Contact Centre work closely with Tfb to address the reported defects. Formal complaints go via the County Council Corporate Complaints system.

A Member said selective reporting and tracking is a concern. It should be possible to track all of the complaints received. It has also been noted that there has been a decline in the letter response time. It was noted that there are two issues to be taken into account. The first is what the Local Authority considers to be a complaint i.e. a piece of correspondence from a member of the public. A formal complaint is easily tracked. One year ago the County Council was receiving 100 formal complaints per month. Following a change to the way formal complaints are dealt with currently 30 formal complaints are received per month. One of the issues is that there are approximately 4500 calls into services which are often to report a defect but could include a complaint about a response time. There are three themes being looked into; how to reduce avoidable contact and failure demand; how to understand customer's journey and improve customer service; how to address reputational issues in relation to correspondence and contact management.

Significant improvement in performance is being seen. Front facing staff have attended correspondence courses. There is a move in the right direction but there is still some way to go. There is always a bar of expectation.

A report detailing statistics is to be sent to Committee Members.

Action: Joe Nethercoat

Concern was expressed that over the last three-four years there does not appear to have been any learning from complaints received to inform service delivery and the creation of Task Orders. Place is the first service area to adopt the system which has been running for approximately a year. One of the lessons learnt was if the public had been more aware of issues with some of the contractors there may have been a different perception. There is drive towards higher levels of contract performance. It is now possible to track customer enquiries by division and identify areas where there are more issues and therefore target intelligence appropriately i.e. via the Local Area Technicians

Would it be beneficial to have separate complaints teams for TfB and BCC as there could potentially be information overloads from different sources? There is joint working between TfB and BCC staff i.e. the development of the webpage. One of the added benefits is for the two services to work together to be as transparent as they can be.

A report detailing a selection of data for the areas looked at and the trends is to be made available for the next meeting of the Committee.

Action: Joe Nethercoat

b) EFFICIENCY SAVINGS

Sean Rooney, Senior Manager referred Committee Members to the document on page

45 of the agenda which is an extract from the significant process for efficiency savings. The document gives details of service efficiencies not service reductions, a flavour of the efficiency and credence of the information system and assurance that efficiencies are being dealt with via robust system

During discussion, the following questions were asked.

Concern was expressed that efficiency savings were being blamed for deterioration in services. The efficiency process is fed to the client and via the Task Order process. Work is carried out to the available budget. If there is a challenge to the level of the budget applied there will be a service reduction.

There is a KPI in the Ringway Jacobs contract of 3% efficiency savings to be achieved every year. Is this effectively leading to a 3% reduction in services? There are discussion and negotiations taking place around how to achieve better efficiencies through the 4 year plan, not just achieving the 3% year on year. This should look at whether, over the course of the contract, there are more substantial savings that can be made.

If the aim to achieve 3% efficiency every year would it not be more prudent to make the saving of 15% in the first year. Achieving 15% efficiency in the first year does not necessarily incentivise the correct behaviour for the subsequent years. When Ringway Jacobs were first appointed there was clarity and transparency about the previous costs and the expectation of the delivery of 3% efficiencies year on year. Financial colleagues look for efficiencies as Ringway Jacobs can gain from this. There is a robust scrutiny/finance/audit process in place. A significant amount of senior management time was taken to look at the contract, the client and how services can be delivered differently. There is significant challenge to contract throughout the year which includes assurance that there are not just efficiency savings in the first year.

A copy of the three year plan was requested at the last meeting of the ETL Working Group. Efficiencies to date have always been small – i.e. making use of a second hand shredder. This is a reduction in local overhead costs/budget so why it is classed as an efficiency? Local overheads are already being paid to reuse the equipment available. Services have been tasked with delivering the efficiencies identified via the MTP process. Staff are encouraged to bring forward supplementary efficiencies. Efficiencies could be as small scale as using a recycled shredder but it starts to add up to significant cost savings.

Should the efficiency not be captured at the beginning of the year and the Task Order reduced accordingly? In retrospect the key message to client is the need for more collaborative working and foresight at the beginning of the year. This is the expectation going forward.

An updated report of efficiencies made over the last 12 months is to be circulated to Committee Members.

The Working Group discussed the benefits of benchmarking by bringing examples of best practice and efficiencies from Ringway Jacobs contracts from other counties into the Buckinghamshire contract. The Group were advised that there is an incentive scheme in place asking staff to give ideas for improvements and efficiencies. There is an incentive scheme in place which is funded by Ringway Jacobs. There is a financial incentive of a small value voucher for a high street store for ideas which result in significant savings. The efficiencies shown on the TfB efficiency savings document are an extract of staff suggestions from the system. The suggestions are approved by contractor and the Senior Manager, TfB and are checked and challenged at a number of levels.

With regard to benchmarking, as part of the The Highways Maintenance Efficiency Programme (HMEP), national sectors are working together on various ideas for improvements in delivering efficient and effective services. The HMEP have created a number of toolkits to assist Local Authorities, one of which is a benchmarking tool. A significant piece of work has been done to look at case studies, best practice and new ideas/techniques i.e. the use of jet patchers and infra-red repairs.

Do you think trying to find 3% each year is a management distraction? Efficiencies are a management requirement not a management distraction. Efficiencies are fed into the business management and Task Order process.

9 GRASS CUTTING UPDATE

Ruth Vigor-Hedderly, Deputy Cabinet Member for Planning & Transportation was welcomed to the meeting.

The Deputy Cabinet Member explained that one of the recommendations from the last meeting of the Working Group was for opportunities of working with local farmers who would be willing to cut areas that are adjoined /close to their land when they carry out their own cutting works would be looked into.

Members were informed that farmers have to be insured and fully trained to work on the highway. Consideration also has to be given to the availability of the farmer and where they would work. A meeting has taken place with the consultant to look at the possibility of the devolved responsibility for grass cutting and the opportunity to engage with farmers/District and Parish Councils.

In the Chalfont St Giles area there was an arrangement in place between the Local Authority and a number of locals to cut the verges. The decision was made not to continue with this arrangement and the responsibility came back to the County Council.

Between the 28 October/4 November, a team from TfB cut back the foliage in the area which included foliage around signs and barriers. Members need to engage with Local Area Technicians and advise them of any areas which are of concern.

There are two elements to the weed spraying programme;

- The duty to keep the highways free of debris
- When should weed spraying take place i.e. is weed spraying taking place at the right time of the year?

One of the questions raised is why are there still weeds at the side of the road when the highways are swept by a road sweeper. The County Council could then go and spray the roots.

One suggested saving from the MTP is a reduction in the number of rural grass cuts. The Local Authority has a legal obligation to keep the highways clear of weeds and foliage and to ensure that splay visibility is not impaired.

The District Council carry out 14 urban highway grass cuts per year compared to 10 a year carried out by BCC. There is a policy in place which states a minimum of 8 urban highway grass cuts a year. There is however, the public perception of the difference in the number of cuts carried out by the District Council and BCC. The possibility of working with Aylesbury Vale District Council to coordinate cuts or to outsource weed spraying and urban cutting to the District Council in a uniformed manner is being looked into.

During discussion, the following questions were asked.

In some parts of the county it looks as if some areas of grass and weeds have been deliberately missed or ignored. A TfB officer advised that weed spraying takes place twice a year. Why do the County Council not use a known weedkiller such as Roundup which is a one off treatment for weeds? One of the issues is to address when the cuts are made. Rain has promoted a phenomenal amount of weed growth in some areas of the county. Products for weed sprays are looked at to ensure they are strong enough and usage is legally allowed. The use of Altrazine and Simonzine was banned in 1992. The understanding is that the County Council are not permitted to use Roundup but clarification will be sought.

A written response of the statutory requirements of the products that can be used and the weed spraying programme is to be provided.

Action: Sean Rooney

In terms of cutting hedges and grass on the highways, there is some confusion over what farmers are allowed/not allowed to do. Is it possible to have clarification? Senior officers have advised that it is a statutory requirement for anyone who cuts the hedges and grass on the highways to be trained and insured. If there was an accident the County Council could be liable. A written response to the clarify legislation will be provided.

Action: Ruth Vigor-Hedderly

It is good to hear that there is the potential to devolve services to parishes. The issue of street cleaning was raised at the last County Council meeting. The response given was that part of the tender process advised that certain brushes could not be used as

they would damage the road surface. A meeting has taken place with the two District Councils to discuss the possibility of joined up working. The current contract price for BCC is £2.00 per hour which TfB/Ringway Jacobs worked hard to achieve. The District Council has suggested that they would like to take on the devolved services but this would be at an increased price. The District Councils are reluctant for BCC to take on the District Council grass cutting.

The Cabinet Member for Planning and Transportation was congratulated on the good work she has carried out under the restrictions and budgets.

The Leader of the Council has asked for a summary of the findings to be compiled for cabinet. A copy of the report will be sent to Members of the Committee.

Action: Ruth Vigor-Hedderly

Members of the Committee agreed that due to the work undertaken by the Deputy Cabinet Member, there did not appear to be a need for any formal recommendation. The Committee would like sight of the forthcoming reports to Cabinet to make comment on.

Action: All

10 ITEMS FOR INFORMATION: CHAIRMAN OF THE COMMITTEE

a) ECONOMIC GROWTH AGENDA – ROLE OF BUCKS BUSINESS FIRST, BUCKS COUNTY COUNCIL AND LOCAL ENTERPRISE PARTNERSHIPS

Members of the Committee were referred to the information paper giving the background on Economic Growth. This topic is on the Committee work plan for future discussion.

With regard to the Chesham project, there is similar work taking place at the Aylesbury Healthy Living Centre. Would it be beneficial to compare and contrast the work taking place? Is this a one off benefit or could it be part of collaborative way within the county of delivering services? The aim is to use the Chesham Community Wellbeing Project as a pilot. Feedback can be obtained from the officers involved.

Action: Kama Wager

The Local Enterprise Partnerships (LEPs) will be discussed at a future meeting of the Committee. A formal update about the New Homes Bonus is expected from the Government at the end of the year.

b) SHALE GAS FRACTURING ‘FRACKING’, OUTLINING THE BUCKS COUNTY COUNCIL POSITION

Members noted the briefing note on Fracking and Shale Gas.

An information paper about fracking has been published on the BCC website and fracking is on the Committee work plan. There needs to be an understanding of County Council policies around this issue.

Why has the report to the Committee been signed off by Janet Blake, Cabinet Member for Planning and Transportation not Lesley Clarke, Cabinet Member for Environment? The report has been signed off by the Cabinet Member for Planning and Transportation as fracking is planning issue not an environmental issue.

Licensing and planning are two separate issues. The Committee cannot interfere in the planning process but can make the recommendation that a report comes to a future Committee meeting for further discussion from an environmental perspective.

The Chairman advised that a formal briefing would be requested based on the information paper.

Action: Kama Wager

c) COMMITTEE WORK PROGRAMME

The Committee Work Programme was noted.

11 DATE OF THE NEXT MEETING

The next meeting is due to take place on Wednesday 6 November 2013 in Mezzanine 2, County Offices, Aylesbury at 2.00pm. There will be a pre-meeting for Committee Members at 1.30pm.

Future dates and times for 2013

Friday 6 December (9.30am)

Proposed dates for 2014

Tuesday 4 February

Tuesday 4 March

Tuesday 8 April

Tuesday 13 May

Tuesday 17 June

Tuesday 2 September

Tuesday 14 October

Tuesday 18 November

CHAIRMAN



Buckinghamshire County Council
Select Committee

Environment, Transport and Locality Services Select Committee

Report to the Environment, Transport and Locality Services Select Committee

Title:	Section 106 - Development Funding
Committee date:	6 November 2013
Author:	John Rippon, Business Manager – Planning Advisory and Compliance Services
Contact officer:	John Rippon, 01296 382066, jriippon@buckscc.gov.uk
Report signed off by Cabinet Member:	Janet Blake, Cabinet Member Planning & Transport
Electoral divisions affected:	All

Purpose of Agenda Item

- For information to discuss and clarify the Section 106 process, roles responsibilities of the County and District Councils and summary of financial contributions.
- To consider recommended next steps regarding improvements to the Section 106 process.

Background

Section 106 explained

- **Section 106** agreements are legally binding private agreements made between planning authorities and developers. They are termed planning obligations under Section 106 of the 1990 Town & Country Planning Act.
- They are used to make development acceptable in planning terms. The land itself, rather than the person or organisation that develops the land, is bound by a Section 106 Agreement – so this is something any future owners will need to take into



account. The obligations are registered as a local land charge against the piece of land.

- Planning obligations enable a council to secure financial contributions to services, infrastructure and amenities in order to support and facilitate a proposed development.
- S106 obligations must be evidence based and justified in planning terms. Supporting BCC Policies and adopted strategies are a material consideration, such as the Local Transport Plan.
- The Government's policy on the use of planning obligations is set out in Circular 05/05. Planning authorities must take this guidance into account in their decisions on planning applications and must have good reasons for departing from it.
- Planning obligations are used for three purposes:
 - Prescribe the nature of development (for example, requiring a given portion of housing is affordable),
 - Compensate for loss or damage created by a development (for example, loss of open space), or
 - Mitigate a development's impact (for example, through increased public transport provision).

Community Infrastructure Levy (CIL)

- **CIL** – In April 2010 a number of measures within the Community Infrastructure Levy Regulations came into force. These reforms restricted the use of planning obligations and clarified the relationship between planning obligations and the Community Infrastructure Levy – the levy is a new local charge that local authorities in England and Wales can choose to charge on new developments in their area to fund infrastructure.
- The County Council is not a CIL collecting authority under the new scheme, since this role falls to District Council's in two-tier areas. Close collaboration is therefore essential between County and District Councils in order to ensure that the potential for Planning Obligations is utilised effectively.
- There are three key reforms that scale back the use of s106 planning obligations:
 1. CIL Regulation 122 – Planning obligations must meet three new statutory tests from 6 April 2010. These are;
 - a) necessary to make the development acceptable in planning terms;
 - b) directly related to the development; and
 - c) fairly and reasonably related in scale and kind to the development.

2. Planning obligations cannot be used to double-charge developers for infrastructure. Once an authority has introduced the levy in its local area, it must not use obligations to fund infrastructure they intend to fund via the levy.

3. Planning obligations will no longer be the basis for a tariff. Once a local authority introduces the levy in their area, or if sooner after April 2014, it can no longer pool more than five contributions for infrastructure capable of being funded by the levy.

- However, planning obligations will continue to play an important role in making individual developments acceptable. Affordable housing will continue to be delivered through planning obligations rather than the levy. Local authorities can also continue to pool contributions for measures that cannot be funded through CIL.

Roles and Responsibilities – County / District

- **District Councils** – Local Planning Authorities – planning decisions for housing, commercial, retail and other development. Responsible for leading and developing, local development plans, planning policy, neighbourhood planning, CIL. Responsible for determining planning applications and consulting relevant statutory consultees including the County Council as Highway and Education Authority.
- **Buckinghamshire County Council** – Statutory Highway Authority and Education Authority, Planning Authority for Waste & Minerals, Education and BCC Property. Work with District planning authorities, LEP, BBF in development and delivery of local plans, infrastructure planning, funding, phasing and delivery of Education facilities, highways and transport infrastructure and services. Providing advice and formal responses to District Planning Applications.
- **BCC Education** – Local Authorities (LA) have a statutory responsibility under Section 14 of Education Act 1996 to ensure sufficient school places. The increase in housing planned across Buckinghamshire is projected to put increased pressure on school places and in June 2010 Buckinghamshire County Council (BCC) adopted a policy to secure planning obligations under section 106 of the Town and Country Planning Act 1990 towards education provision. The aim of the policy 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.
- **BCC Highways** – NPPF (National Planning Policy Framework) ‘duty to cooperate’ and responsibility to mitigate the impact of development on the highway and transport network. The District Planning Authority must consult the County Council regarding all planning applications affecting the highway.

S106 Process

- **Basic Principles** – BCC Education and Highways assess the impact of development based on local plans and information submitted by the developer. Principle considerations are impact on services and infrastructure, access to the development, safety and sustainability.

- **Approach** – infrastructure is identified through development of the District Councils emerging local development plans and adopted core strategies. Holistic approach to Aylesbury and Wycombe Town centres. In the absence of regional and local development frameworks, some previous sites have been assessed on an individual basis, where possible taking account of neighbouring committed development.
- **S106 Negotiations** – Take place between qualified professionals (typically officers and applicant’s consultants) since principle disagreements could result in recommendation to refuse a planning application and having to prepare evidence and cross examination at Public Inquiry.
- **S106 Agreements** – can be between BCC and developer or include Districts LPA’s and other parties. Cost of legal agreement preparation met by the developer.
- **Triggers and payments** – S106 agreements include schedules of payments and triggers at stages of development when payments have to be made. These are monitored by the County Council and invoices raised when payments are due.
- **S106 Commissioning and delivery** – S106 schemes are reported to Business Investment Group for contributions to be released and fed into annual delivery programmes. Transport schemes are being coordinated through TfB Capital programme.
- Refer to flow diagram, Appendix 1.

Status update on S106

- All S106 agreements are being logged in central area and financial contributions transferred and held by corporate finance to give Business Investment Group visibility of contribution amounts and overview alongside Capital Programme.
- S106 payment triggers are currently being monitored by Education resource for both education and transport. Triggers prompt invoice to developers from Education and Transport respectively.
- Historic S106 contributions are being transferred to the new balance reserve set up by Corporate Finance to bring all S106 together.
- At risk S106 contributions are being prioritised for delivery 2013/14 and 14/15.
- **WTS (Wycombe Transport Strategy) & ALUTS (Aylesbury Land Use Transport Strategy) S106 Contributions** – prior to introduction of CIL, AVDC and WDC adopted their own local S106 Transport levies for development. These contributions are held separately by both Authorities and the County Council makes annual bids to fund capital transport schemes using these funds.

Member role/consultation – Members and public

- This is recognised as an area for improvement; to ensure local issues and concerns are being considered during the pre-planning and planning process.

- For reasons set out above it may not be possible to negotiate and secure infrastructure and services that meet local expectations. However future availability of CIL funds directed to neighbourhood forums may be used to address local aspirations.

Summary

- S106 is a key consideration for the County Council in ensuring that appropriate levels of funding are secured from development to mitigate the additional impact on service provision.

Resource implications

- Loss of resources in Planning and Finance through successive reorganisation and transformation has resulted in need for redesign of systems to ensure that S106 is effectively managed. This involves legal, finance, education and transport services.

Up until June 2012 BCC employed a S106 Officer who worked with services, legal and finance as well as planning policy and development control to coordinate S106 negotiations. In the absence of that post it has become apparent that S106 agreements are not negotiated holistically, but rather on a service by service basis. Similarly, the commencement of development or other triggers for payments is not monitored by BCC and so we are essentially reliant on developers to submit s106 payments on time, or to rely on information from districts.

- **S106 Education Summary of Account**

Total S106 allocated towards education provision in signed agreements	Amount Received to date (Oct 2013)	Amount Spent/Allocated to schemes (Oct 2013)	Balance remaining to be committed to school expansion projects	S106 funding yet to be received
c.£47m	c.£25m	c.£21m	c.£4m	£22m

- **S106 Transport Summary of Account**

Total S106 allocated towards Transport provision in signed agreements	Amount Received to date (Oct 2013)	Amount Spent/Allocated to schemes (Oct 2013)	Balance remaining to be committed to Transport projects	S106 funding yet to be received
C£6.8m	c.£4.8m	c.£3m	c.£2m	£1.9m

- **CIL Estimate** – The only district so far with an adopted CIL is Wycombe. Using Wycombe CIL charging rates and estimated planned housing figures the range of CIL potentially collectable by each district if all districts had CIL (at the WDC level) and this applied to all new housing is as follows:

	Average numbers of Planned New Homes (per year)	CIL Range (£m/ pa)	15% Local Allocation & (25% Neighbourhood Plan Allocation) (£m/ pa)
Aylesbury Vale	720	8.6 to 10.4	1.4 (2.4)
Chiltern	210	2.5 to 3.0	0.4 (0.7)
South Bucks	120	1.4 to 5.8	0.2 (0.4)
Wycombe	400	4.8 to 5.8	0.8 (1.3)
Bucks total	1450	17.3 to 20.9	2.8 (4.8)

However, it should be noted that CIL is subject to viability, and hence, land values. As such the levels adopted for CIL in Wycombe are likely to be higher than elsewhere in the county. Thus the table above should be seen within this significant caveat on the estimates.

Next steps

- To complete the redesign of S106 process taking account of organisational change and loss of resources to ensure S106 agreements are effectively monitored and that S106 contributions are paid and committed to scheme delivery in line with BCC Capital programme.
- To consider the creation of a new S106 Coordinator role within the Place Service, funded through the S106 monitoring fees, including a review of S106 monitoring fees and the brokering of internal agreements when viability constrains funding available (at present this is escalated to Service or Strategic Director level).
- To develop a more effective communication strategy during the Pre Application, Planning and S106 negotiation process to consult Local Members and ensure that local concerns and ideas are being considered as part of the process.

Appendix 1 – S106 Process (Transport)



ETL SELECT COMMITTEE WORK PROGRAMME – 28th October 2013

Committee	Date	Topic	Description and Purpose	Attendees
Environment, Transport and Locality Services				
	6 Nov 2013	Section 106 and Planning Applications	For members to examine S106 package of benefits received by BCC through planning applications. Item also discussed by Finance, Performance & Resources select committee on 31 Oct 2013	John Rippon - PAC Service Business Manager Information paper to be received in advance.
	6 Nov 2013	TfB – Ringway Jacobs	For Members to discuss the progress of the review to date. Highlighting the key issues and to update all Members on the working group activity. Areas of outstanding evidence to be agreed for the final evidence session.	Committee Discussion
	6 Dec 2013	Flooding	For Members to receive an information paper on the Flooding Strategy and flood resilience in Buckinghamshire.	Information paper
	6 Dec 2013	TfB – scrutiny inquiry	For members to receive an update on the progress of committee inquiry on TfB and too agree any recommendations to present to BCC Cabinet.	TBC, update paper and draft report
	6 December 2013	Section 106 monies	For members to receive an update on the progress of committee work on s106	TBC, update paper
	6 December 2013	Waste and Recycling policy – implications for Fly tipping	For members to receive an update on the options paper for changes to the Access and Acceptance policy for Waste and recycling centres following cabinet member decision to review the new policy.	TBC
	4 Feb 2014	'Fracking'	For Members to receive a briefing on hydraulic fracturing (fracking) following initial information paper at 25 Sept 2013 committee	Lester Hannington – Senior Manager PLACE

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Agenda Item 8



Select Committee

Environment, Transport and Locality Services

Update to the Environment, Transport and Locality Services Select Committee

Title:	Travel Bucks Strategy – Update October 2013
Committee date:	6 November 2013
Author:	Andrew Clarke, Passenger Transport Manager
Contact officer:	Andrew Clarke
Electoral divisions affected:	All

Purpose of the report

To provide the Committee with an update on each of the policies within the Travel Bucks Strategy as requested at the Committee of the 25th September 2013.

Travel Bucks Policy No. 1

Buckinghamshire County Council will work in partnership with strategic healthcare partners (e.g. NHS) to consider, at the earliest opportunity, the integration of Client Transport and Non-Emergency Patient Transport.

This was initially considered prior to the extension of the current BCC Client Transport contract with Amey plc in 2012. At this point the NHS Trust was not in a position to consider wider integration of their non-emergency transport provision and Buckinghamshire County Council has continued with the current client transport delivery model. Opportunities to deliver efficiencies through greater integration will continue to be assessed when existing contracts are reviewed.



Travel Bucks Policy No. 2

Buckinghamshire County Council will work in partnership with commercial bus operators to maintain a Core Bus Network, Core Inter-Urban services and rural Accessibility services.

This is an integral part of the Passenger Transport business plan; we work closely with bus operators to maintain the public transport network through improving patronage, increasing service reliability and promoting public transport options.

Travel Bucks Policy No. 3

Buckinghamshire County Council will work in partnership with the third sector to improve the delivery and coordination of community transport.

We work closely with Community Impact Bucks who offer advice and support to Community Transport schemes. The passenger transport team also work directly with dial-a-ride and community bus operators.

Travel Bucks Policy No. 4

Buckinghamshire County Council will work in partnership with neighbouring authorities and other transport providers to enable cross boundary travel and ensure access to key services and employment centres.

The Passenger Transport team work with all our neighbouring local authorities to maintain cross boundary bus services and seek best value via joint procurement where appropriate. Recent joint working with Hertfordshire CC and Carousel Buses has secured the future of route 336 (High Wycombe – Amersham – Watford).

Travel Bucks Policy No. 5

Buckinghamshire County Council will prioritise the public transport budget on subsidising the Core Bus Network and maintaining Rural Accessibility bus services where they continue to be viably used; in order to secure a sustainable future for public transport provision.

Public Transport contract reviews take account of these key policy aims.

Detailed assessment criteria based on a range of policy and value for money measures are used is used to assess contracts and create revised timetables which are then subject to wider consultation via members, local area forums and user groups.

Travel Bucks Policy No. 6

Buckinghamshire County Council will undertake regular reviews of higher cost bus services as part of prioritising public transport budgets to ensure value for money, taking into account local accessibility priorities.

This is carried out through annual reviews of contacted service performance through the TfB business planning process and the MTP process. This has seen significant MTP reductions being



made to the bus subsidy budget whilst still retaining a viable public transport network. Where contracted services are reviewed Local Area Forums are used as the basis for feedback and consultations.

Travel Bucks Policy No. 7

Buckinghamshire County Council will support community transport operators to develop sustainable business models by:

- *Offering business development advice and expertise.*

This is offered by Community Impact Bucks via toolkits and mentoring.

- *Supporting the preparation of funding bids for alternative income streams.*

Community Impact Bucks, bucks Community Foundation and BCC Localities team offer a range of support to assist with accessing funding.

Travel Bucks Policy No. 8

Buckinghamshire County Council will set up a finite Community Transport Challenge Fund utilising DfT funding for 2012 – 2014 to ‘pump prime’ community transport projects and seek to gain further funding to support community transport.

The Community Transport Challenge Fund was launched in August 2012 and £150,000 is available to support new community transport schemes. The scheme is administered by the Buckinghamshire Community Foundation and to date just over 50% of the funding has been allocated with further bids being considered later in the year.

Travel Bucks Policy No. 9

Buckinghamshire County Council will work towards developing a transport information hub which manages the coordination and communication of a range of transport services in partnership with other transport providers.

The Community Transport Hub was launched countywide in September 2012 and received 1510 calls in its first year. The hub provides advice to those unable to access mainstream passenger transport and puts those with a transport needs in touch with community transport providers who may be able to assist them. Jointly funded by TfB and the NHS Trust the hub is managed by community impact Bucks.



