



**Buckinghamshire County Council**  
**Select Committee**  
Environment, Transport and Locality Services

**Date:** Tuesday 18 November 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**

<b>Agenda Item</b>	<b>Time</b>	<b>Page No</b>
<b>1 APOLOGIES FOR ABSENCE</b>	<b>10.00am</b>	
<b>2 DECLARATIONS OF INTEREST</b> To disclose any personal or disclosable pecuniary interests.		
<b>3 MINUTES</b> Of the meeting held on 14 October 2014, to be confirmed as a correct record.		<b>5 - 16</b>



INVESTOR IN PEOPLE



#### 4 PUBLIC QUESTIONS

This is an opportunity for members of the public to put a question or raise an issue of concern, related to Environment, Transport and Locality Services. Where possible, the relevant organisation to which the question/issue is directed will be present to give a verbal response. The member of public will be invited to speak for up to four minutes on their issue. A maximum of 30 minutes is set aside for the Public Questions slot in total (including responses and any Committee discussion). This may be extended with the Chairman's discretion.

For full guidance on Public Questions, including how to register a request to speak during this slot, please follow this link:

<http://www.buckscc.gov.uk/about-your-council/scrutiny/get-involved/>

#### 5 CHAIRMAN'S REPORT

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

#### 6 LIBRARY SERVICES IN BUCKS

10.10am 17 - 36

For members to receive an update and review the progress towards the committee's recommendations as agreed on 8<sup>th</sup> April for the development of a clear vision of the future of library services in Bucks.

**Martin Phillips - Cabinet Member for Community Engagement**

**David Jones - Culture and Learning Manager**

**Julia King - Reading Development Manager**

**Ruth Page – Culture Development Project Officer**

#### 7 SECTION 106: INQUIRY STATUS UPDATE AND NEXT STEPS

11.10am 37 - 48

Members will receive a status update from the service area. They will also consider the next steps for the inquiry following Initial exploratory work carried out to identify and refine the key areas for further examination within the scope.

**John Rippon, Policy and Planning Business Manager,  
Place**

- 8 EXTERNAL FUNDING OPPORTUNITIES** **11.30am**  
 Members will consider the written response to their letter of recommendation to the Cabinet Member following the committee's investigative work in relation to the Council's approach to external funding opportunities.
- Peter Hardy, Cabinet Member for Finance and Resources**
- 9 COMMITTEE WORK PROGRAMME** **11.45am** **49 - 50**  
 Members will discuss the Committee Work Programme and forthcoming Committee items.
- 10 DATE OF THE NEXT MEETING** **12.20pm**  
 The next meeting is due to take place on Tuesday 3 February 2015 in Mezzanine 2, County Offices, Aylesbury.

There will be a pre-meeting for Committee Members at 9.30am.

#### **Meeting dates for 2015**

3 February	21 July
17 March	8 September
14 April	6 October
19 May	17 November
23 June	

#### **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.

#### **Webcasting notice**

Please note: this meeting may be filmed for subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy.

Therefore by entering the meeting room, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes. If members of the public do not wish to have their image captured they should sit within the marked area and highlight this to an Officer.

If you have any queries regarding this, please contact the Monitoring Officer on 01296 383650.

---

If you would like to attend a meeting, but need extra help to do so, for example because of a disability, please contact us as early as possible, so that we can try to put the right support in place.

*For further information please contact:* Sharon Griffin or Maureen Keyworth on 01296 383691 / 3603; Fax No 01296 382538; Email [sgriffin@buckscc.gov.uk](mailto:sgriffin@buckscc.gov.uk) / [mkeyworth@buckscc.gov.uk](mailto: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 TUESDAY 14 OCTOBER 2014, IN MEZZANINE ROOM 2, COUNTY HALL, AYLESBURY, COMMENCING AT 10.00 AM AND CONCLUDING AT 11.28 AM.**

### **MEMBERS PRESENT**

Mr T Butcher, Ms N Glover, Mr P Gomm, Mr S Lambert and Mr W Whyte (Chairman)

### **OTHERS IN ATTENDANCE**

Ms G Badhan, Mrs L Clarke OBE, Mr D Cobby, Ms K Fisher, Ms S Griffin (Secretary), Mr D Hill and Ms K Wager

### **1 APOLOGIES FOR ABSENCE**

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

### **2 DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **3 MINUTES**

The minutes of the meeting held on the Tuesday 2 September 2014 were agreed as a correct record.

#### *Matters Arising*

Full details of the contract for Community Impact Bucks are to be requested.

**Action: DSO/Andrew Clarke**



INVESTOR IN PEOPLE



Timeline/scope of the internal review, the review being undertaken by Gate One and the Transport review are to be provided.

**Action: Cabinet Member for Transportation/Gill Harding/Andrew Clarke**

Forensic analysis report of the RJ contract is to be circulated to Committee Members when approved.

**Action: Cabinet Member for Transportation/DSO**

Details of the savings in the Transportation portfolio and re-investment are to be circulated to Committee Members when available.

**Action: Gill Harding/DSO**

Four Year plan is to be circulated to Committee Members.

**Action: Cabinet Member for Transportation/DSO**

#### **4 PUBLIC QUESTIONS**

There were no public questions.

#### **5 CHAIRMAN'S REPORT**

The Chairman reported the following.

The main bulk of the work of the Committee has been the public transport inquiry.

Some of the members of the ETL Committee attended the Finance Select Committee meeting on the 30 September to give a joint update on the grass cutting contract. A summary will be circulated.

**Action: Phil Gomm/DSO**

#### **6 FLOODING IN BUCKINGHAMSHIRE: LESSONS LEARNED**

Karen Fisher, Flood Management Team Leader, David Cobby, Jacobs, Doug Hill, Environment Agency, Lesley Clarke OBE, Cabinet Member for Planning & Environment and Netta Glover, Deputy Cabinet Member for Planning & Environment were welcomed to the meeting.

Members of the Committee were referred to the report in the agenda pack which gives details of the background to the strategy, statutory responsibilities, challenges, issues and work that taken place.

The Flood Management Team sits within the Planning Advisory and Compliance and currently employs three full time officers and a Lead Officers/Senior Flood Management Officer.

The Buckinghamshire Strategic Flood Management Committee (BSFMC) was formed in 2009. The Committee membership includes the Cabinet Member for Planning & Environment and representation from Partners organisations such as Thames Water, the Flood Management Agency and District Councils. Meetings are held every three months and are chaired by a County Councillor.

The Cabinet Member also sits on the Thames Regional Flood and Coastal Committee (RFCC) where decisions are made for flood management capital projects. Buckinghamshire County Council represents Slough Borough Council, Luton Borough Council and Central Bedfordshire Council on this Committee.

Winter Flooding in 2013/14 had a severe impact on the Buckinghamshire area. This was a testing time for the Flood Management Team as there were only two officers in post. Work took place with colleagues such as TfB, the Resilience Team as well as external partners.

The County Council has a statutory requirement to carry out flood investigations. The Flood Team has prepared 18 flood investigation reports on locations of the flooding which were the most severely impacted. Four of the reports have been completed and published. It is hoped that the 14 reports will be completed by the end of the calendar year. An additional report was completed two weeks ago in response to 30 businesses in Chesham being flooded by surface water.

The County Council has a statutory responsibility to hold a register of all assets which impact on flooding (bridges, banks, structures etc). One member of staff has been dedicated to compile the Asset Register.

The final part of the Flood Water Management Act is still to be enacted. In the past week, a new consultation has been released by DEFRA which seems to substantially change the process for two tier Authorities by placing the approval process with the planning process and the Local Planning Authority. The responsibility for the inspection, adoption and maintenance process is unclear. This is a big change in income and resources set aside.

Going forward, the revenue funding from the Department of Environment, Food & Rural Affairs for 2014/15 could be phased out. Jacobs has been commissioned to look at up to five locations around the county where temporary or demountable defences could be employed during a flood.

There are a number of capital projects in Chesham which are coming to completion (Fullers Hill and Spinney). The Marlow Flood Alleviation Scheme has been added back into the programme for the next six year funding scheme. Work is taking place with the Environment Agency to explore ways of addressing the funding gap of £3 million.

In terms of challenges, if the flooding comes from an ordinary water course or groundwater flooding, the responsibility lies within BCC, not the Environment Agency. If the incident is not related to a highway, which would be the responsibility of TfB, then BCC has no resources to be able to respond in the ground. Discussions have taken place about the development of a 'mutual aid proposal'.

A list of recommendations/action has emerged from the Flood Investigations reports of flooding in winter 2013/14. The County Council does not have a statutory responsibility to deal with the recommendations; however as the recommendations are in the public domain, there is the expectation that they will be dealt with. There is also pressure to complete the recommendations from other Authorities who do not have the resources.

The Cabinet Member reported that she had recently attended a recent meeting of the RFCC in London, during which, the issues about the Marlow Flood Alleviation Scheme were discussed. The Chairman of the RFCC visited Marlow and saw what she described as a 'shovel ready' scheme. There is the concern that if there is a delay with the scheme, this would affect planning permission already granted and that the planning permission process would have to start again and might not be granted.

During discussions, the following questions we asked and points made;

**Does the Thames Regional Flood and Coastal Committee (RFCC) include the Great Ouse river catchment area?** There is a Thames and a Central Anglian Regional Flood and Coastal Committee. BCC sits on both Committees. The seat on the Anglian RFCC is shared and at

the moment Northamptonshire current represents BCC. Buckinghamshire represents Slough, Luton and Bedfordshire on the Thames RFCC.

**The report makes reference is made to Affinity Water. Is this Anglian Water or another company?** Affinity Water is a company which just does clean water not foul water in the Misbourne area. Work also takes place with Anglian Water.

**In terms of lessons learnt, what is the current position of ownership, consent and riparian management enforcement? An example is the flooding in the Willows, Aylesbury where 80 properties were flooded internally. This was an Environment Agency (EA) failure but it was difficult to 'pin down' the responsible body. What went wrong and how can this be corrected in the future?** The Local Authority has powers to carry out enforcement against the landowner on ordinary water courses i.e. when one side of the river bank belongs to AVDC and the other side to the Trust. The EA simply has the powers to maintain the river.

Mr Hill explained that in terms of riparian ownership, in law, the responsibility of repair to a water course rests with the landowner but in practice, this is difficult to enforce. A surgery is being held in the next few weeks to give information about responsibilities and riparian ownership, what can be done collectively to address this problem which is reflected across the entire catchment. A number of lessons have been learnt from the flooding at the Willows i.e. the responsibility for culverts. Close working is taking place with Bucks Highways to try to identify a long term solution. Aylesbury Vale District Council is also carrying out survey work to try and find a solution to overcome flooding issues.

**Residents could own land at the river's edge but the Environment Agency is responsible for the water running through. Working together is essential as responsibility was not clear until the flooding on the Willows occurred.** Mr Hill said that one of the main issues that emerged from the Section 19 action and flooding in 2013/14 is that there needs to be a joint solution.

**80 properties were flooded internally on the Willows, Aylesbury. Are residents able to apply for funding from the repair and renew grant scheme to help with the cost of buying and installing flood measures?** Households and businesses affected by winter flooding can apply for a repair and renew grant of up to £5,000 via Aylesbury Vale District Council who were administrating the grant. Only a handful of applications have currently been received. Residents of the Willows have been sent a letters asking if they would be willing to consider applying for the scheme and pooling any funding received i.e. 80 applications at £5000 is £400,000. With £5000, a resident could install floodgates in their own property but flood water could come into their house via air bricks or via other properties. The aim is to try and address flooding in the community. The challenge is that the deadline for claims for Government funding is the end of March 2015. Discussions are taking place with DEFA about the possibility of the money being carried forward if residents agree to the pooled scheme. Residents are being encouraged to pooling of funding from the repair and renew grant and to attend the surgery for information and advice.

The Chairman said that residents should be encouraged to sign up to install joint flood defenses as this would give more security of being able to deal with flooding events.

**TfB carried out a ditching campaign to encourage local landowners and farmers to carry out their duty to clear ditches to assist water flow away from land and roads. How has the EA liaised with TfB to check if ditches have been cleared?** Mr Hill advised that work has taken place with the National Farmers Union (NFU) to look at the possibility of upstream storage of water. Ditches and drainage is out of the remit of the EA. The main purpose is to ensure maintenance of main rivers. This has to be done at a holistic level. To see the most benefits, work needs to take place with TfB and other larger agencies.



**What is the relationship with the Internal Drainage Board in terms of tributaries and feeders?** Mr Cobby said that the Internal Drainage Board was involved in a surface management plan study in Buckinghamshire as were the Agency and other Districts.

**In Chalfont St Giles there has been flooding from the Misbourne and in Chalfont St Peter there has been raw sewerage on the main road and in the village. Who do Members of the Council contact as these are two entirely different problems? The current helpline has a recorded message. There needs to be a mechanism in place for reporting flooding issues.** Members are welcome to contact Flood Management Team or to email the Flood Management Team inbox. In the winter there were difficulties contacting agencies due to the amount of ongoing flooding. One of the challenges was there is no direct workforce to send people out to areas which were flooded. There is TfB but their focus is the highways. The Local Area Technicians carried out a tremendous amount of work during a very difficult period. Issues relating to sewerage should be reported to Thames Water. The EA and Thames Water have 24 hour telephone numbers for the reporting of flooding. Members are encouraged to use this method of reporting as incidents reported are logged.

Gaps in the reporting process were identified following which the team put together a flow diagram of who to contact and the relevant contact numbers depending on the type of flooding. The flow diagram will be circulated to Committee Members by email and hard copy.

**Action: Karen Fisher/DSO**

**If flooding is reported via a recorded telephone message, how can assurance be given this issues reported will be acted on and not just disappear into the ether?** The Cabinet Member explained that there is an automated email response which advises the issue will be looked at within 14 days.

**During the recent flooding of the telephone exchange in Chalfont St Giles, there appeared to be confusion on resolving this problem. For one week large road tankers were used to pump the water out of the building which was taken to the top of the hill for discharge until it was pointed out that the water was running back down the hill into the telephone exchange. The second problem was the EA wouldn't allow the water which was being pumped out to be discharged into the Misbourne unless it was across the road. The result was a pipe was placed across the road. First of all the water was discharged into the road which caused flooding. A pipe was then added which discharged the water into the Misbourne by the bridge. It took a long time for the flooding to be resolved. Eventually the EA then agreed to discharge the water on the side of the road.** Mr Hill said he was not aware of the specifics as he was not part of the decision making process of this incident. During the winter, the EA was part of the Thames Valley LFR focus on how to deal with flooding. There is the need for a multi-agency solution and engagement with residents to come up with a solution.

Mr Cobby said reference has been made to the commissioning of a study being embarked on to look at temporary flood defences and the deployment. Pumping of water is part of temporary flooding deployment. If temporary defences and pumping can be deployed in an area short term to alleviate flooding, what is the best plan for the deployment of assets and have this agreed up front.

**It is able having the confidence there are enough resources available, the location of demountable flood defences and the details of the Memorandum of Understanding.** The Cabinet Member said that the other issue to be addressed is what happens when the flooding has gone. Sandbags have to be taken to landfill for disposal as they could contain contaminated water. This is an additional cost to the tax payer.

**Is it the County Council as the Local Authority Flood Manager responsible for flooding issues?** The responsibilities are a little confused. If the flooding is coming from surface water or ground water, the responsibility lies with the lead local Flood Authority but often it is a multiple source i.e. flooding may be coming from a sewer but there could also be infiltration from ground water. The key is working together and making sure there is a strong working relationship in place. There will always be resource issues. BCC is funding the study on demountable defences from its revenue as it this was felt strongly to be something Bucks should do as a county. BCC is going to look at where defences could be put. More detail will be needed i.e. a topographic survey and logistics in terms of storage and implementation.

**It is good to hear that partnership working clearly improved. As winter approaches, how can it be ensured that the attitude of 'it is not my responsibility' will be avoided this year? There needs to be clarity on who takes responsibility.** The Cabinet Member said that the chart gives clarity of responsibility.

**The Chairman referred to page 22 of the report refers to statutory responsibilities, enforcement and consenting. As this area appears to be evolving, it would be helpful for an update on BCC's Flood Strategy to be provided at a future meeting of the Board (to include the responsibility for new developments, consenting on existing watercourses and the planning application process).** Ms Fisher said she would be happy to provide an update which could include clarity on sustainable drainage.

**Action: Karen Fisher**

**The EA consented to a 700 house scheme on a known moist spot of Buckingham. The discharge for the site goes on the upstream side of a pinch point in the flood plain which has resulted in a huge amount of water being added to a pinch point. Buckingham now has an additional risk of flooding due to a bad statutory consultee response.** The Cabinet Member said discussions should take place on a regular basis. The issue of planning permission and refusals being overturned has been mentioned to the Chairman of the RFCC i.e. a house is brought in good faith perhaps not knowing that 10-15 years ago planning permission was overturned by an inspector. Insurance is also an area that needs to be looked at. There is a now a different type of scheme being put in place.

The Chairman thanked the Cabinet Member, Deputy Cabinet Member, Ms Fisher, Mr Cobby and Mr Hill for attending the meeting.

## **7 BULKY WASTE STRATEGY AND RE-USE AND RECYCLING CREDIT POLICY**

Lesley Clarke OBE, Cabinet Member for Planning & Environment and Gurbaksh Badhan, Waste Business Manager, were welcomed to the meeting.

Ms Badhan thanked Committee Members for allowing her to attend the meeting. The purpose of the report being brought to the ETL Select Committee is:

- To present the Committee with information on the Bulky Waste Strategy & Re-use and Recycling Credit Policy project;
- To provide the Committee with an opportunity to review and comment on the options presented; and
- To seek approval for the approach being taken

The main drivers of the project are;

- A review of the existing (and subsequently revised) Joint Municipal Waste Management Strategy for Buckinghamshire identified re-use as a priority area. Bulky waste has been identified as a priority waste stream to target re-use.

- The new Energy from Waste (EfW) facility at Greatmoor will provide the Council with a cost effective and performance efficient route for the treatment of residual waste that is currently landfilled. It will not however, treat bulky waste in its original form without some form of pre-treatment. Therefore under the EfW era, bulky waste is to be managed as ad hoc waste under the contract and will incur higher costs for its management compared to standard residual waste (i.e. black bag waste).

In terms of HWRC bulky waste re-use items, in 2013/14, approximately 1,250 tonnes of waste items destined for landfill were re-used, of which, about 220 tonnes were from bulky waste. This is a saving of £125,000 per annum to the County Council.

The Cabinet Member referred to the shops located at the Household Waste Recycling Centres in Aston Clinton and High Heavens, where funds raised from unwanted items which are suitable for re-use, are being used to support South Bucks Hospice to build and run a new hospice. The disposal of mattresses is a cause for concern. Talks are taking place with the bed manufacturer, Hypnos, about the possibility of working with them to recycle mattress springs. There is a bid in the MTP to purchase a shredder for bulky waste. The officer added that step changes in the management of the material stream going forward have been considered.

In 2013/14, approximately 1250 tonnes of waste items destined for landfill were re-used, of which about 220 tonnes were from bulky waste.

Bulky waste is also collected by District Councils. Householders are charged a collection fee. There is no set window for collection. The drawbacks of this service are items 'vanish' before the collection is made and some of the items are weathered and not suitable for re-use. BCC meet the disposal costs so are keen to look at other avenues for disposal.

Several third party sector organisations have indicated they would like to be involved in diverting bulky waste for re-use and recycling. There have been various discussions through the re-use forum from which the challenges faced have been highlighted i.e. the lack of storage space and capacity. A money incentive has been looked at i.e. the re-use credit policy.

A recent tonnage value review has shown that re-use credit is not viable there is not enough money in the system to pay a re-user credit to a third sector provider. A possibility being discussed is using District Councils depots, HWRCs or a central point as a buffer which third party sector organisations can go to and help themselves to items which can be re-cycled. Items that cannot be re-cycled would go to landfill.

Appendix 1 of the report gives details of the Waste Resource Action Programme (WRAP) bulky waste options model 2013. The benefits, challenges and delivery of the options have been discussed with District Councils and third party sector organisations.

Appendix 2a indicates the four stages of change needed for the provision of bulky waste collection services; householder requesting collection, collection from households, destinations of collected bulky waste and arrangements for the re-use of bulky waste received at HWRC's.

One of the challenges around the collection of bulky waste is district councils have different contractual obligations and different end dates and therefore might not be in a position to move at the same speed or support the direction we are moving. Discussions are ongoing.

During the update, the following questions were asked.

**In the Buckingham area, the default position is generally to call a charity shop about the disposal of items for items that can be re-used. There does however, need to be clarity of what is of value, what can be re-used and what is waste.**

**In terms of the charities that are on the Forum, is there involvement from charities from the north of Buckinghamshire as one issue in the north is the lack of re-sale opportunity and items going to a charity that no-one in that part of the county has heard of. Is there an opportunity to look at how the north of the county might feel more engaged in the service?** A countywide approach has been taken on what charities were willing to engage and what they were willing to discuss. Local charities have also been invited to the forum. It has been found that third party organisations are happy to participate in discussions but some do not have the resource level to be able to offer a cross county wide solution. This can be taken back to the Forum.

**Action: Gurbash Badhan**

The Cabinet Member said that as the Local Authority do not provide a collection date and time some items left on the kerbside are found to be damaged when collected. The possibility of collecting items from inside the house is being discussed so the items would be in good condition.

Work is also taking place with Supported Living organisations who help young people coming out of care who are moving into provided accommodation. The accommodation is very often unfurnished and in its role as Corporate Parent, the County Council is looking at the possibility of supplying unwanted refurbished items such as fridges etc.

**How is the sale/trade of items at Household Recycling Centres monitored off site i.e. washing machines and cookers?** There are two different ways of re-sale; there are traders who are prepared to pay for an item knowing it is not PAT tested. The item is sold as seen and they have to refurbish it via an authorised list. To be included on the authorised list, traders have to undergo checks and balances via BCC supplier FCC Environment. The second way is the item undergoes a test and is taken off site for repair and is returned for resale.

**Would it not be feasible to have a storage unit facility at the Household Recycling Centres?** Most of the HWRCs are almost a victim of their own success in terms of capacity. One part of the options considered was using HWRC facilities as a central storage solution but capacity remains an issue.

**Aylesbury Vale District Council no longer provides a bulky waste collection service; therefore the pressure automatically goes to third party sector organisations or items are being fly tipped in brooks etc and are causing flooding. How do you see the project progressing if the County Council is unable to get partner agencies to be collecting agents?** Aylesbury Vale has engaged with the County Council very proactively and is looking to reintroduce the bulky waste service from April 2015. The depot where the materials are taken has been under refurbishment but AVDC now believe they are in a different position and are able to work more closely with the County Council to try and deliver a system to allow third sector parties to take bulky waste items to the depot.

**How are unwanted electrical items dealt with? Does the County Council PAT test electrical items or is this done elsewhere by a third party?** PAT testing is carried out elsewhere. The Cabinet Member explained that all items that can be resold are PAT and have a three month guarantee. All items able to resell but test and re-furbished. Some bicycles are refurbished in the prison for which there is a charge of £3 per bicycle. The Police also give the County Council some stolen bicycles if the owner cannot be found.

**In terms of clarity from a legal point of view, if the Local Authority collects bulky waste, do they have the statutory duty to dispose of it?** The County Council has a statutory to dispose of any bulky waste is it presented with.

**Do the District Councils present bulky waste to the County Council and does the County Council charge for District Councils for this service?** Yes District Councils present

the County Council with bulky waste which is then sent to landfill. District Councils are able to collect bulky waste and they are legally able to charge for collection but they cannot charge for disposal. In terms of the County Council's duty as a statutory body, it cannot charge for disposal as the item is a household waste item under the controlled waste schedule. It is a legal requirement for the County Council to provide that service.

The Cabinet Member said District Councils are encouraged to bring bulky waste in which is in a fit state which can be re-used rather than be sent to landfill.

**What do the District Councils current dispose of bulky waste items?** If an item is fly tipped, the District Council sends a street cleansing vehicle to collect the item to be taken to Wapseys Wood in the north of the county and in the south to Calvert or to Newton Longville. If it is a designated collection by the householder, the item will be collected by a dedicated vehicle which will call at several properties and the items will be taken to landfill.

**Does the County Council pay the landfill charge?** Yes the County Council pays the landfill charge as it's a statutory duty.

**How is the landfill charge calculated?** There are only certain items of waste that can be taken to landfill. Waste Electrical and Electronic Equipment item (WEEE) are stored up at the respective Council's depots from which collection is organised. Landfill tax is set by the Government. The gate fee is procured through contracts. The Landfill Tax and gate fee are added together to give the cost.

**Is there a facility to breakdown and recycle the component parts of items which cannot be re-furnished or resold?** There is not currently this facility or capacity in the system. In the legal framework, if an item has been discarded it is technically waste; if an item has been donated, it is a reuse item.

**What is the total cost of bulky landfill tax to the County Council per annum and is this broken down into an amount per District Council?** If a customer is diverted and directed to household waste sites, we will re-use what we can. Items can come to site which are no always of value and could still end up in the residual bins at the household waste and be sent to landfill. It can be difficult to ascertain the true amount of tonnage as this depends on the method of collection i.e. street cleansing vehicle or designated collection vehicle. The tax element is paid by County Council via the household waste sites. The figures for landfill tax costs for the County Council and District Councils is to be circulated to Committee members.

**Action Gurbaksh Badhan/DSO**

There is a step change in service coming through nationally for bulky waste with the move away from landfill to EfW. Some items at the end of their life need to be pre-treated before they can be sent to landfill.

**Before the decision is made of the process which is going to be undertaken in Buckinghamshire, it is important to look at how other rural counties dispose of bulky waste items as this is not unique to Buckinghamshire.** Benchmarking is being undertaken. It is emerging that a lot of Councils are at different stages. In areas which are moving in EFW, a change is being seen in how bulky waste is being managed.

The Chairman said this is a policy in progress which the Committee can't approve or comment on in detail.

The Committee agrees that the principle of trying to find better use of bulky waste seems to be going in the right direction to which there are no objections. It would be good to see more work on the opportunities to breaking waste down rather into recycling schemes rather than landfill.

The Chairman thanked Ms Badhan and the Cabinet Member for the update.

## **8 PUBLIC TRANSPORT INQUIRY UPDATE**

The Chairman reminded members of the Committee that the public transport inquiry is a strategic high level look at the public transport picture in the county which includes a review of the current situation and looking at areas where change and opportunity might present itself.

The review is a timely reminder to make sure there is an impact in the 2015/16 budget review and Future Shape reorganisation of the County Council as well of the opportunities that exist to look at a step change in public transport delivery.

The key findings from the inquiry are detailed in the Executive Summary.

‘Public Transport has a vital role to play in enabling people to get to work, access services, support the local economy and help reduce social isolation. This is a timely inquiry as the Council is undertaking a restructuring of its services to meet the financial challenges ahead. Our report seeks to inform the Council’s strategic approach to public transport policy and delivery and to deliver the best possible overall value for money’

‘The Council needs to articulate a clear, long term vision for a total transport approach for public transport provision, rather than considering historic services in isolation. Our recommendations are designed to help the Council achieve a strategic and joined-up approach to future commissioning of public transportation’.

The Chairman gave thanks to everyone who took part in the inquiry, particularly those listed in appendix 1 of the report who gave their thoughts and observations to the Committee.

Members of the Committee were asked for their comments, observations and endorsements of the draft report before it is presented to Cabinet on the 10 November 2014.

The following comments were made;

- There is a lot of detail in the report. Tribute is paid to the Chairman of the Environment Select Committee, the Policy Officer and the Democratic Services Officer for organisation and marshalling of the inquiry sessions.
- The report is concise and considered. It looks at an integrated transport solution going forward.
- Witnesses gave the Committee some good ideas for future services which have been included in the report. It is hoped that the relevant Cabinet Members will take the ideas into account which includes Home to School Transport and public transport
- The residents of Buckinghamshire want change within the transport network. Thanks are given to all those involved in the inquiry.

The Chairman said a lot of knowledge has been gained from the inquiry which will help the Cabinet Member and the team look at public transport in more detail. The ETL Committee has an important role in terms of challenging and monitoring how this might develop going forward.

**Members of the Committee ENDORSED the report.**

## **9 COMMITTEE WORK PROGRAMME**

**Members of the Committee NOTED the work programme.**

**The following is to be added to the work programme;**

- An update on flooding
- An update on the recommendations made to Cabinet by the ETL Select Committee on the Ringway Jacobs contract.

An informal meeting of the Committee will be arranged in December to discuss proposed work programme topics and inquiry areas for 2015.

**Action: Policy Officer**

**10 DATE OF THE NEXT MEETING**

The next meeting is due to take place on Tuesday 18 November 2014 in Mezzanine 2, County Offices, Aylesbury. There will be a pre-meeting for Committee Members at 9.30am.

**Meeting dates for 2015**

3 February	21 July
17 March	8 September
14 April	6 October
19 May	17 November
23 June	

**CHAIRMAN**







## Buckinghamshire County Council Select Committee

Environment, Transport and Locality Services Select Committee

---

### Report to the Environment, Transport and Locality Services Select Committee

<b>Title:</b>	Face of the Council - Heart of the Community: Developing a vision and strategy for the library service
<b>Committee date:</b>	18 <sup>th</sup> November 2014
<b>Author:</b>	David Jones, Service Delivery Manager
<b>Contact officer:</b>	David Jones, x 2254, c-dajones@buckscc.gov.uk
<b>Report signed off by Cabinet Member:</b>	Cllr. Martin Phillips, Community Engagement
<b>Electoral divisions affected:</b>	All divisions

#### 1. Purpose of Agenda Item:

The Environment, Transport and Locality Services Select Committee considered a report on Buckingham shire Library Service on 8<sup>th</sup> April 2014. This report provides an update on the following committee recommendations:

- {i} The Cabinet Member/Service Area design and plan a long term strategy and vision for the future of library services, including a clear strategy on how budget changes will be dealt with.
- {ii} Develop more defined objectives over how the council library services can work in partnership with other organisations (e.g. co-location opportunities/community hubs) and proactively pursuing opportunities in a coordinated way.
- {iii} Provide the committee with an update in 6 months, on the longer term plan for the future of library services over the next 5 years.

## 2 Executive summary

Buckinghamshire library service is developing a vision for the service best articulated through the term; Face of the Council - Heart of the Community

The report summarises the legal context and emerging national picture for public library services (Sections 3 & 4) and explains that with the year on year decrease in library usage (issues and visits) nationally a new vision for library services is needed in order to ensure relevance and sustainability.

In Section 5, the financial challenge is described. The medium term financial challenge is being addressed by organisational change and opportunities for the longer term financial re-modelling of the service are set out. Moving to new governance and the creation of a trust, co-operative or mutual is considered to offer the most ambitious and innovative opportunity to reduce costs and maintain effective library services whilst also securing continued community involvement. New governance is also considered to be the most effective means of under-pinning a new vision for the service.

Section 6 describes a longer term vision for Buckinghamshire library service that builds on the core priorities of reading, literacy and information and develops partnerships to deliver against local and national priorities such as digital inclusion, jobs and employment, literacy and health and wellbeing. Through partnership working and co-location, libraries are to be developed as vibrant and relevant focal points for the whole community.

The library service is also recognised as having the potential to be the face of the council. With a network of community venues, over 1.7 million physical visits and the second most popular web pages in the council, Buckinghamshire libraries can work closely with the contact centre and web team in sign posting and promoting access to council services – especially digital access.

At the centre of this new vision for libraries is the recognition of the unique and powerful role of library services in enabling digital inclusion. In Buckinghamshire 10% of the population do not have access to a computer or do have access but lack the skills to use it.

The library service is trusted by Buckinghamshire communities and has experience of working in partnership on programmes encouraging digital participation. Library staff have the skills set to teach residents how to use, create and manage information in an informed and safe way.

In some respects our focus on digital inclusion straddles our work as the face of the council and our position at the heart of the community.

For the council it is clear that efficiencies through channel shift cannot be realised unless measures are in place to help the digitally excluded access web based council services. With free and mediated access to ICT, the library service is perfectly positioned to deliver this.

In terms of wider community engagement, it is the case that partners such as the Citizens Advice Bureau and Job Centre Plus in particular need to access ICT in a safe, welcoming and neutral community space in order to support clients with welfare benefits, job search etc.

Section 7 summarises the key actions and priorities necessary to deliver on this vision including a proactive and co-ordinated approach to partnership work and co-location opportunities.

### **3 Legal context**

Individual public library services are delivered by 151 library authorities in England, and they have a statutory duty under the Public Libraries & Museums Act 1964 to provide a comprehensive and efficient library service, set in the context of local need, specifically of those who live, work and study in the local area, and within available resources. Public libraries are run by local authorities who receive their funding from three main sources: grants from central government, (paid through the local government settlement, administered by the Department for Communities and Local Government) council tax and other locally generated fees and charges for services. Local authorities therefore decide how to allocate funding to public libraries in the light of their statutory duties and local priorities, and in 2012-13 authorities in England invested £783m in their public library services.

The 1964 Act imposes a duty on the Secretary of State for Culture, Media and Sport to oversee and promote the public library service and to secure discharge of the statutory duties of local authorities as well as providing certain powers to take action where a local authority is in breach of its own duty.

The Government is responsible for national library policy and works closely with the development agency for libraries, Arts Council England.

### **4 National strategy**

The four '*Universal Offers*' (2012) and *Envisioning the library of the future*, a report produced by the Arts Council in 2013, have provided a framework which has informed work on developing a vision and strategy for Buckinghamshire Library service

#### **4.1 The Universal Offers**

The four 'Universal Offers' have been developed by the Society of Chief Librarians and partners including Arts Council England and The Reading Agency. The offers – Health, Reading, Information, and Digital – are the four service areas which modern users regard as integral to public libraries and the offers identify where libraries can provide real value to local people.

*The Public Libraries Information Offer* focuses on supporting people to access information and services online in life-critical areas such as careers and job seeking; health; personal financial information and benefits. Central to this offer is helping people to use vital government online information and services.

*The Digital Offer* articulates the important role that libraries have in ensuring that everyone has access to the digital world and what a customer should expect from their public library.

The *Universal Reading Offer* identifies how we develop, deliver and promote reading services, including supported online access, community outreach and services for targeted audiences.

The *Public Library Health Offer* focuses on the public library contribution to the health and well-being of local communities.

## 4.2 Envisioning the library of the future

*Envisioning the library of the future* is a 2012 programme of research commissioned by the Arts Council to help develop a long-term vision for public libraries in England. The research has confirmed that public libraries are trusted spaces, open to all, in which people continue to explore and share the joys of reading, information, knowledge and culture.

The research also indicates that public libraries face many challenges in the coming years, including: advances in technology, which affect the ways in which people want to connect to information and culture; reduced public expenditure; the increasing involvement of citizens in the design and delivery of public services; and the needs of an ageing population.

In order to nurture the library sector to be as successful, sustainable and enjoyable as possible in light of these challenges, the Arts Council has set out four priority areas for development:

- Place the library as the hub of the community
- Make the most of digital technology and creative media
- Ensure that libraries are resilient and sustainable
- Deliver the right skills for those who work in libraries

## 4.3 Sieghart review

An independent report on the public library service in England has been commissioned from philanthropist, entrepreneur and publisher William Sieghart by Culture Minister Ed Vaizey and Local Government Minister Brandon Lewis.

The report has been jointly commissioned by the Culture Department and the Department for Communities and Local Government. Mr Sieghart will lead an expert to take evidence and report to ministers by the end of the year. Key questions for the panel to address include:

- What are the core principles of a public library into the future?
- Is the current model of delivery the most comprehensive and efficient? and
- What is the role of community libraries?

Buckinghamshire Library service submitted evidence to the Sieghart review and this submission is attached as Appendix A

## 5 Financial challenge

Since 2009/10 the library service has succeeded in reducing costs by over £1 million without closing libraries or reducing opening hours and the service has generated a net decrease in spend every year since 2009/10.

Year	Total cost	change on previous year
2009/10	£6,134,267	
2014/15 (est)	£4,806.586	22%

## 5.1 Existing MTP targets 2014/15 – 2016/17

The report submitted to the Environment, Transport and Locality Services Select Committee on 8<sup>th</sup> April 2014 set out the medium term plan efficiency targets for the library service. Targets relating to self-service technology and staffing reorganisations amount to £459,000 by 2016/17. When the savings for 2015/16 and 2016/17 have been realised the reduction since 2009/10 will be approximately 26%

- 2014/15 £190,000
- 2015/16 £143,000
- 2016/17 £126,000

A staffing review to reduce the cost of the operational management structure took place earlier this year.

Formal consultation on proposals for organisational change was launched at two meetings on 29<sup>th</sup> April 2014. The consultation extended for 45 days and ended on 13<sup>th</sup> June 2014.

The team was reduced by close to 50% (from 25.5 fte to 13 fte) and the savings targets for 2014/15 and 2015/16 have been met. A further review process, seeking to deliver a more flexible deployment of front line staffing, will take place early in 2015 in order to address the target for 2016/17

The library service has been able to deliver year on year savings through a combination of re-modelling and internal transformation. However, given the existing and challenging MTP targets relating to staffing reductions it is the case that further savings in staff costs (i.e. over and above existing MTP savings) cannot be achieved without a reduction in opening hours.

## 5.2 Longer term Finance Plan

The library service will continue to be challenged by reductions in funding over the longer term. Work on developing a vision for the service has to include a clear plan to deliver on further savings and a number of options have been considered.

### Devolving more services to communities

The library service in Buckinghamshire is delivered through a county and community model. This is a successful and innovative model of partnership working where there is a mixed economy of delivery for library services. The breadth, scope and expertise of the county support the delivery of community based local library services.

Work has taken place to explore the scope for further devolving services to communities. The remaining libraries are considered to be too big for self-managed models. The volunteer-managed model involves shifts of volunteers working three hours every other week. Volunteers are not easily able to acquire the skill or knowledge necessary to consistently provide a complex range of services in a busy library and the more that resources are committed to sustaining volunteer-managed or community-supported operations the less capability in the service to deliver against important agendas around digital inclusion, employment, literacy and health and wellbeing.

Having reviewed the scope for devolving more libraries to communities, the considered view of library officers is that the current balance between county and community is right. The effort required to push further in terms of devolving libraries is disproportionate to the benefit accrued. There is a real risk that devolving more services to communities would degrade the robustness of the county network and jeopardise the ability to effectively support community libraries.

### Alternative Delivery Vehicle for Library Service

The council's Future Shape programme challenges all services to consider the viability of alternative delivery vehicles in order to improve efficiency and reduce costs. A new model could offer the opportunity to generate additional income and reduce costs in order to deliver a more cost effective and sustainable service over the longer term.

Two options to consider could be either a company limited by guarantee (e.g. Bucks County Museum Trust) or industrial and provident society (e.g. Explore York or Suffolk Libraries). Either one of these types of organisation can be used for a charitable trust or a mutual (or less likely, for community management or social enterprise). BCC would remain the statutory library authority, and monitor the performance of the library service through a framework that forms part of the delivery contract. The library service has the critical mass to spin out alone, but could partner with other services to spin out with e.g. Explore York is libraries together with archives.

With freedom to trade and develop a more entrepreneurial approach the library service will be able to capitalise on income generating opportunities.

- Consortium and collaborative working

Since 2007 Buckinghamshire Libraries have been working with 11 other authorities in the South East in order to gain benefits of scale by jointly procuring a shared, supplier hosted Library Management System. (The 11 partner library services are currently Brighton & Hove City Council, Hertfordshire County Council, Kent County Council, London Borough of Camden, London Borough of Richmond upon Thames, Medway Council, Milton Keynes Council, Royal Borough of Richmond upon Thames, Royal Borough of Windsor and Maidenhead, Slough Borough Council and West Berkshire Council).

This consortium arrangement has enabled us to both develop the service we can offer to our customers and also streamline back office work, saving cost. We plan to maintain this joint arrangement and develop opportunities to extend the collaboration between library services to mutual benefit.

- Developing a trading arm

The library service has the ability to develop a trading arm and compete to deliver services on behalf of other library services for profit. For example Brighton & Hove recently tendered for the provision of stock services which Buckinghamshire library staff could have provided. As a directly delivered local authority service, the tender could only have been submitted on the basis of cost recovery. However, through a change in governance as described above it would be possible to operate at profit and then reinvest in the organisation.

- Income from commissioning and accommodation

As the library service continues to develop libraries as community hubs offering a broader range of services, a number of income generating opportunities arise. The internal re-modelling of library spaces will generate hall hire income and rents generated through co-location will reduce premises costs further. Partnership working with Public Health, Adult Social Care, District Councils etc. will be developed to allow the library service to be commissioned to deliver against specific targets and generate income.

Consideration will also be given to the utilisation of library building space for other commercial offerings e.g. concessions, village shops, post offices, delivery points etc.

### Summary

A longer term vision for the library service is best realised and underpinned through a change in governance rather than by devolving more to communities. The library service will be better positioned to adopt a more entrepreneurial and commercially minded approach and to benefit from collaborative working and the development of a trading arm.

## **6 A vision for Buckinghamshire Library Service Face of the Council - Heart of the Community**

We know that libraries are highly regarded by residents and that we can make a real difference to their lives. In line with the national strategy described earlier in this report, Buckinghamshire library service is developing a vision for the service best articulated through the term; Face of the Council - Heart of the Community

A commitment to reading and literacy remain at the heart of Buckinghamshire libraries and the service has responded positively and successfully to the demand for new virtual e.lending services.

Nevertheless, visits and issues for all public library services nationally have been in decline every year since 2006. The legal duty to provide a library service remains (see section 3) but a new vision for library services is needed in order to ensure relevance and sustainability.

Community library partnerships have reduced the operating costs of smaller local libraries in Buckinghamshire and enabled sustainable partnership models. For the wider county service though, there is now a need to create a vision for the future that builds on the core priorities of reading, literacy and information and develops partnerships to deliver against local and national priorities. This vision will further develop the library as a vibrant and relevant hub and focal point for the community. At the centre of this new vision for libraries is the recognition of the unique and powerful role of library services in enabling digital inclusion

### **6.1 Face of the Council**

With a network of community venues, over 1.7 million physical visits and the second most popular web pages in the council, Buckinghamshire libraries are developing as the Face of the Council. With phone, web and face to face access we work closely with the contact centre and web team in sign posting and promoting access to council services – especially digital access.

Libraries are bringing the council closer to the community and can help to reduce costs through co-location with other council services. We work closely with localities to improve community engagement and currently host surgeries for Trading Standards and Registrars. Our Mobile libraries have Internet access and been converted to provide a discreet meeting space. This means that we can provide access to council information and services to the most physically isolated residents in partnership with other council services.

Research has shown that when residents are better informed about council services they are more satisfied with the council as a whole and libraries have an important role in promoting council information and services. The library service has been successful in promoting several council campaigns such as Adoption and Fostering, Get Online and Customer Services week. Library staff engage with visitors face to face and the service makes good use of digi-screen technology, social media such as Twitter and Facebook and digital newsletters to promote the council.

## **6.2 Heart of the Community**

The safe, welcoming and non-territorial community space, the availability of free access to ICT, extensive free information resources and trained staff means that we are uniquely positioned to make important community based contributions. Libraries host a range of activities for school children, Bounce and Rhyme for Under 5's, Over 50's / Knit and Natter groups and enable meetings , lectures and discussions across a wide range of subjects.

Libraries have been proactive in forging meaningful partnerships to deliver improved health and wellbeing, advice and welfare, business, employment and support for the elderly. With a rapidly developing network of partners using library community spaces we are developing as focal points for the community. Already, library services are enhanced through partnerships with Bucks Floating Support, Thames Valley Police, Children's Centres, Bucks Business First, Credit Unions, Citizen's Advice Bureaux and Careers Advice.

Importantly, the library service has developed effective partnership arrangements with Public Health and has been successful in delivering Health checks in libraries and in promoting 'Five Ways to Wellbeing'. Our contribution to wellbeing is further strengthened through our partnership with Healthy Minds and the successful 'Books on Prescription' scheme.

## **6.3 Libraries and Digital Inclusion**

The digital by design agenda, nationally and locally, requires effective support to be made available to ensure that residents without computers and/or the ability to use them are not left behind.

- In Buckinghamshire 10% of the population do not have access to a computer or do have access but lack the skills to use it.
- 90% of jobs require basic internet skills (Nielsen Company 2009) and people with good ICT skills can earn up to 10% more than people without such skills (Centre for the Economics of Education, 2007)



- Being online can combat the social isolation and loneliness experienced by 3.1 million over 65 year olds nationally who see a friend, relative or neighbour less than once a week (Participle.net)
- The average household could save up to £560 a year by shopping and paying bills online (Race Online 2012)

The Library service can make a significant contribution to increasing digital inclusion and participation. The library service is trusted by Buckinghamshire communities, has experience working in partnership on programmes encouraging digital participation and library staff have the skills set to teach residents how to use, create and manage information in an informed and safe way. With free access to computer use, wi-fi and online training, county libraries currently deliver 12,000 free computer sessions a month. Library service officers are important contributors to the council's digital agenda and are actively engaged through the Digital inclusion working group, Digital Implementation Board, Digital Champions Network and Social Media Forum.

### 'Learn My Way'

Working in partnership with the Tinder Foundation, Buckinghamshire Libraries are delivering facilitated computer and internet help sessions, using 'Learn My Way' [www.learnmyway.com](http://www.learnmyway.com)

- We are already working with internal and external partners e.g. Job Centre plus, Bucks Adult Learning Community Learning Team, Contact Centre, National Careers Service and Bucks Floating Support who are referring customers to us for assistance in improving their digital skills.
- Customers telephoning the BCC Contact Centre because they do not have access to a computer or the appropriate skills to find the information online are being signposted to 'Learn My Way' sessions at Libraries.
- Over the past 12 months nearly 500 customers have registered and are working their way through LMW at Bucks Libraries.

## **6.4 New delivery model**

Detailed work on an options appraisal for new governance needs to be carried out as described in section 5.3. The potential benefits that be:

- Immediate National Non Domestic Rates (NNDR) savings of approx. £250,000 as a not for profit organisation
- Increased opportunities for income generation through a more entrepreneurial approach and development of new commercial partnerships
- Development of a trading arm providing freedom to compete in a growing market. This could enable the provision of services to other local authorities, delivering commissioned services and creation of new collaborative arrangements.
- Opportunity to 'badge' as charity and tap into community appetite and capacity to offer financial support through donations, legacies, fund-raising,

- Expertise of existing community library Trustees in business development
- Facility to apply for sources of grant funding currently denied to local authorities
- Motivation: employees and/or members ownership as in the mutual model, brings higher levels of commitment and productivity
- Freedom to employ: increased flexibility with terms and conditions
- Freedom to procure: purchase of fit for purpose systems allowing innovation and potentially better value for money

## **7 Priorities and actions to deliver on vision**

In line with the Environment, Transport and Locality Services Select Committee recommendations from 8<sup>th</sup> April 2014, this section sets out the key objectives and priorities for the library service in delivering on the vision.

### Face of the Council

The re-modelling of library spaces will enable the library service to move forward with co-location opportunities and to create discrete spaces for meetings, surgeries, and other partnership / community activities. This approach has been successfully implemented at Chesham library and during 2015 work will take place on a similar project in Buckingham.

Preliminary work on the development of a brief for the remodelling of Buckingham library has taken place and ideas are being developed to enhance the children's library / study facilities, to design new meeting / activity spaces and create a Bucks Business First drop in area. Importantly, this scheme will see the library reception integrated with the centre reception to enable seamless access to council information and services an increased access to the centre facilities as a whole.

We will also develop a business case to secure funding for the remodelling of Aylesbury library. Discussions are taking place with AVDC regarding the relocation of the Tourist Information Centre into the library and Aylesbury CAB is also keen to discuss the use of space for outreach work. The scheme has the potential to create a 'hub' offering an increased range of services to residents and can also deliver a high profile / high impact shop front for the council. The re-modelling at Aylesbury would include the introduction of self service technology.

### New governance and strategy

Work is underway to complete an options appraisal for new governance arrangements for the library service. The preferred model will be agreed by April 2015 and a detailed business case prepared for consideration. A new delivery model could be achieved by September 2016.

A detailed strategy will be developed with actions and targets set out in The Library Service Business Plan 2015/16. Work to develop meaningful performance measures and outcomes will also inform the business plan.

Staff engagement will be kick started at the Library service staff conference on 19<sup>th</sup> November 2014 and engagement with community partners taken forward in the spring.

## Digital Inclusion

The Society of Chief Librarians, Arts Council England and the Tinder Foundation have developed a national training programme for Library staff to position Libraries as key partners in the Government's Digital by Default strategy. Between October 2014 and March 2015 every single member of staff will complete this workforce development training. This training will be offered to all community libraries next year.

## Digital Access

Libraries are working closely with the contact centre and web team to increase the take up of self service. Online payments will be launched later this year, web-chat will be used to identify priority areas for web- page improvement. Work will take place to develop self-service kiosk technology to support digital access to council services

The library service is a key player in the roll out of the council's digital strategy. Library services are included in wave 1 and 2 projects and library innovators will be active in helping to support the roll out of digital sessions across the council to promote and support the use of Twitter, Facebook, eBooks, Audiobooks, e.Magazines , the TfB app, Yammer and Lync.

We are also working to extend public Wi-Fi access to all Buckinghamshire libraries.

## Co-location objectives

TVP partnership arrangements are already in place in Burnham, Farnham Common and Great Missenden. Work will now take place to determine the feasibility of co-locating with TVP in Gerrards Cross, Chesham, Wendover and Buckingham

Tourist Information services are now collocated in High Wycombe and Wendover libraries. Work is taking place to co-locate TIC's in Princes Risborough and Marlow and discussions are taking place with AVDC regarding the co-location of TIC into Aylesbury library.

Bucks Business First are funded by BCC to promote the development of business and jobs. A drop in facility has been created in Chesham library and work will take place to establish the feasibility of establishing a similar presence in Buckingham Library.

Library spaces will be evaluated as part of the Corporate Landlord agile working initiative to create remote work spaces for BCC staff with secure Wi-Fi.

## Partnerships

Citizen's Advice Bureaux recognise that the demands generated by the introduction of Universal Credit require access to computers in community spaces and 'surgery' type arrangements are in place across several libraries. Discussions regarding the potential for co-location into two county libraries are taking place and libraries will be important partners for CAB in enabling community outreach

Surgery type 'drop ins' and/or co-location can help improve access to council services and reduce costs to the council. Work to further develop partnership arrangements with the Registrar's service, Trading Standards and Transport (pot hole reporting) will be taken forward during 2015/16 and the scoping of new areas for consideration will also take place e.g. Blue Badge support/ District Council services?

Building on successful work with Public Health the library service will be proactive in supporting an annual calendar of health and wellbeing promotions e.g. Dry January, Stoptober. Also, the 'Books on Prescription' partnership with Healthy Minds will be extended across the county.

## **8 Moving Forward – next steps**

This paper provides an overview in terms of developing a longer term vision for the library service. Work will now take place to develop a detailed strategy and action plan with clear performance measures and outcomes. Work will also take place to engage staff and community partners with the vision for the library service.

**Appendix A: Submission to Sieghart review****Report to the Environment, Transport and Locality Services  
Select Committee**

18<sup>th</sup> November 2014

Face of the Council - Heart of the Community:  
Developing a vision and strategy for the library service

**Appendix A: Submission to Sieghart review****1. What are the core principles of a public library service into the future?**

Nationally, public libraries have experienced a year on year decline in book issues since 2006 and one key challenge for us is to work harder to promote reading and an enjoyment of literature.

We also recognise that library services can make important contributions to local and national agendas relating to digital inclusion, prevention matters, health and wellbeing, social cohesion, community safety, skills, business and employment.

These contributions have now been defined following research. The four 'Universal Offers' (2012) and *Envisioning the library of the future*, a report produced by the Arts Council in 2013, have provided a framework around which the library service in Buckinghamshire plans and delivers strategic priorities.

The Universal Offers in Buckinghamshire

The four 'Universal Offers' have been developed by the Society of Chief Librarians and partners including Arts Council England and The Reading Agency. The offers – Health, Reading, Information, and Digital – are the four service areas which modern users regard as integral to public libraries and the offers identify where libraries can provide real value to local people.

*The Public Libraries Information Offer* focuses on supporting people to access information and services online in life-critical areas such as careers and job seeking; health; personal financial information and benefits. Central to this offer is helping people to use vital government online information and services.

In delivering this offer, Buckinghamshire libraries make an important contribution to digital inclusion. We are the provider of free and mediated (supported) access to digital information and we are well positioned to ensure that residents who do not have access to computers and/or do not know how to use them are not disadvantaged.

## Appendix A: Submission to Sieghart review

In Buckinghamshire, our libraries are now supporting computer literacy by offering free access to 'Learn My Way' an online IT training courses. Partnerships are also being developed with Job Centre Plus and adult learning providers to deliver a programme of assisted digital access, to support changes to welfare reforms.

*The Digital Offer* articulates the important role that libraries have in ensuring that everyone has access to the digital world and what a customer should expect from their public library. In Buckinghamshire we have introduced Wi-Fi across the network, revised our pricing to remove barriers to access and are now upgrading all public computers to Windows 7.

We have developed a strong social network presence and actively promote accessible computer services for disabled users. Through a network of 25 library 'e.champions' we promote the use of digital devices and enable access to an extensive range of online resources.

The *Universal Reading Offer* identifies how we develop, deliver and promote reading services, including supported online access, community outreach and services for targeted audiences.

Our work to deliver events programmes and the Summer Reading Challenge sit under this offer. The library service works to an agreed annual calendar of events and our priorities in terms of co-ordinated and high profile events during 2013/14 included World Book Night – April 2013; National Bookstart Day - June 2013; Older Persons Day - October 2013; National Libraries Day - February 2014; and Healthy Living Week. We are working with the Centre for Buckinghamshire Studies (CBS) to prepare an events programme for the 2014 Anniversary of the First World War (1914-18). Following an extremely successful event in 2013, Buckinghamshire Libraries were asked to host the Poetry by Heart 2014 Buckinghamshire County Finals at High Wycombe library on Wednesday 29<sup>th</sup> January.

The *Public Library Health Offer* focuses on the public library contribution to the health and well-being of local communities. In Buckinghamshire we have increased our Wellbeing/Mindfulness collections, delivered IT sessions to older persons, developed a county-wide network of 'over 50's' groups and delivered a programme of Health Promotion events.

In partnership with Buckinghamshire Public Health and external providers *ToHealth*, Buckinghamshire Libraries hosted free NHS Health Checks during November and December at Aylesbury, Chesham and High Wycombe Libraries. The Bucks Floating Support Team now delivers regular weekly sessions at High Wycombe and Aylesbury Libraries and *Bucks Disability Service* delivered information sessions on key changes to the Disability Benefits system at 13 different library locations.

Envisioning the library of the future

*Envisioning the library of the future* is a 2012 programme of research commissioned by the Arts Council to help develop a long-term vision for public libraries in England. The research has confirmed that public libraries are trusted spaces, open to all, in which people continue to explore and share the joys of reading, information, knowledge and culture.

The research also indicates that public libraries face many challenges in the coming years, including: advances in technology, which affect the ways in which people want to connect to information and culture; reduced public expenditure; the increasing involvement of citizens in the design and delivery of public services; and the needs of an ageing population.

In order to nurture the library sector to be as successful, sustainable and enjoyable as possible in light of these challenges, the Arts Council has set out four priority areas for development:

- Place the library as the hub of the community
- Make the most of digital technology and creative media
- Ensure that libraries are resilient and sustainable
- Deliver the right skills for those who work in libraries

In Buckinghamshire the combination of extensive partnership working through our County and Community model is succeeding in placing the library as the hub of the community. Increasingly, our libraries are working with Public Health, Advice agencies, Adult Learning, Adult Social Care, Job Centre Plus, Bucks Business First and other partners to capitalise on the opportunities provided by safe, welcoming, neutral and non-territorial library spaces, mediated access to digital information and the availability of trained library staff.

The community library partnerships in Buckinghamshire provide a sustainable and lower cost model for local library services and bring benefits to the individual and wider community. The contribution of community libraries in Buckinghamshire is detailed under question 3.

**2. Is the current delivery of the public library service the most comprehensive and efficient?**

The current delivery mechanism works well and combines local accountability and focus with opportunities for efficiency through regional and national collaboration.

In Buckinghamshire the library service priorities are closely aligned with those of the county council. Support for business and enterprise, for example, is an area where the library service has concentrated effort in support of the council's priorities e.g. Chesham Library's Business Hub offers business facilities and information services in partnership with *Bucks Business First*.

## Appendix A: Submission to Sieghart review

In addition, the library service is well placed to develop a role as the ‘face’ of the council and help drive efficiencies in the process. Increasingly public library services enable free access to face to face, phone and web channels and in Buckinghamshire the library service works closely with the corporate communications team to deliver council campaigns and key messages e.g. Adoption and Fostering awareness.

The local focus for library services has also allowed the successful implementation of a community library strategy, as detailed in Q3 below. Central to the success of the project was the co-ordinated approach through the Local Area Forums and Localities teams the leadership of local council councillors was crucial in helping to develop local options.

The launch of the national offers is encouraging the coordination of high profile events and promotions (e.g. Reader Development) and these brings efficiencies through shared resources and also deliver greater impact because of co-ordinated marketing. Collaborative working, particularly around systems and procurement, allow greater efficiency without compromising the benefits of locally accountable services.

Buckinghamshire are one of the founding authorities of the South East Libraries Management System consortium. Eleven library services have now combined to enable shared access to lending materials, co-ordinate systems developments and maximise the purchasing power efficiencies of collaborative working

Last year Bucks customers borrowed around 4000 books from our partner libraries, which were reserved online through the Buckinghamshire catalogue. This partnership extends the range of reading material available to all of our customers. Our customers are also able to borrow directly from other libraries in the consortium using their Buckinghamshire membership card, which means more convenience especially for those who live on the borders between local authorities or who live and work in different areas.

### **3 What is the role of community libraries in the delivery of a library offer?**

#### The Buckinghamshire model

The wording in this question needs clarification in order for a meaningful answer to be provided. Across the country a range of different community library models have been developed and the terms 'community library' will mean different things in different places.

For example, *Independent community libraries* have no public sector involvement whereas *co-produced libraries* involve partnership between the public sector and the community. In respect of the latter, there will be significant variations depending on governance, financial support, access to systems, staffing arrangements etc.



## Appendix A: Submission to Sieghart review

In Buckinghamshire, consultation during 2010-2011 led to a programme of significant transformation to co-produce solutions with local communities to sustain library services and prevent closures in the face of funding cuts. Negotiation with communities resulted in the development of a range of locally adapted solutions. Importantly, these partnerships are part of the council's statutory offer.

The successful enabling of community libraries in Buckinghamshire was based on flexibility, support and honest and open dialogue. It was also important for us to develop a new vision for the service and drive a cultural shift across the service. In our experience we have found that properly supported community libraries, based on principles of partnership, that benefit from the skills and expertise of the county can be cost-effective and sustainable models of local library service delivery

Our project 'mantra' was that one size does not fit all and so in terms of the models adopted and timeframes applied, optimum flexibility was encouraged. Some models are fully self-managed whereas others still have council responsibility for premises management. In some models there are paid staff and in others only volunteers.

Thirteen community library partnerships have been developed since May 2010. Eight of these partnerships are self-managed community libraries. Community (not for profit) organisations deliver library services in partnership with the council. The relationship is defined through a lease on the premises and a service level agreement. Although managed by local community organisations, they remain part of the library network, supported by the county in terms of Book Stock, links with the Library Management System and training and development.

In Buckinghamshire there are five community supported library partnerships. The local authority retains the management of the building and provides a reduced staff presence. Local friends groups or library committees recruit volunteers, fund raise and work in partnership to raise money to maintain and extend opening hours and service provision. This is a partnership model of jointly managing and jointly delivering library services. Work is underway to deliver four more community library partnerships by the end of 2014. Eight community libraries have increased their opening hours since May 2010.

We realised quite early on that the success of the project would be in proportion to the level of support that we offered and so we have committed to a comprehensive and ongoing level of support. We recognised that additional staff capacity would be needed and appointed to a new community support role.

At the beginning of the project we recognised that we were travelling uncharted territory. We had made mistakes in the past, still did not have all of the answers but tried to be open minded and honest in our statements and dealings with local residents and partners. Our honesty helped build trust.

## Appendix A: Submission to Sieghart review

Engagement with local communities was initially through a series of public meetings followed by workshops where different models were discussed. The workshops allowed the sharing of practical information relating to existing income and expenditure, governance models, business planning and fund – raising.

Through individual workshops it became clear that governance and fund raising represented concerns across all groups and so we delivered a number of seminars focusing on these areas where representatives from all fourteen working groups were able to attend.

The partnerships that have emerged have all developed in line with local vision. At Ivinghoe, the Beacon Villages Community Library is part of a village hub that also includes the Post Office and Village Hall. Chalfont St Peter developed a commercial sponsorship arrangement with a local insurance company and at Great Missenden complimentary usage has been identified to bring the local police into the library to share space and reduce costs.

Finally, we have worked hard to develop a vision that brings the ‘county’ and community’ together. For the community partnerships we seek to support without controlling and to foster an approach across the county where we seek to include and involve community libraries rather than to marginalise or isolate them. We have introduced a mixed economy of delivery and we emphasise the complimentary nature of the partnerships. We focus on the relative strengths of county and community models and speak in terms of the breadth, expertise and capacity of the ‘county’ combining with the local, responsive and flexible nature of ‘community’.

“Having worked with several authorities on community libraries, Buckinghamshire stand out with regards to their pro-active approach to working with the community. More than most, Buckinghamshire have remained open minded to find solutions in partnership with the community, embracing community involvement as part of the solution. Their approach to continually engage with communities to evolve their approach has resulted in some innovative and inspiring examples of co-produced libraries which provide a great example to this growing movement.”

Anton Schultz Development Manager – Locality

### Wider Impact

For many rural communities the social impact of the library is significant given the absence of other accessible community venues. In particular, the provision of free, safe ‘open door’ social space and activity can reduce the isolation of elderly people and reduce the need for social services to address this.

The community library strategy generated a range of added value that we had not anticipated. Anecdotal evidence strongly suggests that volunteering helped to combat isolation and our new models are acting as a catalyst for

## **Appendix A: Submission to Sieghart review**

mobilising community involvement in a way that increases social cohesion and local resilience.

The community library model in Buckinghamshire brings value to the individual volunteer and has a positive impact on the wider community. We are actively involved in the DEFRA / Arts Council research into libraries and rural communities and are in the process of engaging with local residents and groups to support the creation of locally owned and resilient library models that could serve as the precursor to the gradual and phased replacement of current mobile library services.





**Buckinghamshire County Council**  
**Select Committee**  
 ETL & Finance Select Committees

**Member Briefing Note**

**Title:** Section 106: Status Update and Next Steps

**Committee date:** 18<sup>th</sup> November

**Author:** Kama Wager, Policy Officer

**The purpose of this briefing is to:**

- To outline the key areas/terms of reference for the committee to agree, refining the original scope following initial exploratory work.
- To recommend next steps for the inquiry (approach and timings).
- To recommend that the evidence sessions be undertaken through ETL committee in the New Year (inviting the Chairman of the FPR committee).

**Background**

1. On the 6th November 2013 the ETL select committee agreed the following recommendations for next steps as highlighted by the service area within their overview paper:

The service area is to:

- a) To complete the redesign of the S106 process, taking into account organisational changes and the loss of resources, to ensure S106 agreements are effectively monitored and that S106 contributions are paid and committed to scheme delivery in line with BCC Capital Programme.
- b) To consider the creation of a new S106 Co-ordinator role within the Place Service, funded through the S106 monitoring fees, including a review of S106 monitoring fees and the brokering of internal agreements when viability constrains funding available.
- c) To develop a more effective communication strategy during the Pre-Application, Planning and S106 negotiation process to consult with Local Members and ensure that local concerns are ideas are being considered as part of the process.



2. Both the ETL and FPR select committees considered this area of Council business worthy of further investigation within their work programme discussions. The Select Committee Chairmen agreed that they would meet with relevant officers outside of select committee meetings to carry out exploratory work with a view to agree the approach going forward and refine the scope (attached appendix A).
3. Due to member commitments with other inquiries it was agreed that further work on S106 would be undertaken following completion of ongoing inquiries. This also provided the service areas with time to make some initial improvements highlighted by the Chairmen within the early explorative sessions.

### **Status update from the service area: structure and resources**

4. John Rippon will be attending committee to provide members with a brief status update on development and discussions that have taken place within the service area to date in relation to the recommendations highlighted above and areas raised by the committee chairmen. He will also be able to discuss with members the key areas for further examination highlighted below.

### **Key areas for further examination (suggested inquiry terms of reference)**

5. During initial exploratory discussions between the Chairmen and officers on 21<sup>st</sup> May there were a number of key areas where the Chairmen felt improvements to the Council's current approach and process in relation to s106 negotiations needed to be made. A summary of the discussions was circulated to the committee as an update in June along with a scope which was agreed by both committees (attached as appendices).
6. In order to refine the lines of inquiry within the scope the committee are asked to consider the below areas as the key terms of reference for further inquiry work, agreeing all or some of them for the committee inquiry. The key areas highlighted within the initial discussions fell under the following categories:

#### **1) Governance: Internal Policy and Process:**

- how can we ensure robust process and governance structure for the creation and monitoring of S106 agreements including financial transactions and reporting (this involves education, legal services, finance and the Highways DM)

#### **2) Commissioning and Delivery of S106 schemes**

- How can we develop an effective programme and manage delivery? Historic S106 contributions are blocked up in the system and funds are at risk of having to be repaid.

- What are the best ways to achieve the mitigation through S106 negotiations with developers in order to achieve the best outcomes for local communities? Particularly around early intervention at the planning stages to reduce need for mitigation

### 3) Councillors and local Influence in s106 agreements/contributions.

- How can we ensure that we are asking for the right sorts of improvements that meet local aspirations? How do we know what local communities want?
- There is a need for better local insight and influence in terms of future requirements of s106 funding and early intervention in the planning process.
- How intelligence gathered by LAFs for example, can be utilised when officers are considering schemes.

### 4) Community Infrastructure Levy (CIL) and partnership working:

- The role of the community CIL process needs to be considered in more detail as the Districts are the leaders in this process. What is the relationship between CIL and S106 and role/impact of the county council?
- Since BCC are not a CIL collecting authority – how can we best ensure that we are able to continue to drive the right transport outcomes and secure funding for services and infrastructure if the District Planning Authorities hold the purse strings?
- To what extent is there a need for an improved partnership approach between the County Council and District Councils to reconcile this? (The County Council has to bid to compete with others in this process and as such has a limited degree of influence).
- How are local needs and aspirations captured within this process?

### Recommendations:

- **Committee to agree** all or some of the above key areas as general terms of reference for inquiry refining the scope, as agreed in June into clear work streams.
- **Committee to agree** that the inquiry evidence will be received through ETL committee, inviting the chairman of FRP select committee and will be added to the committee work programme for February/March 2014. All evidence will be heard in the one committee meeting.
- **Committee to agree that in Dec-Jan** Policy Officer to undertake desk research on behalf of the committee, collating background information, identifying key witnesses and other Local Authority processes and to develop inquiry timetable/plan and arrange evidence session for Feb/March.





## Appendix A: Initial Inquiry Scope



Buckinghamshire County Council

Select Committee

Environment, Transport and Locality Services

### Buckinghamshire County Council's approach to S106

#### A joint select committee inquiry proposal (initial)

Subject of Inquiry	An examination of the County Council's approach to s106 negotiations and agreements.
Inquiry Membership	Exploratory work carried out by Warren Whyte (Chairman of ETL) and Brian Roberts (Chairman of FPR).
Officer contact	Kama Wager: <a href="mailto:kwager@buckscc.gov.uk">kwager@buckscc.gov.uk</a> ; 01296 382615. Andrew Brown: <a href="mailto:andbrown@buckscc.gov.uk">andbrown@buckscc.gov.uk</a> ; 01296 397048
Background	<p><b>Joint Committee Examination</b></p> <p>In the process of examining the council's approach to s106 agreement both the ETL and the FRP committees agreed in the autumn of 2013 that members considered this area of Council business worthy of further investigation and was to be included on the 2014/15 work programmes of both committees.</p> <p>Within both committees members raised concerns around the council's process and approach to s106 agreements, stalled developments, the recording and monitoring of agreements, lack of member influence in the negotiation stages (leading to a lack of local intelligence informing the agreements) and missed opportunities (through inefficient processes) to achieve the best mitigation measures for communities.</p> <p>The select committee chairman agreed that in order to bring together the interests of both committees in the most efficient way, they would meet with relevant officers outside the committee meetings to carry out further examination of the topic area.</p> <p><b>Background</b></p> <p>Section 106 agreements are legally binding private agreements made between planning authorities and developers. They are termed planning obligations under Section 106 of the 1990 Town &amp; Country Planning Act.</p> <p>They are used to make development acceptable in planning terms. The land itself, rather than the person or organisation that develops the land,</p>

is bound by a Section 106 Agreement – so this is something any future owners will need to take into account. The obligations are registered as a local land charge against the piece of land.

Planning obligations enable a council to secure financial contributions to services, infrastructure and amenities in order to support and facilitate a proposed development.

S106 obligations must be evidence based and justified in planning terms. Supporting BCC Policies and adopted strategies are a material consideration, such as the Local Transport Plan.

The Government's policy on the use of planning obligations is set out in Circular 05/05. Planning authorities must take this guidance into account in their decisions on planning applications and must have good reasons for departing from it.

Planning obligations are used for three purposes:

- Prescribe the nature of development (for example, requiring a given portion of housing is affordable),
- Compensate for loss or damage created by a development (for example, loss of open space), or
- Mitigate a development's impact (for example, through increased public transport provision).

### **Community Infrastructure Levy (CIL)**

In April 2010 a number of measures within the Community Infrastructure Levy Regulations came into force. These reforms restricted the use of planning obligations and clarified the relationship between planning obligations and the Community Infrastructure Levy – the levy is a new local charge that local authorities in England and Wales can choose to charge on new developments in their area to fund infrastructure.

The County Council is not a CIL collecting authority under the new scheme, since this role falls to District Council's in two-tier areas. Close collaboration is therefore essential between County and District Councils in order to ensure that the potential for Planning Obligations is utilised effectively.

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

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

	<p>However, planning obligations will continue to play an important role in making individual developments acceptable. Affordable housing will continue to be delivered through planning obligations rather than the levy. Local authorities can also continue to pool contributions for measures that cannot be funded through CIL.</p>
Objectives	<ul style="list-style-type: none"> <li>• To examine the authorities policy and process in relation to s106.</li> <li>• To determine how the relationships between the County Council and Districts and other partners in Bucks could be enhanced to improve ensure the best outcomes for Bucks residents.</li> <li>• To identify what the underlying principles should be in relation to new s106 arrangements.</li> <li>• To establish more effective ways of monitoring planning obligations so that processes and procedures may become more transparent.</li> <li>• To understand the impact of the CIL regime.</li> </ul>
Key areas of inquiry undertaken and to be examined further	<ol style="list-style-type: none"> <li>1. To gain an understanding of Section 106 Agreements and the processes and procedures surrounding the requirements for planning gain; and how are they determined and monitored;</li> <li>2. To gain an understanding of the roles and responsibilities of the County Council and District Councils in Bucks in relation to Section 106 Agreements;</li> <li>3. To clarify the potential benefit to County Council services and the users of funding received;</li> <li>4. To determine how the County Council and District Councils can work effectively in partnership on Section 106 Agreements</li> <li>5. To examine whether the county council needs to work more closely with District, Town and Parish Councils and local partnerships and voluntary agencies to establish the scope and content of s106 agreements and how money and other benefits are allocated?</li> <li>6. To determine what the process for the County Council (elected members) to be able to exercise their influence over CIL and S106 negotiation processes, inputting local intelligence;</li> <li>7. Does the council benchmark against other council's policies and procedures are there innovative ways to learn from?</li> <li>8. To identify whether s106 monies could be better utilised by combining them with other sources of finance to deliver increased benefits for local communities.</li> </ol>
Link to BCC Strategic Plan priorities	<ol style="list-style-type: none"> <li>1. To ensure Bucks has a thriving economy that is creating jobs.</li> <li>2. To improve transport networks within Buckinghamshire and the surrounding areas.</li> <li>7.To provide excellent value for money</li> <li>8. To ensure your local Council and its Councillors protect the interests of Buckinghamshire residents at local, regional and national levels</li> </ol>

Methodology	<ul style="list-style-type: none"> <li>• Information gathering working group sessions to be held with relevant officers and committee chairman to explore issues raised</li> <li>• Desk Research to identify practice from other Local Authorities.</li> <li>• Witness evidence from District Councils.</li> </ul>
Next steps	The Chairman will report their findings to their respective committees to be agreed before being presented to Cabinet.
Outline timetable	<ul style="list-style-type: none"> <li>• Exploratory evidence meetings to be carried out May - August</li> <li>• Initial findings to be reported to committee to agree in Autumn</li> <li>• Committee to agree findings or scope for further work Autumn</li> <li>• Dec-Jan – Desk research if scope agreed</li> <li>• Feb – Final detailed evidence sessions to be held</li> </ul>

## **Appendix B: Chairman summary of initial discussions**

**Title:** Select Committee Chairmen update on S106 investigations

**Committee date:** 17<sup>th</sup> June 2014

### **Background**

1. Section 106 funding is an area of interest to the Environment, Transport and Locality Services and the Finance, Performance and Resources select committees. Both select committees received an information paper regarding S106 in autumn 2013. On the 6th November the ETL select committee agreed the next steps as below:

For the Cabinet Member for planning and service area;

- d) To complete the redesign of the S106 process, taking into account organisational changes and the loss of resources, to ensure S106 agreements are effectively monitored and that S106 contributions are paid and committed to scheme delivery in line with BCC Capital Programme.
  - e) To consider the creation of a new S106 Co-ordinator role within the Place Service, funded through the S106 monitoring fees, including a review of S106 monitoring fees and the brokering of internal agreements when viability constrains funding available.
  - f) To develop a more effective communication strategy during the Pre-Application, Planning and S106 negotiation process to consult with Local Members and ensure that local concerns are ideas are being considered as part of the process.
2. During work programming discussions, both select committees considered this area of Council business worthy of further investigation. The Select Committee Chairmen agreed that they would meet with relevant officers outside of select committee meetings to carry out this further work with a view to agree the approach going forward.
  3. Warren Whyte, Chairman of the ETL Select Committee and Brian Roberts, Chairman of the Finance Select Committee met with officers within Place on 21st May 2014 to discuss the Local Authority's approach to S106 agreements. The meeting opened with an update on the structure and resources within the Place team in relation to S106 agreements before moving into discussions around processes, structures, member influence, roles and responsibilities, and partnership working with District Councils.

### **Update on structure and resources**

4. S106 agreements can be between the developer and either District or County, but are presently most likely to involve both parties. At county level, the major contributions necessary to mitigate developmental impact relate to the provisions of roads/schools, and as such, different service areas are involved even internally within the county structure.

5. Additional officer capacity (0.5FTE) has been allocated to ensuring best value from developments, including through S106 agreements. The Chairmen welcomed the creation of a new S106 Officer post within the Place Service and heard that this resource will initially be focussed on the commissioning and delivery, rather than monitoring, of S106 agreements.
6. A lot of work has taken place to pull together information to provide a clear picture of existing S106 agreements. Back office systems have been updated and organised so the agreements are all logged in one place with clear trigger points. A combined picture pulling together all of the agreements in one list, is 95% complete (although some pre-date the SAP system), providing a snapshot of what money is available and the negotiations made. They have moved towards a RAG system to monitor the agreements and trigger points.

### **Key themes in the discussion**

#### Responsibility and co-ordination

7. The Chairmen were concerned that the Local Authority hasn't got a corporate approach to S106 and that there is a lack of central coordination, oversight, and monitoring. They asked who at the Local Authority has overall responsibility for the coordination of S106 agreements.
8. It became clear that there is no significant county-wide coordination of S106 agreements or negotiations. Individual service areas consider their respective parts and negotiate them in isolation. There is not a central coordination and monitoring function. There is no single officer assigned to schemes in order to monitor, review, chase payments etc. The Chairmen raised the question around who at County then takes the lead to promote the County Council's best interests when talking with the developers and Districts. For example, when there is a problem in terms of the viability of a scheme is there a debate about what takes precedence? How does/should this take place?
9. The Chairmen and Officers discussed ways to resolve this, considering assigning officers to developments, capturing S106 in a more central coordinated function, reporting S106 alongside capital within the MTP process, and quarterly monitoring of the S106 agreements.

#### Policy and process

10. The Chairmen heard that the Local Authority does not currently have a clear policy or structure around the best way to achieve the mitigation through S106 negotiations with developers in order to achieve the best outcomes for local communities. (For example, at the early stages of a project, some measures often funded as part of s106 mitigation could be designed in, therefore releasing s106 funding for better mitigation measures). A clear policy needs to be developed which incorporates the below points raised by the committee chairman.

11. The Chairmen are concerned that the Local Authority's negotiations with developers are not as robust as they should be due to the fact that our involvement is not at an early enough stage to lead negotiations along with District Planners. Currently, developers tend to draw up very detailed plans before the Local Authority becomes involved in seeking mitigation for these developments. The Chairmen felt that if the Local Authority became involved earlier in the process when a site masterplan is being developed, local needs could be taken into account in their design, the need for mitigation could be reduced, and available S106 money could be used more efficiently.

***Responsibility for the local authority's approach to S106 agreements should sit with an identified senior officer.***

***(Consideration should be given to the development of a corporate S106 policy which gives clarity over the points raised such as, how the council coordinates negotiations, ties together individual service area negotiations, and who the responsibility sits with).***

#### Local influence

A key concern is around developments being designed and built that may be technically correct but are considered to be conceptually wrong for the local community. For example, issues such as schools being built in the wrong places with poor local connectivity may have been avoided with local member input at an early stage.

***Local members should be able to input into discussions around the best way to achieve mitigation as a matter of course. This will help to ensure that mitigation is more nuanced, taking account of local views.***

It was considered that S106 agreements could be more joined up with schemes funded by Local Area Forums (LAFs). When thinking about mitigation measures officers could sense check LAF plans for things that are within them that haven't been funded and consider whether funding these from s106 agreements would adequately mitigate the impact of development.

***Consideration should be given to how intelligence gathered by LAFs can be utilised when officers are considering schemes.***

#### Monitoring of S106 agreements

A suggestion was made that the monitoring of S106 agreements should be incorporated into the Local Authority's MTP Capital Programme and quarterly Balanced Scorecard and Joint Monitoring Report. It was considered that closer monitoring and improved visibility of S106 agreements, together with better co-ordination, would bring benefits in terms of identifying synergies and improving commissioning. Improved monitoring is essential if the process is to be enhanced. If trigger points are not regularly and robustly checked, then there can be a significant gap between triggers and the Council doing what it says it will deliver.

***S106 agreements should be incorporated into the Local Authority's MTP process and monitored quarterly (could this sit in a commercial plan or alternative form in Future shape?)***

***The role of finance should be considered within this – their role in overseeing all s106 capital expenditure.***

#### Technical advice

It was felt that the technical advice that the local authority receives in relation to mitigation is often 'gold plated'. Department for Transport guidance, for example in relation to the installation of traffic lights, is often followed to the letter. However, this may be more costly and less suitable for a particular locality than alternative forms of mitigation that could make the money available go further.

***The local authority should consider taking a more flexible approach to ensuring that the right types of mitigation are sought depending on local considerations.***

#### **Next steps**

The Select Committees will be asked to consider the S106 proposed scope and the update report from the chairmen and agree whether the topic is worthy of further investigation by the committee chairman, or whether the findings be presented to the cabinet member at this stage. If agreed, the Select Committee Chairmen will continue investigations into the Local Authority's approach to S106, and will report back to the Select Committees.



## Environment, Transport and Locality Select Committee Proposed Work Programme

Committee	Date	Topic	Description and Purpose	Attendees
<b>Environment, Transport and Locality Services</b>	December 2014	Work Programme and Topic Selection	<b>Informal Member workshop:</b> A member workshop to identify key items and topic areas for the committee to monitor, review and examine next year. The work programme will be populated and agreed at the next formal meeting on the 3 <sup>rd</sup> Feb 2015.	All committee members
	03 February 2015	Transport for Bucks Inquiry: Progress Update	<b>Committee Item:</b> For members to receive 12 month update on inquiry recommendations and improvement plan actions taking place throughout the year.	Ruth Vigor-Hedderly, Cabinet Member for Transportation Mike Freestone, Director of Transportation Gill Harding, Director of Planning and Strategy TfB (TBC)
	03 February 2015	Section 106 Inquiry (TBC)	<b>Inquiry:</b> For members to receive evidence on the Council's internal approach and processes, to s106 agreements, local influence, partnership working and Community Infrastructure Levy's and the relationship with S106.	(TBC)
	17 March 2015	Flooding in Bucks update	<b>Committee Item:</b> For Members to examine flooding in Bucks, to include; responsibility for new developments, consent on existing watercourses and the planning application process.	Lesley Clarke OBE, Cabinet Member, Environment Karen Fisher, Lead Flooding Officer Partners (TBC)
	14 <sup>th</sup> April 2015	Business Unit Plans 2015-2018	<b>Committee Item:</b> For members to receive an update on the new business unit plans for Transport, Environment and Economy (TEE) Business Unit for 2015-2018.	Cabinet Member for TEE  Director of TEE Business Unit
	23 <sup>rd</sup> June 2015	Public Transport Inquiry: 6 month Progress Update	<b>Committee Item:</b> for Members to receive 6 month update for members to monitor progress on the committee recommendations.	Cabinet Member for Transportation Managing Director for Transportation.

49

Agenda Item 9

