



Cabinet decision notice

The following decision(s) were taken by Cabinet at its meeting held on **29 March 2022**. Decisions will (unless called-in) become effective at 5pm on 5 April 2022.

Agenda item no. 7

Succeeding as a Place: Achieving our Shared Vision for Buckinghamshire to 2050

(a) Decisions

The Buckinghamshire Strategic Vision for 2050 had been developed by the Buckinghamshire Growth Board with input from partner organisations and other key stakeholders. The Growth Board had approved the most recent draft with minor changes at its December 2021 meeting and it was now ready for endorsement by its partner boards, including Buckinghamshire Council's Cabinet.

The Strategic Vision was a multi-purpose document that set out the key priorities and objectives partners (including the Council) would take forward. The Strategic Vision was influential in guiding emerging strategies and played a core function in the deliverables of the Growth Board partners. It also established our identity and sets out the aspirations to Buckinghamshire's residents and businesses, as well as regionally and nationally.

The content of The Strategic Vision was written in conjunction with Buckinghamshire's Recovery and Growth Proposal looking closely at how the objectives aligned in delivering a Buckinghamshire that facilitates placemaking and economic growth. The Strategic Vision for Buckinghamshire would:

- **Express our shared ambition and focus** by setting the commitment and direction to improve the economic, environmental and social health of Buckinghamshire.
- **Tell the compelling narrative for Buckinghamshire** by using our single voice to make clear our willingness to engage and deliver sustainable and ambitious clean growth. Setting out what our priorities are and where we wish to go.
- **Set the strategic direction and overarching guidance** that has previously been absent to enable the shared 2050 goal to be achieved in all future plans, strategies, and frameworks.
- **Establish our identity** nationally and in the context of the wider South East region by bringing together our successes, future opportunities, and challenges.

RESOLVED –

That the Buckinghamshire Growth Board's Strategic Vision to 2050 be endorsed, with the Leader authorised to make any minor or typographical changes to the vision document

before it was submitted to the Growth Board.

(b) Reasons for decisions

Once the Strategic Vision for 2050 had been endorsed by Cabinet, the document could be formally signed off by the Growth Board at its next meeting in May 2022.

(c) Alternative options considered

The other option was to not produce a Strategic Vision. However, this would limit the Council's ability to set out a shared ambition as a coterminous Buckinghamshire.

(d) Conflicts of interest/ dispensations

None.

Agenda item no. 8

Aligning charges and harmonising operational arrangements for garden waste collections in Buckinghamshire

(a) Decisions

Buckinghamshire Council became a unitary authority on 1 April 2020 and at that point inherited different arrangements for the charging for garden waste services from the four district councils. The current arrangements were for residents residing in the former Aylesbury Vale, Chiltern and South Bucks areas to have an 'Opt In' service where participating residents were charged for the collection of their garden waste, whereas residents residing in the former Wycombe area were not charged separately for garden waste collection service for their first bin or bags.

Chargeable garden waste services were an important way to reduce costs and prioritise essential Council services. Chargeable garden waste services delivered significant savings for the Council and currently generated a gross annual income of circa £2.6m. Aligning charges was estimated to generate an additional gross income of between £900,000 and £1.1m annually.

Four options were presented in the Cabinet report, with option 1 the recommended option, which was to introduce a chargeable Opt in kerbside garden waste collection service in the former Wycombe District Council area from July 2022.

In addition to harmonisation of charges across Buckinghamshire the report recommended harmonising the operational arrangements for garden waste services to provide the same standard of service to all participating residents.

The Controlled Waste (England and Wales) Regulations 2012 provided powers that local authorities had the discretion to charge for collection and disposal of certain wastes.

Paragraph 4 of Schedule 1 of these regulations set out that a council may charge for the collection (but not the disposal) of household garden waste.

Cabinet had previously heard questions from Ward Members, Councillors Tony Green, Lesley Clarke OBE and Katrina Wood in the Written Questions item at the start of the meeting and considered this information as part of their deliberations.

RESOLVED –

- (1) That to provide equity across all areas of Buckinghamshire, it be agreed for the Council to harmonise Garden Waste charges across all of Buckinghamshire by introducing ‘Opt In’ charging from July 2022 for the Wycombe area.**
- (2) That the operational arrangements for Garden Waste collection services across all of Buckinghamshire be harmonised, as detailed in the Cabinet report.**

(b) Reasons for decisions

Aligning charges for the garden waste service would ensure parity across all areas and ensure that Buckinghamshire residents were treated equally. With regards to harmonising the operational arrangements, this change was necessary to ensure Buckinghamshire residents received a consistent standard of service.

(c) Alternative options considered

The other options considered are detailed at paragraph 1.4 and at Section 3 of the Cabinet report.

(d) Conflicts of interest/ dispensations

None.

Agenda item no. 9

Proposed Littering Enforcement Policy

(a) Decisions

Buckinghamshire Council as a unitary authority required a litter enforcement policy in order to undertake Litter Enforcement activities. The legacy Waste Collection Authorities (legacy District Councils) had the legal duties and responsibilities to deal with littering under the Environmental Protection Act 1990. It was for the relevant legacy authorities to consider priorities, investment, disinvestment in service areas including enforcement against Littering. The legacy Buckinghamshire County Council as Waste Disposal Authority had been funded by the legacy District Councils to undertake investigations into Fly-Tipping but didn't have the resources and/or duty to tackle Littering.

As a unitary, Buckinghamshire Council had both waste collection and waste disposal tools available including the legal duties, responsibilities and powers. It was therefore proposed that the Council utilise these available tools and make arrangements to undertake and enforce littering. The Council could utilise a low-level enforcement response and make use of Fixed Penalty Notices (FPNs) for littering. In the first year of the implementation of the Litter Enforcement policy it would focus on discovery, communication campaigns, education and some Enforcement activity.

Members were fully supportive of the enforcement policy and the proposed litter enforcement activities. It was explained that the 'Silver Package' level of resources was a starting point, funded by £70,000 within the Council's agreed budget, and the effectiveness of the activities would be monitored to inform future funding / resourcing provision.

RESOLVED –

- (1) That the draft Enforcement Policy against Littering (Appendix A to the Cabinet report) be approved.**
- (2) That the utilisation of powers to serve Fixed Penalty Notices (FPN's) in response to littering offences be approved.**
- (3) That a maximum fine of £150.00 be adopted and approved, and that it should not be discounted for early payment.**
- (4) That the level of resources to initially be deployed be approved as the 'Silver Package', as described in Buckinghamshire Council Littering Proposal Tiers at Appendix B to the Cabinet report.**

(b) Reasons for decisions

As a unitary authority the Council had no existing (or legacy) litter enforcement policies and required a litter enforcement policy if it wanted to undertake Litter Enforcement activities. The Council was committed to the principle of good enforcement as set out in the Legislative and Regulatory Reform Act 2006 with the purpose of enforcement action and as a litter authority it had a duty to ensure that, so far as reasonably practicable, Council land was kept clear of litter and refuse (Section 89, Environmental Protection Act 1990).

(c) Alternative options considered

Other options considered are detailed at Section 4 of the Cabinet report.

(d) Conflicts of interest/ dispensations

None.

Agenda item no. 10

Buckinghamshire Council Companies Governance

(a) Decisions

Buckinghamshire Council had a number of mainly property based subsidiary companies and limited liability partnerships in place (Buckinghamshire Advantage, Consilio Property Ltd, London Road Business Park Management Ltd and Aylesbury Vale Estates). It was timely to review overall all governance arrangements to ensure continued visibility and reinforce best practise to deliver statutory arrangements.

An audit report on Nottingham City Council's arrangements relating to its company, Robin Hood Energy, had stressed the need to ensure that "sufficient checks and balances were in place and in particular that risks were appropriately recognised and managed, that there was an effective scrutiny function and that challenge of political priorities by both members and officers was seen as a positive. This provided an important message that all councils establishing commercial entities should be alive to what is referred to as "institutional blindness". The Council was also aware that external auditors, such as Grant Thornton, had issued public interest reports where local authority companies had performed poorly and where it was found that governance arrangements were not adequate.

Buckinghamshire Council was committed to maintaining strong and robust governance to ensure that decisions were taken in the best interests of the communities it served. As part of this commitment, the Council constantly reviewed its governance arrangements alongside learning best practice with other authorities to ensure the Council continues to meet its statutory obligations in the best way.

Oversight of the Council's companies and limited liability partnerships was currently in place with visibility of Board Minutes and supporting papers being sent to the relevant Cabinet Members, Cabinet Member for Finance, Resources and Property & Assets, and senior officers: Director for Property and Assets, Head of Legal, Section 151 officer, and Head of Finance. Business plans of subsidiaries were scrutinised by Cabinet and the Finance and Resources Select Committee. Finance officers regularly attend board meetings of Consilio Property Ltd and Buckinghamshire Advantage.

The proposal for a shareholder committee was consistent with the best practice advice in the recent Local Authorities Companies Review Guidance.

RESOLVED –

- (1) That the creation of a Shareholder / Member Committee, as detailed in the Cabinet report be approved, to ensure that companies and limited liability partnerships act in the interests of the Council as shareholder, Member and/or lender and contribute to the Council's objectives.**
- (2) That the draft Terms of Reference be noted, and authority be delegated to the Service Director – Property and Assets, in consultation with the Cabinet Member for Finance, Resources, Property and assets to approve the final Terms of Reference.**
- (3) That authority be delegated to the Service Director – Property and Assets, in consultation with the Shareholder / Member Committee, to agree final terms and enter into each Memorandum of Agreement with the relevant company and/or Limited Liability Partnership.**

- (4) That authority be delegated to the Service Director – Property and Assets, in consultation with the Shareholder / Member Committee to approve final terms and arrange to enter into any Service Level Agreements where corporate functions provide support services to the relevant company and/or Limited Liability Partnership.**

(b) Reasons for decisions

The recommendations proposed would improve the Council's company governance arrangements and allow the Council to closely monitor its interest within each of its companies and societies with increased clarity, transparency, and reporting.

The proposals would better ensure that the Council and its subsidiaries were meeting their legal and statutory responsibilities and were practising good governance. The proposed Shareholder Committee would be a Committee of the Cabinet and therefore a Cabinet decision was needed.

(c) Alternative options considered

Other options considered are detailed at Section 2 of the Cabinet report.

(d) Conflicts of interest/ dispensations

Councillors S Bowles and P Strachan declared a personal interest as Board Members of Aylesbury Vale Estates.

Agenda item no. 11

Q3 Budget Monitoring Report 2021-22

(a) Decisions

The report set out the overview of the financial Revenue and Capital outturn position for Buckinghamshire Council for the financial year 2021/22 as at quarter 3. The Appendix provided further detail for each Portfolio and information about performance relating to overdue debts and late payments of commercial debt.

RESOLVED –

- (1) That the current forecast outturn for the financial year 2021/22 and the associated risks and opportunities, be noted.**
- (2) That the principle to transfer unused contingencies at year end, currently forecast at £6.2m, to an earmarked reserve be approved. The reserve will be used to mitigate the potential impact of Local Government fund reform, and heightening risks around the financial implications associated with inflation, Adult Social Care reforms and the ongoing impact of Covid-19.**

(b) Reasons for decisions

To understand the financial position of the Council in respect of 2021-22 Budgets.

(c) Alternative options considered

None arising directly from the report.

(d) Conflicts of interest/ dispensations

None.

Agenda item no. 12

Q3 Performance Report 2021-22

(a) Decisions

Cabinet received a report that detailed the performance of the key performance measures reported through the Corporate Performance Framework for 2021/22. Latest performance outturns and targets for the quarter 3 period were reported alongside trend and benchmarking information, where available.

RESOLVED –

- (1) That the Council's performance for the Quarter 3 period 2021-22 be noted.**
- (2) That the actions being taken to improve performance, where required, be noted.**

(b) Reasons for decisions

The Corporate Performance Framework is reported on a quarterly basis to Cabinet to ensure there is understanding, ownership and accountability for performance outturns, including actions to improve performance where appropriate.

(c) Alternative options considered

None arising directly from the report.

(d) Conflicts of interest/ dispensations

None.

For further information please contact: Craig Saunders -
democracy@buckinghamshire.gov.uk You can view upcoming decisions to be made and all decisions taken on the Council's website [here](#).