



Council agenda supplement

Date: Wednesday 24 November 2021

Time: 4.00 pm

Venue: Buckinghamshire Council, Gatehouse Road, Aylesbury, HP19 8FF.

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Amendments

Date: 24 November 2021

Agenda Item No. 10: Notice of Motion – Environment Bill

Amendment Proposer: Councillor Martin Tett

Amendment Seconder: Councillor Peter Strachan

Amendment wording: (to add additional wording, in **BOLD**)

The wording of the first two introductory paragraphs is unchanged.

“This Council calls on the Leader and Cabinet Member for Climate Change and Environment to:

1. Write to the Secretary of State for the Environment, Food and Rural Affairs, and to all Buckinghamshire Members of Parliament, ~~expressing our grave concern about the weakened legislation that fails to markedly restrict the discharge of raw sewage into our rivers and streams; and to~~ **making known the concerns of this Council and emphasising the importance of the Government bringing forward a clear strategy for ceasing this environmentally damaging practice as a matter of priority**
2. Write to the Chief Executive(s) of those water companies with sewage treatment works discharging raw sewage into the Thames, Ouse, Wye and other waterways across Buckinghamshire to seek assurance that they will pursue a programme of capital investment that will “demonstrate improvements in the sewerage systems and progressive reductions in the harm caused by untreated sewage discharges” per the Lords’ Amendment.”

Original Wording (Council agenda):

Buckinghamshire Council is a riparian owner of large sections of river within the County, it has two of the UK’s major rivers, the River Thames and the River Ouse, and also highly sensitive chalk streams within South Buckinghamshire. As a Council we want to do everything we can to maintain the ecology contained within those areas alongside protecting public health.

Recently the Government voted for more moderate measures in the Environment Bill than those proposed by the House of Lords which would have restricted the discharge of

raw sewage into our water courses and place a legal duty on water companies to invest in the necessary infrastructure to protect and improve our waterways.

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1. Write to the Secretary of State for the Environment, Food and Rural Affairs, and to all Buckinghamshire Members of Parliament, expressing our grave concern about the weakened legislation that fails to markedly restrict the discharge of raw sewage into our rivers and streams; and to
2. Write to the Chief Executive(s) of those water companies with sewage treatment works discharging raw sewage into the Thames, Ouse, Wye and other waterways across Buckinghamshire to seek assurance that they will pursue a programme of capital investment that will “demonstrate improvements in the sewerage systems and progressive reductions in the harm caused by untreated sewage discharges” per the Lords’ Amendment.”

Agenda Item No. 10: Notice of Motion – Speed Limits

Amendment Proposer: Councillor Peter Cooper

Amendment Seconder: Councillor Stuart Wilson

Amendment wording: (to add additional wording, in **BOLD**)

“This council notes that Thames Valley Police have changed their previous stance of opposing the implementation of 20mph speed limits, although TVP will not currently be pro-actively enforcing them. ~~Thames Valley Police, whilst now supportive in principle of 20mph, do so on the basis that to be effective it must be in the ‘right location’ and have a suitable physical environment to ensure 20mph is adhered to i.e. they are self-enforcing. Thames Valley Police are clear that they will not currently be pro-actively enforcing revised limits.~~

This council also notes that ~~whilst~~ 20mph speed limits are initially popular with **Town and Parish Councils and their many residents**, ~~research by the Department for Transport shows that there has only been a small reduction in median speed (less than 1mph) where these have been introduced.~~ **and that there is strong evidence from organisations such as ROSPA to conclude that pedestrian fatalities reduce from 8% with vehicle speed of 30mph, to 1.5% at 20mph.** ~~There is also insufficient evidence to conclude that~~ There has been a significant **change reduction** in collisions and casualties following the introduction of 20mph limits. ~~in residential areas.~~ **It is also noted that 20mph limits in residential areas contribute positively to quieter, safer and cleaner neighbourhoods and help promote healthy environmentally friendly forms of transport, such as walking and cycling.** ~~Evidence~~

~~suggests that average speeds tend to fall to compliant levels only on roads where previous average speeds were already low, i.e., around 24 mph~~

Furthermore, many UK local authorities including neighbouring Oxfordshire County Council, **now have a county-wide 20mph speed limit policy for residential areas.**

~~Oxfordshire estimate that to replace the majority of 30mph limits with 20mph, investing in signage only, in line with their new policy and approach, will require a capital programme investment in the region of £8M spread over the whole period of its implementation. By means of its policy SLP1, Oxfordshire County Council will promote 20mph as the default limit for residential, villages and retail areas to ensure speeds are appropriate to the nature of the environment and location. It also notes that without physical changes to the road, speed compliance may be poor.~~

~~“This Council therefore resolves that any proposed reductions in speed limits to 20mph to support the principle of 20mph speed limits on the understanding that schemes promoted by Town or Parish Councils should be assessed and supported by the Buckinghamshire Council’s Road Safety team and all relevant local members, and should be funded by the applicant(s). It also requires that all schemes should meet the DfT’s criteria for 20mph limits and be largely self-enforcing. No expectation should be generated that the Thames Valley Police or the Buckinghamshire Council will enforce these schemes.~~

In view of the potential cost of eligible schemes the council will normally only implement them where/when resources are available and when the requesting parish, town council or Committee contributes towards the cost of implementation.”

Original Wording (Council agenda):

This council notes that Thames Valley Police have changed their previous stance of opposing reductions in speed limits. Thames Valley Police, whilst now supportive in principle of 20mph, do so on the basis that to be effective it must be in the ‘right location’ and have a suitable physical environment to ensure 20mph is adhered to i.e. they are self-enforcing. Thames Valley Police are clear that they will not currently be pro-actively enforcing revised limits.

This council also notes that whilst 20mph speed limits are initially popular with many residents, research by the Department for Transport shows that there has only been a small reduction in median speed (less than 1mph) where these have been introduced. There is also insufficient evidence to conclude that there has been a significant change in collisions and casualties following the introduction of 20mph limits in residential areas. Evidence suggests that average speeds tend to fall to compliant levels only on roads where previous average speeds were already low, i.e., around 24 mph

Neighbouring Oxfordshire County Council estimate that to replace the majority of 30mph limits with 20mph, investing in signage only, in line with their new policy and approach, will require a capital programme in the region of £8M. It also notes that without physical changes to the road, speed compliance may be poor.

“This Council therefore resolves that any proposed reductions in speed limits to 20mph should be funded by the applicant(s), and be assessed by and supported by the Council’s Road Safety team and all local members. It also requires that all schemes should meet the DfT’s criteria for 20mph limits and be self-enforcing. No expectation should be generated that the Thames Valley Police or the Buckinghamshire Council will enforce these schemes.

In view of the potential cost of eligible schemes the council will normally only implement them where/when resources are available and when the requesting parish, town council or Committee contributes towards the cost of implementation.”

Questions on notice

Full Council meeting 24 November 2021

Question from Councillor Robin Stuchbury to Councillor Steve Bowles, Cabinet Member for Communities, in relation to devolution

Buckinghamshire County Council first considered a report on the proposal to undertake devolving some services to Towns and Parishes in 2006, thus providing local choice and control over designated services, boosting democratic engagement, which was one of the primary considerations in Parish precepts not being capped. In 2014 it was proposed Parish Councils would be involved in devolution of services such as grass cutting and sign cleaning. The funding was to be guaranteed for four years.

On the 23rd of July 2020 the Shadow Executive of Buckinghamshire Shadow Unitary Authority agreed to extend devolution funding for services for a further two years to 2022. From memory, the original pilot scheme was due to end in 2019. The newly elected Buckinghamshire Council inherited these decisions.

It is to be noted there has been no notable increase in the funding given to Town and Parish councils who are the partners in these devolved services over the period of their operation.

As all Town and Parish will have to set a precept in the same way Buckinghamshire Council will be doing, is Buckinghamshire Council intending to increase the funding to meet inflation and fully support these devolved services. Devolution of services were a major part of the bid for a single unitary authority to the Secretary of State, forming as they did, a significant part of the consultation undertaken for a single Unitary Council.

If Buckinghamshire Council is not planning to raise the level of funding to support devolution, there is a danger of parishes carrying part of the cost of providing such services from parish precepts funding, resulting in double taxation for the residents

This leaves the question: is Buckinghamshire Council still committed to devolved services? And if so, what will be the level of any planned increase? In effect with payment levels remaining static and taking account of inflation, the value of the service payments has decayed considerably.

It would be good to have an understanding whether the financial package will increase grow over time, especially in this fiscal financial year, to take account of the effect of inflation mentioned above. If there is no equitable increase, there is a danger of services not being undertaken in the future with parishes no longer looking to renew devolved service arrangements if it means raising their council tax to cover the cost of delivering them.

This arrangement has proved to be a mutually beneficial and successful partnership between the local authority and parish councils, so it is incumbent on Buckinghamshire Council to ensure it continues and expand it to encompass more services in the future.

Response

Buckinghamshire Council is committed to local devolution and following the elections the Member Devolution Board has met several times to progress the programme at pace. We are pleased that David Aimson, new lead devolution officer, is now in post and will be working closely with the Town and Parishes Councils. This includes working closely with Highways services, who under Cabinet Member Steve Broadbent, are considering highways devolution offers, processes and progress. We recognise that the costs of providing devolved services has increased and as such, the current agreed rates will receive a 3% uplift from next financial year in line with the Council's standard inflation figure.

At present 14 pilot areas have been identified which have over 45 potential schemes within the Town and Parishes, these projects are mostly unique and will pilot different ways in which we can devolve and in turn improve services. We are currently aiming to streamline the current process and improve engagement with the Town and Parishes. We are also updating the website, improving the customer journey and create a robust method of application for new devolved services in future. This work will be overseen by the newly formed members devolution board who will drive forward our strategic vision for devolution and review applications for new devolved services.

Question from Councillor Robin Stuchbury to Councillor Steve Broadbent, Cabinet Member for Transport, in relation to Transport for Buckinghamshire (TfB)

Dear Cabinet Member

I am rightfully being asked question regarding the works undertaken TFB on what action and transparency of warranty inspections being available to evidence that TfB are providing warranty repairs at their own cost and not double charging the residents as tax payers?

Please could you provide what protocol is followed and how a member of public could access this information to ensure council tax payers money spent on capital works are reviewed and the process in which they are reviewed & where this information is made available and can be easily accessed by members of the public and elected members, to assure council tax payers Buckinghamshire Council can fully monitor this expenditure.

Response

The current contract has mechanisms in place to ensure that the contractors work is of suitable quality and longevity.

For Revenue works a percentage of jobs are checked for compliance against the original works order/design. This involved a site check of the quality of the delivered work, by the originator of the work (either the LAT now directly employed by the Council or the Highways inspector). In addition, the Council employs a works quality inspector who jointly checks a sample of work undertaken with the contractor and agrees the results. A further 10% desktop sample of finished work is also carried out by the client team and the contractor's management team

Results from all of the above feed into a Contract Performance Indicator (CPI) where the contractor, Ringway Jacobs, will lose money if performance levels dip below agreed thresholds. All of the above are also used to establish trends etc. in order to both address and improve working practices.

For capital work, similar monitoring is in place, Ringway Jacobs supervise the works directly and are required to establish, record and advise of any quality issues relating to any specific scheme undertaken. Again, the Council also employs a full time Capital works quality inspector who inspects and reports on the completed works. Each scheme undertaken has a 'defect correction' period (typically one or two years from completion of the work, depending on work type), which essentially means that work is guaranteed for this period. If issues are identified during this period which are reasonably attributable to workmanship then the contractor is required to remedy the work to the standard required.

Any defects found are monitored by the Council's client team to ensure these are addressed and money is withheld from future payments if this does not occur within agreed timescales.

Regular quality focussed meetings are held for both Revenue and Capital works to determine any trends etc. and focus attention on any necessary remedial actions.

It should be noted that in some instances, due to a poor condition of a road, it is not always financially viable to fully repair it and a more short term solution has to be implemented to continue to keep the road safe and able to be used by the public. Where appropriate, such issues are highlighted prior to works being undertaken and subsequent monitoring will take such issues into account. Where this is the case, the underlying issues with the surface would then ordinarily be picked up and dealt with through our larger, planned road repair/capital works programmes, though it should be borne in mind, that in some cases this may necessitate a longer-term major scheme being developed.

Question from Councillor Robin Stuchbury to Councillor Gareth Williams, Cabinet Member for Planning and Regeneration, in relating to staffing in the Planning, Growth and Sustainability directorate

Dear Cabinet Member

My understanding is that there are 7 out of 14 vacant posts currently within the planning policy team at the council and there is a concern that these vacancies will have an impact on the progression of the Buckinghamshire Local Plan, the use of CIL/ S106, and the determination of planning applications, as well as the availability of support the council provides to town and parishes in developing neighbourhood plans and the monitoring of those plans. There are also a number of vacancies in other teams within the Planning, Growth and Sustainability and Communities Directorates (enforcement/ climate change and environment/ building control/ flooding/ highways). I have real concerns that the development management team council has 18 vacancies, one being within highways, six in building control, three within technology services and 8 within development management. How are these vacancies going to be filled, and how can I be assured that they will be filled quickly, with permanent staff as opposed to temporary agency staff?

Response

Can I thank Cllr Stuchbury for his question. It is always our aim across all of our teams to maintain a full compliment of staff. However, that is not always possible and realistically we always expect a degree of turnover within our core staffing base.

We currently have the following vacancies in Planning & Environment.

Team	Number of vacancies
Planning Policy	7
Climate Change & Environment	8 (mainly urban design and ecology)
Development Management	22 Breakdown: 1 highways development management 6 building control 4 technical services 2 graduates 3 planning officers 4 senior planning officers 2 principal planning officer

The Planning & Environment Service employ a total of 270 staff (216 full time and 54 part time). Whilst 37 vacancies may seem high in isolation, as a proportion of the total staffing establishment, this represents a 13.7%. In addition, this vacancy rate is reduced further to 10.7% as the Council continues to use agency staffing support to provide short term cover for some of our key vacant posts.

Over the last 6 months there has been a huge recruitment drive by the service. We have worked closely with HR colleagues to design a recruitment campaign via social media, including staff profiles promoting how 'we grow our own', which has been very successful. We have recently successfully recruited:

September 2021

- Ecology Officer

- 2 x Principal Planning Officers
- Development Management Team Leader
- Building Control Surveyor
- Compliance & Enforcement Team Leader
- Highways Development Management Delivery Technician

October 2021

- Senior Energy Officer
- Lead Flood Programme Management Officer
- Senior Planning Officer
- Heritage Officer

November 2021

- Building Control Surveyor
- Principal Planning Officer
- Principal Planning Policy Officer

In addition, we have 2 Principal Planning Officers currently going through our onboarding process and will be joining us soon.

The 7 vacancies in the policy team are currently out to advert, along with a rolling advert out for Planning Officer, Senior Planning Officer and Principal Planning Officer posts. In our Compliance and Enforcement team we now have a stable and fully staffed Management team and are in the process of recruiting to the 3 vacant roles. The ecology post Interviews are arranged for next.

We continue to prioritise our recruitment programme and are currently working with HR on arranging a couple of 'Try Before You Apply' sessions early in the new year to promote working in Planning & Environment at Buckinghamshire Council and attract people to join our team.

Given the above, I remain confident that all necessary and appropriate actions are being taken to ensure timely recruitment to vacant posts within the service and that the impact of these vacancies on service delivery, including the new Buckinghamshire Local Plan, is very limited.

I trust that this demonstrates all the hard work the service are putting in to addressing the vacancy situation and reassures you that we are making significant progress. We will

continue to work very closely with our HR colleagues and explore all avenues to try and fill our vacancies as quickly as possible.

Gareth Williams