



Buckinghamshire County Council
Select Committee
Environment, Transport and Locality Services

Date: Tuesday 4 February 2014

Time: 10.00 am

Venue: Mezzanine Room 2, County Hall, Aylesbury

AGENDA

9.30 am 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.

10.00 am Formal Meeting Begins

Agenda Item	Time	Page No
1 APOLOGIES FOR ABSENCE / CHANGES IN MEMBERSHIP	10.00am	
2 DECLARATIONS OF INTEREST To disclose any personal or disclosable pecuniary interests.		
3 MINUTES of the meeting held on Friday 6 December 2013 to be confirmed as a correct record		1 - 10
4 MINUTES of the meeting held on Wednesday 18 December 2013 to be confirmed as a correct record		11 - 22



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5 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

6 CHAIRMAN'S REPORT

For the Chairman of the Committee to provide an update to the Committee on recent scrutiny related activity, including the Cabinet response to the Committee's TfB inquiry recommendations.

7 TRANSPORT FOR BUCKS IMPROVEMENT PLAN

10.20

23 - 42

For Members to receive an update on the progress of the work taking place under the TfB Service Improvement Plan (The McCabe Review). This will be the first of the updates as requested within the Committee's inquiry recommendations.

Sean Rooney - Senior Manager, PLACE

Bob Cook – Interim Highways Manager

Kim Hills – Head of Highways and Transportation

Dr Joe Nethercoat – Senior Manager, PLACE

Papers:

- TfB Improvement Plan
- Cabinet Response; Select Committee Inquiry – TfB (Ringway Jacobs Contract)

8 BUCKS POSITION ON HYDRAULIC FRACTURING ('FRACKING') 10.50 43 - 58

A question and answer session with the Lead Officer for Minerals and Waste Planning, to understand and examine the Council's most up to date position (in light of recent Government announcements) in relation to 'fracking' as agreed at the 6 December Committee meeting.

Lester Hannington – Lead Officer for Waste and Minerals Planning

Papers:

- Update report – recent developments concerning 'Fracking' for shale gas
- Briefing note on Fracking and Shale Gas

9 COMMITTEE WORK PROGRAMME 11.40 59 - 60

For Members to discuss and agree the Committee's Work Programme for 2014 including potential topic areas for further research and development.

10 DATE OF THE NEXT MEETING 11.55

The next meeting is due to take place on Tuesday 4 March 2014 in Mezzanine 2, County Offices, Aylesbury at 10.00am. There will be a pre-meeting for Committee Members at 9.30am.

Future meeting dates for 2014

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 D Dhillon
Mr T Butcher	Mr P Gomm
Mr D Carroll (VC)	Mr S Lambert
Mr W Chapple OBE	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 FRIDAY 6 DECEMBER 2013, IN MEZZANINE ROOM 2, COUNTY HALL, AYLESBURY, COMMENCING AT 9.45 AM AND CONCLUDING AT 11.20 AM.

MEMBERS PRESENT

Mr T Butcher, Mr S Lambert and Mr W Whyte (Chairman)

OTHERS IN ATTENDANCE

Mr S Boddy, Ms N Glover, Ms S Griffin (Secretary) and Ms K Wager

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Bill Chapple, David Carroll, Bill Bendyshe-Brown and Phil Gomm.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 MINUTES

The minutes of the meeting held on the Wednesday 6 November 2013 were agreed as a correct record subject to the following amendment;

Page 2 – Environmental Response – Sustainable Travel Scheme
Nigel Simms to be amended to Jim Simms



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Matters Arising

Environmental Response – Green Deal

Bucks County Council has purchased £35,000 in shares in the Community Interest Company and there is the officer time of 0.4 full time employment.

The Green Deal will be on the Work Programme for the ETL Committee for 2014.

A meeting to discuss the EU bids and funding with the relevant officers is being re-scheduled due to a clash with the TfB review.

Action: Warren Whyte

Details of the full bid made by BCC for EU funding is to be provided.

Action: John Lamb/Kama Wager

Minutes of the Strategic Management Board

The minutes of the last meeting of the Board have been circulated but are not particularly helpful. This is to be pursued in terms of how much information the Committee needs to monitor.

Customer Focus Project

The project is ongoing and is on the Committee Work Programme for 2014. One of the recommendations in the report is for the Committee to receive regular updates. The statistics report is to be circulated to Committee Members.

Action: Kama Wager

Grass Cutting update

The Deputy Cabinet Member for Planning and Transportation has provided details of the legislation and statutory requirements for hedge cutting and grass cutting on highways, the statutory requirements of the products that can be used for weed spraying and the weed spraying programme. This document is to be circulated to Committee Members.

Action: Sharon Griffin

Summary of the findings reports being compiled for Cabinet is to be sent to Committee Members.

Action: Ruth Vigor-Hedderly / Sean Rooney

Section 106

A meeting has taken place with the Lead Officer. The Committee has agreed the next steps in the paper presented at the November meeting. A summit is being arranged for late January to look at developing a robust process with the relevant stakeholders i.e. roles and responsibilities and the development of member involvement. The next step is to schedule a working group which would include members of the Environment, Transport and Locality Services and Finance, Resource and Performance Select Committees, Service Area Officers and the Cabinet Member.

Travel Bucks Strategy

The completion date for the Community Transport review being carried out by Community Impact Bucks is still awaited. The focus of the review is predominantly on access to Health Care Services for vulnerable people. The report findings can be fed into the Committee work programme.

4 PUBLIC QUESTIONS

There were no public questions.

5 CHAIRMAN'S REPORT

The Chairman explained that the Environment, Transport and Locality Services Select Committee concluded its inquiry into the Transport for Buckinghamshire (Ringway Jacobs contract).

The draft report will be presented Cabinet on the 13 January 2014 subject to agreement from the Committee.

The Committee have been invited to attend a Key Performance Indicator workshop by the County Council client team and the Cabinet Member to review the KPIs for 2014/2015 and to submit the names of two members of the Committee to join the workshop.

The Chairmen of the Select Committees have been invited to attend the Budget Scrutiny meeting at the beginning of January. The areas for the ETL Select Committee will be dealt with on the 8 January 2014. The Chairman is to be advised of any questions to be raised.

Action: All

6 TRANSPORT FOR BUCKS INQUIRY : DRAFT REPORT

Members of the Committee were referred to the draft report which presents the findings of the inquiry into the Transport for Buckinghamshire (Ringway Jacobs) contract.

The inquiry started on the 24 July 2013 and has been a significant piece of work for various members of the Committee.

The Chairman thanked Kama Wager, Policy Officer, for her time and effort in producing a succinct and detailed report.

Twelve recommendations have been made. Recommendation 1 captures a number of the various internal reviews (the external consultant review of TfB, the internal BCC Communications and Customer Focus review and the new role for the Local Area Technicians) which have happened within the County Council since the inquiry was undertaken by the ETL Select Committee. Rather than duplicate recommendations that have come out of those reviews, the monitoring role of the Environment, Transport and Localities Committee has been encapsulated in this recommendation.

The remainder of the recommendations are focussed on more specific elements or the management of the contract.

During discussion, the following comments were made;

- The report is a considerable piece of work which covers everything the Committee wanted it to in terms of the investigation and is distilled and focussed. The involvement and work from the Cabinet Member and Transport for Buckinghamshire with this Committee along with has been welcomed. How will the Cabinet Member take the report forward?
- With regard to recommendations for member led systems, recommendation 5 in particular is very important as at the moment both of these points are currently hidden from strategic view. If the County Council is spending a large amount of the budget on member led road maintenance issues, what happens to the rest of the budget and the priorities?
- An understanding of KPIs and the contract extension is also very important.

- Recommendation 11 – the contractual obligations for 3% efficiency savings - how will this be managed through the contract? The impact of this is awaited as this is linked to the Medium Term Plan (MTP), the budget process of the County Council. It is about making sure that the two areas are mirrored and work together (the MTP and the contract period).
- The recommendations encapsulate the key themes and concerns raised during the process.
- The recommendations are succinct and to the point. The issue is the outcomes of the recommendations need to be seen as results on the ground as well as improvements and ensuring that value for money is being received from the contractor particularly as it is probably the largest contract the County Council has.
- The review has shown that the contract is adequate and does what it needs to do but there are some key points of the contract need to be refined. Contract management is fundamental from both the client and the contractor perspective.

Members of the Committee agreed that the draft report is to be presented to Cabinet subject to any minor amendments.

7 COMMITTEE WORK PROGRAMME

Members discussed future topics for the Work Programme for 2014.

The following areas for further work were proposed;

The Local Enterprise Partnerships (LEP)

Examining and assessing the role of LEPs with the County Council. There is the anomaly in Buckinghamshire of two LEPs covering part of the county. There needs to be an understanding of the current and future funding, accountability, influence and how they inform the County Council's strategic decision making process on infrastructure and development.

It is important that both Members of the Committee and members of public understand what LEPs are as there is a degree of democratic accountability as this is public money. There needs to be assurance that the money is spent in the right way and the outcomes benefit Buckinghamshire residents.

Public Transport

Ensuring public transport is fit for purpose, future demands, the impact of funding cuts, rural isolation and integrated transport networks.

There may well be a reduction in funding for public transport from the County Council in the forthcoming financial year. It is important that services provided that are subsidised by the County Council respond to the needs of those using the service i.e. in Chalfont St Giles there is no bus service to Chalfont & Latimer train station. Some routes are historic but employment etc has changed over a period of time.

Crime and Disorder

The ETL is the designated crime and disorder Committee. As part of the work programme an update will be received from the Community Safety Team on the community safety arrangements across Buckinghamshire.

S106 – improving local opportunities and local input from members.

Work needs to take place with other bodies to ensure improvements in the infrastructure and S106 to maximise value for money. There needs to be procedures in place to ensure this happens.

Members of the Committee agreed that scoping proposals should be requested for LEPs, public transport and S106 with the option of including additional items as a one off review.

8 PAPERS FOR INFORMATION

Members of the Committee were referred to papers included in the agenda pack for information;

Hydraulic Fracturing

The report on Hydraulic Fracturing is to be circulated to all Members.

Action: Kama Wager

Options Paper for Members to consider and comment on options for the next steps;

1. The Committee resolves to do no further on fracking and to pass the information papers on to Cabinet for their consideration;
2. The Committee do no further research and pass the information papers on to Cabinet with a covering letter of Committee recommendations (e.g. that the redrafted Minerals Plan references fracking, and that any further in depth research is led by the Cabinet Member at the appropriate time).
3. The Committee receive further information from the service areas and decide whether to commission any further research on fracking and subsequently pass any views of recommendations on to the Cabinet Member.

Members of the Committee agreed to take forward option 2.

An update on the Minerals Plan and the time frame for the review will be requested for the February meeting of the Committee.

Action: Kama Wager

As the current Minerals Plan runs until 2016, a six month timeframe is to be added to the plan.

Action: Kama Wager

Flooding Strategy update

It is important to note that this Act is about local flooding as defined as flood risk from surface water, groundwater and ordinary watercourses not river flooding.

Clarification is needed on household insurance issues such as responsibility for the maintenance of the riparian, water courses, surface flooding etc and the County Council responsibility in terms of drainage and gully's which affects residents and is not mentioned in the information paper.

An issue to be addressed is what is the impact on the Environment Agencies flood maps and insurance.

9 WASTE AND RECYCLING UPDATE

Stephen Boddy, Lead Officer Waste Business Unit was welcomed to the meeting.

Mr Boddy referred members to the Household Waste and Recycling Centre (HWRC) Service and Waste Acceptance and Access Policy Project (WAAP) update report and highlighted the following key points of the paper;

Place Portfolio attended the July meeting of the Committee and provided updates from a number of the different areas of the service. This included the general background to the Household Recycling Centre Service that is currently provided by Buckinghamshire County Council.

BCC has a statutory function as a waste disposal Authority to provide one or more HWRC's where Buckinghamshire residents can recycle and dispose of their own household waste.

There are currently 10 Household Recycling Centres across the county. Five of these centres accept waste from traders as well as residents. The WAAP defines who, how and what quantities of waste will be accepted at each of the sites.

The key objectives of the project are;

- To control the deposit of illegal trade waste by limiting free access to HWRC's, and encourage alternative routes for legal trade waste disposal
- Ensure Buckinghamshire residents have appropriate access to the County's Household Waste Recycling Centres to dispose of their own Household Waste free of charge;
- The provision of an appropriate level of non-statutory services for example the provision of facilities for the disposal of DIY.
- Achieve MTP Savings of £50k, £100k & £150k over the next 3yrs.
- Ensure fly tipping does not increase once a proposed policy has been implemented

Historically there have been problems with companies bringing waste into recycling centres for free which is obviously at a cost to the Buckinghamshire tax payer.

The current policy is that there are restrictions on those using trailers or commercial vehicles bringing in six items DIY waste in any one month.

Current situation

Since July the baseline survey has been completed. There is a range of data (customer, pricing and site usage data) that has been built up into a model. The report includes a high level summary of the six areas which have been looked at and the options to potentially change the way the service is delivered in the future.

One option includes trying to incentivise the customers and give them an extra reason to use the services and to give them a financial reward to bring the waste into the site. A broader reward system is currently being looked at and to try to link this in with other areas in Council Services.

There are currently restrictions on certain types of items that can be brought into the sites which is being reviewed. This needs to be approached in a flexible way to continue to provide a service to residents. If an individual has more material than is allowed for disposal, one approach could be the introduction of a level of pay as you go charging which allows customers to top up their allowance.

The pricing structure of the Trade Waste Acceptance Policy is being reviewed to ensure it is competitive compared with other services. The possibility of whether the acceptance of trade waste can be broadening out onto the other sites is also being looked into.

The project has assessed how the cost to BCC of waste compares to other counties and whether there is the appropriate level of access to sites. The modelling at the moment suggests an above average service provision for the sites.

Usage of sites is another key area being looked at. It is important to understand who is using the sites. Analysis has been done from the Customer Satisfaction survey to identify how many

out of county residents are using the facilities and an assessment of the potential savings should it be possible to recoup some of the cost.

Overall 39 options have been developed from a strategic and operational level. The next step is to complete an analysis of the options which will include looking at the impact on recycling performance, the potential impact of a change to fly tipping and whether it affects the current policy or not.

A number of combinations of options will be drawn together in a short list with the aim of proposing this as a project to the Board early 2014.

Members of the Committee were asked if they would like to be part of the workshop in January/February to review the combinations of short listed options that are being proposed as a project.

During discussion the following questions were asked and points made;

Restricting access to waste sites could by implication encourage people to fly tipping. Zero tolerance is needed but by making waste disposal more difficult, the system is open to becoming abused. The County Council need to make sure that people can legitimately tip at waste sites and that waste disposal doesn't become so prohibitively expensive that fly tipping is done.

Entry to some waste sites can be restricted by queues when people turn up at the same time on particular days/ times. There needs to be thought about how this is organised. On some sites (Amersham) there are can and recycling banks outside the centre that appear to be run by Chiltern District Council which look very untidy. The rest of the site is run by BCC. At that particular site Chiltern District Council have one of their 'bring' facilities immediately outside the HWRC which appears to be historically the way site has developed. When the site has been taken out of commission, BCC have offered to bring this facility inside the HWRC temporarily to continue access. The understanding is that District Councils make their own decisions on where to place the 'bring' sites. They have the responsibility and ownership of the waste provided by the customers. As a County Council we try to ensure the contractors keep the sites as tidy as possible.

There needs to be some innovative thinking around fly tipping. The HWRC services were concerned about fly tipping. One of the reasons there are five trade waste facilities is to ensure provision is made to allow traders to dispose or recycle waste in an authorised way. The County Council does not have a statutory obligation to provide this. There needs to be the balance of enforcement and management. As part of the process the possibility of making similar facilities available across a broader range of HWRC's is being looked into which might reduce the likelihood of there being fly tipping.

In Buckingham fly tipping is a growing problem as there are a large number of student lets and every few months there is urban fly tipping of household furniture such as bed and sofas which the District Council will not collect. Landlords do not have access to easy trade waste. If an individual is renting a house then they are required to clear the house before they move on and do so, then this waste is household waste and the householder in that scenario could bring their own waste to a HWRC and depending on where they live, could also access District Council bulky waste collection facility. If the individual vacates the tenancy and the landlord has to clear out the house, the same waste is technically classed as commercial waste and it is being cleared as part of running a business. The landlord or someone else they may employ to dispose of the waste is dealing with trade waste which can be brought to one of our trade sites or a commercial facility. The HWRC in Buckingham does not accept trade waste at the moment.

As part of the review is the distance to travel to a waste facility and those who do not have access to a vehicle being looked at? The review includes looking at spread of the sites across the county. The map included with the agenda pack (page 65), shows where the sites in Buckinghamshire are currently situated. There is propensity for sites in the south of the county as opposed to the north. Statistical analysis carried out to date shows that there is a higher density of sites versus density of population compared with others. With regard to distance from a waste facility, 93% of households are within a travel distance of 20 minutes of an HWRC, 98% are within 30 minutes. An annual survey has recently been conducted in conjunction with the contractor on the sites (1900+ people) which included asking how long it currently takes them to get to a waste site. The analysis has also shown that some people can travel to two sites within the same amount of time. HWRC services are provided for customers to bring their waste to a HWRC.

What is more important, getting the waste into a recycling facility and getting the revenue from moving this on into the system or charging the householder to bring their waste to a facility? In each of the options the net overall benefit is very clearly being looked at including the risk of any fly tipping. The County Council want to encourage their customers to recycle for the benefit of increasing the current recycling rate. A financial incentive could be difficult as a lot more recycling would need to be delivered into sites to offset the incentives that would be paid out. These are two different areas of the services. The charging element would relate to non- statutory services. DIY waste is technically construction and demolition waste not household waste. The County Council does not have a statutory duty to provide a service for the disposal of DIY waste but they provide the service of allowing six bags to be brought to a site in any one month. This is currently being reviewed.

How are these arrangements being monitored? The current contract requires contractors to monitor the current permit scheme. If an individual has a van/trailer they are required to obtain a paper permit before they are able to bring DIY/green waste into the site. The contractors are obliged to ensure that anyone using a van/trailer has that necessary paperwork with them.

The community skip schemes run by some the District Councils are coming to an end. Is there going to be a review on the affect this could have on HWRC sites? Such services would be provided by District Councils. The focus of this project is on household waste recycling service but this issue can be taken away and the question asked. If the service is taken away by the District Council this might encourage individuals to bring the waste to HWRCs.

Action: Stephen Boddy

With regard to the proposed reconfiguration of the HWRC sites, what level of consultation will take place with partners, District Councils and residents should the closure/change in hours go ahead? The project is currently at the stage of the options being assessed. The proposal is to carry out some more detailed modelling of a long list before a formal consultation with a range of partners which have been identified. One of the questions in the Customer Survey asked members of the public for their opinion on a range of areas of this project i.e. did they think it was a good idea to try to incentivise residents to deposit their waste or whether we should ensure that the disposal of waste is only free of charge to Bucks residents as a significant element of site usage is taken up by people from out of county. One of the key areas being looked at is the development of some arrangements already in place with neighbouring authorities i.e. Slough and Hertfordshire where residents are able to use Bucks facilities and arrangements are in place to re-coup the cost.

The research mentions nearly 2000 customers were surveyed. What percentage of this figure are visitors to Bucks waste sites and was the survey conducted at particular sites on particular days? The percentage of customers can be reported back to the Committee.

Action: Stephen Boddy

Surveys were carried out across each of the 10 sites. Three or four of the sites were surveyed at any one time over a whole month of weekends covering both trade and householders. The

annual survey was completed at the end of November. The raw data will be received shortly and will be broken down to look at the levels of customer satisfaction across a range of areas and to look at customer responses to the questions about this project.

Is there a case for the position of the sites being inappropriate due to population size of Buckinghamshire and this model being more appropriate for other counties and is there an extra cost to the Authority to find out statistics on who uses the sites (residents/out of county). One of the models being looked at is the range of customers using the HWRCs from both in and out of the county and the potential shift of waste from one place to another. Each waste stream has individual costs. The net benefit of changing that part of the service is worked out. The customer survey provides postcode data which helps to identify which customers are Buckinghamshire residents.

Has the Energy from Waste plant been factored into the project in terms of would have an impact on customer use and the management of bio mass etc? When this project reaches the stage of further modelling of options that the County Council would like to take forward, the model will then be over a number of years and will take into account the Energy from Waste facility.

Has the option of improving HWRC facilities by locating it elsewhere been considered as well as the possibility of having a super site? The project is broad ranging looking to deliver an overall positive outcome to residents. One of the options consultants are being asked to model is if we were starting from scratch where would the waste sites be located in Buckinghamshire to provide the best overall coverage and what the type of site would we look to develop i.e. the site at Aston Clinton is on a different scale to the site at Buckingham. The County Council is conscious that if there was a reduction in services at some of existing sites, the remaining sites would need to be able to manage the shift of waste.

Buckinghamshire currently send waste such as plastics to Wales for recycling. As part of this research is there the opportunity for that level of recycling to take place nearer to the county? The contract management team work with contractors to try and broaden the range of waste accepted. Whether this is existing or new waste we are conscious of trying to find the outlet in as close proximity to Buckinghamshire as possible. The waste business is complex and specialist facilities are needed to take certain forms of recycling.

Members of the Committee agreed that they would like attend the workshops. An invitation and further details are to be circulated to Committee members in January 2014.

Action: Stephen Boddy

10 DATE OF THE NEXT MEETING

The next meeting is due to take place on Tuesday 4 February 2014 in Mezzanine 2, County Offices, Aylesbury. There will be a pre-meeting for Committee Members are 9.30am.

Proposed dates for 2014

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

Minutes

ENVIRONMENT, TRANSPORT AND LOCALITY SERVICES SELECT COMMITTEE

MINUTES OF THE ENVIRONMENT, TRANSPORT AND LOCALITY SERVICES SELECT COMMITTEE HELD ON WEDNESDAY 18 DECEMBER 2013, IN COUNCIL CHAMBER, AYLESBURY TOWN COUNCIL, CHURCH STREET, AYLESBURY, HP20 2QP, COMMENCING AT 2.00 PM AND CONCLUDING AT 4.25 PM.

MEMBERS PRESENT

Mr W Bendyshe-Brown, Mr D Carroll (Vice-Chairman), Mr D Dhillon, Mr P Gomm, Mr S Lambert and Mr W Whyte (Chairman)

OTHERS IN ATTENDANCE

Mr S Armstrong, Mr R Bunce, Mr B Cahill, Mrs L Clarke OBE, Mr K Edwards, Mr T Fooks, Ms L Forsythe, Mrs C Gray, Mr D Inman, Mrs M Keyworth (Secretary), Mr R Reed, Mr D Roberts, Ms K Wager, Mr S Walford and Mr D Watson

1 APOLOGIES FOR ABSENCE

There were no apologies.

2 DECLARATIONS OF INTEREST

Bill Bendyshe-Brown and David Carroll declared an interest because they are Wycombe District Council Members but they confirmed that they have taken no part in discussions regarding Daws Hill at the District Council.

3 CHAIRMAN'S INTRODUCTION

The Chairman informed members that the meeting would be in two parts. Item 4 related to statements from Mrs Lesley Clarke, who asked for the decision to be called in and item 5 was for the Cabinet Member to respond. After this the Committee would be able to ask questions to decide whether or not the Decision should be called in. If the call in was agreed, the



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meeting would move to Item 6 on the agenda and witnesses would be called. Each side would have 30 minutes to make their case and questions may be asked for points of clarity or further evidence. The Committee will then decide whether the call in had merit and the reasons why.

4 CALL IN - DAWES HILL AREA TRAVEL LINK

The Chairman welcomed to the meeting Mrs Lesley Clarke who, along with Mr Roger Reed and Mr David Watson, requested that the Decision on Daws Lea Area Travel Link be called in.

Mrs Clarke said Daws Hill is the area for which she is responsible as a Councillor for Wycombe District Council and as a County Councillor. The main reasons for the call in were:

- All relevant matters were not taken into account in reaching a decision. Wycombe District Council is working in partnership with the M40CEG (M40 Community Engagement Group) on the feasibility of a new barrier, to include the production of green energy and the Local Member said this had not been considered as part of the thought process. The Local Member said she wanted minimum negative impact on the local environment. The photovoltaic barriers would reduce the amount of energy used and the cost saving could go some way to negating the cost of the barriers.
- The desired outcome for the bus link was to take buses off Daws Lane and a disproportionate amount of money was being spent to solve the rush hour traffic which would only benefit 160-200 people. There were no issues regarding traffic in the evening.
- There was inadequate consultation in relation to the options set out in the Decision and no specific consultation with the Daws Hill Neighbourhood Forum.
- The Decision does not accord with the Council's aims and strategies. There has been no consultation with the people in Daws Lea and Marlewood Close. At the time the decision was taken there was no Equalities Impact Assessment which should have existed alongside the decision. There are other ways to mitigate the noise impact as well as the known air quality issue. Having more buses in the area would add to the situation and something was needed to alleviate this.

The Chairman welcomed Mrs Janet Blake, Cabinet Member for Planning & Transportation. Mrs Blake stated that the Senior Manager, Policy, Planning, Economy & Infrastructure would speak on her behalf. Members expressed concern that the Cabinet Member was not responding herself. The Chairman said it was for the Cabinet Member to decide who would respond. The Senior Manager said he would not be reiterating what was in the decision report but would make a statement on the current position.

During 2012 the County Council undertook transport strategy work to ensure that upcoming development in the South of High Wycombe could be brought forward alongside a supporting transport strategy. The resulting Southern Quadrant Transport Strategy was adopted by BCC in December 2012, this supports the District-adopted RAF Daws Hill development brief, also adopted in Dec 2012 – co-ordinating an agreed position on land-use and transport planning between the two authorities.

The strategy agreed a range of measures to deal with planned growth; most pertinent to this meeting being the inclusion of a new public transport link between Daws Hill and the new park and ride/coachway provision at Handy Cross. During consultation on the Southern Quadrant Transport Strategy (SQTS) it was suggested that an additional route be explored running to the south of Daws Lea, hence the final strategy was adopted with a specific commitment to undertake further work prior to deciding which of two route options should be used to achieve the link.

This decision now confirms which option is to be progressed.

The local member has been kept informed on the progression of this work, and at various points requested that further work be undertaken. This culminated in an Environmental scoping report being undertaken which now takes the evidence base towards the point where it can support a full planning application, considerably surpassing the level of assessment and detail that would normally be deemed appropriate for a policy decision.

Since the SQTS was adopted, various planning applications in the area have been granted by Wycombe District Council on the basis and strength of the supporting transport strategy being implemented. It is therefore important that this decision is finalised so that we can move swiftly towards implementation of the agreed strategy.

The Cabinet Member said the papers set out before the Committee show evidence that several options were considered in the SQTS and Options A and B were considered the best. The Decision was taken on one of the two options.

5 CALL IN - CONSIDERATION OF THE REQUEST

The Committee discussed the information provided to them by the Cabinet Member and the Local Member who requested that the Decision be called in.

A member asked for evidence of the consultation with local residents in relation to the SQTS, as well as evidence that the local member was kept informed. It was noted that whilst there is evidence of consultation with local residents and the local member it had not been presented to this Committee, being part of the SQTS development process during mid-2012. He confirmed that there was evidence that during consultation on the SQTS considered the two options in the report based on the response to that consultation.

A member asked the Local Member whether she had raised the issue of use of the photovoltaic barriers during the process and briefed the process at that time. The Local Member said she hoped that the District Council would have kept transport officers informed on the work of the M40CEG. The previous Cabinet Member for Planning and Transportation had pushed for the second option and she hoped that the transport officers would have discussed it.

The same member asked whether the rationale for the decision in October took account of evidence including the draft EIA and whether it was available during the thought process. He also asked whether the type of barrier suggested was considered and whether these were in use anywhere else. The Senior Manager said the Local Member had been supported when requested but that the EIA had not been carried out at that time. There had been no consultation on this policy decision but public consultation had been carried out as part of the strategy and this could be corroborated. Any future planning applications would also include consultation, but none had been carried out specifically in relation to the Decision.

It was noted that the Local Member had referred to a site visit and the Chairman asked whether anything had arisen from that. The Local Member said that from that site visit the Cabinet Member would have seen the reasons to consult in relation to option 2. Residents are unable to sit in their gardens and putting in in excess of 120 buses would increase the problem. There were already noise and air quality issues in the area and the barriers would help reduce the noise and pollution. This had been repeated to the Officer attending, who wrote a response suggesting three options. The second option had been to put in the barrier and the third option had been to do nothing. The Local Member stated that the site visit did not seem to have any impact on the Decision made.

With regard to whether there was adequate consultation the Senior Manager reiterated that consultation took place when the SQTS was being developed and that report is available. However, the Local Member repeated that there had been no consultation with people on

Daws Lea; they had been spoken to after the decision had been made. The Local Member also stated that the SQTS had been scrutinised by Wycombe District Council who produced 20 recommendations and sent them to WDC Cabinet who did not support all because they are not Transport Authority.

A member asked why Option 1 was now being considered when it appeared that the previous Cabinet Member had recommended Option 2. There were known issues in relation to the poor air quality zone along the M40, as well as the fact that the roads in the area are narrow. The Senior Manager said his term of office had overlapped with the Cabinet Members. He stated that the original consultation was open as well in the report. With regard to air quality, there were other officers present who could comment on this, but he believed that the situation would not be improved by taking away a certain amount of treeline if the barriers were implemented. The barriers, if viable, could be put in for whichever option is agreed and it was not a differentiating factor.

Having discussed the papers presented under this item, Members unanimously agreed to call in the Cabinet Member decision.

6 CALL IN SUBMISSION

The following witnesses had been called by the Local Member and each witness introduced himself.

Mr Dave Inman, Daws Hill Neighbourhood forum
Mr Ken Edwards M40CEG
Mr Stewart Armstrong, Daws Hill Neighbourhood Forum
Mr Tony Fooks, High Wycombe Society

Mr Dave Inman

Mr Inman is a resident on the south side of Daws Lea which is the most affected areas and attended the Committee to represent his road. He said there was a strong sense of feeling and concern of the residents reflecting the reality of living in Daws Lea.

Mr Inman had taken part in the public consultation on the SQTS but stated there had been no consultation since then. He also stated that he objected to the residents being called the 'Daws Lea Receptors'. He considered that they had been overlooked in the Jacobs Study which had talked about school and wildlife, but not people. The person living in the property to be demolished had been poorly treated badly and this had been exacerbated because the home owner is terminally ill.

There will be severe impact regarding noise and vibration at the front and rear of the properties in the road because of the proposal for in excess of 120 bus movements, but there had no data on this in the Jacobs Study. Children currently play in the front gardens because of the noise, but the bus movements will make it worse. With regard to the traffic impact, the road is on a hill and buses have problems climbing it. This will have a greater impact of it becomes part of the school pick up point.

In conclusion Mr Inman requested that:

- People are consulted and considered
- Residents' quality of life is not made unacceptable. They would not be able to open windows with buses coming along – Human Rights issue.
- Joined up thinking for decision:
 - Cost offset regarding use of barriers
 - Fence replacement

- After being canvassed, some residents on the south side are willing to discuss garden sacrifice re barrier.
- Daws Lea becoming link road for more traffic
- Create a solution consistent with future requirements.

Ken Edwards

Mr Edwards is Chairman of M40CEG (Chilterns Environmental Group), which has been working since 2005 to reduce the impact of traffic noise on communities exposed to noise between Junctions 3 and 8 on the M40. The Group have been working in partnership with the Highways Agency and Wycombe District Council.

The Feasibility Report they produced was accepted and published on the WDC website, including data in relation to the contribution of electric power to the Leisure Centre, via the barriers, attached as appendix 5 of the Feasibility Report.

The presentation included a map showing the areas of high noise on the M40 which included Daws Lea. It was indicative of places identified as important areas deemed to be noise producers. Mr Edwards said a study commissioned between Loudwater and Wheatley had shown that if barriers were placed on the north side of the M40 with the lower part made up of noise buffer material and the upper part of photovoltaic cells set at a 10° angle, this would produce enough power to show a savings on the cost of installing the barriers. He stated the Highways Agency would take the lead to produce the requirements for production of the barriers. The plan would be to install them in 2015/16. The second report showed that Wycombe Leisure Centre would be able to use the electricity generated and would make a 35% saving on electric power. The projected capital recoverable on that stretch of road shows a 3% increase in energy which could increase if the angle of the top of the barriers was increased to 50°. If this was implemented at Handy Cross, further income of £2.5m could be generated by 2027.

The level of noise at Daws Lea of 76db was estimated by WDC and was consistent with noise levels in 2009. With barriers in place it would be reduced to 65.3db and this could be improved if the barriers were extended through the whole area to the houses at Handy Cross and the back of the Leisure Centre. Mr Edwards believed that this should be taken into account during the planning process. He said that the PVNB could generate £2m after costs were recovered and the reduction in electricity demand. These benefits would apply to both options.

Mr Edwards suggested that there would be increased noise if Option 1 was taken forward and this would be centred at the front of the houses. With regard to Option 2 the net impact on pollution was not known but there could be some increase in relation to buses, which could be reduced by the barriers, but this would need more study.

Mr Edwards referred to the high profile work carried out in relation to the impact of HS2 and related this to the situation for residents in the area who would be exposed to high noise levels.

Tony Armstrong

Mr Armstrong is Chairman of Daws Hill Neighbourhood Forum, and has worked on planning applications in connection with the SQTS.

Mr Armstrong suggested that Option 1 had been decided upon mainly due to cost implications and he considered that cost should not be the only driver. The true cost was human impact. DEFRA had measured the noise levels on Daws Lea and it was considered to be appalling, debilitating the constant. There was reduced enjoyment of property by residents. The suggested bus route would have a further impact and he considered it to be unacceptable. He

also suggested that the width of the road, at 5.5m, was too narrow. Bus lanes were 6m and buses would have to use the grass verge.

The increase in cars from residents from the new development would not have a huge impact on congestion and Mr Armstrong suggested they were must moving the problem from one area to another. Residents of Daws Hill Lane would lose the bus service and would need an alternative means of transport. The directness of routes from Daws Hill Lane to Handy Cross was promoted as reason for choice. The Daws Lea route would have more gradient and could cause problems with traffic during extreme weather with snow and ice. There could be more pollution because lower gears would need to be used to negotiate the hill. The area in Option 2 is pretty flat and Mr Armstrong considered it was a more straightforward link.

Mr Armstrong said he was not implying that the noise barrier alone was the solution but suggested that ways needed to be found to mitigate the situation and that cost less. He stated that the business model had been adopted by WDC and the Highways Agency and savings could be generated quickly, as well as the reduction in noise and pollution. It was also noted that residents on the south side of Daws Lea were willing to contribute land from their gardens if necessary.

Mr Armstrong suggested that officers take the opportunity to meet and discuss the noise barriers with a view to seeing if the cost differential could be met.

Tony Fooks

Mr Fooks represents the High Wycombe Society and is also a member of the Executive of the Association of the North Thames Amenity Society in Buckinghamshire, Oxfordshire and Berkshire, and Civic Voice which had a direct link to the DCLG. He asked whether the decision had been carried out in line with the NPPF and the Localism Bill. At the earlier consultations he had offered to help in relation to data regarding traffic movement. He also stated that there had been no consultation with the High Wycombe Society.

With regard to the planning application with WDC Mr Armstrong said no care had been taken particularly with the residents of Daws Lea. Data on this area had just been released but had not been used to be able to make a better informed decision. This was not able stopping the decision but helping and progressing it.

Mrs Lesley Clarke, Local Member

The Local Member said the arguments had been strong and well put and she had nothing more to add.

Mrs Janet Blake

Mrs Blake said the decision had been reached on a technical basis and officers were better placed to discuss this matter.

Mr Stephen Walford

The Senior Manager said it was not his role to defend the decision but for the Committee to consider the evidence. If members wished to ask questions he would invite his technical officers to respond on any particular issues.

The Chairman reminded members that this was a call in on a decision that had been taken and appreciated that Senior Manager would respond on behalf of the Cabinet Member, and that any questions could be dealt with by relevant officers.

With regard to the points made the Senior Manager responded as follows:

- The Senior Manager agreed that they should have been more sympathetic with regard to the residents of the property to be demolished, and apologised on behalf of the Team for

the state of affairs. It was a matter of great regret that it has taken so long to get a decision made.

- The Decision should have been made when the SQTS was adopted in December 2012.
- With regard to issues under the Human Rights Act, the Senior Manager considered it was for the Committee to take a view on this.
- Future solutions. The Senior Manager endorsed the challenge to the County Council to establish its position in relation to local growth and have a suitable transport strategy in place. Wycombe is benefitting from being one of the only areas that had done this and any decision can be taken in that context.
- The Feasibility Report was a positive development for local residents and new emerging technology may well improve things greatly and was something that could be used in both options.
- With regard to appalling noise levels, they could work with the Highways Agency to improve the situation.
- It was suggested that an increase of eight buses on the route was unacceptable and the Senior Manager suggested it was up to the Committee to take a view on this.
- The Senior Manager took on board comments regarding M40 barriers.
- With regard to involvement from the High Wycombe Society, it was noted that this had not yet got to the planning application stage and this cannot progress until the decision has been made.
- The Senior Manager disagreed with the suggestion that no information had been provided when it was requested. It was noted that a Senior Management colleague had attended all the Neighbourhood Forum meetings.
- With regard to the view of the previous Cabinet Member, the Senior Manager said he was not sure whether this had been recorded but he could find out if members wished. However, the previous view had not had an impact on the current recommendation.

The Chairman asked for questions and asked members to focus on what the call in was about and whether they considered the decision had been made correctly. This was not about any decisions in relation to the SQTS but about the option selected to progress the implementation of the Transport Strategy. The following was noted:

- It was clear from statements from residents and members that there had been a breakdown of communication and this has been recognised by officers
- A member stated there did not appear to be any information on the barriers. It was noted that this was emerging technology and was being proto-typed. The Chairman stated that comments on the barriers were not directly linked to the decision but a separate issue. The Senior Manager said that this was not a differentiating factor because if the barriers could be implemented it could relate to either option.
- In answer to a question about whether the County Council is undertaking noise alleviation work it was noted that the noise was specifically from the Highways Agency road in this area. The consultation would sit alongside any work to see if there were implications and whether any suggestions made could be used.
- The Chairman asked whether any planning application would consider processes in relation to mitigation and whether the noise barriers could form part of this. The Senior Manager said this would have a positive impact in relation to both options and would be referred to in any application. The Local Member said this had been mentioned at the site and to implement it they would have to cut down the trees in the relevant area, which were there to baffle the noise. With regard to Option 2 the M40CEG had carried out the feasibility study and asked for it to be considered but there was no take up.
- A member asked whether it was the view of officers that the other Option was not considered because of cost. The Senior Manager said it was but one of the considerations. However, the Cabinet Member said she had not considered it when making the decision. This was not driven by cost but technology, economy and environmental reasons.

- The member asked why there was no data against option 1 in relation to noise and vibration. The Technical Director for Jacobs UK said the purpose of the scope was to consider the full range of impacts and key benefits and provide advice and discuss any issues. This would not be detailed work initially, but to set out the expected impact. The view of technologists was that option 2 would impact on residents because of tree loss, thus making the noise element worse. It was also considered there would be greater impact in relation to buses with Option 2. Currently there was no data on either option because the work has not progressed that far forward. Mr Inman stated that cutting the trees would not make a significant difference. Thirty metres of closely planted trees would reduce noise by about 1.5db and the screening was only two to three trunks deep. Putting buses along a quiet road would increase noise levels by about 3db because it was a different noise source.
- A member asked if sight of the Equalities Impact Assessment prior to making the decision would have made a difference. It was noted that the EIA does not discern any material difference between the two options and would not have made a difference to the decision. The Cabinet Member stated that an EIA had not been asked for and confirmed that it did come out after the decision was made. It was noted that it was not a requirement as part of the key decision process but could be a background paper. The Local member said the EIAs are required to support the budget process and she would have hoped it was part of the decision making process.
- The Chairman asked about the suitability of the street to take buses, in relation to width and junction design. The Ringway Jacobs Officer stated that they ran many bus routes on roads the same width as this road. However, the Local Member said that two buses cannot pass each other.
- A member stated that the SQTS was clear about the Daws Hill development. The realignment of Daws Hill Road was not considered and he asked the Local Member what she thought they would get if the decision was already made in relation to transport. The Local Member said she had spoken to the previous Cabinet Member who felt Option 2 was the better one in relation to the bus link and this would not impact on Daws Lea. She considered that Option 1 would have more impact. Option 2 would future proof the road and with the impact of the extra 750+ houses being built over the next few years the road could be used for cycling and walking and those residents living on the other side of the road will not have to cross a major road. Option 2 has great value and there is a bridle path that leads to the town centre.
- A member referred to the fact that the High Wycombe Society representative had said the consultation process was not carried out properly. The Senior Manager said that a thorough consultation had taken place in relation to the SQTS and there would be further consultation in relation to any planning application, but no additional consultation had taken place specifically in relation to the Decision.
- A member expressed concern that the information from the EIA had not formed part of the decision. The Chairman stated that this was outside the remit of this Committee and was a matter for Regulatory and Audit Committee.
- The Chairman said that whilst there was some support for Option 2 it would cost an extra £2.3m and the gap between the S106 monies would be a problem for the County Council. The Local Member said the photovoltaic cells on the barrier would provide extra income. She considered there were several issues that had not yet been resolved.
- The Chairman asked whether, in response to the Transport Strategy, any options were considered regarding an alternate bus link. The Senior Manager said as part of the decision process no others were considered. Work was done in the context of the two options put forward.
- With regard to noise and barriers, a member said the District Council survey had given a level of 76db. Mr Edwards said that standard planning methodology was used to predict traffic volume and noise.
- The Cabinet Member referred to the Call In Paper and the desired outcome which suggested a third option relating to the re-opening of the SQTS. She stated that the

Decision related only to Options 1 and 2 and not option 3 referred to in the Call In paper. The Chairman confirmed that it was the only the decision that had been made in relation to the two options that was being discussed.

In summary the following was noted:

- The Committee felt there was disquiet regarding the process of decision making in relation to having an Equalities Impact Assessment.
- With regard to Option 2 research had not been tested as well as it could have been.
- There was nothing to contradict the content of the SQTs
- There were lessons to be learned around consultation which had taken place in relation to the SQTs and would take place around any future planning application. But the feeling was that there was a lack of consultation in relation to residents and other agencies in the Daws Hill Area regarding the decision
- Concern was expressed that Option 1 may have been chosen because of the cost impact and not on the impact on the residents of Daws Lea.

The Chairman asked whether the cost was differentiated for Option 2 with regard to the widening of the bus lane in Option 1. He asked whether the cost would increase because of this. The Senior Manager stated that there would be some increase in costs regarding the width of the road. He also reiterated that he did not say that Option 2 was chosen solely on the basis of cost, but that it was a contributory factor.

The Chairman also asked, in relation to any future planning application, whether either option was assessed in relation to habitat. The Senior Manager said he didn't know at this point whether planning permission would be obtained on either option. He said the Council did not set out to make a bad decision. The main concern was about the EIA. He stated the barrier was not part of the decision but the decision was to provide access from A to B. There was no major fault apart from the lack of the EIA.

A member referred to the suggestion that the route on Option 1 would not allow two buses to pass, which would impact on local residents. The Officer stated that this was an existing route and the Bus Company was entitled to put buses down any adopted highway. There were many routes down roads less than 5.5m and as this was a short stretch of road there should be no problem with regard to buses passing. A member said that they were only looking at an increase of eight buses an hour and agreed that buses ran down narrow roads frequently and safety issues could be addressed. The Officer said that the road was 5.5m wide and was enough space for two goods vehicles to pass each other.

The member also stated that the use of the word 'receptors' in relation to the residents was not an appropriate use of language and de-humanised people.

Members supported the call in and asked the Cabinet Member to reconsider the decision. The following points were taken into account in making this decision:

- Option 1 was put forward as a means of ameliorating problems and the decision centred on cost.
- The new Cabinet Member did not take account of the EIA
- Lack of consultation with all involved. However it was noted that even if residents and partners had been consulted the same decision may have been made.
- It was considered that the decision was made without taking into account all the factors in the area.
- Concern about whether costs were properly estimated, bearing in mind the discrepancy between the two options.

Members were informed that Decisions can only be called in once and this Decision can be referred back to the Cabinet Member for consideration, asking her to take into account all the concerns of the Committee.

A member proposed that the Decision be referred back to the Cabinet Member and this was seconded. The Committee voted on the proposal as follows:

For the proposal:	5
Against the proposal	1

Members agreed to call in the Cabinet Member decision on The Daws Hill Area Travel Link, High Wycombe.

Having called in the decision members agreed (on a vote of 5:1) that the Cabinet Member should reconsider the decision, taking into account the concerns raised by members, as follows:

- Consultation: Whilst there was a lack of consultation on this Cabinet Member decision, members recognised that extensive consultation had taken place with regard to the Cabinet Member Decision on the Southern Quadrant Transport Strategy which took place in December 2012. There would also be extensive consultation in relation to any future planning application. However, there had been no communication with residents in the Daws Hill Area, in relation to this decision, and how it would impact on residents. The Committee would like to ensure that residents are given the opportunity to have an input in the two options in order to further inform the decision.

The Committee recommended that the Cabinet Member may wish to reconsider that some form of communication to residents at this stage would be beneficial, on the reasons for the Decision.

- Review Option 2; The Committee recommended reviewing the estimated costs in relation to Option 2, whilst taking into account the impact on residents.

The Committee recommended that the Cabinet Member may wish to reconsider reviewing Option 2 in relation to costs and impact on residents.

- Equalities Impact Assessment: The Committee noted that the Equalities Impact Assessment was not available at the time this Decision was taken.

The Committee recommended that the Cabinet Member may wish to reconsider the decision taking into account the Equalities Impact Assessment.

The Cabinet Member will have five working days to reconsider whether or not to amend the decision. Due to the Christmas period, the Chairman of the Select Committee has agreed to extend this time to the end of January.

7 DATE OF THE NEXT MEETING

The next meeting is due to take place at 10.00am on Tuesday 4 February 2014 in Mezzanine 1, County Hall, Aylesbury. There will be a pre-meeting for Committee Members at 9.30am.

Dates of future meetings:

Tuesday 4 March

Tuesday 8 April

Tuesday 13 May

Tuesday 17 June

Tuesday 2 September

Tuesday 14 October

Tuesday 18 November

8 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That the press and public be excluded for the following item which is exempt by virtue of Paragraph 3 of Part 1 of Schedule 12a of the Local Government Act 1972 because it contains information relating to the financial or business affairs of any particular person (including the authority holding that information)

9 CONFIDENTIAL BACKGROUND PAPERS

There was no discussion in relation to this item.

CHAIRMAN

Report to the Environment, Transport and Locality Services Select Committee

Title:	TfB Improvement Plan – Update on progress
Committee date:	4 th February 2014
Author:	PLACE SMT/TfB
Report signed off by Deputy Cabinet Member:	Ruth Vigor-Hedderly
Electoral divisions affected:	All

Purpose of Agenda Item:

To update the Environment, Transport and Locality Services Select Committee on progress on implementing the TfB (Transport for Buckinghamshire) Improvement Plan.

1. Background

The TfB Improvement Plan was formulated following concerns raised by Members about the Transport for Buckinghamshire service which is provided through the Transportation Services Contract with Ringway Jacobs. The plan initially arose out of an external consultant's review of the service carried out in July 2013 which highlighted a number of issues about the management and performance of the TfB service and the contract which needed to be addressed. At the same time the Council commissioned this Committee's scrutiny inquiry into the service. The contract has also been the subject of two internal audits in 2011 and 2013.

The TfB Improvement Plan has now been consolidated to include all actions arising from these various reviews. It remains a live document and is updated regularly both with regard to progress and if and when new actions are identified.

2. Details of the Improvement Plan

Plan Structure

Currently there are 121 separate actions identified in the plan covering seven themes (or work streams). These work streams include the TfB Customer Focus Project which was the subject of a separate report to the Committee in September. The five themes arising from the external consultant's review were recently supplemented by two new work streams dealing specifically with the findings of the Select Committee's inquiry and the findings of the recent internal Audit Report into the Capital Schemes Programme which was reported to the Regulatory and Audit Committee on 28th January. The seven consolidated themes of the plan are:

A – Architecture/roles/structure
I – Innovation/transformation
P – Process
S – Strategy
C – Customer focus
E – ETL Inquiry Report issues
U – Audit Report issues

It was found that a number of issues in the ETL Inquiry and Audit Report overlapped with actions already in the original plan so themes E and U only deal specifically with those issues arising from these two reports which were not being addressed elsewhere.

Project Governance

The Improvement Plan project is governed using PRINCE2 principles with a dedicated Project Manager. The Project Sponsor is the Service Director – Place Services. The Project Team comprises BCC staff in Place, external consultants and Ringway Jacobs (RJ) staff within TfB. A Project Board (TfB Improvement Board) comprising senior staff from BCC and RJ meets monthly to oversee progress. Because of the importance and significant amount of work involved in the Customer Focus theme, this work stream has been treated as a separate project under the overall auspices of the TfB Improvement Board. The Customer Focus Project also reports regularly to the 'Think Customer Board'. Regular updates on the Improvement Plan are also given to the contract Operational Management Board (OMB) and Strategic Board (SB).

3. Progress of the Improvement Plan

Overall progress

The plan is due for completion by November 2014 although 80% of actions are programmed for completion by 1st May 2014. To date, 50 (41%) of the 121 actions have been completed and the remaining items are on schedule for completion according to programme.

Further details of achievements and the focus of current activity for each theme are given below. For information, links to the recommendations of the Select Committee's Inquiry report are shown where appropriate.

The current complete task list for the plan is included at Appendix A.

Progress by theme

Theme A – Architecture/Roles/Structure
(ETL Inquiry Report Recommendations 6 & 7)

This theme deals with organisational issues within both the Strategic Client (Place Service) and TfB. It involves reviewing both organisational structures to improve clarity and alignment between client and contractor; a review of contract governance meetings; and the reorganisation of the Local Area Technicians (LATs) service. This work stream is virtually complete

The new structure and operating methods for LATs was implemented from 2nd January following consultation with Members. The concept was shared at the TfB Members

Conference in December and has been generally well received. The new arrangements will be subject to a review in July 2014.

A new Head of Highways and Transportation within TfB started on 2nd December. A key part of this new role will be to focus on the more customer oriented activities of the contract including providing a single senior point of contact for the client. Proposals for a wider reorganisation of TfB to improve customer focus and clarity of roles have been prepared and are being consulted upon with staff in January. The new arrangements also envisage a greater involvement from Ringway Jacob's corporate Business Improvement Team which will be available to help develop ideas for innovation and improvement to the contract and service. This team is already providing valuable support to the Improvement Plan activities.

Proposals for change to the Contract Meetings were considered and approved by the Strategic Board in December and are being implemented. Following discussion at Cabinet 13th January, Member representation on the Strategic Board will be increased.

Within the County Council, a proposal for a revised structure has also been drawn up which strengthens the Strategic Client and aligns posts with the three key contract management areas of strategy, commissioning and compliance. Funding has yet to be approved for these changes.

Theme I – Innovation/Transformation

(ETL Inquiry Report Recommendations – 10 & 11)

This theme involves developing and fostering a culture of innovation which is integrated into TfB business through business development plans. The aim is that new materials, techniques and processes will be introduced and it is expected that over time this culture will embed itself, becoming part of mainstream activity. The work stream is about 70% complete.

An Innovation Strategy is currently being prepared by the Ringway Jacobs corporate Business Improvement Team in consultation with Place officers and a draft was considered by the TfB Improvement Plan Project Board on 23rd January. The Strategy will be considered by the contract's Strategic Board in early March.

Theme P – Process

Theme P deals with reviewing business systems and processes (including Quality Assurance) used to manage the TfB service and the management information systems used to support these. The early work in this area was mainly focussed on correspondence handling procedures and there has been good progress on this. The scope of the theme has now been widened to include all Quality Assurance (QA) procedures and a plan to deal with how these reviews will be tackled within TfB was considered by the TfB Improvement Plan board on 23rd January. This will necessitate the addition of some tasks to the overall plan. The theme is about 20% complete.

This theme overlaps with the Customer Focus theme (Theme C) and Audit Report (Theme U) where specific relevant business process and system improvement actions are being addressed.

Theme S – Strategy

(ETL Inquiry Report Recommendations – 2,3,4 & 9)

This theme deals with strategy and policy issues. The main sub-themes deal with setting the strategic objectives for the TfB Service to under-pin long term planning; reviewing and refreshing the policy framework to help ensure these are up to date and appropriate to current service needs; and the important work area of Key Performance Indicators (KPIs). Good progress has been made on the strategic objectives and KPIs. Overall the work stream is about 40% complete and there is a significant workload associated with reviewing policies.

The strategic objectives for the TfB Service have been agreed with the Cabinet Member. Appendix B shows these and how they link to the Portfolio Objectives for Planning and Transportation and the Council's Corporate Priorities. The agreed TfB Service objectives are being taken forward into the proposals for a revised performance framework for the service.

Work has begun on reviewing KPIs and a workshop was held with Members on 17th December where good progress was made. A further session is being booked for February. The work stream is programmed for completion by the end of February.

Work on reviewing key policy areas has also begun. A prioritised list of key policy areas which require reviewing and updating has been prepared. Work is well underway on the first of these, a change in the way safety inspections of the highway are organised and introduction of a risk based approach to the classification of highways safety defects. This work is essential to underpin the proposed increases in revenue expenditure on road repairs and help enable more potholes to be dealt with in a single visit.

Theme C – Customer Focus

The TfB Customer Focus Project continues to build on the work reported to Committee in September. It was clear at that time that the concerns of the Committee Members were an accurate reflection of some real issues in relation to TfB's poor relationship with, and lack of responsiveness to, its customers. The Customer Focus Project is directed at addressing these issues which included the following:

- Response to customers when contacting TfB was poor
- The quality of written responses, even if timely, was poor
- Formal complaint levels were unacceptable particularly complaints about TfB failing to do what it had committed to do
- Information available to Members was poor
- Different ways of contacting TfB (including modern technologies) were not being fully utilised

A number of planned actions have now been completed.

For improving responsiveness:

- New quick reporting tools have been created to provide robust issues tracking, performance and review. These are being supplemented by a completely new reporting database being developed for go-live in March.
- Zero tolerance of delays – has become an appraisal measure for staff.
- High profile correspondence is now subject to additional scrutiny with systems revised to provide improved tracking and response

For improved quality of response:

- ALL staff writing to customers, have been on a training course to improve their writing skills
- Correspondence is quality controlled by line managers
- Senior Managers from TfB have engaged with John Lewis Partnership to explore ways of improving customer focus

For reducing complaints:

- Place Service are the first adopters of the Corporate Complaints management initiative
- Senior Managers take responsibility to resolve all complaints that reach stage 2, and monthly meetings are held with the Corporate Complaints Team to monitor, respond and learn from complaints

For better Members information:

- There is the personal Members Page displaying information for their constituency
- There are email weekly updates from LATs to members
- There are weekly updates on the Capital Maintenance Programme
- There is a single page monthly progress report sent to members
- Successful members workshops have been held and more are to follow

For developing new ways of contacting the service:

- Rapid development of an improved self-service web page to report highway defects – with further developments planned imminently
- Piloting of the use of SMS and Twitter to advise customers of progress
- Weekly briefings for CC staff which allow them to deal more effectively with customer contacts “first time”.
- TfB is to be the first “exemplar” development area for the new Digital by Design approach by the Authority.

These changes continue to bed in, intended to deliver improvements in the TfB relationship with its customers and the service. However, whilst this work was progressing it became evident that there was a need for a more structured approach to understanding what the customer’s experience of TfB actually is.

In response, TfB has commissioned a formal customer experience review which includes:

- A Mystery Shopper exercise – reviewing the performance of the Contact Centre
- Stakeholder mapping and resultant personal interviews
- Customer surveys
- A TfB communications audit; what does it do; does it work?
- Customer Journey mapping; if the wheels fall off, where?
- Systems review – Are aspects of the customer contact systems design preventing good service delivery?
- What does good look like? What SHOULD the service be delivering from a customer perspective?
- How can different ways of contacting the service be used to improve service while at the same time reducing costs.

Progress with this review has been good, with draft findings already presented to the Focus project group. The review will be formally reporting at beginning of March when further improvement options will be developed by the Customer Focus Project Board for consideration by the broader TfB Improvement Board.

Theme E – ETL Inquiry Report Issues

(ETL Inquiry Report Recommendations – 1,2,9,10,11 & 12)

This area of work picks up the recommendations from the Committee's Inquiry Report which have been agreed by Cabinet and were either not specifically covered by any of the original themes of the Improvement Plan, or where it was felt important that a separate work package needed to be identified. The key areas of work within this theme are:

- Production of the 4 year TfB Business Plan
- Reviewing benchmarking arrangements
- Supporting the proposed external Value for Money Review
- Concluding outstanding business discussions with Ringway Jacobs
- Providing input on contract learning into Future Scope discussions

This work stream is about 30% complete. There will be a significant workload for the client and TfB arising from the planned external value for money review.

A draft four year plan which is aligned to the Council's Medium Term Plan proposals has been prepared by TfB. Following consultation with the Strategic Client a second draft is in preparation. The intention is that the Plan will be signed off by the Strategic Board in early March following Council's consideration of the budget and Medium Term Plan proposals.

Proposals for improving and/or extending benchmarking activity within the contract are being developed jointly with Ringway Jacobs. The aim is to finalise these at the Strategic Board in March.

Further discussions have been held with Ringway Jacobs on outstanding business issues and good progress has been made. It is expected that these will be concluded by the end of January.

Theme U – Audit Report Issues

An internal audit was undertaken during the first quarter of 2013/14 to examine how robust and cost-effective TfB's processes were in preparing, controlling and delivering the capital maintenance programme for the Council. The findings of the audit were presented to Regulatory and Audit Committee on 28th January together with a report outlining the response from Place Management to the audit's findings.

The issues raised in the Internal Audit Report overlap with elements of both the external consultant's review and the Select Committee's own inquiry. There are two main areas to be addressed through the improvement plan

- For the Contractor, improvements to Quality Assurance and internal audit procedures focussing on detail at scheme level and the extent of compliance by staff with these procedures as well as site supervision and record keeping practices.
- For the Client and the Contractor, improved processes and approaches to Target Cost setting and benchmarking.

Theme U in the plan deals with actions in relation to these issues which were not being addressed specifically elsewhere and/or require a particular focussed action.

Ringway Jacobs has carried out its own audit of the Capital Maintenance Programme the extent to which the findings of the audit apply more widely. The majority of the other actions are programmed for completion by the end of January.

At the time of writing this report, this work stream was about 30% complete.

4. Progress with the Service

The fundamental aim of the TfB Improvement Plan is to improve the service provided by TfB to Members, residents and the travelling public in Buckinghamshire. The previous section of this report has focussed on progress with the actions in the plan and the agreed outputs but unless these can be translated into improved outcomes then the plan will not succeed. The level of organisational and cultural change encompassed by the plan means that improved outcomes cannot be expected immediately. Nevertheless, there is some emerging evidence, both quantifiable and anecdotal, that the service has started to improve both as a direct result of actions in the plan and indirectly, perhaps as a result of the degree of scrutiny which the service has been under since last summer.

Improving Customer Focus and responsiveness was seen as an important area to address early on in the project and a lot of work has been done on this aspect of the Improvement Plan. This appears to be paying dividends and there has been significant improvement here and feedback from Members has been positive. Notably:

- Correspondence turnaround has improved from around 28 days (usually more) to 70% response in <5 working days.
- Formal complaints have reduced by over 80% since first recorded centrally.
- Of these, complaints resulting from failure to carry out actions promised are around 10%, reduced by over 50%. This is the principle reason for the reduction in complaint numbers.

Customer perception of the service also appears to be improving. Appendix C shows examples of recent positive feedback for the service.

In addition, the Strategic Client carries out regular monitoring of the quality of works on the ground. Whilst there are still some issues with respect to particular aspects of some works, the overall perception is that quality of works is improving. Inspections by the Strategic Client are continuing and any issues found are addressed in consultation with TfB.

Other actions which have proved successful 'on the ground' have been the expansion in the use of 'plane and patch' techniques to deal with clusters of potholes and the implementation of the operational Hub. The Hub has proved to be a valuable asset in dealing with the recent bad weather for which TfB has received very positive feedback. The 'Parking Toolkit' is an important new way of working with Members to deliver better outcomes locally with respect to parking schemes.

Officers would welcome feedback from the Committee about how the service is performing.

Whilst these early indications are encouraging, this is not to suggest that either TfB or the Strategic Client is complacent about the plan and there is an understanding that improving the service is a high priority for the Council. For this reason, where necessary, the Improvement Plan includes provisions for review and benefits realisation reports on the planned and completed actions. The challenge of improving the service is not underestimated and everyone involved is committed to bringing about the improvements expected by Members and the public with the aim of making the TfB service and the Transportation Services Contract 'Best in Class'.

The Deputy Cabinet Member for Planning and Transportation has said this is a very detailed report in which some areas of concern have been identified and it represents an accurate picture of the current position. She agreed that there were further works and ongoing improvements that needed to be made.

APPENDIX A

TfB Improvement Plan – Consolidated Task List

Work-stream	Short title	Milestone/deliverable	Owner	Date due by	%tage complete
A1	Client structure	Draft proposal	BCC	Complete	100%
A1	Client structure	Fit with TOM and Corporate Direction	BCC	Complete	100%
A1	Client structure	Costed evaluated	BCC	Complete	100%
A1	Client structure	Implement agreed interim solution	BCC	Complete	100%
A2	TfB structure and Mgt Info systems	TfB structure reflect commissioning client role	RJ	Complete	100%
A2	TfB structure and Mgt Info systems	Draft proposals	RJ	Complete	100%
A2	TfB structure and Mgt Info systems	Ensure fit with BCC Client	RJ	Complete	100%
A2	TfB structure and Mgt Info systems	Costed evaluated	RJ	Complete	100%
A2	TfB structure and Mgt Info systems	Communicate/consult with team and stakeholders	RJ	Complete	100%
A3	Contract governance	Review existing relationship and suggest improvements	BCC	Complete	100%
A3	Contract governance	Workshop session to review proposals	BCC	Complete	100%
A3	Contract governance	Officer and Member approvals	BCC	Complete	100%
A3	Contract governance	Member representation on Strategic Board	BCC	31-Jan-14	50%
A3	Contract governance	Resolve client structure and funding for any new posts	BCC	31-Mar-14	50%
A4	LATs review	Initial paper	RJ	Complete	100%
A4	LATs review	Workshop session	RJ	Complete	100%
A4	LATs review	Finalise roles and structure	RJ	Complete	100%
A4	LATs review	Present to LATs	RJ	Complete	100%
A4	LATs review	Refine proposals	RJ	Complete	100%
A4	LATs review	Present to BCC Members and officers	RJ	Complete	100%
A4	LATs review	Roll out changes	RJ	Complete	100%
A4	LATs review	Six month review	RJ	31-Jul-14	
I1/2/3	Innovation	Innovation report	RJ	17-Jan-14	90%
I1/2/3	Innovation	Innovation checkpoint meeting	RJ	Complete	100%
I1/2/3	Innovation	Innovation strategy signed off at Improvement Plan Board	RJ	23-Jan-14	
I1/2/3	Innovation	Innovation strategy taken to Strategic Board	RJ	10-Mar-14	
I1/2/3	Innovation	Benefits realisation report	RJ	03-Jul-14	
P1/2	Quality assurance	Updated work package signed off	BCC/RJ	Complete	100%

Work-stream	Short title	Milestone/deliverable	Owner	Date due by	%tage complete
P1/2	Quality assurance	Updated work package signed off by Improvement Board	BCC/RJ	Complete	100%
P1/2	Quality assurance	Draft plan to move work package forward shared pre-board	RJ	16-Jan-14	
P1/2	Quality assurance	Draft plan to move work package forward presented at board	RJ	23-Jan-14	
P1/2	Quality assurance	Work package starts in accordance with agreed plan	RJ	24-Jan-14	
P1/2	Quality assurance	Work package ends	RJ	31-Oct-14	
P1/2	Quality assurance	TfB Improvement Board review impact of changes made	RJ	30-Nov-14	
P1/2	Quality assurance	Review client management information requirements	BCC	14-Feb-14	
P1/2	Quality assurance	Develop highlight report for client info	BCC	28-Feb-14	
S1	Strategic planning	First draft of outcomes	BCC	Complete	100%
S1	Strategic planning	Discuss/amend and agree	BCC	Complete	100%
S1	Strategic planning	Share with Cabinet Member	BCC	Complete	100%
S1	Strategic planning	Cabinet Member sign off/approval	BCC	Complete	100%
S2	Suite of Policies	Prioritised list of policies for review produced	RJ	Complete	100%
S2	Suite of Policies	List shared as improvement plan board for sign off	RJ	Complete	100%
S2	Suite of Policies	Prepare rolling programme of reviews	RJ	tba	
S2	Suite of Policies	1st tranche review - high priority and new policies	RJ	tba	
S2	Suite of Policies	2nd tranche review - lower priority policies	RJ	tba	
S2	Suite of Policies	Submit revisions for Cabinet Member sign off.	RJ	tba	
S2	Suite of Policies	Compile list of standards	RJ	28-Feb-14	
S2	Suite of Policies	Review and amend tree maintenance policy if needed	RJ	28-Feb-14	
S3	Contractual KPIs	Outline document for discussion	BCC	Complete	100%
S3	Contractual KPIs	Discuss with Client Team and TfB	BCC	Complete	100%
S3	Contractual KPIs	Workshop session with councillors	BCC	Complete	100%
S3	Contractual KPIs	Follow up workshop on KPI protocol	BCC	24-Jan-14	
S3	Contractual KPIs	Options shared ETL Select Committee representatives	BCC	28-Feb-14	
	Contractual KPIs	Finalise proposals at Strategic Board and agree roll out with TfB	BCC	10-Mar-14	
C(i)	Customer Experience	Mystery shopper review completed	BCC	Complete	100%
C(i)	Customer Experience	Mystery shopper presentation to Improvement Board	BCC	Complete	100%
C(i)	Customer Experience	Customer Experience Action Plan (Rocca)	BCC	31-Mar-14	
C(i)	Customer Experience	Improved information to the CC	BCC	Complete	100%
C(i)	Customer Experience	The Hub - monthly report on action plan	BCC	Ongoing	
C(i)	Customer Experience	Corresp - review correspondence processes	BCC	Complete	100%
C(i)	Customer Experience	Corresp - implement new Correspondence processes	BCC	Complete	100%
C(i)	Customer Experience	Corresp - Letter writing training completed	BCC	Complete	100%

C(i)	Customer Experience	Corresp - monitoring and quality checks	BCC	Complete	100%
C(i)	Customer Experience	Members/VIP - VIP Mailbox	BCC	Complete	100%
Work-stream	Short title	Milestone/deliverable	Owner	Date due by	%tage complete
C(i)	Customer Experience	Review communications strategy and methods	BCC	01-Apr-14	60%
C(i)	Customer Experience	Staffing - focus group to discuss improvements	BCC	Complete	100%
C(i)	Customer Experience	Customer Journey Map complete	BCC	Complete	100%
C(i)	Customer Experience	Persona definitions completed	BCC	Complete	100%
C(i)	Customer Experience	Findings and recommendations document completed	BCC	31-Mar-14	
C(ii)	Customer - Symology	Establish clear reporting structure and requirements	BCC	Complete	100%
C(ii)	Customer - Symology	First new report	BCC	Complete	100%
C(ii)	Customer - Symology	Technical infrastructure to be established	BCC	Complete	100%
C(ii)	Customer - Symology	Implement new BI reporting structure for Symology	BCC	01-Apr-14	70%
C(ii)	Customer - Symology	Develop and generate automated reporting based on stakeholder needs	BCC	01-Apr-14	
C(ii)	Customer - Symology	Train key stakeholders in use of reporting environment	BCC	01-Mar-14	
C(ii)	Customer - Symology	Ongoing Symology updates to the board	BCC	Ongoing	
C(iii)	Customer Channel Shift	SMS - Pilot SMS response to customers	BCC	01-Feb-14	80%
C(iii)	Customer Channel Shift	SMS - automated through Symology	BCC	01-May-14	
C(iii)	Customer Channel Shift	Replace TfB generic email with eform	BCC	01-Mar-14	
C(iii)	Customer Channel Shift	Website changes - Improve self-service and report tracking options	BCC	01-Mar-14	
C(iii)	Customer Channel Shift	Website changes - better information rolled out to Members	BCC	Complete	100%
C(iii)	Customer Channel Shift	Website changes - better info rolled out to public	BCC	31-Jan-14	70%
C(iii)	Customer Channel Shift	Mobile - TfB website scaled to mobile platform	BCC	Complete	100%
C(iii)	Customer Channel Shift	Mobile - Fixing 'Report a Problem'	BCC	Complete	100%
C(iii)	Customer Channel Shift	Mobile - 'Report a problem' tracking features complete and working	BCC	31-Mar-14	
C(iii)	Customer Channel Shift	Mobile - Explore creation of Report it app	BCC	01-Apr-14	
C(iv)	Customer - Review	Deliver service improvements	BCC	05-Sep-14	
C(iv)	Customer - Review	Review evidence of targeted improvements	BCC	05-Sep-14	
E1	ETL report - progress report	Progress reports	BCC	17-Jan-14	
E2	ETL report - 4 year plan	Produce first draft	RJ	Complete	100%
E2	ETL report - 4 year plan	Final report produced	RJ	21-Feb-14	
E2	ETL report - 4 year plan	Considered by SB	RJ	10-Mar-14	
E2	ETL report - 4 year plan	Present to ETL Select Committee	RJ	15-Aug-14	
E4	ETL report - Benchmarking	Comments from RJ on 1st Draft Benchmarking paper	RJ	27-Jan-14	
E4	ETL report - Benchmarking	Review previous work on benchmarking with RJ	BCC	Complete	100%

E4	ETL report - Benchmarking	Review ADEPT and HMEP available information	BCC/RJ	27-Jan-14	
E4	ETL report - Benchmarking	Discussion paper with proposals from Ringway Jacobs	RJ	27-Jan-14	
E4	ETL report - Benchmarking	Discuss and formulate proposals	BCC/RJ	10-Feb-14	
Work-stream	Short title	Milestone/deliverable	Owner	Date due by	%tage complete
E4	ETL report - Benchmarking	Sign off by Strategic Board	BCC	10-Mar-14	
E4	ETL report - Benchmarking	Share proposals with ETL Committee	BCC	30-Apr-14	
E5	ETL report - External VfM review	Establish corporate and Place Service leads	BCC/RJ	tba	
E5	ETL report - External VfM review	Input to timetable	BCC/RJ	tba	
E5	ETL report - External VfM review	Share timetable with TfB	BCC/RJ	tba	
E5	ETL report - External VfM review	Participate in review	BCC/RJ	tba	
E5	ETL report - External VfM review	Receive report and share with RJ	BCC/RJ	tba	
E5	ETL report - External VfM review	Prepare comments on report	BCC/RJ	tba	
E5	ETL report - External VfM review	Await next steps	BCC/RJ	tba	
E6	ETL report - commercial discussions	Complete outstanding business discussions	BCC	31-Jan-14	
E7	ETL report - wider learning	Feed learning into Future Shape work	BCC	31-Mar-14	
U1	Audit report - Business performance	Add provision in business planning for visibility of discounts	BCC	28-Feb-14	
U2	Audit report - Project risk registers	Risk management process to be communicated to all RJ staff	RJ	31-Jan-14	
U3	Audit report - Target costs	Complete internal review of RJ commercial procedures	RJ	31-Jan-14	
U3	Audit report - Target costs	Improve robustness of target costs in 14/15 T11 Business Plan	RJ	31-Mar-14	
U3	Audit report - Target costs	Joint review of target cost development procedure	RJ	31-Jan-14	
U4	Audit report - Cost Tracking	Provide assurances on Project Mgt Methodology	RJ	31-Jan-14	
U4	Audit report - Cost Tracking	Implement improved site supervision procedures	RJ	31-Mar-14	
U5	Audit report - subsequent discussions	Review RJ audit procedures and amend as necessary	RJ	tba	
U5	Audit report - subsequent discussions	Provide assurances re 'non-audited' CMP schemes	RJ	24-Jan-14	
U4	Audit report - Contractor payments	Clear backlog of completion certificates	RJ	31-Dec-13	95%
U5	Audit report - Remedial costs	Introduce measures to improve visibility of remedial costs	BCC	31-Mar-14	
U6	Audit report - Disallowed costs	Develop process for handling disallowed costs	BCC	28-Feb-14	

APPENDIX B

TfB Service Objectives – Mapping

TfB Service Objective	Relevant Portfolio Objectives	Relevant Corporate Priorities
1. A well maintained network, with a planned, right first time approach to repairs	2. To maintain local transport networks both proactively and reactively, and minimise the impact caused by closing the roads for incidents and repairs	Priority 2 To improve transport networks within Buckinghamshire and the surrounding areas
	3. To ensure businesses and communities have access to employment opportunities, key services and facilities by public transport, cycle routes and footways.	Priority 1 To ensure that Buckinghamshire has a thriving economy that is creating jobs
2. A value for money service with costs regularly comparing well to industry norms		Priority 7 To provide high quality services and excellent value for money
3. A responsive service driven by customer need	1. To gather the public's view on their priorities for transport and planning and to effectively communicate the work we do	Priority 4 To encourage people and communities to be actively involved in their local area and services
4. Ease of travel, with reliable journey times helping to make Buckinghamshire an attractive location to live, visit or base a business.	3. To ensure businesses and communities have access to employment opportunities, key services and facilities by public transport, cycle routes and footways.	Priority 1 To ensure that Buckinghamshire has a thriving economy that is creating jobs
	7. To reduce car use through the promotion and facilitation of sustainable travel choices, enabling economic growth, improving health, wellbeing & accessibility and reducing congestion & environmental impact.	Priority 3 To protect the county's special environment and ensure that it continues to be recognised nationally as one of the best places to live and work

APPENDIX C

Extracts from recent emails, phone calls and tweets regarding the TfB Service

17.1.14 (Thames Valley Police)

[@tvprp](#) cracking job clearing the road by [@tfbalerts](#). Road now open

14.1.14 (Leader of the Council)

"I am here to offer my thanks for all the great work you have carried out during the recent bad weather. The general public really do appreciate this essential service you provide in clearing floods, emptying gullies and now filling pot holes. This really has not gone unnoticed."

14.1.14 (Deputy Leader of the Council)

"My heartfelt thanks goes to all involved in helping to keep the roads around Buckinghamshire as clear as possible during the bad weather. Your efforts are really appreciated throughout the county."

11.1.14 (Deputy Cabinet Member for Planning & Transportation)

"Just to thank you for a very efficient and effect team, please ensure that ----- who was leading this evening passes on my thanks to the team who did a splendid job, and took time to show me the drains and explain the pipe issues. Super polite staff and very professional thank you."

7.1.14 (Member of Parliament)

A big thank you to TFB for dealing with 95 flood sites & 125 fallen trees since 23 Dec keep up with latest alerts [@tfbalerts](#)

17.12.13 (Member of public)

"Mrs ----- called to thank us very much for getting the road markings done. She was over the moon."

14.12.13 (County Councillor)

"What a great job they have done and in record time as well. The team was very helpful to people who needed to access their properties. Please send thanks to all concerned and thank you also for making me look so professional in my responses!"

9.12.13 (Member of public)

*"website and pothole repair "in one hit!
I just wanted to say a big thank you and also let you know that the new form is brilliant, compared to the old form, so a great improvement there.
Much appreciated."*

6.12.13 (Parish Councillor)

*"The 40mph limit along Stratford Road appeared a couple of days ago.
Thanks to all involved for sorting that final bit out!"*

29.10.13 (Deputy Cabinet Member for Planning & Transportation)

"Just wanted to say a big thank you for the teams that were especially deployed to the southern end of the county. First class service, very polite and positive. Big thanks also to Paul Nearey, for his prompt action on the road closure for Iver Lane. Please pass this on."

18.9.13 (Member of public)

"Just to let you know Mrs ----- has called today concerning this grass bank issue that had previously been going on for 30 years. She wanted to say thank you to all of those from TfB who have got this sorted out - she is most grateful and is very happy."

29.8.13 (Member of public)

"Hi -----, For some weeks gone, there has been a severely broken bit of pavement directly outside my office building, Wing House. I estimate about 1.5 sq. yds to a depth of 3 inches, around utility accesses. Not a problem whilst it was covered by a thick plastic board. However, over the weekend the board disappeared leaving the ugly, dangerous hole. I reported it to your roads and pavements department at about 1:00 pm today. It was very satisfactorily repaired well within a couple of hours. I congratulate your roads and pavements department on their speed and efficiency but as you usually hear much of the criticism about your Council I thought you should also hear the praise. Well done that team!"

2.8.13 (Cabinet Member for Planning & Transportation)

"Many thanks for getting back to me so promptly. I'm extremely grateful for the kind offer from TfB to help here, and would be pleased if you could organise them for the week beg. 2nd September. Cllr. Michael Beall, AVDC, has requested this so I'm copying him into your very helpful reply."

23.7.13 (Member of public)

"Caller who did not wish to leave her details wanted to compliment us on the grass cutting on Marlow hill. She says she has lived here for many years and mentioned that the quality of work has improved this year. Well done."

4.7.13 (Member of public)

"You are probably largely responsible for this agreement to re-surface the red lines at the town end of Gregories Road and Burkes Road. Thank you so much for your part in this. I feel sure that as a result of resurfacing the lines will be clearer to motorists and to pedestrians, aiding pedestrians' crossing at these busy points. Thank you."

Cabinet Response: Select Committee Inquiry – Transport for Buckinghamshire (Ringway Jacobs contract)

Lead Policy Officer: Kama Wager
 Date reported to Cabinet: 13th January 2014
 Lead Cabinet Member for response: Janet Blake
 Lead Officer for response: Sean Rooney

Recommendation	Agreed Yes/No	Cabinet Member Response including proposed action	Responsible Cabinet Member	Responsible Officer	Action by date
<p>1: The committee request to receive updates on the implementation of the following recent/current reviews around TfB operation and perception:</p> <ul style="list-style-type: none"> • Quarterly updates on all actions within the external consultant review of TfB and its implementation plan, commencing in February 2014 • Quarterly updates on the internal BCC Communications and Customer Focus review, commencing in February 2014 • An update on the implementation of the new role for Local Area Technicians in February 2014 with an additional 6 month update on progress. 	Agreed in part	<p>With respect to the first two bullet points of the recommendation an update on progress on the Improvement Plan and the Communications and Customer Focus work will be provided to the meeting of the Committee in February 2014. A further six monthly update will be provided at August 2014 after which the need for further updates will be reviewed by Cabinet.</p> <p>With respect to the third bullet point an update on the review of the new role for Local Area Technicians was given at the TfB 'Think Councillor' Conference on 4th December 2013 which many Members attended. The new proposals were well received by all and have the full support of the Cabinet Member. The new arrangements are being implemented from 2nd January 2014. During the discussions leading up to the proposal, the concept of reviewing the arrangements once they had been in operation a while was accepted by all. This was re-emphasised at the TfB Conference. A review of the first six months operation of the new arrangements will be carried out in July 2014 and shared with the Committee at the first overall progress update in August 2014.</p>	Janet Blake	Sean Rooney	February 2014
<p>2: We recommend that the service ensure effective long-term planning (a 4 year plan which fits with the Council's Medium term plan and budget proposals) to guide the annual planning activity, with particular emphasis on efficiencies, value for money and longer term development of the transport network. The Environment, Transport and Locality Services Select Committee should receive a written update on any forthcoming long-term plans.</p>	Agreed	<p>A draft four year plan has been prepared by TfB and this was received by Place Officers in early December 2013. The draft plan was prepared whilst the Council's Medium Term Plan and budget proposals were under discussion and has taken account of these. Place Officers have commented on the draft plan and there has been further dialogue to ensure that the TfB 4 year plan meets the Council's aims and aspirations for the Highways and Transportation service. It will not be possible to finalise the plan until the Council's budget for 2014/15 and Medium Term Plan are agreed in early February.</p> <p>The plan will be rolled forward one-year annually in line with the Council's budget planning cycle. It will be the key long-term planning document for the contract and service. The plan will be signed off the Strategic Board in March and shared with the Committee at the first overall Improvement Plan update in August 2014.</p>	Janet Blake	Sean Rooney	August 2014
<p>3: We recommend that all future KPIs evolve to place greater emphasis on long-term outcomes and improvements and that future setting/amending of KPIs be subject to wider Member involvement to inform the decision making process of the Strategic Management Board. The Cabinet Member should put forward options for this by February 2014 for the Environment, Transport and Locality Services Committee to comment on and agree.</p>	Agreed in part	<p>The principle of encouraging wider member involvement in the KPIs is accepted.</p> <p>The extent to which long-term outcomes can be incorporated into 'contractual KPIs' depends upon the extent to which such outcomes can be influenced by the contractor; the form of contract; and the degree of certainty about the Councils Medium Term budget plans.</p> <p>A review of KPIs has been undertaken as part of the Improvement Plan arising from the external consultant review of the contract. A workshop involving the Cabinet Member, Deputy Cabinet Member and Members of the Select Committee took place on 17th December 2013. The outputs of this review and workshop are being used to refine the KPI process in discussion with Ringway Jacobs and to develop proposals</p>	Janet Blake	Sean Rooney	End of February 2014

		<p>for change as necessary. This work is expected to be completed by the end of February 2014.</p> <p>It should be noted that the current KPIs and associated KPI process are integral to the Transportation Services Contract and dependent upon the nature of any changes proposed, there could be commercial implications for the Council and the Contractor associated with changes. The Council must fulfil its obligations under the contract and within the contract there is a requirement for any changes to KPIs to be agreed by the Council and Contractor. Any revised proposals will therefore need to be subject to discussions and accepted by Ringway Jacobs. As business planning for next financial year is already well advanced the extent to which any changes can be introduced before the 2015/16 financial year may be limited.</p> <p>It is suggested that the Select Committee is given the opportunity to comment on any potential changes arising from the current review and that where possible the Committee's comments are taken account of in finalising any resultant changes through the contractual governance framework.</p>			
<p>4: We recommend that KPI figures and values need to be properly audited on an annual basis, for example through internal audit or the client team, in order to ensure that the decision making around payments and extensions is robust. A written report of the findings should go to the Strategic Management Board and also monitored by this select committee.</p>	Agreed in part	<p>A process will be developed in discussion with Ringway Jacobs. Once the process has been decided upon the minutes and any associated papers from the relevant Strategic Board will be shared with the Select Committee at the first overall update in August 2014.</p> <p>As audit of the KPIs is currently the responsibility of the Contractor any additional audit by the County Council will incur additional costs. The Strategic Client within Place is not currently resourced to undertake the work but should it be possible to strengthen this (see response to recommendation 7) then the work could be accommodated within the revised staff structure.</p>	Janet Blake	Sean Rooney	August 2014
<p>5: We recommend that the Cabinet Member for Planning and Transport retains a Member-led system for road maintenance but:</p> <ul style="list-style-type: none"> • reviews the definition of Member-led currently used in the context of prioritising road maintenance to allow for greater flexibility in the approach and, • examines the proportion of budget allocated between local member priorities, and a countywide strategic management approach. <p>We request that the Cabinet Member commission a report on this topic, referencing national practice, and further options for road maintenance prioritising.</p>	Agreed in part	<p>The Cabinet welcomes the Select Committee's support for retaining a member-led system for road maintenance. The current system was introduced in 2011 and made road maintenance and resurfacing one of the County Council's top priorities. The Cabinet will continue to review the effectiveness of the Council's investment in strategic road maintenance, including the member-led programme, on a regular basis, and will discuss any proposals for change with the Select Committee as appropriate.</p>	Janet Blake	Sean Rooney	April 2014
<p>6: We recommend that at least two BCC elected Members are re-appointed to the Strategic Management Board (or an alternative Member involvement option) in order to strengthen democratic representation, as recommended by the 2011 TfB scrutiny review.</p>	Agreed in part	<p>The Cabinet Member for Planning and Transport accepts the principle of increased member representation on the Strategic Board. The current Terms of Reference for the Board allow the Board to invite additional members. It is important however that the effectiveness of the Board is not diminished by it becoming too large and that it retains an appropriate balance between representatives of contractor and client. (Currently there are 3 representatives from the Contractor and 3 representatives from the Council on the Board). For the above reasons it is considered that one additional Councillor on the Board would be more appropriate than two. The choice</p>	Janet Blake		January 2014

		of the additional Member will sit with the Cabinet Member with agreement of the Strategic Board.			
7: We recommend that the Strategic Client function should be sufficiently resourced to ensure the necessary client capacity and in-house skills are in place so that the client can effectively manage the contract and provide robust check and challenge of delivery.	Agreed – subject to resources	<p>As part of the Improvement Plan arising from the External Consultant's Review consideration has been given to the organisational structures and resourcing of both the Contractor and Client sides of the Alliance. The intention is to align contract management through three key areas:</p> <ul style="list-style-type: none"> • Strategy and Customer Focus • Commission and Delivery • Monitoring and Compliance <p>Central to this strategy is a revised client side structure which serves to strengthen the Council capacity in these areas.</p> <p>Financing for any additional posts will be subject to the availability of resources during the final stages of the current MTP process.</p>	Janet Blake	Sean Rooney	January 2014
8: We recommend that the TfB report for the Strategic Management Board on the approval of the yearly contract extensions be circulated to the Environment, Transport and Locality Service Select Committee in order to inform the decision making process of the Strategic Management Board on the approval of contract extensions.	Not Agreed	<p>The Cabinet Member recognises that this contract has been subject to significant scrutiny and is of high local importance. It is important, however, that the contract governance continues to align broadly with the approach taken on other strategically important contracts within the Council. The Cabinet Member believes that the actions agreed in response to recommendation no.1 (regular updates) and recommendation no. 6 (increased Member representation on the Strategic Board) combined with the existing contract controls and a strengthened client side should be sufficient to address the Committees concerns with this aspect of the Contract.</p> <p>The particular concerns about the KPI process expressed in this section of the report are noted. The Cabinet Member believes that these can be addressed by progressing the work which is already underway with respect to recommendation no.3, and in which Committee members have been actively involved. The audit process proposed in recommendation 4 and strengthening of the strategic client will also help improve this aspect of the contract.</p>	Janet Blake		
9: We recommend that a schedule of areas for financial benchmarking against other Local Authorities be agreed between TfB and the Strategic Client. This should be reviewed annually by the Strategic Management Board to provide clarity over benchmarking activity to ensure contract compliance and value for money.	Agreed	<p>The principle of annual benchmarking activity is accepted. Discussions are already underway between Council Officers and Ringway Jacobs on more use of benchmarking in the contract through both greater use of the existing contract provisions and via revisions to the KPI process.</p> <p>It is important that benchmarking is done at an appropriate level and includes a 'programme wide' view of value for money as well as looking at individual work areas and schemes. This will help improve understanding of the added value provided by the current form of contract.</p> <p>The proposed adjustments to the client structure were also intended to enable the robustness and quality of benchmarking activity to be improved.</p>	Janet Blake	Sean Rooney	April 2014
10: We recommend that an external value for money review be undertaken (over the first half of 2014) to ensure and satisfy the client (BCC) that it is getting best value for money from the contract for elected Members and the residents of Buckinghamshire and that the committee	Agreed	<p>The Cabinet Member for Planning and Transportation would welcome such a review which will add to the work aimed at improving the contract which has already been done and is currently in progress. A proposed scope of the review has been developed which focusses on the value for money aspects of the contract. Within this overall context, it is also considered important that the review:</p> <ul style="list-style-type: none"> • takes account of the review and audit work done so far any issues arising from these and planned improvements 	Janet Blake	Chris Williams	July 2014

receive a briefing on the findings of this review.		<ul style="list-style-type: none"> addresses both the current situation and the extent to which the benefits expected of the contract at time of tender have been realised over the life of the contract so far. <p>Ringway Jacobs have been informed of the likelihood of this Value for Money review.</p>			
11: We recommend that the contractual obligation for a year -on -year 3% efficiency saving should be reviewed to allow for greater opportunity for cumulative and sustainable efficiency savings over a number of years. Alternative options should be drawn up by the Cabinet Member by the end of the 2013/14 financial year.	Agreed	There will be a contractual implication from this recommendation. Initial discussions on the principle have already started with senior representatives of Ringway Jacobs. Proposals will be drawn up following further discussion with the Contractor.	Janet Blake	Sean Rooney	April 2014
12: We recommend that all learning points from the TfB arrangement to date are used to inform future operation of the Council as it moves to become a commissioning/contracting organisation, in particular: <ol style="list-style-type: none"> 1) securing providers who are able to work in a democratic environment, 2) securing providers who can set out how they will meet strategic longer-term outcomes sought by the client, and 3) the need for a high-level contract management prepared to use contract clauses to meet requirements. 	Agreed	The Cabinet Member for Finance and Resources would welcome officers involved in this, and other commissioned contracts, sharing their experience and learning in this way.	Peter Hardy	Richard Ambrose	March 2014 or sooner



Report to the Environment, Transport and Locality Services Select Committee

Title:	Update Report: Recent developments concerning 'Fracking' for shale gas
Committee date:	4th February 2014
Author:	Stephen Walford: Senior Manager, Place
Contact officer:	Lester Hannington: Minerals & Waste Lead Officer Telephone number 01296 38303 e-mail address: lhannington@buckscc.gov.uk
Report signed off by Cabinet Member:	Councillor Lesley Clarke, Cabinet Member for the Environment
Electoral divisions affected:	All

Purpose of Agenda Item

- This item is brought to the Committee in order to help them to be fully informed on the issue of 'Fracking' for gas.

Background

- Members received reports on 'Fracking' for gas at their meetings in September and November/December 2013. There have been further developments on this issue which are the subject of this report.

Summary

- The Government has offered financial incentives to planning authorities and communities to accept Fracking.
- A further round of Licensing by DECC is due to take place later in 2014.



- The County Council hopes to begin work on a new planning policy document on minerals and waste later in 2014.

Resource implications

- There are no financial or resource implications.

Recent developments concerning 'Fracking' for shale gas

1. In the Autumn Statement 2013, the Chancellor of the Exchequer announced changes to the tax regime in respect of shale gas exploration and production. This was intended to make it more favourable to invest in shale gas exploration, and covers both conventional and unconventional hydrocarbons. A French Company Total SA, subsequently announced that they had acquired a 40 per cent stake in two exploration licences in the East Midlands, in a geological basin known as 'the Gainsborough Trough' that is thought to be rich in gas. The other 60% interest in the exploration licences within Lincolnshire are owned by a number of smaller UK based oil and gas exploration companies.
2. In January 2014 the Prime Minister announced that local councils where shale gas fracking is allowed will be able to receive 100% of Business Rates from the operation, instead of the 50% at present. This will be a material consideration when the Mineral Planning Authority determines any applications for shale gas exploration or production. With respect to Buckinghamshire there have been no planning applications to date for shale gas exploration or production by 'fracking', and there are none awaiting determination at present.
3. Local communities affected by 'Fracking' for exploration or production are now being offered a compensation scheme. The industry has committed to a package for communities that host shale development. This includes:
 - At exploration stage, £100,000 in community benefits per well-site where fracking takes place
 - 1% of revenues at production will be paid out to communities.
 - Operators will publish evidence each year of how they have met these commitments.
 - The shale gas and oil industry has set out their commitment to community engagement in a Charter, which will be regularly reviewed.
 The details of this compensation scheme have not been elaborated on since this announcement.
4. In October 2013, Public Health England published 'Review of the Potential Public Health Impacts of Exposures to Radioactive and Chemical Pollutants as a result of Shale Gas Extraction'. It considered the various chemicals involved with shale gas exploration using hydraulic fracturing ('fracking'), and the risks associated. The report concludes that: *'Although shale gas extraction and related activities have the potential to cause pollution to air, land and water, the currently available evidence indicates that the potential risks to public health from exposure to the emissions*

associated with shale gas extraction are low if these are subject to approval under pollution control regimes. Local planning authorities should assume that these regimes will operate effectively.'

5. If and when the County Development Control Committee has an application for shale gas exploration and/or production by 'Fracking' before it to determine, then it will need to take into consideration all relevant policy from the NPPF, including paragraph 122, as well as relevant policies from the Buckinghamshire Minerals and Waste Development Plan. It should be noted that 'Fracking' for exploration or production of shale gas would be regulated by the Environment Agency (in order to protect the water environment, and concerning waste disposal), and the Health and Safety Executive (in respect of site operations and the construction of the well). With respect to planning involvement in 'Fracking' for shale gas the National Planning Policy Framework (NPPF) at paragraph 122 states:

In doing so, local planning authorities should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. Local planning authorities should assume that these regimes will operate effectively.

6. The Buckinghamshire Minerals and Waste Development Plan consists at present of those policies 'Saved' from the Buckinghamshire Minerals and Waste Local Plan adopted in 2006, as well as those contained in the Minerals and Waste Core Strategy adopted in November 2012. The Government published Planning Practice Guidance for Onshore Oil and Gas (July 2013) states at paragraph 5:

Paragraphs 142 to 149 of the National Planning Policy Framework set out minerals planning policy. It makes clear that minerals planning authorities should identify and include policies for extraction of mineral resource of local and national importance in their area. This includes both conventional hydrocarbons and unconventional hydrocarbons such as shale gas and coalbed methane.

Mineral Planning Authorities (such as Buckinghamshire) are expected to include in their Mineral Local Plans:

- Petroleum Licence Areas on their proposals maps;
- Criteria-based policies for each of the exploration, appraisal and production phases of hydrocarbon extraction. These policies should set clear guidance and criteria for the location and assessment of hydrocarbon extraction within the Petroleum Licence Areas.

The level of detail that Minerals and Waste Local Plan policy should contain about oil and gas exploration and production will be a matter for the initial consultation on the new Minerals and Waste Local Plan. The representations received in response to that initial consultation will provide a considerable amount of information concerning the issues to be addressed and the direction of travel of the new Plan.



7. Although the Buckinghamshire Minerals and Waste Local Development Scheme has not yet been amended, it is hoped that work can begin on a new Minerals and Waste Local Plan later in 2014. The existing development management policies from the Minerals and Waste Local Plan adopted in 2006 may need to be revisited, amended, or replaced so as to be fully compliant with the NPPF, to be more effective, and to take into consideration changes in circumstances within the County.
8. There is at present only a single existing Petroleum Exploration Development Licence (PEDL 236) which lies partly within the County area. This licence is for land mostly beneath Windsor Castle, and lies within the administrative areas of Windsor and Maidenhead, and Slough Councils. However licence PEDL 236 will expire in June 2014 if a well is not drilled, and if the licensees have not been successful in finding a location to drill. Of greater significance is that there is due to be a further round of issuing licences for onshore exploration and production later in 2014. A Strategic Environmental Assessment has been undertaken and published, and the consultation on this runs until the 28th March 2014. In particular, the new Minerals and Waste Local Plan will need to take into account the presence of any PEDL licences within Buckinghamshire. It will be prudent to take onboard the results of the 14th licencing round when available later in the year.
9. In summary, it remains the situation that because of the geology of the County that 'fracking' for shale gas remains unlikely in Buckinghamshire in the near future.

Next steps

- The Government is to undertake a further round of licensing for onshore oil and gas exploration later this year. The Council should wait this Licensing round and at that time review whether any new Licences may affect Buckinghamshire.
- The Council as Minerals Planning Authority will be developing a new planning policy document- the 'Minerals and Waste Local Plan' (MWLP). This will provide the opportunity to have a robust policy or policies with which to determine any planning applications for 'Fracking' for shale gas that may arise in the future.





Report to the Environment, Transport and Locality Services Select Committee

Title:	Briefing Note on Fracking and Shale Gas
Committee date:	25 th September 2013
Author:	Policy, Strategy and Development Team
Contact officer:	Stephen Walford
Report signed off by Cabinet Member:	Janet Blake
Electoral divisions affected:	All

Purpose of Agenda Item

As the local planning authority for minerals and waste matters, Buckinghamshire County Council is the determining authority for any planning applications submitted for oil or gas exploration development.

This briefing note provides a review of published information regarding Shale Gas extraction and applies this to the Buckinghamshire context to identify whether there is a reasonable likelihood for Shale Gas to occur in Buckinghamshire. It describes the licensing and planning processes for Shale Gas development and outlines what the current situation is in Buckinghamshire with regard to these processes.

1. Background

1.1. Shale gas comprises methane recovered from mudrocks and shales which have previously been considered too impermeable to allow economic recovery of gas. This and other forms of 'unconventional' hydrocarbons are now being considered in the UK as alternatives to conventional oil and gas production, in response to concerns relating to the UK's growing reliance on imported Natural Gas.

1.2. Shale gas is formed by thermal maturation (heating within the Earth) of organic rich shales (thermogenic methane), or by methanogenic bacteria acting on shales rich in



organic matter (biogenic methane). Biogenic methane is important in shale prospects elsewhere in the world but has not yet been shown to have occurred in the UK¹.

1.3. The term ‘unconventional’ relates to the type of reservoir within which the gas is found rather than the methods by which the gas is extracted. Unlike conventional gas, which collects in porous rocks and can be released simply by drilling boreholes into those rock formations, shale gas is locked in the matrix of less porous rocks. It can only be accessed by a special technique called hydraulic fracturing or “fracking”². Hydraulic fracturing can also be used as part of conventional gas production.

1.4. Hydraulic Fracturing is a process whereby the gas flow and yield in less porous gas-bearing rock is increased by fracturing the rock. This is achieved through the injection of water, sand and chemicals into horizontally drilled boreholes causing the rock to crack. The sand ‘props open’ the fractures once formed. These fractures make the rock more permeable, enabling the released gas to flow at commercial rates.

2. Potential for Shale Gas Exploration in Buckinghamshire

2.1. The Department of Energy and Climate Change (DECC) in association with the British Geological Survey (BGS) have produced reports looking at the potential of unconventional gas energy reserves in the UK, including the potential for production of Coal Bed Methane and Shale Gas. ‘*The Unconventional Hydrocarbon Resources of Britain’s Onshore Basins – Shale Gas*’³ report examines the potential for shale gas exploration in the UK, and identifies geographic areas with the best and potentially the lowest risk onshore shale gas potential, including the Upper Bowland Shale of the Pennine Basin, the Kimmeridge Clay of the Weald Basin and possibly the Lias of the Weald Basin (see figure 1). A further report providing an estimate of the shale gas resource occurring in geological basins in central England was published by BGS and DECC in 2013⁴, and studies are currently being undertaken in relation to the Weald Basin in the south of England.

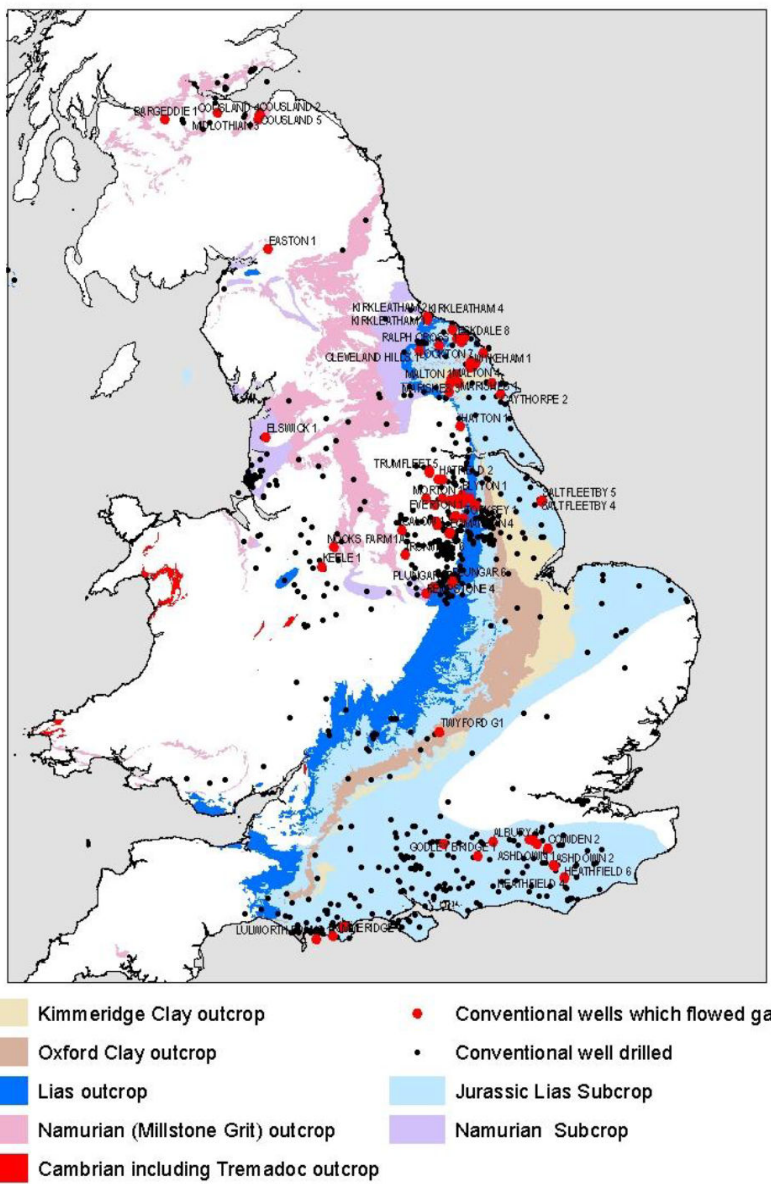
Figure 1: Main Areas of Prospective UK Shale Formations (taken from DECC 2012)

¹ Alternative Fossil Fuels, Mineral Planning Factsheet, DCLG and BGS 2011

² Alternative Fossil Fuels, Mineral Planning Factsheet, DCLG and BGS 2011

³ The Unconventional Hydrocarbon Resources of Britain’s Onshore Basins – Shale Gas, DECC 2012

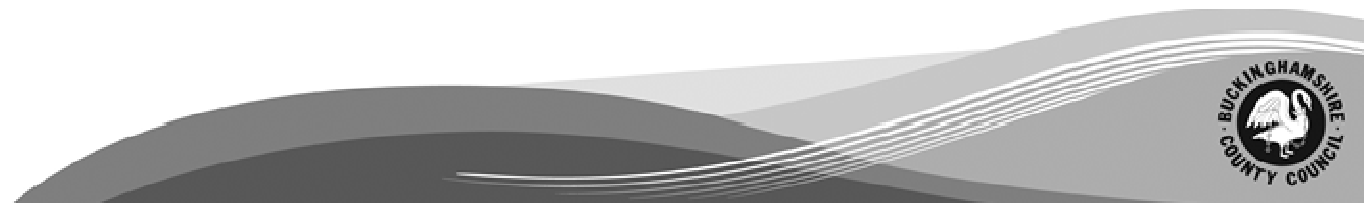
⁴ The Carboniferous Bowland Shale Gas Study: Geology and Resource Estimation, DECC 2013



2.2. Shale gas exploration is currently proving successful in the USA, where it is at least 30 years ahead of the rest of the world⁵. By comparison, the UK shale gas industry is in its infancy, with only one company (Cuadrilla) actively carrying out shale gas exploration in Lancashire. Therefore, ahead of production testing there are no reliable indicators of potential productivity in the UK, and for this reason resource estimates have been made by comparison with shale gas developments (known as ‘plays’) in America, although these analogies may ultimately prove to be invalid.

2.3. The main criteria for successful shale gas plays in the USA include, but are not limited to, factors such as organic content and thickness of the shale, depth from the surface to the shale, the chemical composition of the shale (petrography) and the

⁵ The Unconventional Hydrocarbon Resources of Britain’s Onshore Basins – Shale Gas, DECC 2012



amount of structural deformation the shale has undergone⁶. The Shale Gas Plays currently identified in the USA are all associated with Basin formations.

- 2.4.** The geological formations of interest for shale gas potential identified in the 2012 DECC report are shown in Figure 1. Although some of these formations, including the Oxford and Kimmeridge Clays and the Lias are shown to pass through Buckinghamshire, they are unlikely to be prospective for Shale Gas. Figure 2 shows that within Buckinghamshire, the majority of these formations occur as outcrops (near the surface) which could be indicative that they have not been subject to the geological processes experienced within the basin centres considered to be most likely to be exploited for Shale Gas in the UK.
- 2.5.** This is supported by existing literature which indicates that the areas likely to be of greatest interest would be those associated with basin formations, particularly the Pennine, Wessex, Weald and Cleveland Basins^{7 8 9}. In conventional oil and gas accumulations, shales are the source rock from which hydrocarbons are generated following burial, and through time these hydrocarbons migrate from the source rock towards 'reservoirs' at the margins of the basin centres. In the case of unconventional hydrocarbon accumulations such as Shale Gas, shales act as both the source and the reservoir rock and therefore the basin centres are the exploration targets¹⁰.
- 2.6.** In addition, a report of the Royal Society also notes that *"Shale Gas is likely to be extracted at a depth of many hundreds of metres, or even several kilometres to ensure reservoir pressures sufficiently high to allow gas flow to surface... Extracting Shale Gas from much shallower shales is unlikely since reservoir pressure would be too low for gas to flow at commercial rates¹¹."*
- 2.7.** The 2012 DECC report also notes that a well in Calvert in Buckinghamshire discovered gas in 1911, possibly from Cambrian-age strata¹². Although this well was deepened and another well drilled farther east, there were no further signs of gas. Another sub-economic gasfield was found by BP to the north at Twyford in the 1960's. The source of these gas shows has not yet been identified, although existing literature acknowledges that potential sources could include underlying Tremadoc shales¹³ or Westphalian strata in Oxfordshire to the west¹⁴.

⁶ The Unconventional Hydrocarbon Resources of Britain's Onshore Basins – Shale Gas, DECC 2012

⁷ The Unconventional Hydrocarbon Resources of Britain's Onshore Basins – Shale Gas, DECC 2012

⁸ The Carboniferous Bowland Shale Gas Study: Geology and Resource Estimation, DECC 2013

⁹ Smith, N; Turner, P; Williams, G (2010) UK Data and Analysis for Shale Gas Prospectivity, Smith et al 2010

¹⁰ The Carboniferous Bowland Shale Gas Study: Geology and Resource Estimation, DECC 2013

¹¹ Shale Gas Extraction in the UK: A Review of Hydraulic Fracturing, The Royal Society and The Royal Academy of Engineering 2012

¹² The Unconventional Hydrocarbon Resources of Britain's Onshore Basins – Shale Gas, DECC 2012

¹³ UK Shale Gas: The Story So Far, Selley 2012

¹⁴ The Unconventional Hydrocarbon Resources of Britain's Onshore Basins – Shale Gas, DECC 2012



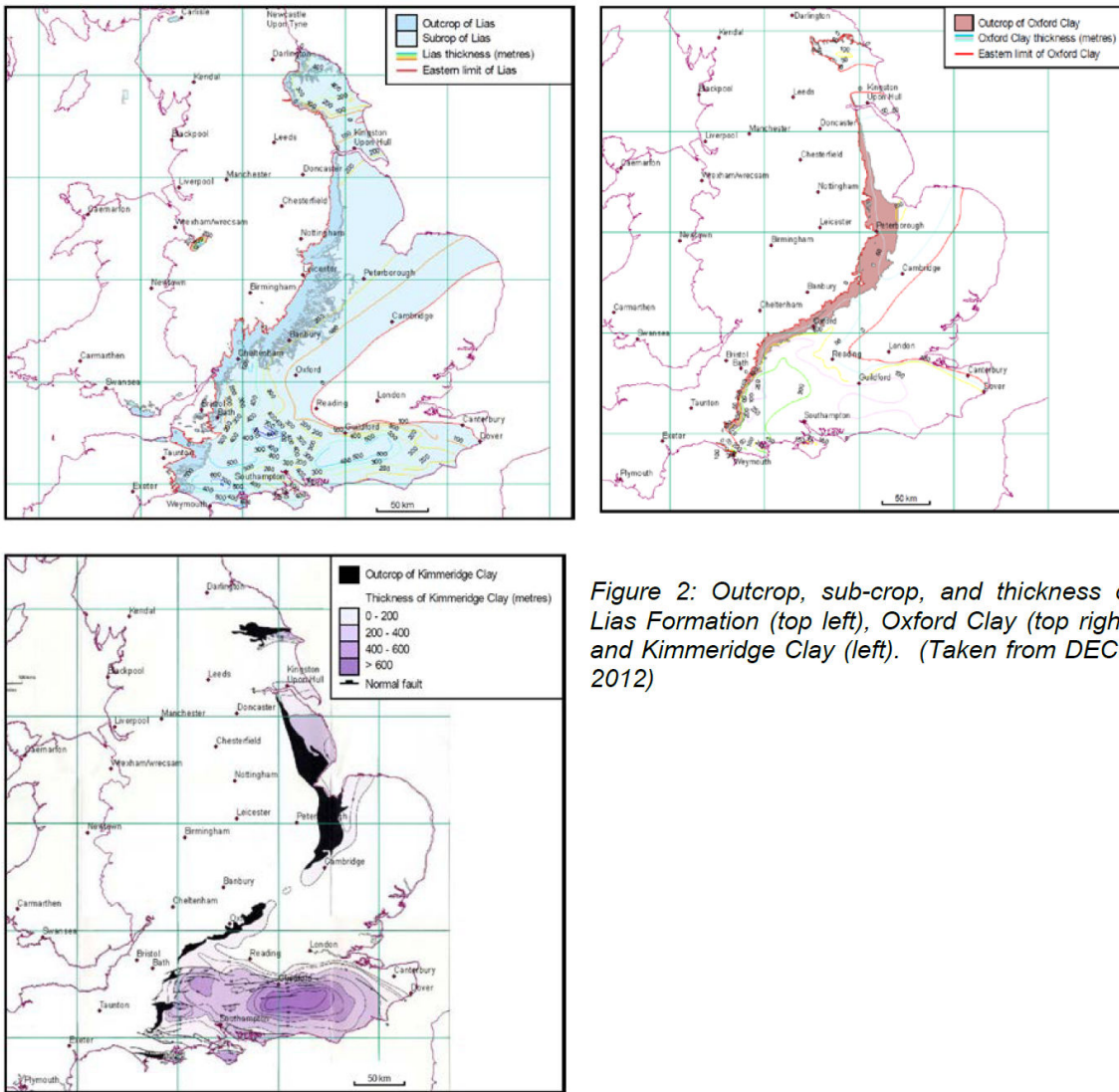


Figure 2: Outcrop, sub-crop, and thickness of Lias Formation (top left), Oxford Clay (top right) and Kimmeridge Clay (left). (Taken from DECC 2012)

2.8. These previous gas shows at Calvert and Twyford may also indicate the presence of conventional gas within Buckinghamshire. A report commissioned by the BGS in 2003 concluded that *“the county appears to have limited oil and gas prospectivity, although the possibility for the discovery of (small) gas accumulations may still exist¹⁵.”*

2.9. It is therefore possible that some Cambrian age shales extend at depth beneath Buckinghamshire. However, the 2012 DECC report also advises these to be a ‘higher risk’ target as the Upper Cambrian has not sourced conventional hydrocarbon fields¹⁶. It could therefore be concluded that any such reserves of shale gas that may exist within Buckinghamshire would be unlikely to be exploited in

¹⁵ Mineral Resource Information in Support of National, Regional and Local Planning Buckinghamshire and Milton Keynes, BGS Commissioned Report, Benham et al 2003

¹⁶ The Unconventional Hydrocarbon Resources of Britain’s Onshore Basins – Shale Gas, DEC 2012

the near future, until more favourable, lower risk areas have been exhausted, and the industry matures within the UK.

3. Licensing Regime

3.1. Licensing for both conventional and unconventional hydrocarbon exploration is currently regulated by the Department of Energy and Climate Change (DECC) and is essentially the same process whether the well is targeted at conventional or unconventional gas. A Petroleum Exploration and Development Licence (PEDL) under the Petroleum Act is required from DECC, which grants exclusive rights to explore, drill and produce within a small, specified area. However, DECC's licence does not remove the need to comply with planning, health and safety or environmental regulation.

3.2. PEDLs are awarded through a system based on open Licensing Rounds. Before a licence can be awarded, the applicant must satisfy DECC of the competence of its proposed operator, and each member of the applicant group must satisfy DECC of its financial viability and financial capacity. A PEDL does not grant permission for specific operations.

3.3. Drilling of Wells:

- A PEDL must be granted by DECC.
- The operator must then seek planning permission from the Mineral Planning Authority (MPA) to drill a well or conduct an Extended Well Test. The MPA will consult with the Environment Agency (EA) as a statutory consultee as part of the planning application process.
- The operator must then notify the Environment Agency of its intention to drill, at which time the Environment Agency will advise on any requirement for control or permitting under the relevant environmental protection legislation.
- The operator must then apply to DECC for Well Consent, demonstrating that they have gained the necessary planning permissions.
- If well testing operations are expected to last longer than 96 hours, the operator will also have to apply to DECC for Extended Well Testing, demonstrating that this is necessary and that they have the relevant planning permissions and consents in place from the MPA and EA.

3.4. Field Development and Production:

- Once the commercial viability of a project has been established by exploration and appraisal work, the operators will need to gain further planning permission(s) from the MPA for production, in consultation with the EA as statutory consultee in the planning application process.
- The EA will also assess the need for any abstraction licences and/or an environmental permit under the relevant environmental protection legislation.
- The Operator must then seek Field Development Consent from DECC.



3.5. Each development well will require specific consent from DECC and the HSE must be notified of all wells and significant activities at the site. For each part of the process, the operator will also need to obtain access rights from landowners.

4. Hydrocarbon Licenses in Buckinghamshire

4.1. Figure 3 shows that there is currently one existing PEDL licence which falls partially within Buckinghamshire (PEDL236 shown in purple). This relates to an existing licence for oil exploration beneath Windsor Castle which will expire in June 2014 if a well is not drilled prior to this date.

4.2. The areas shown in pink in Figure 3 are those that have been included in the Strategic Environmental Assessment (SEA) for the 14th Round of Onshore Licensing. These areas *may* be offered up under the 14th Round of Onshore Licensing currently anticipated in 2014, and the SEA may also feed into future onshore licensing rounds. The SEA has undergone a 12 week consultation and DECC are now considering the consultation responses.

4.3. The SEA covers the Scottish Midlands, North and South Wales, and most areas of England with the exception of the extreme South West. The SEA also notes that large areas of the UK are not prospective for oil and gas, that many of the blocks under consideration for inclusion in the Landward Licensing Round are only marginally prospective and that a proportion will either not be applied for or, following evaluation, will not be explored further¹⁷.

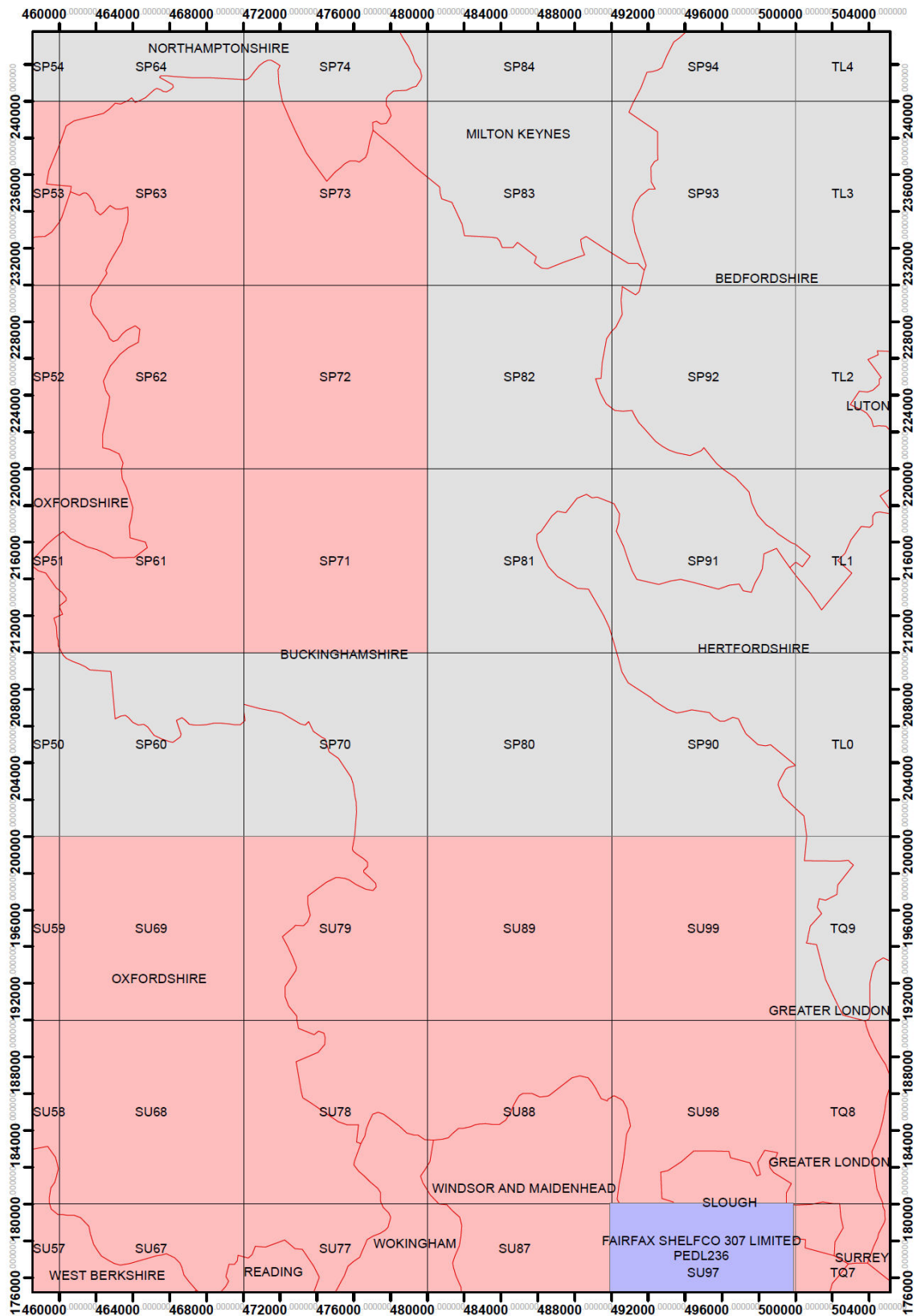
4.4. To date, no producing oil or gas fields have been discovered in Buckinghamshire, with the last hydrocarbon well drilled at Tring on the border with Hertfordshire in 1965. However, as recently as 1998 the Twyford area was covered by the PEDL 15 licence, operated by CANUK, although this appeared to have been relinquished by the 10th Onshore Licensing Round in 2002¹⁸.

¹⁷ Onshore Oil and Gas Licensing, Strategic Environmental Assessment for a 14th and Subsequent Onshore Oil and Gas Licensing Rounds, Environmental Report, DECC 2010

¹⁸ Mineral Resource Information in Support of National, Regional and Local Planning Buckinghamshire and Milton Keynes, BGS Commissioned Report, Benham et al 2003



Figure 3: Existing PEDL licences (purple) and areas subject to Strategic Environmental Assessment for the 14th Round of Onshore Licensing (pink), in Buckinghamshire



4.5. At the current time, no operators have approached the County Council for pre-application discussions for hydrocarbon exploration, whether conventional or unconventional.

5. Minerals Planning Policy and Determination of Planning Applications

5.1. Buckinghamshire County Council is currently progressing its Minerals and Waste Local Development Framework (MWLDF) as a successor to the existing adopted Buckinghamshire Minerals and Waste Local Plan 2004-2016. The MWLDF includes the Minerals and Waste Core Strategy, Minerals Local Plan and Waste Local Plan. The Minerals and Waste Core Strategy was adopted by the Council in November 2012 and contains the strategic planning policies and framework for minerals and waste development in the County, as well as the strategic site allocations for certain waste developments critical to the delivery of this strategy. The Minerals and Waste Local Plans will contain preferred areas for minerals extraction and site allocations for certain waste developments, and the detailed development management policies required to determine planning applications for minerals and waste developments in the county.

5.2. Until such time as the Minerals Local Plan is adopted planning applications for Minerals development, including hydrocarbon exploration, would be determined in accordance with the Minerals and Waste Core Strategy, relevant 'saved' policies in the Buckinghamshire Minerals and Waste Local Plan 2004-2016, and other relevant local and national planning policies.

5.3. Acknowledging that hydrocarbon exploration licences have been issued in the past, the Buckinghamshire Minerals and Waste Local Plan 2004-2016 currently includes a policy (Policy 9) relating to hydrocarbon development, which states:
"Applications for exploratory works for oil and gas will be considered against all relevant policies of this plan. Proposals for appraisal drilling will be approved provided that the local environmental impacts are not of such a scale as to override the national interest associated with oil exploration. Particular regard will be made to the long-term suitability of the site for commercial production and distribution¹⁹."

5.4. This policy is due to be replaced by an appropriate policy or policies in the forthcoming Minerals Local Plan.

6. Recommendations

6.1. Based on information presented by DECC and BGS Buckinghamshire is unlikely to be a strong candidate for the extraction of Shale Gas. Therefore specific planning policies relating to Shale Gas extraction would not be required within the forthcoming Minerals Local Plan. However, in light of the inclusion of parts of Buckinghamshire in the SEA for the 14th Round of Onshore Licensing, it is prudent

¹⁹ Buckinghamshire Minerals and Waste Local Plan 2004-2016, Buckinghamshire County Council, Adopted June 2006



to consider the inclusion of a policy or policies in relation to general hydrocarbon exploration and production in replacement of the existing Policy 9 of the Buckinghamshire Minerals and Waste Local Plan 2004-2016. If required, this may include the preparation of a Hydrocarbons topic paper in support of the Minerals Local Plan.

7. References and Further Reading:

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Environment, Transport and Locality Select Committee DRAFT Work Programme

Committee	Date	Topic	Description and Purpose	Attendees
Environment, Transport and Locality Services	04 Feb 2014	“Fracking”	Members to receive a briefing and Q&A session on the Council’s Minerals and Waste Policy and its position in relation to Hydraulic Fracturing and prospective applications.	Lester Hannington PSD Service Lead Officer - PLACE
	04 Feb 2014	TfB Scrutiny Inquiry Report - Cabinet Response	For Members to receive an update from the Chairman on the Cabinet Member response to the Committee’s TfB inquiry report.	Chairman update
	04 Feb 2014	TfB - Improvement Plan update	For Members to receive an update on the work packages within the TfB service area “Improvement Plan”. Following recommendations made within the committee inquiry report and as agreed with the Cabinet Member.	Janet Blake , Cabinet Member Bob Cook and Sean Rooney , Senior Managers PLACE Kim Hills , Senior Manager (TfB) Written Paper in advance
	04 March 2014	The “Green Deal”	For members to receive a briefing on the “Green Deal Together” community interest company following	Lesley Clarke , Cabinet Member, Environment Alex Day Senior Sustainability Manager PLACE service.
	04 March 2014	Local Enterprise Partnerships (LEPs)	For Members to receive an information paper on Local Enterprise Partnerships in Bucks. The role and responsibilities, structure and boundaries locally, funding and priorities etc. The paper will inform Members’ understanding and any further examination the committee may wish to undertake.	Written Paper Stephen Walford – Lead Officer.
	04 March 2014	S106 Negotiations and Local Member Input. Joint workshop with FRP Select Committee	For Members to hold an inquiry workshop with lead officers, following the s106 item at November committee. To understand the changing landscape, develop ideas for, inputting member’s local intelligence into the process (particularly the pre application stage) and ensuring the	Inquiry Workshop John Rippon , Senior Manager Planning Stephen Walford , Senior Manager PLACE service

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Agenda Item 9

Environment, Transport and Locality Select Committee DRAFT Work Programme

Committee	Date	Topic	Description and Purpose	Attendees
			council is maximising value for money for the current procedures.	Ruth Vigor-Hedderly , Deputy Cabinet Member
	08 th April 2014	Library Services in Bucks	For Members to receive a presentation on the current landscape of library services; the key changes, digital inclusion, possible implications and ideas for the future This will inform whether the committee wish to carry out any further examination of library services.	Martin Phillips Cabinet Member for Community Engagement David Jones Service Delivery Manager
	08 April 2014	Energy Strategy	For members to receive a briefing on the councils new energy strategy. This will cover the options for renewable energy and the social, economic and political benefits of the options.	Rachael Toresen-Owuor Energy Manager Lesley Clarke Cabinet Member