



Council agenda

Date: Wednesday 24 November 2021

Time: 4.00 pm

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

Membership:

Z Mohammed (Chairman), D Dhillon (Vice-Chairman), S Adoh, A Alam, M Angell, D Anthony, K Ashman, M Ayub, R Bagge, M Baldwin, D Barnes, S Barrett, P Bass, K Bates, A Baughan, J Baum, P Birchley, D Blamires, A Bond, M Bracken, C Branston, S Broadbent, N Brown, S Bowles, P Brazier, T Broom, T Butcher, M Caffrey, R Carington, D Carroll, B Chapple OBE, S Chapple, Q Chaudhry, S Chhokar, J Chilver, A Christensen, L Clarke OBE, A Collingwood, M Collins, P Cooper, C Cornell, A Cranmer, E Culverhouse, I Darby, T Dixon, M Dormer, P Drayton, T Egleton, C Etholen, P Fealey, M Flys, R Gaffney, M Fayyaz, R Gaster, E Gemmell, P Gomm, D Goss, T Green, P Griffin, S Guy, G Hall, G Harris, M Harker OBE, C Harriss, D Hayday, O Hayday, C Heap, T Hogg, G Hollis, T Hunter-Watts, A Hussain, I Hussain, M Hussain JP, M Hussain, M Hussain, N Hussain, T Hussain, P Irwin, Cllr C Jackson, S James, D Johncock, C Jones, J Jordan, S Kayani, P Kelly, R Khan, D King, M Knight, S Lambert, J MacBean, A Macpherson, I Macpherson, F Mahon, N Marshall, P Martin, R Matthews, Dr W Matthews, H Mordue, S Morgan, N Naylor, J Ng, R Newcombe, C Oliver, A Osibogun, A Poland-Goodyer, C Poll, S Raja, W Raja, N Rana, M Rand, S Rouse, J Rush, G Sandy, G Smith, L Smith BEM, M Smith, N Southworth, B Stanier Bt, M Stannard, P Strachan, R Stuchbury, L Sullivan, D Summers, M Tett, N Thomas, D Thompson, D Town, J Towns, A Turner, M Turner, P Turner, G Wadhwa, A Waite, H Wallace, L Walsh, M Walsh, J Ward, J Wassell, J Waters, D Watson, A Wheelhouse, W Whyte, G Williams, S Wilson, M Winn, A Wood and K Wood

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Council minutes

Minutes of the meeting of the Council held on Wednesday 15 September 2021 in The Street, Buckinghamshire Council, Gatehouse Road, Aylesbury HP19 8FF, commencing at 4.00 pm and concluding at 8.51 pm.

Members present

Z Mohammed, D Dhillon, A Alam, M Angell, D Anthony, K Ashman, M Ayub, R Bagge, M Baldwin, D Barnes, S Barrett, P Bass, J Baum, P Birchley, A Bond, M Bracken, S Broadbent, N Brown, S Bowles, P Brazier, T Butcher, M Caffrey, R Carington, D Carroll, B Chapple OBE, S Chapple, Q Chaudhry, J Chilver, M Collins, P Cooper, C Cornell, A Cranmer, E Culverhouse, I Darby, T Dixon, M Dormer, P Drayton, T Egleton, P Fealey, M Flys, R Gaffney, M Fayyaz, R Gaster, E Gemmell, P Gomm, D Goss, P Griffin, S Guy, G Hall, G Harris, C Harriss, D Hayday, O Hayday, T Hogg, A Hussain, I Hussain, M Hussain JP, M Hussain, M Hussain, N Hussain, T Hussain, Cllr C Jackson, S James, C Jones, J Jordan, S Kayani, P Kelly, R Khan, D King, M Knight, S Lambert, J MacBean, A Macpherson, F Mahon, R Matthews, Dr W Matthews, H Mordue, S Morgan, N Naylor, R Newcombe, C Oliver, A Osibogun, A Poland-Goodyer, C Poll, S Raja, W Raja, N Rana, M Rand, S Rouse, G Sandy, G Smith, L Smith BEM, M Smith, P Strachan, R Stuchbury, L Sullivan, D Summers, M Tett, N Thomas, D Thompson, D Town, A Turner, M Turner, G Wadhwa, A Waite, L Walsh, M Walsh, J Ward, J Wassell, D Watson, A Wheelhouse, W Whyte, G Williams, S Wilson, M Winn, A Wood and K Wood.

Agenda Item

1 **Honorary Aldermen Mr Bruce Allen and Mrs Freda Roberts MBE**

Prior to the commencement of official business, tribute was paid to two Honorary Aldermen, Mr Bruce Allen and Mrs Freda Roberts, who had recently passed away. The Chairman recorded sincere condolences to Mr Allen's family and to Freda's children (Tim and Sally) and wider family on their sad losses.

Mr Bruce Allen – Councillor I Darby paid tribute to Bruce Allen who had served as a member of Buckinghamshire County Council for the Chalfont St Peter East Division from 1997 to 2005, and for the Chalfont St Peter Division from 2005 to 2013. He had served as Chairman of the Personal Care Scrutiny Committee from 2001 to 2002, and as Chairman of the Adult Services Scrutiny Committee from 2005 to 2009. In 2014, he had been made an Honorary Alderman by Buckinghamshire County Council for his long service, and subsequently an Honorary Alderman of Buckinghamshire Council.

Mrs Freda Roberts MBE – The Chairman and then Councillor S Lambert paid tribute

to Freda Roberts who had first been elected as a councillor for Southcourt on the Aylesbury Borough Council in 1963 before the local authority reorganisation in 1974, when it became Aylesbury Vale District Council (AVDC).

Freda's service to the County, Aylesbury Vale District, Aylesbury had included serving as Buckinghamshire County Councillor from 1968 to 1977 and from 1981 to 2013, representing the Aylesbury West Division. During that time, she had served on committees including the Aylesbury Vale Local Committee, Governance Panel, Overview and Scrutiny Committee for Adult Services, and the Standards Committee.

Freda had first been elected to AVDC in 1974 for the Southcourt Ward, and was an AVDC Councillor for 41 years from 1974 to 2015. During that time, she served on many committees and outside bodies including the Development Control Committee, Licensing Committee and the Standards Committee, and the Vale of Aylesbury Housing Trust Board, Bucks County Scout Movement (Vice President) and the Aylesbury Scout Movement (President). She had been fundamental in the re-establishment of Aylesbury Town Council throughout the 1990s, and was Mayor of Aylesbury on three occasions. She had been awarded an MBE in 1985. Mrs Roberts had made an Honorary Alderman by Bucks County Council in 2014 and by AVDC in 2015. In 2016, she had been awarded the title of Honorary Freewoman of the Parish of Aylesbury, in recognition of over 52 years exceptional service to the people of Aylesbury.

Members then observed a minute's silence in memory of Mr Bruce Allen and Mrs Freda Roberts MBE.

2 Apologies

Apologies were received from Councillors S Adoh, K Bates, A Baughan, D Blamires, C Branston, T Broom, S Chhokar, A Christensen, L Clarke OBE, A Collingwood, C Etholen, T Green, M Harker OBE, C Heap, G Hollis, T Hunter-Watts, P Irwin, D Johncock, I Macpherson, P Martin, J Ng, J Rush, N Southworth, Sir B Stanier Bt, M Stannard, J Towns, P Turner and J Waters.

Others: Lady Howe (Lord Lieutenant), and Mr George Anson (High Sheriff).

3 Minutes

It was noted that Councillor Birchley's apologies had not been noted for the meeting on 21 July 2021, and that some questions asked during the Cabinet reports item had not been recorded. The following cabinet members had been asked questions:

- Cabinet Member for Transport regarding the current e-scooter trial in Buckinghamshire.
- Cabinet Member for Finance, Resources, Property and Assets on whether income from filming in the Little Marlow area, whereby a temporary film set had inconvenienced local residents for many months, would be set aside for capital improvement works to the Little Marlow Country Park.
- Deputy Cabinet Member for Education and Skills on the Special Educational Needs and Disabilities Education Sufficiency Strategy and the proposed

closure of boarding at the Alfriston School, Knotty Green.

RESOLVED –

That the minutes of the Council meeting held on 21 July 2021 be agreed as a correct record, subject to the additional information, as noted.

4 Declarations of Interest

Councillor R Carington declared a personal interest in agenda item 6 Vale of Aylesbury Local Plan (VALP) as a Trustee of Lord Carrington's 1963 Settlement which is landowner in the VLAP area, and left the meeting for the duration of consideration of the item.

5 Chairman's Update

Members noted that the Chairman had recently been able to attend a number of events due to the easing of coronavirus restrictions. The Chairman had been pleased to represent Buckinghamshire Council at the Paralympic Games opening ceremony at Stoke Mandeville Stadium. The ceremony had put Buckinghamshire on the world stage, and had also been attended by the Japanese Ambassador to the United Kingdom. The Chairman expressed thanks to the officers and everyone involved that had made the event a success.

The Chairman had attended the opening of the Lady Ryder Memorial Garden, to support the volunteers there carrying out activities for SEND children, and the wider community. Members were encouraged to visit the garden to see the fantastic work of the volunteers first hand.

6 Petitions

There were none.

7 Vale of Aylesbury Local Plan (VALP)

Councillor Williams, Deputy Leader and Cabinet Member for Planning and Regeneration introduced a report on the Vale of Aylesbury Local Plan (VALP). A supplementary report had also been issued to amend a minor error regarding a site area, and to ask for authority to be delegated to the Cabinet Member, in consultation with the Service Director for Planning and Environment, to make further minor amendments that would not alter the implementation of the plan.

Following its submission in 2018, the appointed Inspector had completed his Examination of the plan and prepared his binding report setting out how the VALP should be modified in order to be sound. To fully enact the plan, as modified to accord with the Inspector's report, it had to be adopted by the Council. If the plan was not adopted, it would need to be withdrawn leaving the North and Central areas of the council without an up to date Development Plan.

The Cabinet Member stressed that it was important for the Aylesbury Vale area of

the Buckinghamshire Council to have an adopted Local Plan as it would support the delivery of 30,134 homes, including 16,000 in and around Aylesbury. Of these numbers, approximately 8,000 homes would be built to take the unmet housing needs from the southern part of the Council's area. An adopted local plan would allow local people and the Council to determine and decide where development took place rather than be subject to unwanted opportunistic and speculative applications from developers. Lastly, the VALP would also provide an incremental increase in the amount of green belt space in the Vale, which was highly unusual for a Local Plan to achieve.

The Cabinet Member responded to questions on the VALP as follows:

- That while 76% of the allocations in the VALP had already been completed or committed, not adopting the VALP would be unlikely to stop the planned growth at areas such as Hampden Fields or Woodlands.
- That as the information in the VALP regarding the expressway was out-of-date and not linked to a policy, the Cabinet Member would be looking to treat this as a factual correction, should Council give him delegated authority to make further minor amendments that would not alter the implementation of the plan.
- On some of the initiatives and tools in the VALP to protect biodiversity and the environment, which included adding 98.6 hectares of green belt to Buckinghamshire.
- On the methodology that had been used to calculate social and affordable housing numbers.
- That, as stated at the Cabinet meeting earlier in the week, the Council would engage with the Whaddon Parish Council at the earliest opportunity with regards to a SPD on the Shenley Park development.
- that the Council would continue to support Town and Parish Councils with the formation of their Neighbourhood Plans.
- It was confirmed that the Council would be looking to develop a new transport plan for Buckingham. In addition, Officers had been asked to undertake a study on the A421 corridor.
- That some wind generation already existed at Berryfields, near Aylesbury.

RESOLVED –

- (1) That the Planning Inspector's report, Appendix 2 to the agenda, be accepted.

- (2) That the Vale of Aylesbury Local Plan, as modified in accordance with the Inspector's report (Appendix 1), and updated to amend a minor error regarding a site area referred to in paragraph 2.1 of the supplementary agenda report, be adopted.
- (3) That the final Sustainability Assessment report, detailed with the supplementary agenda, be noted.
- (4) That authority be delegated to the Cabinet Member for Planning and Regeneration, in consultation with the Service Director for Planning and Environment, to make further minor amendments that would not alter the implementation of the plan.

8 Reports from Cabinet Members

Cabinet Members introduced their reports. There was then an opportunity for Members to ask questions of individual Cabinet Members about matters and issues affecting their portfolios:

Leader of the Council, Councillor Tett

The Leader updated Members on the position with refugees from Afghanistan. Buckinghamshire had made an initial offer to the Government to support 10 families, with an aspiration to support 30 families.

- (i) **Afghan Refugees** – the Member was supportive of the Leader and the Council's efforts to support refugees. A request was made to reach out to local Members and communities (e.g. mosques) who might be able to assist with further support. Members were informed to contact the 'Helping Hand' service on the website if they could provide support and that clothes collections were not required at the moment. Donations of money were encouraged from those able so that cultural sensitive clothing and household goods could be purchased for refugees.

Members were also informed of the processes that were being put in place to welcome refugees and to make them feel a part of the Buckinghamshire community.

- (ii) **Support for Refugees** – the Member thanked the Council for the efforts and support being put in place for refugees.
- (iii) **20 mph Speed Limits** – Members were informed that the Leader was supportive of effective action being taken that would reduce speed limits where this was deemed appropriate. People also had a responsibility to ensure that they observed these limits when driving. It was also highlighted that a key issue was enforcement, that was a police responsibility.

Deputy Leader and Cabinet Member for Health and WellBeing, Councillor A Macpherson

Councillor A Macpherson highlighted the recent Government announcement on new plans for adult and social care. A new levy and additional funding for local Government would assist with delivering much needed reform to social care. The Council was working to unpick and understand all of the details of the proposals. The Cabinet Member also highlighted the information in her report relating to adult safeguarding.

- (i) **Short Break Service and Respite Care** – The Cabinet Member confirmed the importance of re-looking at day care and respite care options, particularly due to changes (as well as demand issues) that needed to be addressed due to the pandemic and other factors. The Cabinet Member gave an assurance to write to the Member with details of a review timetable and when Members would be involved.
- (ii) **Buckinghamshire Autism Strategy Plan** – Members were informed that work was being done on the strategy, which was an all age strategy, and that diagnosis and referrals were the responsibility of NHS partners. The Cabinet Member would welcome questions such as that raised by the Member being submitted to the Health and Wellbeing Board. The Cabinet Member for Education and Children’s Services also commented on assistance provided for young people with autism. In total, 24 young people with autism were being home schooled. There were 6 specialist schools across the County that catered specifically for autistic children. It was also confirmed that pathways into assistance were the responsibility of the NHS.

Members were informed that a full range of stakeholders were being consulted in putting together the Strategy Plan.

- (iii) **Safeguarding Campaign** – Members were provided with information on measure that were being taken to widely communicate the campaign, including through Members, Town and Parish Councils and Community Boards. A wealth of material was also available on the Council’s website, including how to report safeguarding issues (which could be done anonymously).
- (iv) **Services for Adults with a disability** – Members were informed that sufficient budget existed to deal with referrals and assessments when children with a disability moved to be managed by adult services. Efforts were made to ensure that this transition process happened as seamlessly as possible. Budget also existed to fund care packages.
- (v) **Care Homes** – Members were informed that the Government had mandated that all people / carers who worked in care homes (including young persons) from 11 November 2021 had to be Covid vaccinated. The Cabinet Member confirmed that the Council did monitor the percentage of Care Home staff

that had been vaccinated, which currently stood at around 85% for Buckinghamshire. The Council had identified the risk of some staff leaving the care sector due to the above reasons as part of planning for the winter period.

- (vi) **Elderly Residents** – the Member thanked the Cabinet Member and her team for the assistance recently provided to 2 elderly residents.
- (vii) **Social Care staffing / Food Poverty** – Members were provided with an update. Recruitment of staff to both children’s and adult social care continued to be challenging and difficult. Details of the recruitment strategy were provided. If necessary, the Council would employ agency staff to fill vacancies to ensure vital services were provided. Adult Services currently had a permanent staffing number of 60% and this was boosted by agency staff to 72%.

Members were informed by the Cabinet Member for Communities that the Council was currently running a food bank pilot in High Wycombe. The Council had also been provided with £2.5m funding to assist vulnerable families, which included for initiatives such as a hot foods programme to vulnerable families.

- (viii) **Adult Social Care Precept for 2021-22** – the Cabinet Member responded to a question on why the Council had resolved to increase this precept by 2% for 2021-22 rather than the maximum 3% that was permitted. Members were informed the Council was always looking at ways to fund the pressures on the budget due to demand and complexity.
- (ix) **Safeguarding Campaign** – The Cabinet Member informed Members that materials were available to assist them in communicating more widely to the community about the Safeguarding Campaign.
- (x) **Young Persons Mental Health** – Members were informed on the range of services and initiatives that were available to support young persons who might have mental health issues. Work was ongoing to ensure that young people were aware how to access these services.

Cabinet Member for Climate Change and Environment, Councillor Strachan

Councillor Strachan informed Members that the Council had been successful with the bid for over £200k from the Local Authority Treescapes Fund (LAFT) to support tree planting in non-forest locations.

- (i) **Grant Funding (Stoke Brook)** – the Cabinet Member gave an undertaking to write to the Member on Government grant funding received that could support flood alleviation work for the Stoke brook in his Ward.
- (ii) **Green Recovery Challenge Fund** – the Cabinet Member gave an undertaking to write to the Member on what allocation the Council had received from

this fund and, if so, what projects the money would fund.

- (iii) **Environmental Sustainability** – the Cabinet Member stated that he would be happy to speak to the Member regarding what might be achieved, perhaps through a competition, to identify low cost environmental and sustainable initiatives.
- (iv) **Climate Change Strategy** – Members were informed that it was always the intention for the Council to adopt the Strategy, which would be done later this year, and having an eye on what might come out of 2021 UN Climate Change Conference (COP26). An undertaking was also given to write to the Member on what has been done for the management of mature trees on Council land.
- (v) **Laser Co-operative** – The Cabinet Member asked the Member to write to him with details of the Laser Co-operative and the wish of Town/Parish Councils wish for providers to it to be more green and ethical suppliers, so that he could refer the question to Officers.
- (vi) **Food Waste Collections, Wycombe area** – Members were informed that any food waste collected did not go to landfill and was burnt at the Energy from Waste plant, along with non-recyclable waste. An update was also provided on household waste collections, which continued to be impacted by the lack of HGV drivers. Unlike some neighbouring authorities, the Council had not temporarily suspended collecting green waste.
- (vii) **Flood mobile team event** – the Cabinet Member was thanked for a recent event held in Wycombe. It was requested that Buckingham be prioritised for the next event.
- (viii) **Garden Waste, Wycombe** – the Cabinet Member stated that he was aware that residents were not charged for the garden waste collection service in Wycombe, which differed to some other parts of the Council area. Future arrangements were being reviewed and discussed.
- (ix) **Climate Change** – Members were informed of the work that was being undertaken by the Council in response to climate change, including to adopt a Strategy which would contain properly costed actions that could be taken.
- (x) **Electric Vehicle Car Sharing Scheme (Zero Carbon, Haddenham)** – the Cabinet Member stated that he was supportive of this and similarly aimed schemes.
- (xi) **Section 19 Flood Reviews** – the Cabinet Member gave an undertaking to write to the Member in regards to Section 19 Flood Reviews undertaken for the Buckingham area.
- (xii) **HS2 losing bentonite** – the Cabinet Member for Transport informed Members that he had written to HS2 to express concerns over the loss of

vast amounts of bentonite in an aquifer where construction works were being carried out north of Chalfont St Peter. He had also asked for re-assurances and safeguards for future work so this did not happen again.

- (xiii) **Greatmoor Energy from Waste facility** – the Cabinet Member gave an undertaking to write to the Member with further information on the operation and running of the incinerator, including expected life of the incinerator.

Cabinet Member for Culture and Leisure, Councillor Harriss

The Cabinet Member welcomed the easing of restrictions for the leisure industry, which was allowing people to return to theatres and cinemas and helped to boost the local economy.

- (i) **Youth Club, 1st floor, Wycombe Library** – The Cabinet Member welcomed the news of youth activities taking place at Wycombe Library, and stated he would be happy to visit in the future.
- (ii) **Queens Park Arts Centre (QPAC), Aylesbury** – The Cabinet Member gave an undertaking for the Council include publicity on the QPAC in the future when promoting local theatres , and accepted an invitation to attend the Centre in the near future.
- (iii) **Chiltern Lifestyles Centre** – Members were informed that following the works the Centre was due to be completed by the end of October, and opened to the public in early November. Details of the official opening ceremony were yet to be finalised and were dependent on the availability of key guests. The Cabinet Member was also confident that robust arrangements were in place to manage the outsourced leisure contract for the Centre.
- (iv) **Mentmore Towers** – the Cabinet Member would come back to the Member on what powers the Council might have to force the owner of this building to maintain it.
- (v) **Events in Buckingham** – The Cabinet Members stated he would be happy to accept the invitation to attend events in Buckingham in the future.

Deputy Leader and Cabinet Member for Planning and Regeneration, Councillor Williams

Members were informed of two matters:

- **Local Heritage List Campaign**– the Council was one of 22 areas in the country participating in a MHCLG pilot scheme, which was now live, to identify non-designated local heritage assets (buildings, monuments, sites, places, areas or landscapes which had been identified as having a degree of significance meriting consideration in planning decisions, because of their heritage interest), but must include buildings. Members of the public were

encouraged to identify assets they believed should be added to the list.

- Design Code pilot – the Council was one of 14 local planning authorities in England selected by the MHCLG to apply the new National Model Design Code (NMDC) to their areas in a six-month testing programme. The code would give local planning authorities a toolkit of design principles to consider for new developments, such as street character, building type and façade. It also features environmental, heritage and wellbeing factors. It would also help place shape for the new Buckinghamshire Local Plan.
- (i) **Planning and Enforcement Teams Recruitment** – Members were provided with an update on the recruitment of staff to these teams.
- (ii) **Planning Committee Site Visits** – The Cabinet Member confirmed that the latest guidance for Planning Committee Site Visits was that visits should be for Members of the relevant Planning Committee only, and not include the attendance of local Members. Inviting local members could be viewed as permitting advocacy during a site visit, and so by not inviting local members, committee members would be protected against accusations of impropriety.
- (iii) **Retrospective Planning** – the Cabinet Member was requested to lobby the Government about the large number of cynical retrospective planning applications that the Council was receiving and had to deal with.
- (iv) **Footpaths** – The Cabinet Member encouraged the Member to contact him and/or the Cabinet Member for Transport, in addition to the relevant Council Officers, if he had particular local issues such as developers close footpaths for prolonged period of time on safe routes to schools.
- (v) **Local Heritage List Campaign** – Members were informed that they were able to nominate non-designated local heritage assets onto the portal, which might include cemeteries, but these would then need to be checked by the team of Heritage Officers before being confirmed and put onto the local heritage list.
- (vi) **Time taken to determine planning applications** – Members were informed that 42% additional planning applications had been submitted for the last quarter, compared to the previous period. However, he was confident that the planning team was working to process applications, including any backlogs, as soon as was possible. 82% of all applications had been determined during the last quarter. An update was also provided on enforcement and enforcement notices issued.
- (vii) **Neighbourhood Plans** – Members were informed that the Cabinet Member would ask Officers to look at ways that further assistance / training might be provided to Town and Parish Councils on Neighbourhood Plans and the planning process.
- (viii) **Permitted Development Rights** – Members were informed that the

Buckinghamshire Local Plan would be put together between now and 2025. Members were also informed that the Council was looking at making use of Article 4 notices to protect local high streets from permitted development rights applications looking to change the use of premises from office to residential.

- (ix) **Speculative Development** – Members were informed that it was hoped that having an adopted VALP, as well as implementing a back office process called RIPA (Reducing Invalid Planning Applications), would deter the number of speculative development applications being received and enable Officers to concentrate on valid planning applications.

Cabinet Member for Housing, Homelessness and Regulatory Services, Councillor Naylor

The Cabinet Member drew Members attention to the Housing Section of his report.

- (i) **Homelessness** – Members were informed that Government funding for the ‘Everyone In’ programme had ceased and there was not a replacement. The Cabinet Member gave an undertaking to provide the Members with information on further work that was being done with third party organisations to mitigate homeless risks and, if possible, with data on what had happened to the 250 people who had been resettled into temporary accommodation during the pandemic.

The Cabinet Member also responded to a question about the use of Mentmore Towers being brought back into use as accommodation for the homeless.

- (ii) **Accommodation for Prison Leavers** – Members were informed that the Council had been successful earlier this year in obtaining funding from MHCLG to support an ex-offenders accommodation scheme. Funding had also been received for 2 support Officers. Further details were provided of the work being undertaken by this team.

Cabinet Member for Education and Children’s Services, Councillor Cranmer

The Cabinet Member informed Members the friends of Wycombe Wanderers had joined with the Council to provide support to a number of initiatives and provide assistance to children in care. An update was also provided on Bucks Adult Learning, which included the provision of apprenticeship schemes.

- (i) **11 Plus Examinations** – the Member thanked the Director of Children’s Services and his staff for assistance with some difficult case work over the summer period. The Cabinet Member informed Members that she was confident the 11+ examination process was being administered to a very high standard. The Department for Education had yet to release this year’s results to the Council and this information would be shared with Members in due course.

- (ii) **Rollout of Covid vaccinations for 12-15 year olds** – Members were informed that the rollout date would be announced by the Government in due course but plans had been put in place to proceed as soon as was possible if the programme was to go ahead. All vaccination programmes would be done at schools and in school time and be administered by the CCG with trained staff. Parental permission would be required for vaccinations of under 16s although children could go against their parents’ wishes.
- (iii) **Narrowing education gaps** – Members were informed that schools were encouraged to get the best from each individual child to help them reach their potential. As such, the focus was on cohesion rather than separation so a detailed analysis of pupil data e.g. on ethnicity, gender and other key variables was not undertaken.
- (iv) **Unaccompanied Asylum Seeking Children** – Members were informed that this was a matter for central Government and, as such, the Council was usually reactive rather than proactive to issues. A brief summary was provided on how the Council managed unaccompanied asylum seeking children who came to Buckinghamshire.
- (v) **Role of the Virtual School Head** – The Cabinet Member agreed that children’s wellbeing and mental health had suffered due to the pandemic. Members were provided with a detailed response on the many support initiatives that were now being delivered, mainly in school settings, and also now included mental health training / wellbeing information for School Heads.
- (vi) **Educational Psychology Team** – The Cabinet Member informed Members that she was supportive of clinical support provision being provided on a wider basis to senior and middle leaders in education settings. She hoped that schools would be honest in requesting the level of support they might need.
- (vii) **Benjamin UK Homes** – The Cabinet Member stated that she was happy to work with the Member, outside of the meeting, to address the issues raised about Benjamin UK Homes in his Ward.

Cabinet Member for Communities, Councillor Bowles

- (i) **Governance - Aylesbury Garden Town** – it was asked how many informal/ other groups had been set up to advise the Cabinet Member on matters relating to Aylesbury Garden Town, who sat on these groups, and were they politically balanced. Members were advised that Aylesbury Garden Town was part of Councillor William’s portfolio and to follow up with him in relation to Aylesbury Garden Town and engagement.
- (ii) **Community Safety / Town and Parish Charter** – The Cabinet Member

informed the Member that he was happy to meet with him to discuss both of these issues. Members were informed that the Charter was being further reviewed and updated following recent consultation with Town and Parish Councils and other stakeholders.

- (iii) **Food Insecurity** – The Cabinet agreed that food insecurity was an important issue and highlighted the pilot that was operating in High Wycombe through the Helping Hands Scheme.
- (iv) **Financial Insecurity Partnership, Wycombe** – The Cabinet Member asked the Member to write to him about this matter and he would respond more fully.
- (v) **Vaccine Uptake** – The Cabinet Member asked the Member to write to him and he would respond more fully on efforts being taken to encourage the uptake of the Covid vaccine in ethnic minority communities.

Cabinet Member for Transport, Councillor Broadbent

- (i) **Traffic Congestion and Parking** – Members were provided with an update on the Parking Enforcement Service, although the issue about £8k funding paid towards an Enforcement Officer at Hazlemere would need to be looked at outside of the meeting. An undertaking was also given to visit the Hazlemere area with the local Member.
- (ii) **Gully Clearing** – The Cabinet Member was congratulated for the ongoing work that was being done. Members were also informed that this programme had fallen behind slightly due to the lack of HGV drivers but that by 4 October there would be 10 teams working to clear gullies, and catch up on that work, across the Council area. To date, 25,000 (29%) of 85,000 gullies had been cleared.
- (iii) **Transport for Bucks** – Members were informed on the complexities and associated costs of work carried out by Transport for Bucks. Information was also provided on the traffic assessments, which included on speed limits, that were reported to Community Boards or undertaken as part of new developments.
- (iv) **Thanks + MFAC** – The Cabinet Member agreed with the Member that the 2 marshalls employed to deal with East West rail issues were doing a fantastic job. Thanks were also passed to the home to school client transport team for working to resolve minor issues. The Member was asked to write about MFAC (traffic light smiley faces) and a response would be provided.
- (v) **Road closures in / about Aylesbury** – The Cabinet Member explained the reasoning behind some of the planned road closures and works happening around Aylesbury, one of which was required to move a large sewer pipe. He also empathised with local people for the inconvenience this was causing.

- (vi) **Improving Public Transport** – Members were informed that looking at bus networks (quality, frequency and reliability) was at the centre of strategic transport work being carried out by the Council. Information was provided on initiatives and on the Bus Service Improvement Plan that was being worked up with operators.
- (vii) **Mill Lane / A422** – The Cabinet Member informed Members that he was surprised and disappointed by the Planning Inspector’s decision relating to allowing HGV vehicle movements to/from development sites MMO006 and BUC043 (relating to the building of HS2), that would cause severe impacts to the local highways’ network. The Council was carefully considering whether it would be feasible to challenge this decision.

Cabinet Member for Finance, Resources, Property and Assets, Councillor Chilver

- (i) **Council Loans and Finances** – The Cabinet Member informed the Member that following the last Council meeting he had been provided with the information he had requested. The new Council had inherited a number of loans from legacy Councils but had not taken out any new loans since becoming a unitary. Members were informed that the Council currently had £314m in loans but also £178m in investments (net £136m), as well as £48m in unallocated reserves. It was reported that the Council had planned for a balanced budget for 2021-22, and was in a very strong financial position.
- (ii) **Aylesbury Court House, Market Square** – The Cabinet Member agreed that the Aylesbury Court House was an extremely important and valued heritage asset. The Council was currently looking at the best possible uses for the Court House and surrounding buildings, and this would include consulting with the Town Council and other stakeholders. A report would come forward for consideration in due course.
- (iii) **Staff Wellbeing Survey** – The Cabinet Member agreed caring for staff and their well-being was extremely important. Continued efforts would be made to publicise the next staff survey to ensure that it reached as many staff as possible, as there had been a dip in response rates for the last survey from 60% to 49%. Staff responses for the last survey had shown that staff morale continued to be high.

9 Notices of Motion

(i) Adult and Social Care Funding

The motion was proposed by Councillor Stuchbury and seconded by Councillor Wilson

“In anticipation of a steadily ageing population (an increase of nearly 18,000 65s+ by 2030, +17% versus 2021 in Buckinghamshire according to ONS) and the ongoing

impact of the Covid-19 pandemic, this Council agrees that the Adult & Social Care Precept, linked to a Council Tax cap, is an unsustainable mechanism for funding adult and social care in the mid and long-term.

The Council calls on the Leader to send a cross-party letter to the Chancellor of the Exchequer and Secretary of State for Health & Social Care urging the Government to address this critical matter in its forthcoming spending review with the relevant plans and legislation put in place to enable local government to support our elderly and most vulnerable appropriately.”

An amendment to the motion (additional wording, in BOLD) was proposed by Councillor A Macpherson and was seconded by Councillor C Jackson. This read as follows:

“In anticipation of a steadily ageing population (an increase of nearly 18,000 65s+ by 2030, +17% versus 2021 in Buckinghamshire according to ONS) and the ongoing impact of the Covid-19 pandemic, the Council agrees that the Adult and Social Care Precept, linked to a Council Tax cap, is an unsustainable mechanism for funding adult and social care in the mid to long term.

The Council **acknowledges the Government’s recent announcement on social care funding and** calls on the Leader to send a cross-party letter to the Chancellor of the Exchequer and the Secretary of State for Health & Social Care to ~~urging the Government to address this critical matter in its forthcoming spending review with the relevant plans and legislation put in place:~~

- 1. Welcome the Government’s announcement as an important first step towards putting social care funding on a sustainable footing and to improve the quality and availability of social care services.**
- 2. Welcome the Government’s commitment to work with local authorities, social care users and other stakeholders to develop a new social care white paper supported by sufficient long term investment.**
- 3. Set out our concerns regarding the severe financial pressures on local government in the short to medium term and the need for funding to alleviate these pressures in the forthcoming Comprehensive Spending Review** to enable local government to support our elderly and most vulnerable appropriately.”

Councillor A Macpherson stated that the amendment took into account the recent announcement and publication by the Government on 7 September 2021 of the ‘Build Back Better’ report, that was a welcome starting point to look at health and social care reforms. Members were also informed of the many pressures impacting on the sustainability of adult social care funding including, demography, an ageing population, complexity of need, the increase in resident need for care by the Council, and caring for residents with physical and learning difficulties.

Councillor Jackson urged Members to support the amendment stating that it was right that the motion text be updated following a major announcement by central Government.

Following debate of the amendment, the proposer and seconder of the original motion stated that they would be happy to accept the amendment.

The amendment was then put to the meeting and was **CARRIED**. The amendment, as the substantive motion, was then also put to the meeting and was **CARRIED**.

RESOLVED –

- (1) That the Government's recent announcement on social care funding be acknowledged.
- (2) That the Leader of the Council would send a cross-party letter to the Chancellor of the Exchequer and the Secretary of State for Health & Social Care to:
 - (i) Welcome the Government's announcement as an important first step towards putting social care funding on a sustainable footing and to improve the quality and availability of social care services.
 - (ii) Welcome the Government's commitment to work with local authorities, social care users and other stakeholders to develop a new social care white paper supported by sufficient long term investment.
 - (iii) Set out concerns regarding the severe financial pressures on local government in the short to medium term and the need for funding to alleviate these pressures in the forthcoming Comprehensive Spending Review to enable local government to support our elderly and most vulnerable appropriately.

(ii) Climate Risk

A Notice of Motion entitled 'Climate Risk' had been published with the agenda, as follows:

Proposer: Councillor Ed Gemmell

Secunder: Councillor Greg Smith

"The Council notes that the effects from Climate Change are widespread, rapid and intensifying and are affecting all areas of the Earth in multiple ways as stated by representatives of the IPCC on 9 August 2021.

These rapid and intensifying effects are already affecting the UK and Buckinghamshire in multiple ways which will only get worse as the global

temperature rapidly approaches, and likely surpasses, 1.5 degrees in the early 2030s.

In recognition of the risks associated with such effects the Council proposes that all risk registers for the council, all departments within the council and in all associated bodies over which the council has influence should be updated to include "climate risk" or "risk from climate change".

Prior to its introduction and any discussion of the motion, a Motion without Notice was moved by Councillor Chilver, and duly seconded by Councillor Newcombe, that the motion, as it stood, be referred to the Audit and Governance Committee as the appropriate Committee of the Council that dealt with risk registers.

A requisite number of Members present requested that a recorded vote be held on referring the motion. Following a recorded vote on it, it was declared to be **CARRIED**.

Voting was as follows:-

FOR: Councillors A Alam, R Bagge, D Barnes, S Barrett, J Baum, S Bowles, M Bracken, P Brazier, S Broadbent, N Brown, T Butcher, M Caffrey, R Carington, D Carroll, B Chapple OBE, S Chapple, Q Chaudry, J Chilver, M Collins, C Cornell, A Cranmer, I Darby, D Dhillon, M Dormer, M Flys, R Gaster, P Gomm, D Goss, G Hall, C Harriss, T Hogg, A Hussain, Mahboob Hussain JP, C Jackson, J Jordan, P Kelly, D King, A Macpherson, F Mahon, W Matthews, Z Mohammed, N Naylor, R Newcombe, C Oliver, A Osibogun, S Raja, M Rand, S Rouse, G Sandy, L Smith BEM, P Strachan, D Summers, L Sullivan, M Tett, N Thomas, D Thompson, D Town, A Turner, M Turner, M Walsh, J Ward, D Watson, G Williams, M Winn and K Wood.

AGAINST: Councillors P Cooper, T Dixon, P Drayton, M Fayyaz, E Gemmell, P Griffin, I Hussain, Majid Hussain, S Kayani, M Knight, S Lambert, S Morgan, N Rana, G Smith, M Smith, R Stuchbury, J Wassell, A Wheelhouse and S Wilson.

ABSTENTIONS: There were none.

RESOLVED –

That the Notice of Motion 'Climate Risk' as submitted to the Council meeting be referred for consideration by the Audit and Governance Committee, as the appropriate Committee of the Council that dealt with risk registers.

10 Questions on Notice from Members

The written responses to questions from Members, published as a supplement to the agenda were noted.

11 Report for information - Key Decisions Report

A list of decisions taken by Cabinet Members since the last Full Council meeting on

21 July 2021 were received and noted.

12 Date of Next Meeting

The next full Council meeting was scheduled to take place on Wednesday 24 November 2021 at 4pm.



Report to Full Council

Date:	24 November 2021
Title:	Buckinghamshire Youth Justice Strategic Plan 2021-22
Cabinet Member(s):	Cllr Anita Cranmer, Cabinet Member for Education and Children's Services
Contact officer:	Richard Nash, Corporate Director Children' Services
Ward(s) affected:	None specific
Recommendations:	For Council to agree the 2021-2022 Youth Justice Strategic Plan.

1. Executive summary

1.1 The purpose of this report is to present the Buckinghamshire Youth Justice Strategic Plan 2021-2022. The Youth Justice Plan provides details of progress made against agreed outcomes for Children and Young People. It outlines priorities, alongside potential future challenges for the partnership over the coming year. The Youth Justice Plan highlights the partnership arrangements and budget position for the Youth Offending Service Partnership.

2. Content of report

2.1 Buckinghamshire Youth Offending Service is a multi-agency partnership between the Police, Children's Services, Health Services, Probation, Community Safety and both voluntary and private sector providers.

2.2 The Youth Offending Service (YOS) plays a key role in keeping our communities, families, children and young people safe through the prevention of offending and reoffending, reduction in the use of custody and through contribution to multi-agency protection and safeguarding.

2.3 The Youth Justice Strategic Plan is produced in compliance with the Crime and Disorder Act 1998, Section 40 which stipulates the following:

'It shall be the duty of each local authority, after consultation with the relevant persons and bodies, to formulate and implement for each year a plan (a "youth justice plan") setting out:

- a) How youth justice services in their area are to be provided and funded; and
- b) How the Youth Offending Team (YOT) or teams established by them (whether alone or jointly with one or more other local authorities) are to be composed and funded, how they are to operate, and what functions they are to carry out.'

- 2.4 The plan also incorporates guidance from the Youth Justice Board (YJB) and must be submitted to the Youth Justice Board for England and Wales and published in accordance with the directions of the Secretary of State.
- 2.5 Multi-agency YOT/YOS were established in 2000 following the 1998 Crime and Disorder Act with the intention of reducing the risk of young people offending and re-offending, and to provide counsel and rehabilitation to those who do offend. The act stipulates the composition of the YOT and identifies statutory partners to work alongside the Local Authority.
- 2.6 The Youth Justice Board (YJB) has set three national outcome indicators for all YOTs which form the baseline for performance information included within this year's plan. These are as follows:
 - Reduce the number of First Time Entrants (FTE) to the Youth Justice System
 - Reduce Re-offending
 - Reduce the Use of Custody

Local Context

- 2.7 First Time Entrants: 88 young people entered the youth justice system for the first time in Buckinghamshire between January and December 2019. At a rate of 160 per 100,000 10 to 17-year olds, the Buckinghamshire figure is lower than the National average (207) and Thames Valley (179) but above that seen across the South East (141).
- 2.8 Reoffending: The proportion of young people reoffending within a 12 month follow up period has continued to fluctuate. At 30.2% for October to December 2018, the rate of reoffending in Buckinghamshire is lower than the National average (37.3%), the South East (36.4%) and Thames Valley (30.4%).
- 2.9 Use of Custody: There were 0.04 custodial sentences per 1000 of the 10 to 17 year old population in Buckinghamshire during 2020. This is lower than the National average (0.14), the South East figure (0.05) and slightly higher than the Thames Valley figure (0.03).
- 2.10 Following a significant decrease in both the number of young people remanded to custody and the number of bed nights accrued in 2019-20, there was an increase in

both figure for 2020-21. This represents a 15.2% increase in bed nights from 2019-20 and a 14.6% decrease in comparison to 2016-17. This is reflective of the seriousness of offending which is a national trend.

- 2.11 All young people offered a Prevention programme by Buckinghamshire YOS are tracked for 12 months to monitor whether they commit any offences and subsequently become a first-time entrant. Of the 58 young people offered a voluntary programme in 2019-20, 1 (1.7%) went on to commit offences and become a first time entrant within 12 months. The 1 young person was engaged via the Schools Early Intervention programme. This compares positively with the 11 out of 87 young people who went on to offend from the 2017-18 cohort and is in line with the 1 out of 44 young people who became a first time entrant in the 2018-19 cohort (2.3%).

Priorities for the coming year

- 2.12 Despite challenges presented by Covid 19, the Youth Offending Service continued to deliver creative solutions to maintain service delivery. The YOS worked alongside partners to continue to assess the quality of provision being delivered, including adapting the performance framework to focus on Covid related intervention delivery.
- 2.13 There are a number of systemic issues which lead young people into the Criminal Justice System. The YOS are keen to influence change across the organisation to not only prevent young people entering the Criminal Justice System but also to secure more positive outcomes for those that have already entered.
- 2.14 The YOS will continue to underpin all the work they do on the following 3 areas to contribute to systematic change across the wider organisation.
- Continuing to address disproportionality;
 - Addressing exploitation of young people; this priority will also consider focussing on serious youth violence given the introduction of the new statutory duty and
 - Embedding an evidence based model of practice
- 2.15 For 2021/22 the YOS will continue to make progress towards the above strategic priorities and alongside covid recovery planning, will progress work streams against the above and work towards securing positive outcomes against our three national indicators

3. Other options considered

- 3.1 N/A.

4. Legal and Financial implications

- 4.1 The local authority must carry out its statutory obligations in compliance with the Crime and Disorder Act 1998, Section 40. In addition, the local authority must also carry out its statutory obligations in respect of safeguarding Children and Young People, as set out in the Children Act 2004 and in Working Together to Safeguard Children 2018.
- 4.2 Overall, the YOS budget for 2021-22 demonstrates a reduction in funding of approx. £42,000 (3%) compared to 2020/21, despite an 8.8% one off uplift in YJB funding. The YOS will continue to work creatively in year to manage budgets in line with YJB grant funding requirements.
- 4.3 It is important to allocate resources to our top priorities including Safeguarding our Vulnerable. It is vital we secure improvements across Children's Services to achieve positive outcomes for our Children and Young People.

5. Corporate implications

- 5.1 N/A

6. Local councillors & community boards consultation & views

- 6.1 N/A

7. Communication, engagement & further consultation

- 7.1 Communication of the Youth Justice Strategic Plan will be managed through the YOS Partnership Management Board, ensuring a multi-agency approach across partners.

8. Next steps and review

- 8.1 The Youth Justice Plan should be reviewed and agreed annually. Progress of the plan will be monitored through the YOS Partnership Management Board which reports into the Safer, Stronger Buckinghamshire Partnership Board.

9. Background papers

- Youth Justice Strategic Plan 2021-2022
- Youth Justice EQIA 2021

10. Your questions and views (for key decisions)

- 10.1 If you have any questions about the matters contained in this report please get in touch with the author of this report. If you have any views that you would like the cabinet member to consider please inform the democratic services team democracy@buckinghamshire.gov.uk

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Buckinghamshire Youth Justice Strategic Plan

2021 - 2022



Appendix

Buckinghamshire
Youth Offending Service

SECTION 1	<p>Foreword</p> <p>Executive Summary</p> <p>Buckinghamshire Youth Offending Service (YOS) Priorities</p> <p>2019-2020 National Outcome Indicators:</p> <ul style="list-style-type: none"> - Reducing First Time Entrants - Reducing Repeat Offending - Reducing the Use of Custody 	<p>P3</p> <p>P4</p> <p>P5</p> <p>P6</p> <p>P7</p> <p>P8</p>
SECTION 2	<p>Local Indicators</p> <ul style="list-style-type: none"> - Prevention Programme - Remand Bed Nights - Education and Health Care Plans - Children Looked After - Throughput Data 	<p>P9</p> <p>P10</p> <p>P11</p> <p>P12</p> <p>P13</p>
SECTION 3	<p>Resourcing and Finance Table</p> <p>Structure and Governance</p>	<p>P14</p> <p>P15</p>
SECTION 4	<p>Addressing Overrepresentation</p> <p>Addressing Exploitation</p> <p>Embedding Evidence Based Practice</p> <p>Other Significant Areas of Work</p>	<p>P16</p> <p>P17</p> <p>P18</p> <p>P19</p>
SECTION 5	<p>Partnership Board Members</p> <p>Appendix A – Buckinghamshire Youth Offending Service Budget Plan</p> <p>Appendix B – Buckinghamshire Youth Offending Service Staffing</p> <p>Appendix C – Recovery Plan</p> <p>Appendix D – Glossary of Terms</p>	<p>P20</p> <p>P21</p> <p>P22</p> <p>P23</p> <p>P26</p>

This Youth Justice Plan provides an overview of the work of the Youth Offending Service (YOS) in Buckinghamshire, setting out details of performance during the last twelve months and our priorities for the coming year. The plan aligns to the Community Safety Partnership's 'Safer Buckinghamshire Plan' and its priorities, as part of our aim that Buckinghamshire should continue to be one of the safest places to grow up, raise a family, live, work and do business.

The YOS plays a key role within the Partnership by helping prevent offending and reoffending, reducing the use of custody and contributing to multi agency public protection and safeguarding. The YOS does this by working together with its key partners to deliver high quality and effective services to young people, their families and the victims of offending. These partners include: the police, children's services, health services, probation, community safety and both voluntary and private sector providers.

Since first attending the Partnership Board meeting in March 2019, over the past two years I have been delighted to see such a wide ranging, committed and engaged group of attendees, representing both statutory and voluntary organisations. The Board and YOS adapted quickly to the global pandemic, making use of technology to continue discharging responsibilities effectively, and I was particularly pleased that the engagement of our partners has remained so strong throughout demonstrating their commitment to our shared objectives. The Board has a real focus on supporting, scrutinising and ultimately delivering effective and efficient Youth Justice services across the county. With this level of engagement, I am pleased that we can report outcome indicators in terms of youth offending in Buckinghamshire that continue to 'paint a positive picture', acknowledging some of the data difficulties the pandemic has presented. Our strategic priorities for 2019/20 were themed to contribute to systematic change across the wider organisation and within Criminal Justice as a whole, and these were carried through into 2020/21 and now into 2021/22 as we ensure recovery planning and delivery throughout the pandemic – the overarching priorities therefore remain:

1. Continuing to address disproportionality
2. Addressing exploitation of young people
3. Embedding an evidence based model of practice

This plan provides a summary of how we have made progress against the specific goals set under these themes. For 2021/22 the YOS will continue to make progress towards the above strategic priorities, alongside Covid-19 recovery planning and working towards securing positive outcomes against our three national indicators.

I am delighted that Aman Sekhon-Gill has been able to lead the Youth Offending Service for Buckinghamshire over the past few years, and in particular through 2020/21 as we have worked through the conditions and implications of the pandemic. Whilst Aman will be departing her role shortly, I look forward to working with a new post holder to continue to take forward the structures and processes now embedded. I know that the YOS, with the support of our Partnership Board, continues to strive for high quality services to support young people, families and victims irrespective of the challenges of the health crisis. As always, the Partnership Board is extremely grateful for the skill and dedication of those working in this arena. On behalf of the Partnership Board, I am pleased to present this updated Youth Justice Strategic Plan.

Superintendent Michael Loebenberg BSc(Hons) MSc, LPA Commander for Aylesbury Vale, Thames Valley Police

<p>Covid-19 Response</p>	<p>The need to respond to the pandemic has led to working in creative ways with children whilst continuing to deliver a mixture of virtual and physical interventions. As services reopen, the focus will be to continue to deliver high quality services to children and retain some of the learning from the pandemic.</p>
<p>Outcome Indicators <i>NB – data for 1 and 2 is provided by the Ministry of Justice (MOJ) who are unable to provide more recent figures due to the impact of Covid-19.</i></p>	<ol style="list-style-type: none"> 1) First Time Entrants: 88 young people entered the youth justice system for the first time in Buckinghamshire between January and December 2019. At a rate of 160 per 100,000 10 to 17 year olds, the Buckinghamshire figure is lower than the National average (207) and Thames Valley (179) but above that seen across the South East (141). 2) Reoffending: The proportion of young people reoffending within a 12 month follow up period has continued to fluctuate. At 30.2% for October to December 2018, the rate of reoffending in Buckinghamshire is lower than the National average (37.3%), the South East (36.4%) and Thames Valley (30.4%). 3) Use of Custody: There were 0.04 custodial sentences per 1000 of the 10 to 17 year old population in Buckinghamshire during 2020. This is lower than the National average (0.14), the South East figure (0.05) and slightly higher than the Thames Valley figure (0.03).
<p>Innovative Practice</p>	<p>The YOS continues to use data to seek additional funding for projects to tackle issues which can lead to involvement in criminal justice at an earlier stage. This included mobilising the BAME project for children transitioning from primary to secondary schools and supporting them through trained community volunteers. In addition delivery of Restorative Justice training was quickly mobilised to be virtual in response to the pandemic, which expanded reach and enabled the YOS to continue to influence partners to use restorative approaches.</p>
<p>Funding</p>	<p>Overall, the YOS budget for 2021-22 demonstrates a reduction in funding of approx. £42,000 (3.%) compared to 2020/21. In addition the national recruitment issues for the National Probation Service has remained a risk area and led to a gap in provision which, although managed within the service, has created additional pressure for the team. Staffing remained stable, and as per previous years, the YOS ensured monies were saved by way of not appointing agency cover for maternity leave and distributing the workload amongst existing staff. Creative solutions to funding continue to be sought in year.</p>

Our Priorities for the Coming Year

In 2020/21, the YOS set overarching strategic priorities aiming to influence systemic change across the wider organisation and within different sectors of the Criminal Justice community locally. It recognised the journey of a child into the criminal justice system starts in their formative years, meaning that to have meaningful and sustainable impact there is a need to influence systemic change. The YOS were, and continue to be, keen to influence change within partner agencies to not only prevent young people entering the Criminal Justice System but also to secure more positive outcomes for those that have already entered. The ongoing pandemic has meant although the YOS were able to deliver against the over-arching targets, specific targets remained focused on delivery of services throughout Covid-19.

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Moving forward the YOS will continue to focus on Covid-19 recovery planning and evidencing delivery against overarching priorities that have been fundamental to influencing change for children and families. These over-arching priorities are:

1. Continuing to address disproportionality
2. Addressing exploitation of young people - *this priority will also consider focussing on serious youth violence given the introduction of the new statutory duty*
3. Embedding an evidence based model of practice

For 2021/22 the YOS will continue to make progress towards the above strategic priorities, alongside Covid-19 recovery planning and working towards securing positive outcomes against our three national indicators:

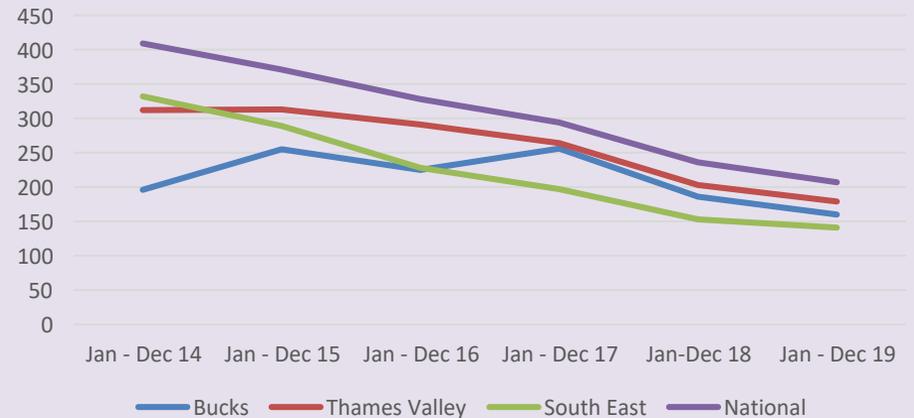
- Reducing First Time Entrants
- Reducing Repeat Offending
- Reducing the Use of Custody

First Time Entrants

The latest available data shows that 88 young people entered the youth justice system for the first time in Buckinghamshire between January and December 2019. This is a 12% decrease on the 100 first time entrants between January and December 2018 and a 13.7% reduction on the 102 young people entering the system between January and December 2014.

At a rate of 160 per 100,000 10 to 17 year olds, the Buckinghamshire figure for 2019 is lower than the National average (207) and Thames Valley (179) but above that seen across the South East (141).

Trends in First Time Entrants per 100,000 10 to 17 Year Population January 2014 - December 2019



Risks to YOS Effectiveness

- The focus on prevention from the YOS is demonstrating a strong foundation of improved services, however resources are time limited (i.e. year on year funding). Should funding not continue - and if it cannot be secured from another source - the YOS will not have the resources within its own budget to continue this work.

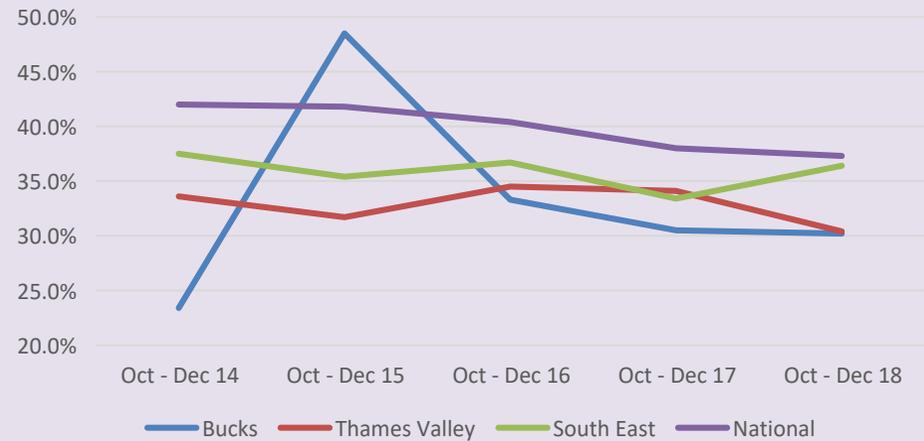
Reducing Repeat Offending

The proportion of young people reoffending within a 12 month follow up period has continued to fluctuate. At 30.2% for October to December 2018, the rate of reoffending in Buckinghamshire is lower than the National average (37.3%), the South East (36.4%) and Thames Valley (30.4%).

There were 13 reoffenders within this most recent cohort in comparison with 11 reoffenders in October to December 2014, representing a 18.2% increase in the number of young people reoffending.

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Proportion of Young People Reoffending Comparative Cohorts 2014 - 2018



Risks to YOS Effectiveness

- The number of young people involved in repeat offending remains low which is positive; however, the nature and complexity of offending continues to require a more intensive approach to managing risks and protecting the public from harm. This often means that children are seen more frequently and statutory contacts can be up to 3 times a week at a minimum. Should caseload numbers increase, this complexity will continue to cause additional pressure on frontline staff who are responsible for the delivery of services.

Reducing The Use of Custody

There were 0.04 custodial sentences per 1000 of the 10 to 17 year old population in Buckinghamshire during 2020. This is lower than the National average (0.14), the South East figure (0.05) and slightly higher than the Thames Valley figure (0.03). This represents 2 young people receiving custodial sentences in comparison with 5 in 2016.

Resettlement training for all practitioners will be delivered by the Youth Custody Service in 2021/22 and an audit will take place to assess current practice. This will identify the appropriate actions required to support the aims of constructive resettlement.

Trends in Custodial Sentences per 1000 10 to 17 Year Population 2016 - 2020



Risks to YOS Effectiveness

- Serious Youth Violence continues to be a challenge on both a national and local basis, which substantiates the need to ensure the partnership tackle signs of trauma in children at an earlier stage, recognising that unresolved trauma (alongside other factors) can cause children to commit serious offences which cross the custody threshold. The Serious Violence Duty is a key part of the Government’s programme of work to prevent and reduce serious violence, taking a multi-agency approach to understanding the causes and consequences of serious violence, focusing on prevention and early intervention, and being informed by evidence. The YOS will be an integral part of supporting the implementation of this duty in Buckinghamshire.

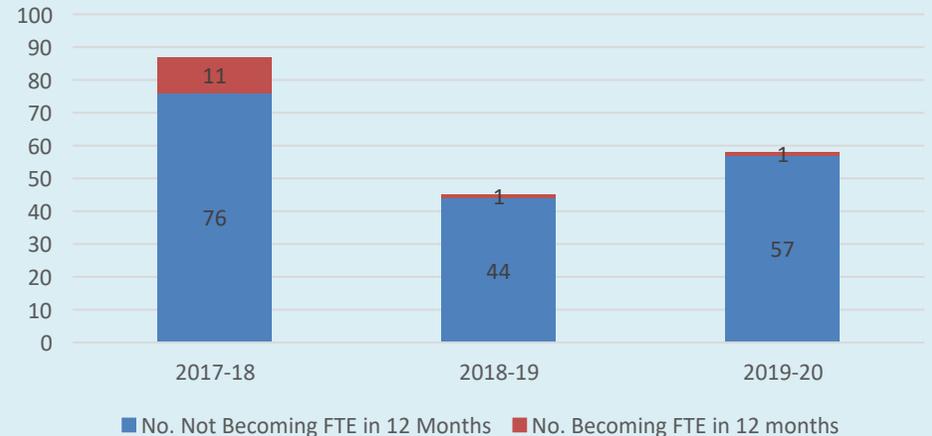
Local Indicators

Effectiveness of Prevention Programmes

All young people offered a Prevention programme by Buckinghamshire YOS are tracked for 12 months to monitor whether they commit any offences and subsequently become a first time entrant.

Of the 58 young people offered a voluntary programme in 2019-20, 1 (1.7%) went on to commit offences and become a first time entrant within 12 months. The 1 young person was engaged via the Schools Early Intervention programme. This compares positively with the 11 out of 87 young people who went on to offend from the 2017-18 cohort and is in line with the 1 out of 44 young people who became a first time entrant in the 2018-19 cohort (2.3%).

Young People Offered Prevention Programmes Going On to Become First Time Entrants



What Does This Mean?

- The realignment of prevention workers within schools has supported improved engagement with voluntary programmes at an earlier stage in comparison to previous years. The positive impact of this is reflected in the high and sustained numbers of young people who have not gone on to enter the youth justice system following their involvement in this project. The key aim for realigning resources from the YOS within schools was to improve engagement at an earlier stage and it is therefore positive to see the intended impact become reality.

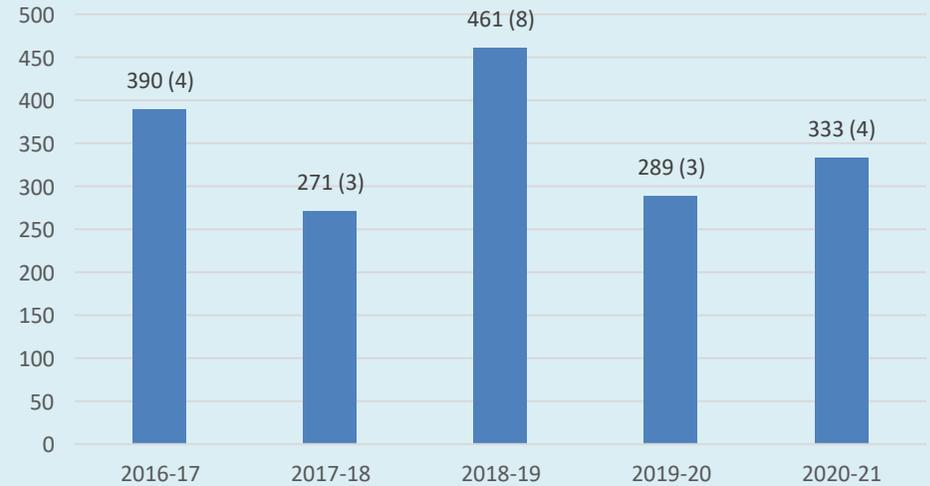
Local Indicators

Remand Bed Nights

Following a significant decrease in both the number of young people remanded to custody and the number of bed nights accrued in 2019-20, there was an increase in both figures for 2020-21. This represents a 15.2% increase in bed nights from 2019-20 and a 14.6% decrease in comparison to 2016-17.

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No. of Remand Bed Nights (No. of Young People)



What Does This Mean?

- Whilst only 4 young people were remanded during the 2020-21 period, the seriousness of the offences has led to long periods in custody and a significant number of bed nights.
- This has significant financial implications, as all remand bed nights are paid for by the Local Authority with the Youth Custody Service providing a grant to support costs.

Local Indicators

Education, Health and Care Plans

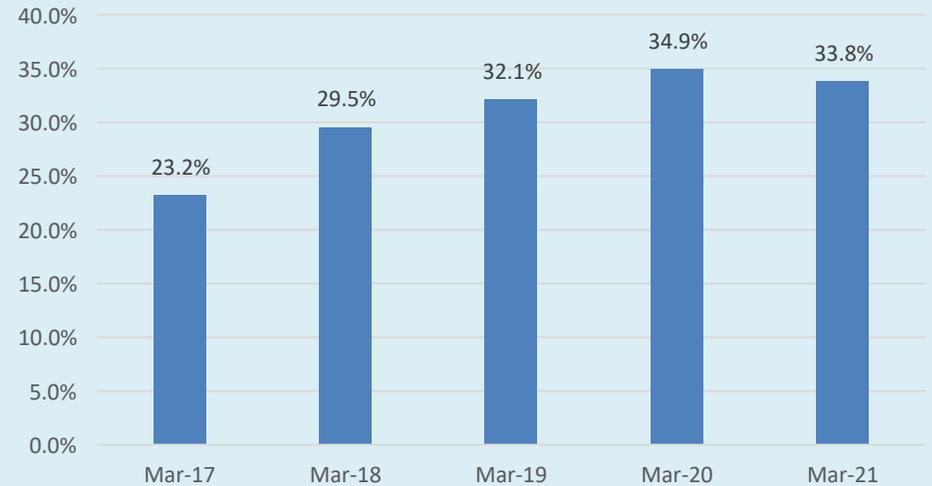
The following chart provides a snapshot from 4 comparative periods of the percentage of young people on the YOS caseload with an Education Health and Care Plan (EHCP).

There has been a small decrease in the overall percentage of young people open to the YOS with an EHCP in the latest snapshot, following a gradual increase over the last 4 years.

In March 2021 there were 26 young people in this category, which is a 13.3% decrease from 30 in March 2020 and an increase of 13% from 23 in March 2017.

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Snapshot of YOS Caseload with EHCP



What Does This Mean?

- This data shows that around a third of all young people working with the YOS have an Education, Health and Care Plan. This will continue to be monitored alongside education colleagues to ensure there is an understanding of the educational needs of those within the Criminal Justice System.
- The existing audit framework will be used to engage partners in reviewing cases where young people have an EHCP and are known to the YOS, with the learning applied from this as appropriate.
- Further work will also need to be explored at an earlier stage to support preventing these young people from entering the Criminal Justice System, recognising that those with an EHCP are vulnerable to offending.

Local Indicators

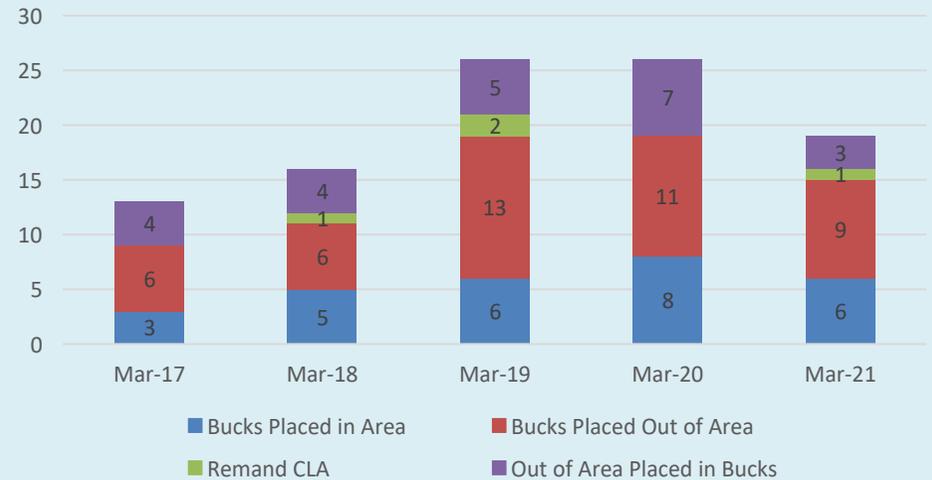
Children Looked After

The following chart shows a snapshot of the YOS caseload by Children Looked After (CLA) over 5 comparative periods, broken down by their CLA status.

Between March 2017 and March 2021 there has been an increase in the number of young people on the YOS caseload who are Looked After. In actual numbers, this is an increase from 13 young people in March 2017 to 19 in March 2021 (46.2% increase) but a decrease from the 26 individuals in March 2020.

More detailed analysis of the March 2021 cohort shows that 15 of the 19 CLA offended first, prior to becoming Looked After (78.9%). However, of the 15 young people who offended first, 13 were known to Social Care prior to committing their first offence. Therefore, 17 out of 19 (89.5%) were known to Social Care prior to committing their first offence.

Snapshot of YOS Caseload by CLA



What Does This Mean?

- CLA known to Youth Offending Teams is a national trend and it is recognised that those within the looked after cohort are at risk of offending. This data shows that a large proportion of the children who eventually enter the Criminal Justice System are known to Social Care services beforehand. There is a clear need to consider how adolescents and those who have experienced trauma in their lives are being worked with to support an alternative path out of criminal justice at an earlier stage. Some of this is being explored through training, contextual audit work and reflective workshops to support Social Care colleagues in their understanding of adolescent behaviours.

The table shows that between 2019-20 and 2020-21 there has been a:

- decrease in the number of Buckinghamshire young people who have offended (18.5% reduction);
- a more significant decrease in the number of offences being committed (25.6% reduction);
- a decrease in the average number of offences per offender (0.2 decrease); and
- a decrease in the number of disposals (26.3% reduction).

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	2019-20	2020-21	Level of change
No. of Young People who Offend	162	132	18.5% decrease
No. of Offences Committed	418	311	25.6% decrease
Average No. of Offences Per Offender	2.6	2.4	0.2 decrease
Number of Disposals	194	143	26.3% decrease

What Does This Mean?

- The significant decrease in both the number of young people offending and the number of offences being committed can be attributed to a number of factors, including the strength of adopting a trauma informed approach and the impact of Covid-19 lockdowns on opportunities to offend.
- Frontline staff focus on building a strong foundation with their children and thus can influence change by building trusting relationships which has been evidenced through feedback gained from young people.

Buckinghamshire YOS 2021-22 Budget

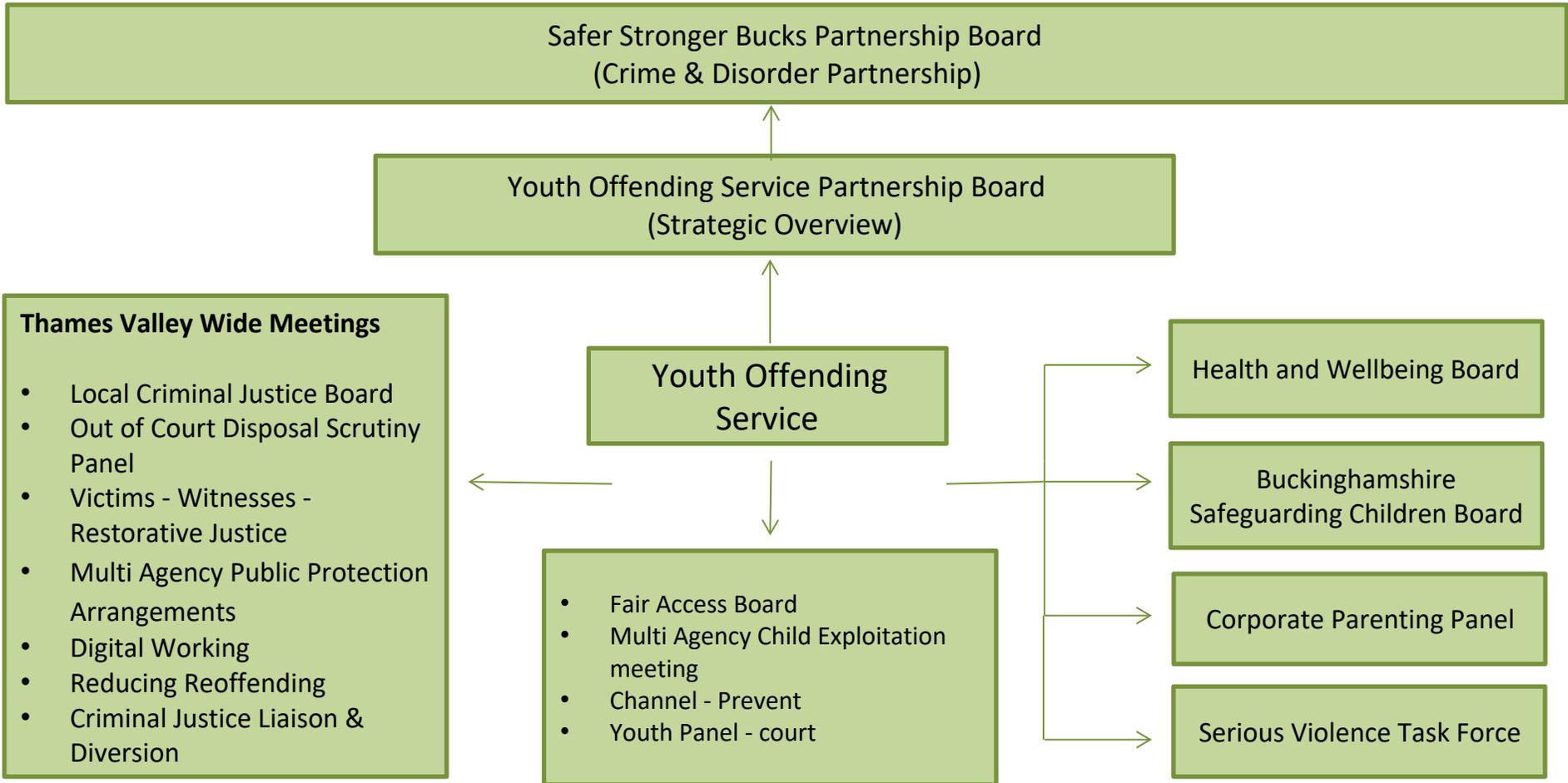
Partner Contributions 2021-2022	Staffing Costs (£)	Posts In Kind	Other Delegated Funds (£)	Total (£)
Buckinghamshire Council	619,041		89,365	708,406
Thames Valley Police		119,511		119,511
Clinical Commissioning Group		76,285		76,285
National Probation Service		48,019	468	48,487
Police Crime Commissioner	131,819		3,867	135,686
Youth Justice Board Grant	398,404		17,056	415,460
TOTAL	1,149,264	243,185	110,756	1,503,835

Budget Summary

- Overall, the YOS budget for 2021-22 has reduced in funding of approximately £42,000 (3%) compared to 2020/21, despite an 8.8% one-off uplift in YJB funding.
- 2020-21 included carry forward funding from the Police Crime Commissioner and one-off income for probation support activities.
- 2020-21 also included ¾ of the Sparks to Life BAME project income with the final ¼ in 2021-22.
- There was no post in kind adjustment in 2020-21 or in the budget for 2021-22, with the exception of the recent lack of NPS resource available to second over to YOS.
- Covid-19 resulted in much lower travel costs in 2020-21 but, with plans to accelerate programmes, we have budgeted for similar levels of travel spend to 2019-20.
- We continue to look at the staffing structure for both optimal service delivery and cost control.

The Partnership Board is the strategic partnership body within Buckinghamshire that oversees the local delivery of responsibilities under the Crime and Disorder Act 1998 for youth justice services and the Youth Offending Service .

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What Have We Done?

- Secured ongoing funding to deliver a community based coaching project for children of a Black, Asian and minority ethnic background. Training has been delivered to 12 community volunteers to facilitate this and 4 schools have been identified to take part.
- Delivered Culture, Diversity, Knowledge and Understanding training to frontline youth justice practitioners.
- Provided good practice guidance to practitioners on assessing identity based on an internal management audit of assessments.
- Developed data reporting for the YOS Partnership Board to ensure bi-monthly oversight of disproportionality data.



What Has the Impact Been?

- 5 young people have been engaged by a community volunteer to support with transition to secondary school and to achieve individual goals.
- Following on from the training, recruitment processes are being reviewed to support the service in becoming more representative of the community it works with.
- More comprehensive assessments of identity leading to more targeted and effective intervention plans.
- Strategic partners have oversight and scrutiny of disproportionality within the YOS caseload.

What Will We Do Next?

- Evaluate overall impact of disproportionality work through collating one Quality Report to present to YOS board.
- Expand the community coaching project to include siblings of YOS clients in addition to supporting young people in Year 8.
- Facilitate a session on Culture, Diversity, Knowledge and Understanding for key strategic partners with a view to developing an action plan for each service area to positively address disproportionately.
- Re-audit identity within assessments to ensure good practice guidance is fully embedded.

What Have We Done?

- Reviewed YOS champion roles within the Missing and Exploitation Hub
- Reviewed strategic leadership of the Missing and Exploitation hub and re-located under YOS Head of Service.
- Completed an audit which focused on contextual safeguarding work.
- Delivered reflective workshops to staff on casework which focused on importance of trauma informed language.
- Completed training for Magistrates on exploitation.
- Revised Exploitation Protocol with practice guidance for staff when considering case work.

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What Has the Impact Been?

- Increased awareness in Crown Prosecution Service and courts, recognising the importance of seeing exploited children as victims.
- Increased awareness across Children's Social Care on how to work with children who are at risk of or are being exploited.
- Corporate ownership of issues which link to exploitation: audit activity will now also include contextual work across Children's Social Care to support improved outcomes.

What Will We Do Next?

- Increase knowledge and strength of YOS prevention youth workers on exploitation, so universal services can be supported to understand risk factors.
- Implement parenting support through funding secured with third sector provider to create community champions.
- Pilot sessions from those with lived experience to support learning across the organisation.
- Actively participate in Serious Violence Task Force meetings in light of revised duty on YOS.

What Have We Done?

- Continued to deliver essential front-line services in a trauma-informed way despite the challenges of the Covid-19 pandemic.
- Responded to the Covid-19 pandemic by working both virtually and face to face with young people dependent on individual need.
- Development of virtual Restorative Justice training to support other professionals to work in a restorative way.
- Reviewed policies to ensure these are trauma-informed, including the staff supervision policy.

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What Has the Impact Been?

- Young people have continued to receive a service that seeks to ensure the best possible outcomes for them.
- Positive engagement with young people has been sustained, with feedback reflecting their appreciation of flexibility in virtual and face to face appointments.
- Other agencies involved in Restorative Justice training report greater confidence in resolving conflict utilising these skills.
- The Service continues to embed trauma-informed practice across all elements of service delivery.



What Will We Do Next?

- Deliver refresher training on Trauma-Informed Practice in partnership with CAMHS.
- Explore the low level of Liaison and Diversion referrals across Buckinghamshire to ensure appropriate young people are receiving support.
- Support those attending Restorative Justice training in completing case studies to evaluate the impact on their day to day work.

Feedback from Young People

What have we done?

The YOS aims to complete a LifePath evaluation with every young person at the end of their intervention. They are asked to identify the key points on their journey through the youth justice system (e.g. being arrested, going to court, taking part in a YOS assessment) and feeding back on their experiences. 40 young people took part in this activity between January and December 2020.

What did we find out?

Some of the key themes included:

- Young people felt they could trust their YOS worker and felt listened to / supported
- They felt they could contribute to their plan and found sessions useful / enjoyable
- Some had negative experiences of the Police
- Some had concerns about being able to understand the language used at Court

“Nothing the YOS can improve on. Very approachable. Never felt I couldn’t share anything. Caring and non-judgemental”

“Made me realise impact of doing anything else”

“I got a lot of help and encouragement to stay on the right path”

How have we responded?

- Feedback has been shared with all partners including the Police and the Court who have shared this within their own agencies to identify further actions.
- A bespoke evaluation seeking young people’s views on the Police was completed by 45 individuals open to the YOS. The findings have led to work exploring how Early Intervention links in schools can be used to improve relationships between young people and the Police.
- Having proven the effectiveness of gathering feedback via the LifePath model, this will be trialed with parents and carers to broaden evaluation activity with service users.

Michael Loebenberg – Superintendent – LPA Commander – Thames Valley Police – Chair

- Richard Nash – Service Director - Children’s Social Care, Buckinghamshire Council
- Errol Albert – Head of Safeguarding - Children’s Services, Buckinghamshire Council / Amanda Andrews – Head of First Response - Children’s Services, Buckinghamshire Council (rotate to represent Social Care)
- Aman Sekhon-Gill – Head of Service - Youth Offending Service
- Ollie Foxell – Operational Manager – Youth Offending Service
- Becky Beer – Performance Review & Information Manager - Youth Offending Service
- Darren Frost – Youth Justice Unit - Thames Valley Police
- Jim Holmes – Youth Justice Unit – Thames Valley Police
- Cath Marriott - Policy Development Partnerships & Performance – Office of the Police and Crime Commissioner
- Debbie Johnson – Senior Operational Support Manager - National Probation Service
- Gaelle Nzaba – Senior Probation Officer – National Probation Service
- Jas Pejatta – Joint Head of Operations North / Katie Hunter – SPO TV - Community Rehabilitation Company (on rotation)
- Caroline Shorten-Conn – Magistrate - Youth Court Magistrates
- Chloe Purcell – Director of SAFE!
- Maria Edmonds – Education Strategy Manager - Buckinghamshire Council
- Simon James – Service Director, Education - Buckinghamshire Council
- Yvette Thomas – Equality and School Improvement Manager, Buckinghamshire Council
- Emily Davis – Programmes Director – Action4Youth
- Sandra Aaronson – Team Manager - Barnardo’s
- Chris Geen – Manager - Community Safety, Buckinghamshire Council
- Gideon Springer - Community Safety & Engagement Manager, Buckinghamshire Council
- Gareth Morgan – Head of Early Help, Buckinghamshire Council
- Sabrina Miller-Cummings - Service Manager - Switch Bucks, Young People Substance Misuse Service
- Matt Lister – Consultant Forensic Psychologist – CAMHS
- Joseph Franks – Service Manager – Liaison and Diversion
- Marie Mickiewicz – Specialist Commissioning Manager - Commissioning, Buckinghamshire Council
- Gillian Attree - Designated Nurse Safeguarding Children and Looked After Children

Total grant to be used exclusively for the delivery of youth justice services and for the purposes of the following outcomes:

Reduction in youth reoffending, reduction in the numbers of first time entrants to the youth justice system, reduction in the use of youth custody, effective public protection and effective safeguarding.

Expenditure Category	Description	£
Staffing	<ul style="list-style-type: none"> • Delivery of effective assessment, intervention planning and supervision for young people at risk of offending or reoffending in Buckinghamshire. • Delivery of services to the victims of youth offending. • Development of key areas of practice such as SEND, Liaison and Diversion and Restorative Justice. • Analysis of performance information to inform practice development across all areas. • Delivery and development of Community Reparation and Unpaid Work. 	398,404
Overheads	<ul style="list-style-type: none"> • Expenses incurred by staff in carrying out core duties. • Development and training of staff in effective practice. 	3,041
Equipment	<ul style="list-style-type: none"> • Provision of Core+ to support effective case management, timely submission of statutory data. and the use of connectivity to ensure mandatory documentation is shared securely with the Youth Custody Service. 	14,014
Total		£415,459

TYPE OF ROLE	NO. OF STAFF	GENDER	ETHNICITY
Strategic Manager	1	F	Asian
Operational Manager	1	M	White
Team Manager	3	F – 2 M – 1	White - 3
Performance and Information	2	F – 2	White - 2
Early Intervention and RJ Co-ordinator	1	F	White
YOS Officer	10	F – 10	White – 8
			Mixed – 1
			Asian - 1
Early Intervention Officer	1	F	White
RJ Support Worker	1	F	White
Education Officer	1	M	White
Youth Worker	3	M – 3	White – 1
			Black - 2
Police Officer (seconded)	2	F – 2	White - 2
Linked Specialists: Addaction Worker (1) SALT Worker (1) Specialist Nurse (1) CAMHS Mental Health Worker (1)	4	F – 3 M - 1	White - 2 Asian - 2
Business Support (3) Reparation - Unpaid Work Officer (1)	4	F – 2 M – 2	White – 2
			Mixed – 1
			Asian - 1
Volunteers	16	F – 13 M – 3	White – 14
			Black – 1
			Asian - 1

Summary

Covid-19 led to significant challenges in delivery of services to both partners and children and families, however Buckinghamshire YOS was able to adapt to these and quickly adopted a virtual delivery model with appropriate quality checks to ensure workers were supported and risk was being managed as well as possible given the circumstances. Despite initially moving to a completely virtual service, the YOS over a period of time moved to a mix of virtual and physical contact with children and families. As of April 2021, all children have been seen physically and continue to be seen as per their statutory contacts. During the pandemic, updates were provided to the YOS Partnership Board to assure members that the YOS had effectively adjusted to new working practices, as well as ensuring the Board maintained oversight of quality.

Page 49 Despite moving to a mix of face to face and virtual intervention delivery, young people are still not being seen within the YOS building. It was agreed to keep offices open for a limited number of staff only for staff wellbeing purposes. The next significant challenge for the service will be the move to seeing young people within the office environment whilst trying to continue to reduce the spread of the virus.

In addition, it is recognised that the full impact of Covid-19 on young people's mental health, wellbeing and stability is yet to be felt, meaning this could lead to an increase in those who enter the criminal justice system.

Staff have continued to work flexibly in a hybrid model which has been positive, and it has been anticipated that this way of working will continue.

Lessons Learned Since March 2020 and Response to HMIP Learning

A number of interventions included “walk and talk” sessions for young people which proved hugely successful in maintaining engagement. This was made possible due to the trusting relationships the YOS practitioners have with their children, meaning children felt safe and comfortable to be seen with their workers. This will be retained moving forward.

Staff welcomed flexible working and working from home, however given the nature of the work, they also welcomed the offices being opened which enabled them to deal with what can be considered vicarious trauma through their work in an environment that was not their home. In addition, many reported the significance of being able to have some sense of “normality” in supporting their own mental health and wellbeing.

Appropriate Adult provision proved difficult as a number of volunteers fell into the “vulnerable” category, meaning options were often limited. The YOS recognised the need to improve this and relaunched recruitment of Appropriate Adults with a view to increasing diversity across the volunteer cohort.

Review of the 2020 Recovery Plan

Staff wellbeing was a significant focus of the recovery plan in 2020 and continues to be a focus in 2021/22. Covid-19 has had long lasting impact on staff, their own families and their working practices, and thus requires commitment of longer term investment in their wellbeing. Staff can continue to access:

- Flexible working hours, including evening hours to support family commitments
- Regular supervisory group touchdowns
- Daily touchdowns with all staff
- Varied resources offered by HR regarding staff wellbeing, including access to online CBT, Mindfulness and various therapies

Staff feedback will be regularly sought to continue to improve the services they receive as employees.

It is expected all children will now be seen face to face over and above sole virtual contact. Staff have been informed that where in exceptional circumstances a child can only be seen virtually, Head of Service approval is required.

The YOS Partnership Board will continue to meet every 2 months as it has done during the pandemic and will be provided with any updates that are significant to service delivery in light of the pandemic.

BAME	Black Asian and Minority Ethnic
BC	Buckinghamshire Council
CAMHS	Child and Adolescent Mental Health Services
CCG	Clinical Commissioning Group
CLA	Child Looked After
EHCP	Education, Health and Care Plan
FAB	Fair Access Board
BSCP	Buckinghamshire Safeguarding Children Partnership
MACE	Multi Agency Child Exploitation meeting
MAPPA	Multi Agency Public Protection Arrangements
PCC	Police Crime Commissioner
STEM	Strategic Exploitation and Missing meeting
YJB	Youth Justice Board



Equality Impact Assessment (EqIA) Screening Template

April 2020

Proposal/Brief Title: Buckinghamshire Youth Justice Strategic Plan

Type of strategy, policy, project or service: Strategic Plan

Please tick one of the following:

Statutory requirement to produce a Youth Justice Plan under Section 40 of the Crime and Disorder Act 1998.

This report was created by

Name Aman Sekhon-Gill

Job Title Head of Youth Offending Service

Email address Aman.sekhon-gill@buckinghamshire.gov.uk

Briefly describe the aims and objectives of the proposal below:

The Youth Justice Plan provides details of progress made against agreed outcomes for Children and Young People. It outlines priorities, alongside potential future challenges for the partnership over the coming year. The Youth Justice Plan highlights the partnership arrangements and budget position for the Youth Offending Service Partnership.

What outcomes do we want to achieve?

1) Screening Questions

1.1 Does this proposal plan to withdraw a service, activity or presence? No

No services are being withdrawn

1.2 Does this proposal plan to reduce a service, activity or presence? No

No reduction in capacity / activity

1.3 Does this proposal plan to introduce, review or change a policy, strategy or procedure? No

There are no changes to existing policies, strategies or procedures within which the Youth Offending Service operate as these are outlined by Crime and Disorder Act 1998 and governed by the Youth Justice Board.

1.4 Does this proposal affect service users and/or customers, or the wider community? Yes

This is however in a positive way, the work of the YOS is to support a multi-agency approach in reducing repeat offending, reducing numbers of first time entrants in the criminal justice system and reducing the use of custody.

1.5 Does this proposal affect employees? No

Employees will continue to deliver services



Equality Impact Assessment (EqIA) Screening Template

April 2020

1.6 Will employees require training to deliver this proposal? No

Staff are already trained, inducted and supported to work with young people and their families. Where however there are training needs identified as part of the plan these will be implemented.

1.7 Has any engagement /consultation been carried out? Yes

The plan is created in conjunction with multi agency partners who have a statutory role in delivery of youth justice services and form part of the Youth Offending Service Partnership board. Engagement with staff is also considered in the production of this plan.

Are there any concerns at this stage which indicate that this proposal could have negative or unclear impacts on any of the group (s) below? (*protected characteristics). Please include any additional comments.

- A) Age* Yes**
- B) Disability* Yes**
- C) Gender Reassignment* No
- D) Pregnancy & maternity* No
- E) Race & Ethnicity* Yes**
- F) Religion & Belief* No
- G) Sex* Yes**
- H) Sexual Orientation* No
- I) Marriage & Civil Partnership* No
- J) Carers Yes**
- K) Rural isolation No
- L) Single parent families Yes**
- M) Poverty (social & economic deprivation) Yes**
- N) Military families / veterans No
- O) Gender identity No

Additional comments (please indicate which of the protected groups you are commenting on):

**It is considered that the plan will have an impact on the groups indicated above but it is intended that the impact will be a positive one for those groups. They have been listed here to ensure full transparency.

Disproportionate effects are likely to occur due to young people offending which the plan aims to reduce. Whilst the plan focuses on young people who offend, the drivers for such offending and at risk issues can include disability, poverty, gender and ethnicity. The offences themselves may also have an indirect effect on carers and other groups and this is the reason for inclusion above. It is further considered that the interventions, actions and measures identified in the plan will address the core issues leading to a positive impact on the groups above.

As a result of this screening, is an EqIA required?

(If you have answered yes to any of the screening questions or any of the group (above), a full EqIA should be undertaken)

No



Equality Impact Assessment (EqIA) Screening Template

April 2020

Briefly explain your answer:

A full EqIA is not needed at this time as the effects are positive rather than negative or unclear and in addition disproportionate impacts have been taken into account as part of the document –part of the purpose of which is to promote and address these disproportionate effects in the areas of youth offending, looked after children and youth justice and the relevant issues and actions are already included as part of the plan.

An EqIA should be considered at an operational level and should be reviewed regularly.

EqIA Screening Sign off

Officer completing this Screening Template: Aman Sekhon-Gill Date: 1 October 2021

Corporate Director Sign Off: Richard Nash Date: 11 October 2021

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Report to Council

Date: 24th November 2021

Title: New Statement of Licensing Policy, Licensing Act 2003

Relevant councillor(s): Cllr Nick Naylor, Cabinet Member for Housing, Homelessness and Regulatory Service.
Cllr Heather Wallace, Chairman of Licensing Committee

Author: Simon Gallacher, Principal Licensing Officer

Recommendations:

1. To consider and agree the draft Licensing Policy Statement for Buckinghamshire Council as required under the Licensing Act 2003 for publication, prior to a proposed implementation date of 1 February 2022.
2. To authorise the Head of Service for Licensing, in consultation with the Cabinet Member for Housing, Homelessness and Regulatory Services, to change the implementation date of the Policy if necessary to any date on or before 1 April 2022.

1. Introduction

- 1.1 In accordance with the Licensing Act 2003 (the 'Act'), Buckinghamshire Council, in its role as licensing authority, is responsible for authorising the sale and supply of alcohol and the provision of regulated entertainment and late night refreshment. Licensable activities are authorised by way of licences, certificates and notices.
- 1.2 The promotion of the four statutory licensing objectives are fundamental to any decision concerning licensing matters:
 - preventing crime and disorder;
 - public safety;
 - preventing public nuisance;
 - protecting children from harm.
- 1.3 The Licensing Authority has a legal obligation to publish a licensing policy statement, 'Policy', which set out its approach to promoting the licensing objectives when

performing its licensing functions. The Policy is also an opportunity to promote and encourage adherence to other council policies, priorities and strategies.

- 1.4 A Policy must be published every five years under the Act, following a period of formal consultation and review. The Council's licensing service is currently operating under separate legacy policies reflecting the four former district council areas. Under the terms of the transitional legislation, Buckinghamshire Council has two years to prepare and publish a new single licensing policy under the Act and align service provision. The deadline for publication and implementation of the new Policy is no later than 1 April 2022.
- 1.5 Following a pre-consultation survey with key stakeholders and a public consultation exercise earlier this year, the Council's Licensing Committee unanimously agreed on 20th October 2021 the content of a new Policy. The Licensing Committee has recommended that the Council now determine this Policy, a copy of which is shown as Appendix 1. Links to the associated Licensing Committee hearings of 22nd July and 20th October 2021, which contain detailed reports on the outcome of the pre-consultation survey and public consultation, are provided in the key documents section.
- 1.6 The respective historic cumulative impact policy (CIP) and special hours policy for Aylesbury and Buckingham town centres are not included in the new Policy due to a lack of supporting evidence which is required in order to retain such policies.
- 1.7 It is recommended that the new Policy be implemented from 1 February 2022 to allow the necessary time to finalise arrangements for the alignment of service provision across the former District areas. It is also proposed that the Head of Service for Licensing, in consultation with the Cabinet Member for Regulatory Services, be authorised to change the implementation date, should it be necessary, to any date on or before 1 April 2022.

2. Key policy areas

- 2.1 Much of the content of Licensing Act policy is prescribed by legislation and statutory guidance published by the Secretary of State (Section 182 guidance) to which the Council must have regard. These matters have been incorporated into the new Policy. The Policy contains a number of additional policy areas which also link to the Council's corporate aims. The feedback from the consultations was overwhelmingly supportive of the proposed approach both in terms of new policy areas and the removal of the Aylesbury cumulative impact and Buckingham special hours policies. Summaries of these policy areas are provided below together with a brief summary of the consultation responses. More detailed analysis of the consultation responses is provided in the two Licensing Committee reports referenced in the key documents section of this report.

2.2 **Street drinking**

2.3 The street drinking of alcohol has been found to be associated with crime and disorder and anti-social behaviour in certain areas of Buckinghamshire. By way of response the Council has introduced Public Space Protection Orders (PSPOs) in some parks and town centres which prohibit drinking alcohol or possessing alcohol in open containers in these areas. The Policy proposes that premises licensed for the sale of alcohol for consumption off the premises, in areas where relevant PSPOs have been introduced, will be expected to adopt additional measures. These include not selling high strength beer and cider, not selling cans and bottles in single cans and discouraging businesses from selling alcohol to known street drinkers.

2.4 68% of respondents to the public consultation and 73% of respondents to the pre-consultation survey support this approach.

2.5 **Outside hospitality**

2.6 The new Policy sets out measures for the management of outside areas that all applicants will be expected to follow. These measures mirror the requirements of the conditions adopted by the Council in respect of the national pavement licensing scheme introduced in response to the Covid-19 pandemic. These include a recommendation that outside areas are not used later than 11pm on Fridays and Saturdays, 10pm on other days, and segregation areas for smokers and non-smokers.

2.7 80% of respondents to the public consultation and 86% of respondents to the pre-consultation survey support this approach.

2.8 **Application consultation policy**

2.9 The Policy states that all notifications of new and variation applications are sent to local Ward Councillors and to the local Town and Parish Councils. This is in addition to the existing legal requirements for notice of applications to be published in a local newspaper, displayed on the premises, served on the responsible authorities and published in the Council's online register.

2.10 85% of respondents to the public consultation and 93% of respondents to the pre-consultation survey support this approach.

2.11 **Pubwatch and shopwatch policy**

2.12 Voluntary schemes such as Pubwatch and Shopwatch help promote safer environments for the sale and consumption of alcohol. These schemes provide a local network for licenced businesses to work together to tackle crime and disorder, share best practice and develop closer working relationships with the Police, the Council and other agencies. The Policy encourages all licence holders to take part in

local schemes where they exist; licensees will also be encouraged to introduce a scheme where one does not already exist.

2.13 96% of respondents to the public consultation and 92% of respondents to the pre-consultation survey support this approach.

2.14 **Safeguarding children policy**

2.15 Protecting children from harm is one of the core licensing objectives and protecting the vulnerable is a key priority of Buckinghamshire Council. Licensed premises can be a high-risk environment for children and young people. Risks can include underage consumption of alcohol, access and exposure to tobacco products and illegal drugs, exposure to violence and disorder and exposure to inappropriate entertainment. Although not common there is also the potential for exposure to sexual exploitation, modern slavery, human trafficking and illegal employment. The Policy encourages operators of licensed premises to put in place a safeguarding policy and operators of high-risk premises will be expected to have a documented safeguarding policy and procedures including records of staff training.

2.16 87% of respondents to the public consultation and 90% of respondents to the pre-consultation survey support this approach.

2.17 **Public health policy**

A key priority for Buckinghamshire Council is to strengthen local communities and support people to live healthy lifestyles. Licensed premises can help support this by providing opportunities for people to come together and socialise. The Policy encourages applicants for licences for the sale or supply of alcohol to consider the health impacts of their activities and adopt measures to mitigate risks to health. This could include staff training on the responsible sale of alcohol, avoiding promotions which encourage people to drink more and thinking about the type and alcohol content of drinks they sell.

2.18 74% of respondents to the public consultation and 71% of respondents to the pre-consultation survey support this approach.

2.19 **Promoting environmental best practice**

2.20 A key priority for Buckinghamshire Council is to improve the local environment. Licensed premises can contribute by helping to create a greener and cleaner environment. The Policy encourages operators of licensed premises to adopt best practice measures such as minimising waste, improving energy efficiency and reducing traffic on the road.

2.21 86% of respondents to the public consultation and 91% of respondents to the pre-consultation survey support this approach.

3. Removal of the cumulative impact policy – Aylesbury town centre.

- 3.1 This Aylesbury town centre legacy policy creates a presumption to refuse licences after 00:30 to premises that are considered to be high risk (i.e. where the sale of alcohol is the predominant activity or hot food takeaways), all other premises will be refused after 02:30. As a result of legislation changes in 2018, these types of policies must now be supported by a formal assessment of evidence and this assessment must be revisited at least every 3 years. The last time a formal assessment was carried out was in 2015. This evidence is now out of date and there is insufficient evidence to support a continuation of the policy at this time.
- 3.2 During consultation Thames Valley Police (TVP) presented a report in support of maintaining the policy, which was considered by the Licensing Committee at its meeting of 22nd July 2021. Whilst the police's view on this matter is clearly important and should be given appropriate weight, the report contained insufficient evidence to support maintaining the policy at this stage. However, in light of the police concerns the Licensing Service has committed to working with TVP to review the situation and will report back to the Licensing Committee after 12 months of implementation of the new Policy. Should an assessment of the evidence in the future indicate that the cumulative impact of licensed premises is problematic then the Council can consider the re-introduction of a cumulative impact policy in this, and other, locations.
- 3.3 It is important to note that any party, including the police, are able to make representation in respect of an application, or to apply for a licence review, if there are concerns relating to the promotion of the licensing objectives, such as crime and disorder. In addition, all applicants are under an obligation to consider the locality in which they wish to operate and propose measures to ensure the promotion of the licensing objectives.
- 3.4 The majority of respondents to the public consultation, 68%, supported the proposal to remove the legacy cumulative impact policy for Aylesbury town centre, (while keeping the area under review). This view is generally reflected across all response groups with 71% of Councillors, 74% of licensed businesses and 69% of residents supporting this approach. Notably 73% of respondents with a connection to the Aylesbury area supported the proposal, and only 12% respondents were against the proposal.

4. Remove of the special hours policy - Buckingham

- 4.1 The legacy special hours policy for Buckingham, states that applications to open after 00:00 will normally be refused unless exceptional circumstances apply and, in all

cases, applications after 01:30 will be refused. This policy had come about as a result of a precedence of licence application decisions and the evidence cited in the legacy policy reflects the position in 2015. The current position has changed significantly since that time and it is questionable whether this evidence remains relevant. In addition, from a legal perspective it is now questionable whether this policy, as previously drafted, can now be considered lawful because it fetters the Council's discretionary decision making powers and prevents the consideration of each application on its own merits. During consultation neither Thames Valley Police nor Environmental Health requested the retention of the special hours policy. The Licensing Committee considered these issues at its meeting of 22nd July 2021 prior to approving the draft policy for consultation purposes and again on 20th October when the Policy (which includes the removal of the special hours policy in Buckingham) was unanimously recommended for determination by Full Council. It is important to note that any party remains able to make representation in respect of an application, or to apply for a licence review if there are concerns relating to the promotion of the licensing objectives.

- 4.2 The majority of respondents to the consultation, 61%, support the proposal to remove the special hours policy for Buckingham. This view is generally shared across all respondee groups, with 64% of residents, 70% of businesses and 78% of Councillors supporting the approach. Of those respondents with a connection to Buckingham, albeit a relatively small number, opinion was evenly split with a third agreeing, a third neutral and a third disagreeing to the proposal. Only 15% of respondents were against the proposal to remove the policy.

5. Next steps and review

- 5.1 The Policy, if determined by the Council, will be published on the Council's website for 4 weeks (as statutorily required) prior to the Policy taking effect on 1 February 2022 or such other date on or before 1 April 2022.
- 5.2 In accordance with Licensing Act 2003 the policy must be kept under review, which includes full consultation, at least every 5 years.

6. Other options considered

- 6.1 The Council has a statutory duty to publish a Licensing Policy Statement, which must be published by 1 April 2022.

7. Legal and financial implications

- 7.1 Under Sections 4(1), (2) and (3) of the Licensing Act 2003 a licensing authority must carry out its licensing functions with a view to promoting the four licensing objectives and with regard to its own licensing policy statement and the Secretary of

State's guidance (issued under Section 182). Under Section 5 the licensing authority must prepare and publish a licensing policy statement at least every 5 years. The Act sets out the persons that must be consulted before the Licensing Authority can determine its policy. Furthermore, the Act and Secretary of State's guidance provide directions as to the content of policy statements. In accordance with the Local Government (Structural changes)(Transition Arrangements)(No. 2) Regulations 2008 (as amended), Buckinghamshire Council has two years to prepare and publish a new Policy, that is by 1 April 2022.

- 7.2 In accordance with Section 5A Licensing Act 2003, licensing authorities may publish a Cumulative Impact Assessment (CIAs) stating that the authority considers that the relevant number of authorisations (premises licences and club premises certificates, not TENs) in respect of premises in one or more parts of its area as described is such that it is likely to be inconsistent with its duty to promote the licensing objectives. The assessment must set out the evidence for the authority's opinion and may relate to all relevant authorisations or a particular kind. The authority must consult on the assessment before it is published. The consultation must include the reasons why it is considering publishing an assessment, a general indication of the part(s) of its area to be described in the assessment, whether it will relate to all relevant authorisations or only a particular kind. The assessment must be reviewed before the end of each three year period.
- 7.3 The current Aylesbury town centre cumulative impact policy was adopted prior to the provisions of Section 5A took effect in April 2018. Paragraph 14.38 of the Section 182 Guidance expressly deals with cumulative impact policies which were in place before Section 5A came into effect:
- 7.4 "As Cumulative Impact Policies (CIPs) were not part of the 2003 Act, there are no transitional provisions that apply to CIPs that were in place before 6 April 2018. However, any existing CIPs should be reviewed at the earliest practical opportunity to ensure they comply with the legislation. It is recommended that the review should take place within three years of the commencement of the legislation or when the licensing policy statement is next due for review, whichever is sooner. This will ensure that any CIPs in place before the commencement of the provisions on CIAs adhere to the principles in the legislation (in particular concerning relevant evidence and consultation)."
- 7.5 Whilst the S182 Guidance is not legislation, licensing authorities are obliged to have regard to it. The guidance indicates that the Aylesbury town centre cumulative impact assessment was due to for reconsideration by 1 April 2021, however the transitional arrangements regulations had the effect of extending the policy review requirements until April 2022.

7.6 The work involved in preparing and publishing the new Policy is a function of the licensing service with the work performed by officers as part of their duties. No significant additional costs to the Council are envisaged.

8. Corporate implications

8.1 Protecting the vulnerable – Protecting children from harm is one of the core statutory licensing objectives that the Council, in its role as Licensing Authority, must have regard to when carrying out its licensing functions. The Policy contains reference to a number of specific policies designed to protect children: safeguarding policies, restricted access, alcohol advertising, age verification, alcohol delivery services, cinemas, large events involving children and sexual entertainment venues.

8.2 Property – N/A

8.3 HR – N/A

8.4 Climate change – The Policy contains measures to encourage operators to adopt measures to promote cleaner and greener practices.

8.5 Sustainability – A/A

8.6 Equality – an equalities impact assessment (EqIA) screening exercise has been completed, shown at Appendix 2. There are no concerns that the Policy will impact negatively on any group. Conversely the Policy contains positive measures to promote the Equalities Act generally, with specific measures designed to promote child protection. On this basis it is deemed that a full EQIA is not necessary

8.7 Data – measures are in place to ensure relevant personal data is managed in accordance with the Data Protection Act 2018 and GDPR requirements.

8.8 Value for money – policy development work is performed by officers in-house. Licensing fee levels under the Act are set by central Government and the Licensing Authority has no discretion to amend these fee levels. Fees have not been reviewed nationally since the Act came into force in 2005 and do not cover the cost of delivering the service in this area.

9. Consultation and communication

9.1 A pre-draft policy consultation exercise was carried out with key stakeholders who were invited to complete an online survey between 14 May and 8 June 2021. The Council received 107 responses to this survey.

9.2 A public consultation exercise was carried out on the draft version of the Policy between the end of August and end of September 2021 and consultees were invited to complete an online survey between 27 August and 26 September 2021. The consultation was advertised on the Council's website and promoted through the

Council's social media channels and press releases. Correspondence was also sent directly to statutory consultees and key stakeholders. The Licensing Service received 110 survey responses and 4 written responses to the consultation.

- 9.3 The Council's Business Intelligence team collated and analysed the survey results from both consultations and a summary of key findings is shown in the respective Licensing Committee reports of 22nd July and 20th October 2021.

Key documents:

Appendix 1: Buckinghamshire Council draft Licensing Policy Statement, Licensing Act 2003

Appendix 2: Equalities screening report

[Licensing Committee report 22nd July 2021](#)

[Licensing Committee report 20th October 2021](#)

[Home Office Guidance issued under section 182 of the Licensing Act 2003, April 2018](#)

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Licensing Policy Statement

Licensing Act 2003

February 2022

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Part A - Introduction

Version Control

1.1

Version No	Initial	Date	Changes Made
V1.0			Policy adopted (date TBC) and date published (TBC).

Accessibility

1.2 We have actively considered the needs of blind and partially sighted people in accessing this document. We will make this document available in full on our website and you may download and translate into other accessible formats. If you have other needs in this regard, please contact the licensing service on [licensing email].

Definitions

1.3 While every effort has been made to avoid the over use of technical terms, this is not always possible. [Appendix 1](#) contains a list of definitions which may be of help in explaining some of the key words and phrases used in this document.

Buckinghamshire Council

- 1.4 Buckinghamshire Council came into effect on 1 April 2020, bringing together the former Buckinghamshire County Council, and the four District Councils of Aylesbury Vale, Chiltern, South Bucks and Wycombe. The county has a population of over 540,000 residents and includes the towns of Buckingham, Winslow, Aylesbury, Wendover, Princess Risborough, Chesham, Amersham, High Wycombe, Beaconsfield and Gerrards Cross. The county has a significant amount of rural space with over a quarter of the county within the Chilterns Area of Outstanding Beauty and a further third is covered by the Metropolitan Green Belt.
- 1.5 An interactive map showing the Council's area, including Ward boundaries is available on the Council's [website](#).

The role of Policy

- 1.6 Buckinghamshire Council aims to make Buckinghamshire the best place to live, raise a family, work and do business. The Council wants the county to be a place where everyone can be proud of, with excellent services, thriving businesses, and outstanding public space for everyone. A place where residents, regardless of background, have access to great opportunities, living healthy, successful lives and ageing well with independence. These ambitions are summarised in The Council's key priorities:
- strengthening our communities
 - improving our environment
 - protecting the vulnerable
 - increasing prosperity
- 1.7 Licensing has a crucial role to play in achieving these goals, through the formulation of policy, decision-making, promotion of best practice and enforcement activities.
- 1.8 Licensing is concerned with promotion of the licensing objectives:
- **The prevention of crime and disorder;**
 - **Public safety;**
 - **The prevention of public nuisance; and**
 - **The protection of children from harm.**
- 1.9 The Council, in its role as Licensing Authority, must ensure that when it carries out licensing functions that it does so with a view to promoting the licensing objectives. This Policy explains how the Licensing Authority plans to do this.
- 1.10 The Policy seeks to balance the interests of business and residents to make sure that Buckinghamshire Council continues to offer a wide choice of high quality and well managed entertainment and cultural venues within an environment that is safe and attractive to residents, business and visitors.

Policy creation

- 1.11 This is Buckinghamshire Council's first published licensing policy statement under the Licensing Act 2003. This Policy replaces the licensing policies adopted by the previous District Councils of Aylesbury Vale, Chiltern ,South Bucks and Wycombe.
- 1.12 In preparing this new Policy the Licensing Authority has drawn on the experience of the previous councils in administering the licensing system under the Licensing Act 2003. It has also taken into account the latest National Guidance, guidance from the Local Government Association, case law, best practice and the views of a wide range of stakeholders.
- 1.13 The Licensing Authority has consulted widely in the formulation of this Policy, including the following:
- **Thames Valley Police**
 - **Police and Crime Commissioner**
 - **Fire and Rescue Authority**
 - **Licensees of premises holding a Premises Licence for Alcohol, Entertainment or Late Night Refreshment**
 - **Club premises certificate holders.**
 - **Licensing Committee**
 - **Ward Councillors**
 - **Town Councils and Parish Councils**
 - **Local residents and businesses**
 - **Buckinghamshire's Safeguarding Children Partnership**
 - **The Local Health and Safety Enforcing Authority**
 - **The Local Planning Authority**
 - **The Director of Public Health.**
 - **The Local Environmental Health Authority**
 - **The Local Trading Standards Authority**

- **Community Safety Partnership**
- **Buckinghamshire Council Highways**
- **South Central Ambulance Services**
- **Aylesbury Town Centre management**
- **Wycombe BID**

1.14 In accordance with the Licensing Act the Policy will be kept under review and revisions made, if necessary, before a new policy is determined in five years time.

Using the Policy

1.15 This Policy relates to the following licensable activities under the Licensing Act 2003:

- The sale of alcohol by retail.
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club.
- The provision of regulated entertainment to the public or to club members or for consideration and with a view to profit.
- The provision of late night refreshment.

1.16 This Policy explains how the Council intends to regulate licensable activities when carrying out its licensing functions. It also sets out the authority's expectations of those responsible for carrying out licensable activities. Specific areas of concern are highlighted within the Policy together with proposed risk reduction measures. The successful provision of licensable activities and the promotion of the licensing objectives in Buckinghamshire is dependent on all those involved in the licensing process to have regard to this Policy:

- a) **Applicants** are expected to read this policy before making applications for new licences or variations and to tailor their applications to promote the licensing objectives.

- b) **Local residents** will benefit from reading this policy when deciding whether to make a representation to licence applications or apply for a formal review of an existing licence. The Policy will help when deciding whether to object to an entire application or certain aspects such as proposed times or whether the proposed conditions are adequate. The Council maintains a public register on its **website** where details of all new and variation applications can be found.
- c) **Responsible authorities** will be expected to refer to the Policy and give careful consideration to any application which departs from its terms. This applies in particular to the Licensing Authority itself, which is a responsible authority under the Licensing Act 2003.
- d) **Local councillors**, who are able to make representations as other members of the public. Local councillors may also be asked by local residents and licence holders to help with making representations and applications.
- e) **The Licensing Committee and Sub-Committee** will use the policy when deciding applications for new licences, variations and reviews.
- f) **The Magistrates' Court**, when deciding appeals, 'must stand in the shoes' of the Licensing Authority when applying the Policy.

1.17 The successful application of the Policy by all those involved in the licensing process plays a key role in achieving consistency in decision-making and ensuring that all applications are decided in a way which effectively promotes the licensing objectives.

1.18 Nothing in this Policy prevents any party from making an application and having it determined on its merits. Nor does the Policy prevent any party who is entitled to make representations from doing so, whether such representations are based on the Policy or some other matter relevant to the promotion of the licensing objectives. Furthermore, when it is asked to do so, the Licensing Authority will always decide whether it is appropriate to make a departure from the Policy and will always give reasons for doing so. However, the Policy will always play a key role in decision-making where the Licensing Authority has a discretion.

1.19 Some of the principles in this document are intended to be strictly applied because of the importance of the policy in question to the promotion of the licensing objectives locally.

While, even in these cases, the Licensing Authority will consider whether it is appropriate to depart from the Policy, it is unlikely to do so except in truly exceptional cases where the applicant can show that the objectives of the Policy can be met by other means.

Part B - Integrating other policies, strategies and objectives

General approach

- 2.1 In preparing this Policy the Licensing Authority has had regard to the following policies, strategies and objectives:
- [Buckinghamshire Council Corporate Plan 2020-23](#)
 - [Modern Day Slavery Statement](#)
 - [Safer Buckinghamshire Plan](#)
 - [Council Emergency Plan](#)
 - [Equality Policy](#)
 - [Enforcement Policy – Regulatory Functions](#)
 - [Aylesbury Garden Town Plan](#)
- 2.2 Many of these are not directly related to the promotion of the licensing objectives, but indirectly impact upon them. It is therefore important that the Licensing Authority's Policy co-ordinates and integrates with these areas. Of particular importance is the Corporate Plan which sets out the Council's ambition and vision; the [following sections](#) explain how this Policy integrates with the Council's key priorities.
- 2.3 As a new organisation Buckinghamshire Council is developing new policies, plans and strategies in key areas such as planning, tourism and climate change. The Licensing Authority is committed to the integration of all relevant regimes so as to promote a sustainable and diverse leisure economy and, as part of that, the licensing objectives. It will do this by ensuring ongoing communication between the Licensing Authority and other relevant bodies so that matters of mutual concern and aspiration are discussed, joint working strategies developed, and by reflecting shared goals in this Policy.

- 2.4 At an operational level, the Licensing Authority will ensure that integration occurs through joint working arrangements and [partnership working](#), particularly in relation to enforcement.
- 2.5 At a decision-making level, the Licensing Authority will respect the role that each regulatory scheme has in the development of a sustainable leisure economy. It will not in general attach conditions to licences where the matters of concern are adequately protected by other legislation. It will take into account the existence of other statutory controls when deciding what is appropriate in an individual case in order to promote the licensing objectives. In general, duplication will be avoided and control exercised through the most appropriate system.

Strengthening Communities

Healthy lifestyles

- 2.6 People in Buckinghamshire are living longer and healthier lives than ever before, with health outcomes better than the national average. Buckinghamshire is a healthy and inclusive place to live, work and visit, but the Council still has a number of challenges. The Council wants to support its residents to live independent, fulfilling lives, within strong, healthy, inclusive and resilient communities
- 2.7 Licensed premises can help support this ambition by providing opportunities for people to come together and socialise. However, there are health risks associated with the consumption of alcohol. Licence holders and applicants for licences involving the sale or supply of alcohol are encouraged to consider the potential health impacts of their activities and adopt measures to mitigate risks to health. This could include staff training on the responsible sale of alcohol, avoiding promotions which encourage people to drink more and thinking about the type and alcohol content of drinks they sell.
- 2.8 The Licensing Authority will only consider matters relevant to the promotion of the four licensing objectives when undertaking its licensing functions. The Licensing Authority recognises that there is no specific 'public health' licensing objective, however it is recognised that there may be overlap between the four licensing objectives and health concerns. The Director of Public Health is a responsible authority and may make

representation in respect of new and variation applications, as well as applications for review. When making a representation, the Director of Public Health is most likely to relate such representations to the objectives on public safety and protecting children from harm. This is likely to include the prevention of accidents, injuries and other immediate harms that can result from alcohol consumption, such as unconsciousness or alcohol poisoning. The Licensing Authority also recognises that public health officers have access to health information such as accident and emergency data and ambulance records, where consumption of alcohol has been a factor. This information can help identify areas where the sale and supply of alcohol is having a negative impact on one or more of the licensing objectives. The Licensing Authority encourages the use and sharing of this information where considered relevant and the data shows a clear link between the premises concerned and the data presented. This will promote the health and wellbeing of communities through reducing the harm caused by alcohol.

Public participation

- 2.9 The Licensing Authority encourages public participation in the licensing system. Any person may make relevant representations on applications for new and variation applications and club premises certificates, as well as applying for and supporting review applications. This enables democratic participation in the licensing process allowing local residents, workers, businesses and town centre users to have a say in how the licensed economy is regulated and helps build more resilient communities. Persons do not have to live or work close to licensed premises to engage in the licensing process.
- 2.10 All applicants for licences are generally required by law to advertise their application by displaying a public notice on the premises and in a local newspaper and by serving a copy on statutory authorities such as the police and fire authority. In addition, the Council publishes details of all applications on its online public register on The Council's website.
- 2.11 With a view to facilitating community engagement in the licensing process, the Licensing Authority will ensure that local town and parish councils are notified when a new or variation application is submitted in their area. The purpose of this approach is not to solicit representations to an application but merely to ensure local communities are notified when applications are made.

2.12 While the Licensing Authority wishes to encourage participation in the licensing process it is important to emphasise that the authority may only consider valid representations. Valid representations must be concerned with the promotion of one or more of the licensing objectives. The Licensing Authority are legally obliged not to consider any representation, whether in support or opposed to an application, which is not relevant to one or more of the objectives. The Licensing Authority will for example reject representations which only reference such things as a lack of commercial demand for licensed premises in an area or base objections only on moral grounds.

Improving the environment

2.13 Buckinghamshire is a beautiful county with a stunning natural and historic landscape. Over a quarter of the county is within the Chilterns Area of Outstanding Natural Beauty and a further third is covered by the Metropolitan Green Belt. The Council wishes to:

- Address climate change, improve the environment and create economic opportunities for clean growth.
- Reduce the county's environmental impact by promoting sustainability and reducing waste.
- Improve air quality and people's health, by reducing emissions and encouraging green transport options.

2.14 The Licensing Authority recognises that at first glance promoting environmental concerns is not one of the four licensing objectives, however it can be linked to public nuisance. Public nuisance is not defined in the Act and retains its broad common law meaning and may for example include, in appropriate circumstances, the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of artificial light, dust, odour and insects.

2.15 Licensed premises can contribute by helping to create a greener and cleaner environment by meeting their legal duties and also following best practice. Many venues are also likely to benefit financially by improving energy efficiency. Licensed operators are encouraged to:

a) Reduce, recycle, reuse:

- Publish menus and promotion material online or on recycled materials.
- Encourage customers to use refillable water bottles.
- Improve recycling across all aspects of the business.
- Train staff on sustainability best practice.
- Consider reused and recycled furniture.

b) Improve energy efficiency:

- Improve energy efficiency in heating and cooling. Close doors during colder periods and minimise use of outdoor heating.
- Lighting: use LED lighting and turn lighting off when not in use.
- Use energy efficient equipment to save on power use.

c) Reduce road traffic:

- Develop and implement delivery and service plans that minimise traffic.
- Consolidating supplies and using local suppliers.
- Minimise waste collections.
- Use low emission vehicles for deliveries and servicing which are less likely to cause noise and air quality nuisance.

Protecting the vulnerable

2.16 While most people in Buckinghamshire live independent and healthy lives, some need extra support and protection. The Council wants children, adults and families to feel safe and supported to live independent lives.

2.17 Protecting children from harm is one of the core licensing objectives and protecting the vulnerable is a key priority of Buckinghamshire Council. Licensed premises can be a high-risk environment for children and young people. Risks can include underage consumption of alcohol, access and exposure to tobacco products and illegal drugs, exposure to violence and disorder and exposure to inappropriate entertainment. Although not common there is

also the potential for exposure to sexual exploitation, modern slavery, human trafficking and illegal employment.

- 2.18 Operators of licensed premises are encouraged to put in place a safeguarding policy. The Council will expect operators of high-risk premises to have a written safeguarding policy and procedures including records of staff training. Further details are contained within the promoting the licensing objectives section of this Policy, [protection of children from harm](#).

Increasing Prosperity

- 2.19 Buckinghamshire is a prosperous county and a successful place to do business, contributing significantly to the UK economy and ranked as the fourth most productive area in England. The county has low unemployment, higher than average household incomes, and boasts world-leading sectors. The Council wants:

- To encourage sustainable economic growth, working with partners to maximise opportunities and boost productivity.
- To continue to attract high quality jobs and investment in skills, innovation and connectivity, keeping Buckinghamshire one of the best places to do business.
- Growth to benefit both new and existing communities, preserving the character of our environment while delivering everything we need to prosper.

- 2.20 This Policy contains a number of measures that supports this ambition:

- Ensuring enforcement actions are targeted according to risk to avoid unnecessary burdens on compliant businesses.
- The avoidance of disproportionate or overly burdensome conditions where they are not justified.
- Avoid duplication with other statutory regimes.
- Consistency of decision making through the application of this Policy
- Helping businesses develop robust operating schedules that promote the licensing objectives and reduce the likelihood of future interventions.

Diversity

- 2.21 The Licensing Authority recognises that licensed premises are valuable in attracting tourists and visitors. They also help support vibrant communities and serve as major employers.
- 2.22 It is recognised that as a part of implementing local authority cultural strategies proper account has to be taken of the need to encourage and promote a broad range of entertainment. Where there is any indication that cultural events are being deterred by licensing requirements, the policy will be revisited with a view to investigating how the situation might be improved within the terms of the Licensing Act 2003.
- 2.23 In general, the Licensing Authority encourages the development of premises which are not alcohol led and which are aimed at different sectors of the population, including age and gender. Premises promoting the arts, a food offer or other cultural activities are particularly encouraged. Where premises, such as pubs, are mainly alcohol focused, they are encouraged to consider diversifying their offer so as to encourage a mixed customer base and wider attractions, including community uses, soft refreshments, snacks and live entertainment. Diversification is important in the promotion of the licensing objectives as well as ensuring a sustainable economic future for premises.
- 2.24 To ensure the development of cultural diversity the Licensing Authority has issued premises licences for many public spaces in the community including some town centre areas and parks. The Council will continue to encourage cultural diversity through licensing of public spaces. This might include, for example, village greens, market squares, community halls, council owned art centres and similar public areas. To help promote such activity many forms of entertainment have been deregulated which means no licence is required, providing no alcohol is sold. The Licensing Authority endorses the value of live performance and, where authorisation is needed, will seek to permit such activity when this is consistent with the promotion of the licensing objectives.
- 2.25 As part of its strategy for ensuring that public spaces are welcoming to all residents, businesses and visitors, the Council has made use of Public Space Protection Orders, PSPOs. PSPOs were introduced under the Anti-Social Behaviour, Crime and Policing Act 2014 as a means to tackle anti-social behaviour. They are designed to deal with a particular nuisance or problem in a specific area that is having a detrimental effect on the quality of life of the

local community. This is achieved by imposing conditions on the use of that area that apply to everyone. They are intended to help ensure that the law abiding majority can use and enjoy public spaces, safe from anti-social behaviour. Failure to comply with an order is an offence and can lead to fines and prosecution for offenders. PSPOs have been introduced for a number of public spaces in Buckinghamshire, such as parks and town centres. The orders typically focus on prohibiting on consuming alcohol in the areas concerned but some orders also focus on other anti-social behaviour.

Promotion of Equality

- 2.26 Buckinghamshire Council is committed to ensuring compliance with the Equality Act 2010 and to advancing equality of opportunity, fostering good relations, and eliminating discrimination, harassment and victimisation. The Council's [Equality Policy](#) sets out the Council's approach to equality and diversity in employment and in service delivery.
- 2.27 To ensure transparency, and to assist in the performance of this duty, in accordance with the Equality Act 2010 (Specific Duties) Regulations 2011 the Council will publish:
- a) Equality objectives, at least every four years.
 - b) Information to demonstrate their compliance with the Public Sector Equality Duty annually.
- 2.28 Equality Impact Assessments (EqIAs) are used to ensure that the Council considers equalities issues and assesses the likely impact of its services, policies and decisions. It is possible to carry out an Equality Impact Assessment when there is a change or review to any aspect of the Council's work and the focus may be policy; strategy; service; major project; or a group of services/policies. The completion of an initial screening template will be conducted on behalf of the Licensing Authority to determine if a full EqIA is needed alongside any relevant policy change.
- 2.29 The Licensing Authority recommends that licensees make themselves familiar with the requirements of the Equalities Act for the access and provision of services for persons within the nine protected groups identified by the legislation. The Act makes it unlawful to discriminate against anyone because of:
- Age

- Being or becoming a transsexual person
- Being married or in a civil partnership
- Being pregnant or on maternity leave
- Disability
- Race including colour, nationality, ethnic or national origin
- Religion, belief or lack of religion/belief
- Sex
- Sexual orientation.

2.30 The Licensing Authority expects operators of licensed premises to assess their policies and procedures to ensure they comply with the Equalities Act. This is particularly relevant to 'entrance policies' which are expected to be inclusive and transparent.

Partnerships

2.31 The aims of this Policy are not just achieved through decision making. They are also achieved through formal and informal partnerships. In order to achieve this the Council is committed to partnership working with the police, fire & rescue authority, child protection agencies, local businesses, residents and others.

2.32 Among the partnership initiatives operating in the area are:

- a) **Partnerships with regulatory authorities.** The Licensing Authority, together with Thames Valley Police, Trading Standards and Community Safety will enforce the law relating to the sale of alcohol to drunk and underage people and drunkenness and disorder on, or in the immediate vicinity of licensed premises. Targeted and joint enforcement initiatives will be undertaken in line with the Legislative and Regulatory Reform Act 2006, see [Enforcement section](#).
- b) **Pubwatch.** This important scheme enables partnership working between licensed premises themselves and also with the police, so as to foster a joint understanding of the measures needed to produce a vibrant but safe leisure economy. The Licensing Authority strongly encourages universal participation in Pubwatch as a

measure of the premises management's commitment to the promotion of the licensing objectives. The Council's licensing service can provide details of local schemes and help with guidance and assistance to set a scheme up where one doesn't currently exist.

- c) **Safer Buckinghamshire Board.** The Crime & Disorder Act 1998 gave the police and local authorities powers to join with other organisations to form a local Community Safety Partnership. The role of the partnership is to develop an action plan to reduce crime within the local area. The [priorities of the partnership](#) include helping communities become more resilient, protecting children and the vulnerable, addressing the impact of drugs and alcohol and poor mental health, tackling domestic violence and abuse and dealing with offending. Drug and alcohol misuse is often a factor in many instances of criminal behaviour, disorder and anti-social behaviour.
- d) **Aylesbury Town Centre Partnership.** The partnership brings together council officers, businesses, residents and local organisations with an interest in the future of Aylesbury town centre. The result has been a programme of initiatives which have helped to transform the area, improve safety, support businesses, attract new investment and new retailers and increase footfall.
- e) **High Wycombe Business Improvement District (BID).** The not-for-profit partnership works on behalf of over 675 businesses within High Wycombe town centre. The BID work with the local community, including statutory agencies such as the police and Council's licensing service, to help make the town look better and feel safer. The BID also organise activities throughout the year to help promote the town centre area and encourage footfall.

Planning and building control

- 2.33 Planning permission is usually required for the building of new premises or the material change of use of premises from one 'Use Class' to another. Building regulations approval is concerned with the construction and changes to buildings.

- 2.34 In general, planning is concerned with land use and building regulations are concerned with building safety, whereas licensing is concerned with more detailed operational matters. Accordingly, applicants for premises licence are encouraged to ensure that the proposed use would amount to a lawful planning use and any planned works to the building meet the relevant building regulations requirements. There is no legal basis for the Licensing Authority to refuse a licence application merely because the proposal does not have planning permission or the appropriate building regulations approval. However, the Licensing Authority will take account of the lack of the requisite consent or approval to the extent that this is relevant to the licensing objectives.
- 2.35 The fact that premises have a planning permission for the proposed use does not guarantee the grant of a premises licence for the use. In general, the licensing system will provide the detailed control of operational matters, which are unlikely to be addressed through the planning process. However, there will be overlapping issues of interest, for example disturbance, which will remain material considerations for both planning and licensing purposes. There may be circumstances when a terminal hour condition has been attached to the planning permission for the use of the premises for commercial purposes. Where these hours are different from the permitted licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of either their planning or licensing permissions would be liable to enforcement action under the applicable legislation.

ASB away from the premises

- 2.36 Licensing is not the primary mechanism for controlling anti-social behaviour away from premises and beyond the direct control of operators. However, it is a key aspect of such control and licensing law is part of the holistic approach to the management of the evening and night time economy in town and city centres as well as rural areas and to some extent during the daytime too. Therefore, this Policy acknowledges the contribution of individual premises and, in certain circumstances, groups of premises to anti-social behaviour.

Part C Promoting the licensing objectives

How this policy works

- 3.1 Applicants for premises licences and club premises certificates are required to complete an “operating schedule” showing the proposed licensable activities, the operating hours, and the measures which they propose to promote the licensing objectives.
- 3.2 Applicants are strongly encouraged to read this policy when preparing their applications and to include the standards and, where relevant, licensing hours, set out in this Policy. While applicants are legally entitled to make applications without complying with this Policy, a failure to comply with the Policy is more likely to lead to objections, delay, extra cost and referral of the application to the Council’s licensing sub-committee for determination at a public hearing.
- 3.3 Responsible authorities, local residents, residents’ groups, local businesses and other parties that are considering making a representation are also encouraged to refer to this Policy. The expected standards in relation to the promotion of the licensing objectives may help in submitting a valid representation which focuses on one or more of the licensing objectives.
- 3.4 If no relevant representations are received, the Licensing Authority has a legal duty to grant the application, subject only to the terms of the applicant’s operating schedule and any mandatory conditions. If, however, valid representations are received, the Licensing Authority is required to determine the application and the decision is usually made by the Council’s licensing sub-committee.
- 3.5 In determining the application, the Licensing Authority is likely to apply the standards set out in this policy, unless exceptional circumstances can be demonstrated and the objectives of the Policy are achievable through other means.
- 3.6 The Licensing Authority will also take this Policy into account when deciding upon review applications. If a failure to comply with the Policy has been a contributory factor in the non-promotion of the licensing objectives, this is likely to be reflected in any decision made by the Licensing Authority.

- 3.7 The Licensing Authority will also refer to the Policy when considering contested personal licence applications and temporary event notices.
- 3.8 Where reference is made in this Policy to Licensing Authority decisions in respect of applications for example regarding hours of operation or imposing particular conditions, it is emphasised that this is only in circumstances where relevant representations have been received. The Licensing Authority has no discretion to refuse or grant applications subject to different conditions than those applied for if no valid representations have been made.

Hours

- 3.9 In general, the Licensing Authority will set the hours of licensed premises according to the individual merits of the case.
- 3.10 In some circumstances, flexible licensing hours can help to avoid harm to the licensing objectives caused by customers leaving licensed premises at the same time. Varied closing times can also help to promote diverse leisure economies.
- 3.11 However, inline with the duty to promote the licensing objectives, the Licensing Authority's Policy is to respect the right of residents to peace and quiet. In general, the Licensing Authority will take a more stringent approach to licensing hours in areas of higher residential density where there is greater risk of public nuisance.
- 3.12 The Licensing Authority's experience is that premises which are alcohol-led are more likely to give rise to concerns regarding late night nuisance and crime and disorder, the more so when they involve one or more of the following:
- Directed at a younger clientele
 - Involve vertical drinking
 - Playing of loud music
 - Include outside drinking areas

Premises falling within this category will be expected to demonstrate clearly, including by the use of licence conditions and management systems, that the hours applied for will not risk harm to the licensing objectives.

3.13 Shops, stores and supermarkets will normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours. Further, in the case of individual shops which are known to be a focus of disorder and disturbance then, subject to representations from, for example, the police or other persons, a limitation on licensing hours may be appropriate.

Standards of management

3.14 The Licensing Authority seeks to encourage the highest standards of management in licensed premises and expects this to be demonstrated through the operating schedule. When assessing the applicant's or licensee's ability to demonstrate a commitment to high standards of management the Licensing Authority will take into account whether the applicant or licensee:

- Can demonstrate comprehensive knowledge of best practice.
- Has sought advice from the responsible authorities.
- Has implemented any advice that has been given by the responsible authorities.
- Is able to understand verbal and written advice and legal requirements.
- Can demonstrate knowledge of the licensing objectives, relevant parts of the Policy and their responsibilities under the Licensing Act 2003.
- Is able to run their businesses lawfully and in accordance with good business practices.
- Can demonstrate a track record of compliance with legal requirements.

3.15 Where there is a history and pattern of non-compliance associated with the management of the premises, linked to an adverse affect on the promotion of the licensing objectives, the Licensing Authority is unlikely to grant a new or variation application, or permit premises to continue to operate without further restrictions on review, unless there is evidence of significant improvement in management standards.

Licence conditions

- 3.16 There are three types of conditions that may apply to premises licence and club premises certificates:
- Proposed conditions presented by the applicant in their application.
 - Imposed conditions by the Licensing Authority when relevant representations have been received in relation to an application or when determining an application for review.
 - Mandatory conditions which the Licensing Act 2003 requires to be applied.
- 3.17 This section concerns the first two of those methods. Mandatory conditions are obligatory conditions that apply to all licensed premises depending on the particular licensable activities they carry out so this Policy does not deal with them. Further information about mandatory conditions is available in [Chapter 10 of the Section 182 Guidance](#).
- 3.18 The Licensing Authority considers that conditions play a key part in the promotion of the licensing objectives. Before making applications, applicants are expected to risk assess their proposed operations with reference to the licensing objectives. Potential applicants are encouraged to discuss their proposals with the Licensing Authority and responsible authorities. This will help them to formulate proposed conditions which will meet the licensing objectives and avoid objections (“relevant representations”). Where they fail to do so and relevant representations are received, the Licensing Authority will have to consider whether additional conditions are appropriate to promote the licensing objectives. Breaches of condition in and of themselves are an offence under Section 136 of the Licensing Act and on summary conviction can lead to an unlimited fine and/or up to 6 months in prison.
- 3.19 In preparing their applications, applicants are strongly encouraged to consider the terms of this Policy in general and this chapter in particular. In considering applications, the Licensing Authority will also take this Policy as a starting point.
- 3.20 A key concept underpinning the Act is that conditions attached to licences and certificates are tailored to the individual style and characteristics of the premises and licensable activities concerned. It is not the intention to impose disproportionate or overly

burdensome conditions where they are not justified. Conditions may only be imposed on licences where they are appropriate and proportionate for the promotion of one or more of the licensing objectives. Nevertheless, when deciding what conditions are appropriate and proportionate, the Licensing Authority will be strongly guided by this Policy and the Licensing Act. If an applicant wishes to state that a particular condition should not to be applied, the applicant will be expected to explain why.

3.21 Applicants' attention is drawn to the non-exhaustive pool of conditions published by the licensing service and available on the Council's [website](#). These conditions may be of use to applicants when completing operating schedules. In accordance with case law, ([Crawley BC v Attenborough \[2006\]](#)), the licensing authority is entitled to go through any draft conditions which are being offered by the applicant or as part of the application process and to advise them of appropriate wording which will make the condition clear and enforceable and seek their agreement to amend their application to achieve this objective. The conditions listed are similar to those which the Licensing Authority has found particularly useful in promoting the licensing objectives when addressing concerns raised by responsible authorities and other parties. In appropriate circumstances, the Licensing Authority will draw upon these conditions when exercising its licensing powers. In addition there is further guidance on conditions in [Chapter 10 of the Section 182 Guidance](#). Applicants and the Licensing Authority may also draw on other sources, including the following:

[The Purple Guide to Health, Safety and Welfare at Music and Other Events](#)

[Managing crowds safely](#) (Health and Safety Executive)

[Fire safety risk assessments small and medium places of assembly](#) (up to 300 people)

[Fire safety risk assessments large places of assembly](#) (over 300 people)

3.22 In proposing licence conditions, applicants are expected to take into account the standards and other matters set out below. Where relevant representations are made, it is the policy of the Licensing Authority to impose conditions reflecting such standards where applicable unless the case is exceptional. A case will not be considered exceptional unless the applicant can demonstrate that the licensing objectives will not be harmed by the omission of the condition or can be met in some other way.

- 3.23 In considering variation applications, decision concerning conditions will be confined to the subject matter of the application as per case law ([Taylor vs Manchester City Council \[2012\]](#)). In practice this means that conditions will not be imposed in response to a variation application that do not relate to the application sought.
- 3.24 In considering review applications, the Licensing Authority will take into account whether such standards have previously been observed at the premises and whether such standards are appropriate in order to promote the licensing objectives.
- 3.25 The Policy restricts itself to the control of licensed premises, qualifying clubs and temporary events within the terms of the Act. Therefore, conditions will focus on matters within the control of operators, centring on the premises and the vicinity.

Prevention of crime and disorder

- 3.26 Section 17 of the Crime and Disorder Act 1998 places a legal duty on the Council to consider the reduction of crime and disorder, including the reduction of anti-social behaviour, in all its activities. The Licensing Authority will look to the police as the main source of advice on crime and disorder matters and will also seek to involve the local Community Safety Partnership for advice on anti-social behaviour.
- 3.27 Applicants are expected to demonstrate in their operating schedule how they intend to promote the crime prevention objective in relation to the licensable activities provided. Applicants should also consider local circumstances, for example such as the terminal hour of other licensed premises in close proximity, local crime and anti-social behaviour 'hot spots' and the position of taxi ranks and other transport hubs.
- 3.28 The Licensing Authority will treat the police as the main source of advice on conditions to be applied in order to promote the crime prevention objective. Conditions imposed on licences will, so far as possible, reflect any local crime prevention strategies and the local [Police and Crime Plan](#) published by the Police and Crime Commissioner for Thames Valley.
- 3.29 Applicants are encouraged to discuss the crime prevention procedures and arrangements with the Licensing Authority and the police before making an application.

3.30 The Licensing Authority encourages Designated Premises Supervisors and others connected with the sale of alcohol to attend meetings aimed at the reduction of crime and disorder such as local Pubwatch and Shopwatch schemes.

3.31 The prevention of crime includes preventing offences under the Immigration Act 2016 related to illegal working in licensed premises. The Licensing Authority will look to Home Office Immigration Enforcement, as well as the police, for advice in respect of these matters.

3.32 In considering licence applications, where a relevant representation has been made, or if advice is sought from a potential applicant regarding the crime and disorder objective, the Licensing Authority will particularly consider the following:

- a) **Accountability.** Robust systems of accountability should be in place to ensure the premises are run in accordance with the Premises Licence or Club Registration Certificate. Such systems should clearly show how duties will be delegated, deal with authorisations to dispense alcohol and identify who is in control of the premises on a day to day basis.
- b) **Responsible sale and supply of alcohol.** It is expected that all premises licensed to sell and supply alcohol will have measures in place to prevent:
 - The sale and supply of alcohol to children
 - Serving alcohol to customers who are drunk
 - Permitting drunkenness on the premises
 - Encouraging irresponsible drinks promotions
 - Spiking of drinks
 - Anti-social street drinking in the local vicinity.

The expected measures include written policies and procedures, documented staff training and refresher training, the use of refusal logs and incident reports and use of appropriate signage.

- c) **Drinking vessels.** The use of drinking vessels made of toughened glass, plastic or other materials that do not form a sharp edge when broken reduce the risk of

serious injury and should be considered in environments where there is an increased risk of disorder and threats to public safety. Higher risk environments include nightclubs, late night pubs and bars and venues hosting major sporting events. Frequent collection of all empty drinking vessels and avoiding passing glass bottles to customers will help prevent these items being used as weapons. Careful consideration should be given to the choice of drinking vessel in outside drinking areas.

- d) **Street drinking.** Street drinking can cause nuisance as well as crime and disorder. Where there is a history of anti-social behaviour associated with street drinking in an area, the Licensing Authority may impose additional restrictions on licences for the sale of alcohol for consumption off the premises. Additional restrictions may include not selling high strength beer and cider, not selling cans and bottles in single cans and discouraging the sale of alcohol to known street drinkers. Applicants intending to sell alcohol for consumption off the premises are advised to refer to the section on [Public Space Protection Orders \(PSPOs\)](#).
- e) **Physical measures.** Physical security features installed in the premises should reflect the potential risks of crime and disorder occurring. This may include the position and design of cash registers, where and how alcohol is stored in 'off licences', and the installation, management and maintenance of closed-circuit television (CCTV) equipment. A 'designing out crime' approach when designing premises, for example by providing for good sightlines and lighting in the venue, will help identify the appropriate measures necessary to reduce the risk of crime and disorder.
- f) **CCTV.** The presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. CCTV may have to be provided in certain circumstances and certain type of premises. This is particularly appropriate where there is good reason to suppose that disorder may take place, for example premises licensed to sell alcohol for consumption on the premises later at night within town centre areas and 'off licence' premises where there is evidence of anti-social behaviour problems in their vicinity. Some licence holders may wish to have

cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. The Licensing Authority strongly recommends that the installation, maintenance and operation of CCTV should be carried out in consultation with Thames Valley Police. It may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of any conditions relating to CCTV. Operators considering installing CCTV will need to ensure that they comply with data protection laws, further information and guidance is available from the [Information Commissioner's Office](#).

- g) **Theft prevention.** Thieves may target customers of licensed premises or the premises itself. Measures to prevent theft, include:
- Customer warning notices.
 - Free cloakrooms and bag hooks.
 - Adequate surveillance of internal and external areas, mapping crime hotspots may help identify vulnerable areas.
 - High quality lighting and removal of 'dark' spots.
 - Gathering and sharing intelligence with the local police and other businesses in the vicinity.
 - Ensuring stock is secure and carefully monitored.
- h) **Pubwatch and shopwatch.** Voluntary schemes such as [Pubwatch](#) and Shopwatch help promote safer environments for the sale and consumption of alcohol. These partnership schemes provide an independent local network for licenced businesses to work together to tackle crime and disorder, share best practice and develop closer working relationships with the police, council and other agencies. Licence holders are encouraged to take part in local schemes where they exist; licensees are also encouraged to introduce a scheme where one does not already exist.
- i) **ID scan.** For late night venues where there is a significant risk of serious crime occurring, applicants should consider the use of customer identification systems

such as Clubscan and ID scan to record the identities of all those attending the premises. As with CCTV, operators considering using computerised ID verification equipment will need to ensure that they comply with data protection laws.

- j) **Door supervisors.** The use of door staff both inside and outside the premises can help deter crime. Staff should be easily identifiable through use of clothing. With limited exceptions, persons employed at licensed premises to carry out security activities are required to be licensed with the [Security Industry Authority](#). The Licensing Authority may consider that certain premises require strict supervision for the purpose of promoting the reduction of crime and disorder. Where appropriate, the Licensing Authority may impose a condition that licensed door supervisors must be employed at the premises either at such times as certain licensable activities are being carried out or the premises is open to the public or at such other appropriate times. Applicants should risk assess their operation and make sensible and realistic proposals in respect of the number of door supervisors and the hours of their attendance.
- k) **Closing procedures.** The effective use of ‘wind down’ procedures can help facilitate an orderly dispersal of customers. Wind down measures typically consist of:
- a set time before closing, after which alcohol ceases to be sold
 - hot and cold soft drinks and food may still be provided;
 - “exit music” is played at a reduced volume;
 - lights are turned up;
 - customers are advised on available onward transport options, including dedicated taxi services;
 - staff at the door ensure that customers leave in an orderly manner.
- l) **Illegal drugs.** The Licensing Authority recognises that drug use by people in pubs and clubs is not something relevant to all licensed premises. However, it is also recognised that special conditions will need to be imposed for certain types of venues to reduce the sale and consumption of drugs and to create a safer environment for those who may have taken them. Where conditions are under

consideration, the Licensing Authority will take into account latest Government guidance. In all cases where these conditions are to be imposed, the Licensing Authority will endeavour to seek advice from the police and the authority for responsible for public health. The measures employed to prevent the consumption or supply of illegal drugs, including search procedures, entry policies, staff training, supervision of WCs, the removal of horizontal surfaces and the installation of lighting to deter drug use in WCs.

- m) **Special events.** Existing licensed premises considering hosting one off special events, particularly those using an external promoter, should give careful consideration to carrying out a crime and disorder risk assessment. One off events can attract significantly larger numbers or a different customer profile than the premises normally accommodates. A specific risk assessment will help identify problems before they occur and identify the necessary control measures such as sufficient staff numbers and security provision. Premises management should also consider historical background checks to ensure events have not been associated with crime and disorder problems elsewhere.
- n) **Late night refreshment.** Experience has shown that it is sometimes difficult to comply with the terminal hour in respect to the provision of late night refreshment. Supply of hot food or drink actually takes place when it is handed to the customer, not when money is exchanged. Given that the premises may be full of customers at the terminal hour of the licence, it is advisable to ensure there is sufficient measures in place to ensure there is time to serve these customers. Closing procedures such as when the door will be locked, the displaying of the 'closed' sign and letting customers out are worth taking into consideration in preparing an operating schedule. Applicants may also like to consider the need to prominently display their opening times on the shop window. Where premises are likely to experience crime and disorder, the use of CCTV and door supervisors should be considered.
- o) **Illegal working.** In circumstances where premises are associated with an increased risk of employing illegal workers, for example through previous enforcement or credible information and intelligence, then it may be appropriate for the premises licence holder to have demonstrable procedures of right to work checks on staff

employed at the licensed premises and arrangements for retaining documentary evidence of such checks.

- p) **Threat of terrorism.** Operators of licensed premises should undertake a terrorism threat risk assessment that ensures that any security-related vulnerabilities have been identified, and reasonable, and proportionate steps (in keeping with the size and nature of the operation), have been taken to reduce the risk from a terrorist attack. Further advice is available online from the [National Counter Terrorism Security Office](#).
- q) **Equality.** Applicants are advised that any form of public entertainment (including film exhibitions) which is likely to lead to disorder, or stir up hatred or incite violence towards any section of the public on the grounds of colour, race, ethnic or national origin, disability, religious beliefs, sexual orientation or gender is likely to give rise to representations which are likely to lead to the refusal of such an application.

Public Safety

- 3.33 Applicants must be able to demonstrate that they have undertaken a thorough assessment of the risk to public safety presented by their intended activities. Statutory duties in relation to risk assessment arise from the Health and Safety at Work Act 1974 and the [Regulatory Reform \(Fire Safety\) Order 2005](#). The Licensing Authority does not intend to impose conditions which simply replicate other statutory controls, but it will scrutinise whether all relevant measures are being applied so as to promote the licensing objectives. Applicants are encouraged, though not obliged, to submit with their applications evidence of compliance with such controls. Where they do, it is less likely that relevant representations will be made leading to the cost and delay of a licensing hearing. Licence holders are also advised that while generally smaller businesses employing less than five employees are not required to keep a record of their risk assessments, this does not apply in the case of fire safety risk assessments and licensed premises. All licensed premises, regardless of size or number of employees, must have a record of a suitable and sufficient fire risk assessment.

- 3.34 Depending on the individual circumstances, control measures proposed in an operating schedule may include:
- a) **Permitted Capacity limits.** Depending on the nature of the venue, there may need to be capacity limits for different parts or rooms within the venue. Where limits are necessary, appropriate measures will need to be in place to ensure that these limits are complied with such as recorded capacity checks and sufficient staff to monitor and control customer numbers.
 - b) **Entrance and exits.** Additional arrangements may be necessary to ensure customers can arrive and leave the premises or site safely. These arrangements may include the use of clearly identifiable signage, suitable barriers, maintenance of unobstructed exit routes, adequate lighting levels, staff employed to control entrances. Particular consideration should be given to the safe evacuation of those with disabilities for example the partially sighted and wheelchair users.
 - c) **Plans.** All applicants for licences and certificates are required to submit a scale plan of the premises. Among other things the plan must show the location of any fire safety and any other safety equipment which could include smoke detectors, emergency lighting, fire fighting appliances, safety shutters, panic alarms, CCTV.
 - d) **Certificates and record keeping.** A system for recording the routine servicing and maintenance of any equipment that poses a potential risk to ensure premises remain safe. This should include electrical installations, fire safety equipment, boilers, cooking equipment and lifts. Records should also be kept of ongoing premises safety management checks such as daily pre-opening and during opening checks and routine fire safety checks such as fire alarm and emergency lighting tests and emergency evacuation exercises.
 - e) **Staff training.** Staff need to know what is expected of them to ensure the public remain safe when visiting licensed premises. Regular training helps ensure that staff know how to maintain premises in a safe condition and to take the appropriate action in the event of an emergency situation. A record of ongoing staff training helps ensure routine training is maintained at regular intervals and gaps in training needs can be easily identified.

- f) **Special effects.** Special consideration needs to be given to the use of any special effects such as lasers, pyrotechnics, strobe lighting and smoke machines. The use of any special effect should be thoroughly risk assessed before being introduced.
- g) **Terrorism.** A terrorism risk assessment will help identify any security-related weaknesses and depending on the size and nature of the business what steps are required to reduce the risk from a terrorist attack. Steps could range from staff briefings, increased frequency of outside glass collections and additional surveillance to the installation of new CCTV systems and redesigned entrances and outside areas.
- h) **Arson.** Arson is a common cause of fire at licensed premises. The location, accessibility and volume of waste are all factors that need to be considered. Large volumes of easily accessible waste stored in close proximity increase the risk of arson attack.
- i) **Dance venues.** Venues used for dancing present potential additional safety risks to staff and customers through increased music noise levels, overheating and exposure to illicit drugs. Risks can be reduced through ear protection, provision of quieter break out areas and use of adequate ventilation. A first aid needs assessment will help identify the appropriate level of first aid required. All venues susceptible to issues associated with illicit drugs should have written drugs policies and procedures which identify what actions staff will take in the event of a drug related emergency. The Control of Noise at Work Regulations (2005) require employers to reduce risks to health and safety from noise at work. While the regulations do not apply where people are not at work, the general duties under the Health & Safety at Work Act may apply. For further information see the HSE, [“Noise at work A brief guide to controlling the risks”](#).

The prevention of public nuisance

- 3.35 Public nuisance relates to the negative effects of nuisances including noise, light, odour, dust and litter affecting, or likely to affect, at least a few separate households locally. The Licensing Authority is keen to protect the amenity of residents and businesses in the vicinity

of licensed premises. At the same time the Licensing Authority is aware that the licensed trade is important to the local economy and promoting the Council's culture and leisure aspirations. Consequently, the Licensing Authority will try and work together with statutory agencies, licensed businesses, residents and other businesses to reach a compromise in its decision making.

- 3.36 In considering all licence applications, the Licensing Authority will consider whether the measures proposed to deal with the potential for public nuisance having regard to all circumstances of the application, are adequate. In preparing applications, applicants are strongly encouraged to consider the measures set out below. Much weight will be placed on recommendations made by Environmental Health Officers in terms of preventing public nuisance.
- 3.37 Particular measures include:
- a) **Noise escape.** The steps taken or proposed to be taken by the applicant to prevent noise and vibration escaping from the premises, including music, noise from ventilation equipment and human voices. Such measures may include the installation of soundproofing, air conditioning, acoustic lobbies and sound limitation devices. In appropriate circumstances and where not included in the operating schedule, a condition may be imposed requiring the assessment by the applicant (either with or without the involvement of Environmental Health), of potential noise sources which could cause disturbance to those in the vicinity and to identify and implement appropriate control measures.
 - b) **Customer arrival.** The steps taken or proposed to be taken by the applicant to prevent disturbance by customers arriving at the premises, particularly at night. This may include last entry conditions, minimisation and control of queuing and supervision of the exterior of the premises. If some queuing is inevitable then queues should be diverted away from neighbouring premises or be otherwise managed to prevent disturbance or obstruction.
 - c) **Smokers.** Arrangements to minimise disturbance from customers smoking outside the premises. These may include supervision, delineated areas for smoking, controls on numbers and preventing customers taking alcohol outside.

- d) **Customer departure.** The steps taken or proposed to be taken by the applicant to prevent disturbance by customers leaving. Such steps will include proper winding down policies so that customers leave gradually and quietly, notices to customers requesting respect for neighbours, the use of dedicated taxis, management of queues for taxis, direction of customers away from residential areas, supervision of exterior areas, requesting customers to respect neighbours and prevention of customers gathering outside the premises.
- e) **Staff departure.** The steps taken or proposed to be taken by the applicant to ensure staff leave the premises quietly. Consideration should also be given to policies relating to the use of the premises by staff once the premises has closed, particularly in relation to late closing premises in residential areas. Nuisance can often arise as a consequence of staff using licensed premises once closed to the general public.
- f) **Customer parking.** The arrangements made or proposed for parking by patrons and the effect of parking by patrons on local residents.
- g) **Public transport.** Whether there is sufficient provision for public transport (including taxis and private hire vehicles) for patrons. Taxis and private hire vehicles have the potential to disturb local residents and measures to prevent such disturbance, include preventing use of horns, engines running, restricting numbers permitted to wait and direction of approach and departure. Such controls are easier to implement when the licensee has a contract with particular suppliers.
- h) **Location.** Operators should thoroughly assess their location and be mindful of any premises particularly sensitive to nuisance such as nursing homes, hospitals, hospices or places of worship. In such cases the installation of additional special measures may assist in reducing the risk of nuisance.
- i) **Outside areas.** The Licensing Authority supports the use of outside areas such as gardens and forecourts however robust management controls are usually required to ensure that the use of these areas does not cause a nuisance. Control measures may include adequate supervision, regular glass collections, curfews and last entry conditions. The Licensing Authority encourages operators to consider adopting the pavement licence conditions, shown in the **Council's schedule of model conditions**,

in respect of outside hospitality areas off the public highway. These measures have proved successful in allowing venues to provide hospitality on the public highway without contributing to public nuisance. A summary of the key measures to prevent public nuisance are:

- Furniture to only be placed during permitted hours of use.
- Separate smoking and non-smoking seating areas, separated by a minimum of 2 metres, with appropriate signage. No ash trays or similar permitted in smoke free areas.
- The provision of any outside entertainment shall not cause a disturbance to nearby residents.
- The licence holder shall have a system in place to regularly monitor the use of outside areas by customers to ensure nearby residents are not disturbed by customer noise and the area is kept clear of litter.
- Outside lighting shall not cause a nuisance to nearby residents.
- Suitable waste receptacles shall be made available for use by staff and customers.
- The outside area shall be thoroughly cleaned at the end of each day that it is in use.

j) **Deliveries and waste collections.** As far as possible delivery and collection times should be arranged to minimise the risk of noise nuisance to residents and other businesses in the vicinity. Staff should avoid placing glass bottles and other waste outside late at night unless suitable noise mitigation measures are in place.

k) **Litter.** Measures should be in place to manage the risk of littering associated with the premises. This includes having sufficient waste receptacles to avoid overflowing refuse containers and litter sweeps in the immediate vicinity to clear cigarette butts, food receptacles and flyers associated with the premises. Sometimes problems arise about litter from takeaways and, to a limited extent, from off licences. Licensees should consider distinctive wrapping, packaging or

bags, so that litter can be traced back to particular premises and also periodic litter collection patrols and the provision of additional bins.

- l) **Lighting.** Outside lighting needs to be carefully planned and managed, including security lighting, to avoid causing nuisance.
- m) **Complaints procedure.** All licensed premises are expected to have a complaints procedure in place. This may include a dedicated phone line available for local residents to use in the event of problems arising. Any complaint should be recorded in a log together with details of any action taken to the response. All staff should be made aware of the complaints procedure and provided with clear instructions. In some circumstances regular meetings with neighbouring residents can be beneficial in addressing any concerns. Experience shows that this is most effective if action is taken at early stage to build good relations with local residents.
- n) **Street drinking.** Street drinking can cause nuisance as well as crime and disorder. Where there is a history of public nuisance associated with street drinking in an area, the Licensing Authority may impose additional restrictions on licences for the sale of alcohol for consumption off the premises. Additional restrictions may include not selling high strength beer and cider, not selling cans and bottles in single cans and discouraging the sale of alcohol to known street drinkers. Applicants intending to sell alcohol for consumption off the premises are advised to refer to the section on [Off-licences and PSPOs](#).

Protection of children from harm

- 3.38 Protecting children from harm is one of the core licensing objectives and protecting the vulnerable is a key priority of Buckinghamshire Council. Licensed premises can be a high-risk environment for children and young people. A child is defined as any person under 18 years of age and includes unborn children. Risks can include underage consumption of alcohol, access and exposure to tobacco products and illegal drugs, exposure to violence and disorder and exposure to inappropriate entertainment. Although not common there is

also the potential for exposure to sexual exploitation, modern slavery, human trafficking and illegal employment.

- 3.39 **Safeguarding policies.** The Licensing Authority believes that everyone working in an environment where there may be children present should safeguard and promote the wellbeing of children so they are protected from abuse. Child abuse is a general term which encompasses all maltreatment of children. The Department for Health uses four broad categories of abuse: neglect, physical abuse, sexual abuse and emotional abuse. Abuse can occur within a family, institutional or community setting and the perpetrator may or may not be known to the child.
- 3.40 The Licensing Authority encourages all operators of licensed premises to put in place a safeguarding policy. The Licensing Authority expect operators of high-risk premises to have a written children safeguarding policy. High-risk premises include:
- Venues providing adult entertainment.
 - Hotels.
 - Premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.
 - Premises with unsupervised beer gardens.
 - Nightclubs and late night opening pubs and bars (open after 12 midnight).
 - Premises where unaccompanied children may be permitted such as shops and late night food takeaways.
- 3.41 The policy should contain details of awareness training provided to staff so that they know how to identify and report potential abuse. More specifically staff awareness training should cover:
- Being alert to the possibility of child abuse and neglect, i.e. the definition, prevalence, identifying features in a child or adult, legal parameters and social consequences.
 - Having enough knowledge to recognise an abusive or potentially abusive event or set of circumstances.
 - Knowing who in the organization to raise concerns with.

- Being competent to take the appropriate immediate or emergency action.
- Knowing how to make a referral to Buckinghamshire Council and/or the Police.

3.42 It is also recommended that a person be nominated with responsibilities for managing the safeguarding children policy. This role should include arranging training and recording details of those that have attended, sharing and displaying latest information relevant to the policy, provide advice and support to staff and to act as the main point of contact on safeguarding matters.

3.43 **Restricted access.** In addition to the mandatory restrictions imposed by the Licensing Act 2003, the Licensing Authority may also impose conditions restricting the access of children to premises where it is considered appropriate for the prevention of physical, moral or psychological harm. Where there are matters that give rise to serious concerns and restriction of access may not ensure adequate protection of children from harm, applications will be refused.

3.44 Examples which may give rise to concerns in respect of children and access may be restricted include those where:

- adult entertainment is provided;
- a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);
- it is known that unaccompanied children have been allowed access;
- there is a known association with drug taking or dealing;
- in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises; or
- other high risk premises where there is no evidence of a sufficient safeguarding children policy is in place.

- 3.45 When deciding whether to limit the access of children to premises, the Licensing Authority will judge each application on its own merits.
- 3.46 Where concerns have been identified in respect of individual premises and it is felt that access of children should be restricted, the options available would include:
- Limitations on the hours when children may be present.
 - Age limitations for persons under 18.
 - Limitations or exclusion when certain activities are taking place.
 - Full exclusion of persons under 18 when certain licensable activities are taking place.
 - Limitations of access to certain parts of the premises for persons under 18.
- 3.47 Where no conditions or restrictions are imposed, the issue of access for children is a matter of the discretion of individual licensees or clubs subject to legislative restrictions.
- 3.48 The 'Responsible Authority' in respect to the protection of children is the [Buckinghamshire Safeguarding Children's Partnership](#).
- 3.49 **Advertising.** The Licensing Authority welcomes the [Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks](#). The code is an effective means of protecting children in relation to packaging and promotions that may appeal to minors. Licence holders are encouraged to refer to the Code and to be vigilant to ensure any alcohol products sold are in compliance with the Code.
- 3.50 **Age verification.** The Licensing Authority considers under-age consumption of alcohol to be a particularly serious issue. All premises licensed for the sale by retail of alcohol are required by way of mandatory condition to have an age verification policy in place. The Licensing Authority recommends that the following documents are suitable to verify a person's proof of age:
- Passport.
 - Photo card driving licence.
 - Proof of Age Standards Scheme card bearing the PASS hologram.
 - Military identification card.

- 3.51 In addition, the Licensing Authority supports and encourages the adoption of Challenge 25 or similarly approved schemes, the use of a refusal register, the maintenance of an incident log and staff training.
- 3.52 Premises should consider the risk of ‘proxy’ purchasing of alcohol and put in place measures and train staff to deal with it. Proxy purchasing in this instance refers to a person buying alcohol on behalf of someone who is under the age of 18 years.
- 3.53 **Alcohol delivery services.** Licensed businesses involved in the delivery of alcohol, for example online retailers, are expected to have sufficient age verification procedures in place to ensure alcohol is not supplied to persons’ underage. The Licensing Service expects persons who operate premises providing ‘alcohol delivery services’ to reflect this in their operating schedule. This ensures that the Licensing Authority can properly consider what conditions are appropriate. Premises with an existing premises licence, which choose to operate such a service in addition to their existing licensable activities, should contact the licensing service for advice on whether this form of alcohol sale is already permitted or whether an application to vary the licence will be required.
- 3.54 **Children and cinema exhibitions.** The Act requires any premises licence or club certificate authorising the exhibition of films to be subject to a condition restricting the admission of children in accordance with the recommendations given to films either by a body designated under section 4 of the Video Recordings Act 1984, (currently only the British Board of Film Classification) or by the Licensing Authority itself. Generally the Licensing Authority will only make a recommendation in cases where the film has not been classified by the BBFC; in these cases the Licensing Authority will make reference to the [BBFC Classification Guidelines](#).
- 3.55 The Licensing Authority expects that licensees will include in their operating schedule the arrangements for restricting children from viewing age-restricted films. In considering applications, the Licensing Authority will take into account any evidence that age restrictions for cinema exhibitions are not being properly observed.
- 3.56 **Large numbers of children.** Where a large number of children are likely to be present on any licensed premises, for example a children’s show or pantomime, applicants should consider the additional risks associated with children. The operating schedule should

consider measures that will ensure the prevention of harm to the children and also to ensure public safety. Similarly, if a licensed premises hosts an event involving under 18's licence holders will be expected to risk assess the event beforehand and implement satisfactory arrangements to ensure alcohol is not made available to under 18 year olds.

3.57 **Sexual entertainment venues, SEVs.** In general, premises providing adult entertainment involving striptease and/or nudity are likely to need a sexual entertainment venue licence and relevant conditions will be attached to that licence. In circumstances where no such licence is needed, operators intending to provide adult entertainment will be expected to propose conditions which protect children by:

- Preventing access to the premises by children.
- Preventing exterior visibility into the premises.
- Preventing obtrusive exterior advertising including nude images or language describing the nature of the activities.
- Controlling leafleting and other forms of exterior marketing;

Specific situations

3.58 This section deals with specific circumstances, types of events and activities. The principles in this section are in addition to those specified in other parts of the Policy.

Off-licences and PSPOs

3.59 The street drinking of alcohol has found to be associated with crime and disorder and anti-social behaviour in certain areas of Buckinghamshire. Street drinking can also be associated with public nuisance. To help tackle the issue the Council has introduced PSPOs (Public Space Protection Orders) in some parks and town centres which prohibit drinking alcohol or possessing alcohol in open containers. Failure to comply with these orders is an offence and offenders can be fined by way of fixed penalty notice or prosecution. Details of the orders, including location details, are published on The Council's [website](#).

- 3.60 Experience shows that enforcement of the PSPO alone is not sufficient to deter would be offenders from consuming alcohol in breach of current PSPOs. Enforcement is only part of the solution and it is important that locally licensed businesses also play their part. Not only does this demonstrate a commitment to the promotion of the licensing objectives, the removal of anti-social street drinking enhances the area and contributes to greater prosperity.
- 3.61 To assist address, the problematic street drinking, premises licensed for the sale of alcohol for consumption off the premises in areas where relevant PSPOs have been introduced are expected to adopt the following measures:
- No single cans or bottles of beer or cider will be sold.
 - No high strength beer or cider products with 7.5% ABV or higher will be sold.
 - Alcohol shall not be sold to any person who is reasonably expected to consume it on the street in the vicinity of the premises.
 - Alcohol shall not be sold to customers in an open container.
 - All alcohol sold from the premises will be marked in a way that can be used to identify that the alcohol has been purchased from the shop.
 - Staff training shall include training on awareness of local alcohol related issues of concern and the actions required by staff to avoid contributing to these concerns.
 - A log of refusals to sell alcohol shall be maintained at the premises and include a record of refusals of persons known to consume alcohol in breach of the local PSPO.
- 3.62 Before making applications, applicants are expected to assess the locality of the premises and to seek the advice of the police and Licensing Authority whether any other additional measures are recommended. Licensed premises selling alcohol where there is a demonstrable link between the alcohol sales and a failure to adopt appropriate measures to promote the licensing objectives are likely to be subject to enforcement action, which may include a formal review of the premises licence.

Large events

- 3.63 For the purpose of this section a large event is a one-off event which has the potential for significant public nuisance to the wider community, increased risk of crime and disorder and which carries a significant risk to public safety. It is not necessarily defined by the number of people attending. Applicants are strongly recommended to check in advance with the Licensing Authority whether the proposed event is likely to be treated as a large event within the meaning of this Policy.
- 3.64 Organisers of large events are also strongly encouraged to make early contact with Buckinghamshire Council's Safety Advisory Group (SAG). The SAG is made up of representatives from the emergency services and other agencies concerned with event safety. The SAG has produced some general advice to event organisers and this can be found on the Council's [web site](#). In the first instance an organiser is required to complete an event notification form and risk assessment. For more complicated or very large events an organiser may be invited to attend a meeting with the SAG. Applicants for events requiring a premises licence would be expected to make contact with the SAG at least six months before the event date. Failure to consult with the SAG properly and in a timely fashion is likely to result in the application receiving a relevant representation from a responsible authority. If any issues of concern remain outstanding at the time of a hearing this might result in an adjournment or even a refusal of the application if the sub-committee is not satisfied that any adverse impact on the licensing objectives has been properly addressed.
- 3.65 Given the complexity and scale of large events it is normal practice to produce an Event Management Plan (EMP). It is recommended that the EMP deal with the following issues:

Nature & style of the event, including crowd profile	Capacity and expected audience	Event programme & advertising
Communication strategy	Site and location plans	Management structure
Special effects	Campsite safety and security (when on site)	Emergency evacuation plan

Medical plan	Information and welfare	Safeguarding children and young people and age controls
Transport and traffic management plans	Food, drink and water provision	Waste management
Working at height	Animal welfare	Noise management planning and controls
Temporary demountable structures	Fire risk assessment	Electrical safety
Welfare and sanitation plan	Extreme weather and contingency plans	Waste management
Crowd management	Emergency procedures	Barriers and fencing
Entry search and eviction policy	Alcohol and drugs policy	Counter terrorism

3.66 For the purpose of an application for a premises licence the EMP can be the operating schedule. The Act requires the Licensing Authority to issue the licence with conditions consistent with the operating schedule accompanying the application. Paragraph 10.7 of the Statutory Guidance states that ‘consistency means that the effect of the condition should be substantially the same as that intended by the terms of the operating schedule.’ Applicants should bear this in mind when drafting their EMP so that the premises licence is prepared with clear and enforceable conditions attached to it.

3.67 In circumstances when large scale public events take place, for example in the town centre areas, it is expected that licensed premises will cooperate with the Licensing Authority, the police, the environmental protection team and any other responsible authorities. Examples of cooperation would be the possible use of polycarbonate glasses during the event, ensuring that drinks are not taken from the premises, the removal of outside furniture and the employment of event stewards.

Sexual Entertainment Venues (SEVs)

- 3.68 The Licensing Authority has adopted the Local Government (Miscellaneous Provisions) Act 1982 so as to require sexual entertainment venues to be licensed under that legislation.
- 3.69 Where regulated entertainment is licensable under that legislation, it will be exempt from regulation under the Licensing Act 2003. Nevertheless, venues may still require an alcohol licence, and so the Licensing Authority will attach appropriate conditions to such licences where it has a discretion and it considers such conditions appropriate to promote the licensing objectives.
- 3.70 Where sexual entertainment is not licensable under the 1982 legislation, e.g. because the “frequency exemption” under that legislation applies, it will continue to be licensable under the Licensing Act 2003. The Licensing Authority will then consider the nature of the premises and the entertainment and attach appropriate conditions including:
- a) Code of conduct for performers.
 - b) Rules for customers.
 - c) Contact between performers and customers or other performers.
 - d) Use of sex articles or other overtly sexual performance.
 - e) Policies for protection of performers.
 - f) Verification of age, nationality and employment status of staff.
 - g) Use and maintenance of CCTV.
 - h) Exterior visibility, advertising and marketing.
 - i) Supervision of premises.
- 3.71 In all cases, applicants must state in the operating schedule whether it is proposed to use the premises for adult entertainment. Where the applicant does not state that it is so proposed, a condition will be added to the licence preventing such use.

Pavement trading

3.72 The Licensing Authority supports and encourages the use of well managed outside areas for hospitality purposes. Where the proposed area falls on the public highway various permissions may be needed such as a highways licence, street trading consent, parking bay suspension, road closure and planning permission. Licence holders will also need to ensure that their licence does not contain restrictions which would prevent the intended area being used.

Cumulative impact

3.73 'Cumulative impact' is about the concentration of licensed premises in a particular area and the impacts of this. In some areas licensed premises that sell alcohol and late night food and drink can contribute to a nuisance and/or disorder problems. These problems can happen when a large number of drinkers gather in one area when leaving a premises at closing time or queuing for food or public transport. Sometimes lots of licensed premises in an area can have a negative impact on the licensing objectives, such as public nuisance or crime and disorder. Where there is evidence of this the council can introduce a 'cumulative impact' policy which means that a licence application that would have a negative impact will probably be refused. These policies must be supported by evidence and an assessment must be published every 3 years.

3.74 Before considering introducing a cumulative impact policy within the Buckinghamshire Council area the Licensing Authority will take the following steps:

- Identify that there is a concern about crime and disorder, or public safety or public nuisance or protection of children from harm.
- Consider whether there is good evidence that crime and disorder or nuisance are occurring or whether there are activities which pose a threat to public safety or the protection of children from harm.
- If such problems are occurring, identify whether these problems are being caused by customers of licensed premises, or that the risk of cumulative impact is imminent.

- Identifying the boundaries of the area where problems are occurring (this can involve mapping where the problems occur and identifying specific streets or localities where such problems arise).
- Consultation with those individuals or groups specified within section 5(3) of the Act and subject to the outcome of the consultation, include and publish details of the cumulative impact policy in the licensing policy statement

3.75 The Licensing Authority will take the following into account, where applicable, when considering evidence of cumulative impact:

- Local crime and disorder statistics, including statistics on specific types of crime and crime hotspots.
- Statistics on local anti-social behaviour offences.
- Health-related statistics such as alcohol-related emergency attendances and hospital admissions.
- Environmental health complaints, particularly in relation to litter and noise.
- Complaints recorded by the local authority, which may include complaints raised by local residents or residents' associations.
- Representations in response to licence applications that cite cumulative impact as an issue.
- Response to surveys with key stakeholders.
- Evidence from ward, town and parish councillors.
- Evidence obtained by, or on behalf of, the Licensing Authority, for example details of existing licensed premises, complaints to the licensing service and observational reports.

3.76 The effect of adopting a cumulative impact policy, is to create a 'rebuttable presumption' to refuse applications which are likely to add to the cumulative impact. As such, the applicant will need to demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives in order to rebut any such presumption. This presumption requires at least one of the responsible authorities or other

persons to make a relevant representation before the Licensing Authority can lawfully consider applying any adopted cumulative impact policy. If there are no representations, the Licensing Authority must grant the application in terms that are consistent with the operating schedule submitted.

- 3.77 Applicants are advised to give consideration to potential cumulative impact issues when setting out the steps they will take to promote the licensing objectives as well as showing how they will mitigate any potential negative harms in their application. Applicants are also reminded that less weight is likely to be attached to any arguments relating to there being no complaints arising from existing premises when seeking a variation or renewal of an authorisation within a cumulative impact policy area. This is because, given the nature of the area and concentration of licensed premises, it can be difficult to attribute complaints and problems to any particular premises, especially with regards to nuisance being caused in outside areas.
- 3.78 It should be noted that special policies are not absolute. The individual circumstances of each application will be considered on its merits. The Licensing Authority will grant applications where the applicant has demonstrated that the operation of the premises is unlikely to add to the cumulative impact that is already being experienced in the area.
- 3.79 The Licensing Authority will not consider the issue of commercial “need” in determining any licence application, as this is a matter for planning control and the market. Therefore, the Licensing Authority will not seek to impose quotas of premises, licences or certificates.
- 3.80 At the time of publishing this Policy the Licensing Authority has not been presented with sufficient evidence to support the adoption of any cumulative impact policies within Buckinghamshire Council’s area. Should the Licensing Authority determine that there is sufficient evidence, as outlined in this section, that an area requires the adoption of a cumulative impact policy, an assessment of the supporting evidence will be published separately and reviewed at least every 3 years.
- 3.81 The Licensing Authority recognises that there are other mechanisms for controlling cumulative impact problems, such as bad behaviour by a minority of customers once away from licensed premises. These strategies include measures both within and outside the licensing regime:

- Planning control.
- Positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other departments of the local authority, including best practise schemes such as Pubwatch, Town Centre Partnerships and BIDs.
- Community Protection Notices and Public Space Protection Orders.
- The provision of CCTV surveillance in town centres, taxi ranks, street cleaning and litter patrols.
- The confiscation of alcohol from adults and children in designated areas;
- Police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices.
- Prosecution for the offence of selling alcohol to a person who is drunk (or allowing such a sale).
- Raising a contribution to policing the late night economy through the Late Night Levy.
- Early Morning Alcohol Restriction Orders.
- The use of fixed closing times, staggered closing times and zoning when such restrictions are justified by the available evidence. Decisions would continue to be made on the merits of each case in accordance with what is appropriate for the promotion of the licensing objectives.

Part D. The system in action

The licensing process

- 4.1 The powers of the Licensing Authority under the Act may be carried out by the Licensing Committee, by the Licensing Sub-Committee or, by one or more officers acting under delegated authority. Many of the Licensing Authority's functions are largely administrative so in the interests of efficiency and effectiveness these are, for the most part be carried out by officers.
- 4.2 Applications where there are relevant representations, usually objections, will be dealt with by the Council's Licensing Sub-Committee, as will any application for review of a licence. Applications where all relevant representations have been withdrawn at least 24 hours before the Licensing Sub-Committee hearing will usually be dealt with by officers.
- 4.3 In making licensing decisions, the Licensing Authority will have regard to its duties under the following legislation:
 - a) Section 17 of the Crime and Disorder Act 1998, which requires the Licensing Authority to exercise its functions with due regard to the likely effect of its decisions on crime and disorder and the misuse of drugs, alcohol and other substances.
 - b) The Equality Act 2010, which obliges public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
 - c) The Human Rights Act 1998, which requires authorities to take into account the rights of individuals to respect for their private and family life (Article 8), a right to a fair trial/hearing (Article 6) and to protection of their property (Article 1, Protocol 1). Any interference with such rights should be proportionate

Applications for Premises Licenses

- 4.4 The Licensing Authority will expect individual applicants to address the licensing objectives in their application operating schedule having regard to the type of premises, the licensable activities to be provided, the operational procedures and the nature of the location.
- 4.5 Applicants should be conversant with the Council's Policy and in particular the issues that will need to be addressed in formulating the operating schedule.
- 4.6 Applicants are also expected to demonstrate in their operating schedule that they have researched and understand the local environment and the risks to the licensing objectives which their operation may pose, as well as local initiatives such as crime reduction or pubwatch schemes. The proposals in the operative schedule should not be standardised but should reflect the specific circumstances of the application. Applicants may benefit by speaking to responsible authorities, and in particular the police and the Council's environmental health service, when preparing their operating schedule. If they do not, it is more likely that representations will be made, leading to hearings and the expenditure of time and costs which could otherwise have been avoided.
- 4.7 Accompanying plans are required to comply with the regulations relating to applications for premises licences. In addition, applicants are requested to indicate on the plan provided to the Licensing Authority the proposed locations for the display and storage of any alcohol, the locations where sales/and/or consumption will take place (i.e. bars / tills / stock rooms / outside areas), the location of dance floors and the location of food service areas. Applicants are also encouraged to show the location of smoking areas. The locations of such activities on approved plans should not be amended without prior approval of the Licensing Authority.
- 4.8 Where the sale of alcohol is proposed on licensed premises, every sale must be made or authorised by a person who holds a personal licence, and there must also be a Designated Premises Supervisor (DPS) named on the licence who is the holder of a personal licence. In order to avoid disruption to business during absence of the DPS the Licensing Authority recommends that a minimum of one additional member of staff should hold a personal licence. If sales are to be made by persons who are not holders of personal licences, it is strongly recommended that such persons be trained to the standards required of personal

licence holders, that records of such training be retained and that the DPS provides written authorisations to such persons.

- 4.9 For community premises, an alternative licence condition may be applied for, so that the management committee for the premises acts in place of the designated premises supervisor and personal licence holders. Applicants are recommended to take advice or check with the Licensing Authority as to whether this exemption may apply in the circumstances of the case.
- 4.10 The Licensing Authority expects [high standards of management](#) from licensees. It will consider the track record of management, the experience of the management team in running sensitive or sensitively located premises, written management procedures and staff training. One important aspect of management is seniority and consistency. The Licensing Authority generally expects the DPS to be based at the premises and for the role to be his or her full time occupation. The DPS should be on duty during the busiest days (usually Thursdays to Saturdays) until the premises closes and in their absence should nominate a deputy, who should be a personal licence holder, in writing. When the DPS is not at the premises they should be easily contactable. Applicants are expected to take account of these factors in preparing their operating schedules. If they do not, they are more likely to receive relevant representations.
- 4.11 Applications need to be advertised in two ways to comply with the Act. Firstly, by displaying a notice prominently at or on the premises to which the application relates. The notice must be placed where it can be conveniently read from outside the premises, in the case of a premises covering an area more than fifty metres square, further notices must be placed every fifty metres along the external perimeter of the premises abutting (joining) any highway. Secondly, in a local newspaper, newsletter or similar circulating in the vicinity of the premises. The Licensing Authority is able to advise which local newspapers circulate in the Council's area and if in doubt applicants are encouraged to check.
- 4.12 In addition to the public notice requirements under the Act, the Licensing Authority will notify local ward councillors and parish or town councils when a new or variation application is submitted in their area. The details of applications received by the Licensing Authority are also made publicly available via the Council's [online register](#).

- 4.13 When determining applications, the Licensing Authority will have regard to any Guidance issued by the Home Office. In particular, account will be taken of the need to encourage and promote live music, dancing and theatre for the wider cultural benefit of the community as a whole. If representations are made concerning the potential for disturbance in a particular neighbourhood, the Licensing Authority's consideration will be balanced against the wider benefits to the community.
- 4.14 Prospective holders of new premises licences, and those seeking variations to existing premises licences, are advised to consult with the Council's licensing officers and the various responsible authorities at the earliest possible stage. Licensing officers are able to offer advice about the most appropriate type of application. For example, new applicants may only require a TEN to meet their licensing needs rather than a full licence application. A planned variation may be considered significantly substantial that a new application is required or relatively minimal that a minor application would be more appropriate.
- 4.15 Any licence holder wishing to apply for a [minor variation](#) or to remove the DPS requirement for community premises is advised to contact the Council's licensing services before making an application.

Temporary Events

- 4.16 The Licensing Act 2003 allows licensable activities to be provided at premises for small scale events (for less than 500 people) on a limited number of occasions per year without the need for a licence. Instead the organiser is required to notify the Licensing Authority in advance by way of Temporary Event Notice (TEN) and the event can go ahead unless the Licensing Authority notifies intervenes. The Licensing Authority will only intervene if an objection is made by the police or the Council's environmental health service or the legal limits have been exceeded. Objections, or representations, must be made on the basis that the event would undermine one or more of the licensing objectives. If they do, then the Licensing Authority is obliged to make a decision whether to allow the event to go ahead. The Licensing Authority may also attach conditions if the TEN takes place at a licensed premises. proceed, and also to permit the event to proceed with conditions.

- 4.17 It is important to note that the Licensing Authority is not allowed to take into account objections from parties other than the police or the Council's environmental health service. The Licensing Authority recommends that any party with concerns about an event taking place under a TEN contact the police or environmental health service.
- 4.18 Applicants should be aware that the limit of 499 persons applies to the number of people present at any one time and the number includes staff engaged in the event. Failure to comply with this limit may lead to enforcement action. Organisers are recommended, where appropriate, to employ means of recording the number of persons entering and leaving the premises.
- 4.19 Although the Act requires organisers to usually give a minimum of 10 working days' notice (not including the day of delivery of the notice or the day of the event) of qualifying temporary events, the Licensing Authority recommends that between three and six months' notice be given. This will allow the Licensing Authority to help organisers plan their events safely. Any longer period than this may mean that organisers do not have all the details available at the time of submitting the notice, and any lesser time means that planning may be rushed and insufficient.
- 4.20 The Act also permits the serving of "late" TENs, between five and nine days before the beginning of the event period. However, applicants should be aware that if any objection notice is given by the police or environmental health service, then the event may not proceed. It is therefore strongly in the interests of applicants to serve standard TENs within the timescales set out above.
- 4.21 The Council has established safety advisory groups, (SAGs), consisting of the emergency services and other statutory agencies such as the highways authority, to advise and co-ordinate planning for public events in the Council's area, whether or not a premises licence or a temporary event notice is needed. More information regarding Buckinghamshire Council's SAGs is available in the [large events](#) section of this Policy.
- 4.22 Organisers of temporary events are strongly advised to contact the Council's licensing service for advice at the earliest opportunity when planning events. Where necessary, the advice of the SAGs can be obtained, or discussions held with the police to avoid any unnecessary objections being made that may arise from misunderstandings or confusion as

to what is being proposed. Applicants intending to sell alcohol should be aware that it is an offence to supply alcohol to persons under 18 years of age or persons who are drunk.

Applications for personal licences

- 4.23 It is a mandatory condition of a premises licence that all sales of alcohol are made or authorised by a holder of a personal licence.
- 4.24 Where applicants for personal licences have unspent criminal convictions for relevant offences set out in the Act, the Police have a discretion to object to their application, which will then be determined by the Licensing Authority. Applicants with such convictions are encouraged to first discuss their intended application with the police and council licensing officers before making the application.

Designated premises supervisors

- 4.25 It is recommended that the designated premises supervisor meet with the Licensing Authority and the police licensing officers as soon as practicable after taking up their duties, in order that the Licensing Authority's approach to securing the licensing objectives can be understood by those responsible for licensed premises.

Licence Reviews

- 4.26 The Licensing Authority can only review a licence on specific application and where it is alleged that the licensing objectives are being breached. The Act allows for any person to apply for a review, including local residents and responsible authorities. Applications for a review of a premises licence which involve the issues outlined below (the list not being exhaustive) are viewed particularly seriously :

- Use of premises for the sale and distribution of Class A drugs and the laundering of the proceeds of drugs crime.
- Use of premises for the sale and distribution of illegal firearms.
- Evasion of copyright in respect of pirated or unlicensed films and music.
- Illegal purchase and consumption of alcohol by minors.
- Prostitution or the sale of unlawful pornography.

- Use of premises by organised groups of paedophiles to groom children.
- Use of premises as the base for the organisation of criminal activity, particularly by gangs.
- Use of premises for the organisation, promotion or carrying out of racist, homophobic or sexual offences or attacks.
- Knowingly employing a person who is unlawfully in the UK or who cannot lawfully be employed as a result of a condition on that person's leave to enter.
- Use of premises for unlawful gambling.
- Use of premises for the sale of smuggled tobacco, alcohol or other goods.
- Use of premises for the sale of stolen goods.
- Use of premises for unlawful gaming.
- Where the police are frequently called to attend to incidents of disorder.
- Prolonged and/or repeated instances of public nuisance.
- Where serious risks to public safety have been identified and the management is unable or unwilling to correct those.
- Where serious risks to children have been identified.

Delegation and decision making

- 4.27 One of the major principles underlying the Licensing Act 2003 is that the licensing functions contained within the Act should be delegated to an appropriate level so as to ensure speedy, efficient and cost effective service delivery.
- 4.28 The Council is committed to the principle of delegating its powers to ensure that these objectives are met and, subject to the formal approval of the Licensing Committee, has arranged for its licensing functions to be discharged in accordance with the Guidance issued by the Secretary of State. [Appendix 3](#) shows the Licensing Authority's scheme of delegation.
- 4.29 The Act generally requires applications to be granted unless an objection is raised. Where a function is delegated to officers they will be responsible for liaising between the applicant, other persons and the responsible authorities to ensure that any licence granted is subject

to appropriate conditions. Where objections are made the licensing officer will once again liaise with the applicant, interested parties and the responsible authorities to see if a “settlement” can be achieved to overcome the objections and, if possible, without the need for the matter to go before the Sub Committee.

- 4.30 The Licensing Authority is a responsible authority which means that the Licensing Authority can instigate reviews and make representations on applications for new licences and variations of existing licences. The Licensing Authority will make representations or call a review of a licence where it is appropriate to do so. It generally will not act as a responsible authority on behalf of other parties. Where the Licensing Authority exercises its right to make representations or instigate reviews of licences it will ensure a separation of responsibilities within the authority to ensure procedural fairness and eliminate conflicts of interest. The officer advising the Licensing Sub-Committee will be different from the officer acting for the responsible authority.
- 4.31 In hearing contested licence applications, the Licensing Sub-Committee will try to keep the proceedings as informal as possible. However, some degree of formality is needed to ensure that all parties receive a fair hearing. The procedure for hearings is designed to ensure that all parties are able to express their views, openly and fairly. Applicants, other persons, and responsible authorities are entitled to be legally represented with them if they wish, this is by no means a requirement.
- 4.32 In the Licensing Authority’s experience, it is important that the DPS or someone else with day to day knowledge and experience of running the premises attends the hearing to facilitate a meaningful discussion of the issues and concerns raised by any responsible authority or other party. Accordingly, the Licensing Authority will normally expect this person to attend any hearing.

The Licensing Committee

- 4.33 The Licensing Committee consists of a maximum of 15 Councillors that will sit at least twice per year.

- 4.34 A licensing sub-committee of at least three Councillors from the Licensing Committee will sit to hear every application where relevant maintained representations have been received from responsible authorities and/or other persons.
- 4.35 The Chairman of the Licensing Committee shall be elected by the Licensing Committee at the annual meeting of The Council. The Chairman of the Licensing Sub-Committee shall on each occasion be elected at the meeting of the Licensing Sub-Committee.
- 4.36 Every decision by a licensing sub-committee shall be accompanied with clear reasons for the decision. This shall be given to the parties in writing in accordance with the hearing regulations.
- 4.37 The Licensing Authority's licensing officers will deal with all other licence applications where no representations have been received or generally where all representations have been withdrawn at least 24 hours prior to the relevant hearing date.
- 4.38 Council officers will make the decisions on whether representations or applications for licence reviews should be referred to the sub-committee. Where representations or application for licence reviews are rejected, officers will give a written reason as to why that is the case.
- 4.39 Officers will be responsible for drafting appropriate conditions for premises licences and club premises certificates when the sub-committee is satisfied that it is appropriate and proportionate to impose such conditions.
- 4.40 The Licensing Authority will ensure that members and officers are appropriately trained to carry out their duties under the Act.

Enforcement

Principles of enforcement

- 4.41 In exercising its enforcement powers, the Licensing Authority will have regard to the Legislative and Regulatory Reform Act 2006, the [Regulators Code](#) (Office for Product Safety

and Standards) and Buckinghamshire Council's [Enforcement Policy](#). The Council's aim is to undertake its regulatory and enforcement role in an impartial, open, and consistent manner. This is achieved through education, mediation, advice, inspections, monitoring, and by regulating the activities of individuals and business as necessary.

4.42 Compliance is secured through informal and formal routes and, if necessary, through the courts via a prosecution.

4.43 The Licensing Authority will work to ensure compliance with the law by:

- Helping and encouraging businesses and individuals to understand their responsibilities by providing the necessary advice and guidance to allow them to comply with the law.
- Responding proportionately and fairly to breaches of the law.
- Ensure that resources and regulatory activities are appropriately targeted to where they will have the greatest impact taking into account the associated risks.

4.44 Regulatory activities will be carried out in a way which is transparent, accountable, proportionate and consistent and targeted only at cases in which action is needed such as when there is a risk of harm to the licensing objectives.

4.45 This can be summarised as follows:

- Providing sufficient explanation in plain English what is expected and differentiating between legal requirements and recommendations.
- Confirming verbal advice in writing if we requested.
- Signposting to sources of additional support and advice.
- Officers will act in a fair and efficient manner and record any enforcement actions taken.
- In the event of formal action, advise of any applicable appeal's procedures.
- Keep complainants informed of progress in any investigation.
- Ensure officers can interpret and apply legal requirements and enforcement policies fairly and consistently.

- Target efforts by taking risk assessment approach.
- Ensure sanctions and penalties are proportionate, directed at change of behaviour and deter non-compliance.

4.46 A graduated response will be taken where offences against licensing legislation are found or where licence conditions have been contravened. An isolated administrative offence – such as failing to maintain certain records – may be dealt with purely by way of a written warning whilst more serious offences which have either been committed over a period of time or which jeopardise public safety – such as failing to maintain emergency exits – may result in a referral for prosecution.

4.47 The Licensing Authority will seek to work with all the responsible authorities, the police, trading standards and environmental health service in particular, in enforcing licensing legislation. An Information Sharing Protocol (ISP) is in place to facilitate the exchange of information between Thames Valley Police, Buckinghamshire Council and other agencies with the primary purpose of:

- Prevention or detection of crime, disorder and anti-social behaviour
- Protection and safeguarding of vulnerable people
- Enhance and maintain public safety

The Licensing Authority expects the police to share information about licensees and licensed premises under the Crime and Disorder Act 1998 and its common law powers, and to consult closely with the Licensing Authority when any enforcement action may be required.

4.48 The Licensing Authority's approach is multi-targeted and depending on the facts and circumstances will be directed at the appropriate person(s), such as directors, partners, companies, DPS, serving staff, customers, under age purchasers, or proxy purchasers.

4.49 In exercising its enforcement functions, the Licensing Authority will adopt a multi-functional approach and consider the range of enforcement and regulatory tools available such as prosecution, simple caution, injunction, review, closure, closure notices or other remedies. The purpose of enforcement is to achieve compliance and not to punish the person enforced against, although there may be cases where a deterrent approach is called for.

Complaints against licensed premises

- 4.50 The Licensing Authority will investigate complaints against licensed premises where the complaint arises from a breach of conditions or an offence under the Licensing Act 2003. The investigation will be conducted according to the circumstances and nature of the complaint. In the first instance, complainants may be encouraged to raise the complaint directly with the licensee or business concerned. Where this is not practical or appropriate, generally in the first instance licensees will be put on notice that a complaint has been made and asked to offer an explanation. The complainant may also be provided with diary sheets and asked to log the details for a period of one month. The results of these actions will shape any subsequent investigation.
- 4.51 Where another person (such as a local resident or a resident's association or local business) has made a complaint about premises, whether informally or by way of representation or during review proceedings, then if it is appropriate the Licensing Authority may initially arrange a voluntary mediation meeting between the complainant and the premises concerned to address, clarify and try to resolve the issues of concern.

Inspection of Premises

- 4.52 The inspection of premises is carried out on a risk-based approach, with the promotion of the licensing objectives being the key objective. Factors determining the level of risk are the nature of licensable activities, the hours and location of operation, the history of compliance and the extent to which it has been appropriate previously to attach conditions to the licence in order to promote the licensing objectives. In addition, in order to further promote the licensing objectives, the licensing service will endeavour to inspect all newly licensed premises and those with recent licence variations to encourage compliance from an early stage.
- 4.53 Multi-agency visits involving officers from the Licensing Authority and various responsible authorities are routinely carried out. The greatest benefit is derived from doing these when the businesses concerned are actually operating. Given the higher density of licensed premises in the town centre areas and the increased likelihood of disorder and disturbance,

these premises are more likely to receive particular attention. Targeted visits and checks will also be carried out on specific premises based on intelligence that suggests there is a risk to the promotion of the licensing objectives.

- 4.54 Inspections of premises may also arise from complaints, to investigate an unauthorised activity or in relation to a pending application.

Appendices

Appendix 1 - Definitions

Club Premises Certificate. Club Premises Certificates are authorisations to conduct licensable activities at qualifying clubs, often referred to as members' clubs.

Designated Premises Supervisor. The Designated Premises Supervisor ("DPS") is an individual who holds a personal licence and is named on a premises licence permitting the sale of alcohol. The DPS is ultimately responsible for running the premises. There can be only one DPS for each premises licence.

Guidance. National Guidance to the Licensing Act 2003 published under section 182 of the Licensing Act 2003. The guidance is regularly updated and licensing authorities have a legal obligation to consider the guidance when carrying out licensing functions.

Late night refreshment. Late Night Refreshment refers to hot food and drink served between 11 p.m. and 5 a.m. for consumption on or off the premises.

Licensable activity. Licensable activities include the sale and supply of alcohol, the provision of late night refreshment and regulated entertainment.

Licensing Authority. Buckinghamshire Council.

Licensing Committee. A committee of not less than ten and not greater than 15 Council members (Councillors) delegated by the Council to carry out the licensing functions of the Council. The whole committee may sit or delegate its responsibility to sub committees consisting of at least three members.

Licensing functions

Licensing objectives. Licensing Objectives under the Licensing Act 2003 are the prevention of crime and disorder, the prevention of nuisance, public safety and the protection of children from harm. All representations must concern the licensing objectives.

Licensing Sub-Committee. A sub-committee of the main Licensing Committee that meets to hear contested licence applications at a public hearing. The sub-committee consists of at least 3 members of the Licensing Committee.

Licensing officers. Council officers who are authorised to carry out certain functions of the licensing authority. Licensing officers process applications, issue licences, provide advice on licence applications, perform enforcement functions and may also make representation on licence applications.

Local Government Association. The LGA works on behalf of local authorities (councils) to support, promote and improve local government. The LGA provides guidance and training to councillors and officers.

Mandatory Conditions. Conditions that apply to every premises licence or club premises certificate.

Minor variation. A small change to a premises licence or club premises certificate that could not impact adversely on any of the four licensing objectives. Further guidance is available [here](#).

Operating schedule. An operating schedule forms part of the application for a premises licence. It contains details of the licensable activities proposed, the hours of operation and the measures proposed to promote the licensing objectives. Where the licence is granted, its terms become conditions on the licence.

Personal licence holder. A personal licence allows its holder to make or authorise the sale of alcohol on licensed premises. A personal licence is granted by the local authority where the holder usually lives. That local authority will remain the licence holder's 'home authority' while they hold the licence, even if they move to a new area.

Premises Licence. A premises licence permits the carrying on of licensable activities. It is valid indefinitely unless it is revoked, surrendered or lapses, e.g. on the death of its holder. Annual fee is payable based on the "Non-Domestic Rateable Value".

Provisional statement. A preliminary approval by the Licensing Authority on the basis of a set of plans showing proposed alterations to existing premises or premises which have not

yet been built. A premises licence application will still be necessary even though a provisional statement has been granted.

Qualifying Club. A club must be established in good faith with at least 25 members and adhere to membership requirements and an alcohol supply policy as per the requirements of the Licensing Act 2003.

Regulated entertainment. Regulated entertainment includes the performance of a play, film exhibitions, indoor sporting events, boxing or wrestling events, performing live music and playing recorded music (except incidental music) and performances of dance, and entertainment of a similar description. Certain exemptions apply, for example unamplified music between 08.00 and 23.00 hours on any day.

Representation. Representations are objections to applications made by interested parties and responsible authorities. They must concern the licensing objectives and must be made in time, otherwise they will be rejected.

Responsible Authority. **Responsible authorities** are the statutory authorities who may participate in the licensing process, including the police, the environmental health authority, the fire and rescue authority, the child protection authority, the health and safety authority and the planning authority.

Review of premises licence. An application made by a responsible authority or residents or business, asking the Licensing Authority to reconsider the conditions on a premises licence or club premises certificate and whether that licence should be revoked or suspended for up to three months.

Summary review. The Police may apply to the Licensing Authority for the summary review of a premises licence where they believe the premises are associated with serious crime, serious disorder or both. The Licensing Authority must decide, within 48 hours, whether to take any interim steps pending the outcome of the full review of the premises licence, which must be concluded within 28 days of the receipt of the application for review.

Statement of Licensing Policy. Document that licensing authorities are required to publish and review at least every 5 years. The document details how licensing functions will be carried out by the Council in its role as Licensing Authority.

Temporary Event Notice. TENs allow licensable activities to take place for short periods of time at unlicensed premises. They can also be used to extend the permitted hours at licensed premises. There are limits per calendar year on the number of times a person can submit TENs and the amount of time a premises may be used under a TEN. The maximum number of people allowed on premises being used under a TEN is 499 including staff. Only the police and the Council's environmental health service can object to TENs.

Appendix 2 – Scheme of delegation

Matter to be dealt with	Sub Committee	Officer
Application for personal licence	If a police objection	If no objection made
Application for personal licence with unspent convictions	All cases	
Application for premises licence/club premises certificate	If a relevant representation made	If no relevant representation made
Application for provisional statement	If a relevant representation made	If no relevant representation made
Application to vary premises licence/club premises certificate	If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor	If a police objection	All other cases
Request to be removed as designated premises supervisor		All cases
Application for transfer of premises licence	If a police objection	All other cases
Applications for interim authorities	If a police objection	All other cases
Application to review premises licence/club premises certificate	All cases	
Decision on whether a representation is irrelevant frivolous vexatious etc		All cases

Decision to object when local authority is a consultee and not the relevant authority considering the application.	All cases	
Determination of an objection to a temporary event notice	All cases	
Determination of application to vary premises licence at community premises to include alternative licence condition	If a police objection	All other cases
Decision whether to consult other responsible authorities on minor variation application		All cases
Determination of minor variation application		All cases

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Equality Impact Assessment (EqIA) Screening Template

April 2020

Proposal/Brief Title: Adoption of a new statement of licensing policy in accordance with the Licensing Act 2003

Date: 2nd July 2021, updated 11th October 2021

Type of strategy, policy, project or service:

Please tick one of the following:

- Existing
- X New or proposed
- Changing, update or revision
- Other (please explain)

This report was created by

Simon Gallacher

Principal Licensing Officer

Simon.gallacher@Buckinghamshire.gov.uk

Briefly describe the aims and objectives of the proposal below:

The Licensing Authority has a legal obligation to publish a licensing policy statement, 'Policy', which set out its approach to promoting the licensing objectives when performing its licensing functions. The licensing objectives are:

- preventing crime and disorder;
- public safety;
- preventing public nuisance;
- protecting children from harm.

The Policy is also an opportunity to promote and encourage adherence to other council policies, priorities and strategies.

A Policy must be published every five years under the Act, following a period of formal consultation and review. The Council's licensing service is currently operating under separate legacy policies reflecting the four former district council areas. Under the terms of the transitional legislation, Buckinghamshire Council has two years to prepare and publish a new single licensing policy under the Act and align service provision. The deadline for publication and implementation of the new Policy is no later than 1 April 2022.



Equality Impact Assessment (EqIA) Screening Template

April 2020

What outcomes do we want to achieve?

The adoption and publication of a formal Policy helps ensure that all parties to the licence application process are treated fairly and in a consistent manner. A published Policy provides clear guidance, advice and information about Council decision making and enforcement under the Licensing Act 2003. Through the promotion of the licensing objectives and the wider objectives of the Council, the Policy supports the provision of licensable activities that can benefit the whole community. The Policy helps ensure that licence conditions and requirements are transparent, easily understood and unambiguous which benefits both licence holders and members of the public.

1) Screening Questions

1.1 Does this proposal plan to withdraw a service, activity or presence? ~~Yes~~/No

Please explain your answer: The Council in its role as Licensing Authority is obliged to accept and consider all valid applications on their own merit. The processes and procedures for making valid applications is largely determined by statutory requirements. The Policy principally focuses on the Council's discretionary powers which arise when the Council is required to determine contested applications. The Licensing Act is generally permissive in nature, the purpose of the Policy is to encourage licensed premises that promote the licensing objectives. The new Policy will not impact on any parties right to make an application or representation. **Wording updated 11th October 2021.**

1.2 Does this proposal plan to reduce a service, activity or presence? ~~Yes~~/No

Please explain your answer: For the same reasons as given in 1.1.

1.3 Does this proposal plan to introduce, review or change a policy, strategy or procedure? ~~Yes~~/No

Please explain your answer: The Policy will replace the existing legacy policies of the former Buckinghamshire Districts. The Policy introduces several new policy areas which link to the Council's key priorities of strengthening communities, improving the environment, protecting the vulnerable and increasing prosperity. The Policy has removed reference to historic policies relating to special consideration of Aylesbury town centre and Buckingham which created presumptions that late licences applications in those areas would be refused. Importantly these area specific blanket policies are difficult to justify from a legal perspective based on current available evidence and all concerned parties retain the right to make representation and have their concerns heard before any application is determined in the affected areas. The new policies received significant support across the spectrum of stakeholders both at pre-consultation and full public consultation. The majority of respondents were supportive of the removal of the Aylesbury policy, while opinion was more evenly split over removal of the Buckingham policy. **Wording updated 11th October 2021.**

1.4 Does this proposal affect service users and/or customers, or the wider community? ~~Yes~~/No

Please explain your answer: The Policy sets out the Council's approach to decision making and will be of interest to those engaged in the licensing process who may be affected positively or negatively by licensing decisions. It is believed that overall the Policy will have a positive effect by facilitating greater community engagement in decision making through the wider consultation of applications



Equality Impact Assessment (EqIA) Screening Template

April 2020

and encouraging applicants to submit well considered applications. **Wording updated 11th October 2021.**

1.5 Does this proposal affect employees? Yes/~~No~~

Please explain your answer: A small number of staff connected to the licensing and responsible authorities may be affected by new policy requirements.

1.6 Will employees require training to deliver this proposal? Yes/~~No~~

Please explain your answer: Staff connected to the licensing service and responsible authorities may require some training and guidance in relation to new policy requirements.

1.7 Has any engagement /consultation been carried out? Yes/~~No~~

Please explain your answer: A pre-draft Policy consultation exercise was carried out involving key stakeholders between 14 May and 8 June 2021 and 107 responses were received. A full public consultation exercise was carried out between 27th August and 26th September 2021 and 110 responses were received. Respondents included residents, local businesses, the licensed trade and Ward, Town and Parish Councillors. There was high levels of support for the proposed policies and no significant changes have been made to the draft version of the policy. 90% of respondents rated the policy either easy or ok to understand. **Wording updated 11th October 2021**

2) Are there any concerns at this stage which indicate that this proposal could have negative or unclear impacts on any of the group (s) below? (*protected characteristics). Please include any additional comments.

- A) Age* No
- B) Disability* No
- C) Gender Reassignment* No
- D) Pregnancy & maternity* No
- E) Race & Ethnicity* No
- F) Religion & Belief* No
- G) Sex* No
- H) Sexual Orientation* No
- I) Marriage & Civil Partnership* No
- J) Carers No
- K) Rural isolation No
- L) Single parent families No
- M) Poverty (social & economic deprivation) No
- N) Military families / veterans No
- O) Gender identity No

Additional comments (please indicate which of the protected groups you are commenting on):

Age. The Policy mitigates against concerns in relation to licensable activities and persons under 18 years. Licenced premises are encouraged to promote the statutory provisions not to sell alcohol to persons under 18 years and to have appropriate ID verification measures in place. The Policy encourages all licensed operators to put in place safeguarding policies. Operators of high-risk



Equality Impact Assessment (EqIA) Screening Template

April 2020

premises are expected to have written safeguarding policies and procedures including records of staff training.

As a result of this screening, is an EqIA required?

(If you have answered yes to any of the screening questions or any of the group (above), a full EqIA should be undertaken)

Yes

No

Briefly explain your answer:

The Policy sets out the Council's approach to performing its licensing functions. Its application is generic in nature applying the same policies to all parties wishing to engage in the licensing process. All applications are dealt with on a case by case basis and all parties have the same right to make representation. Enforcement activities associated with the policy will be conducted in accordance with the regulator's code and not targeted in respect of any particular group.

There are no concerns that the Policy will impact negatively on any group. Conversely the Policy contains positive measures to promote the Equalities Act generally, with specific measures designed to promote child protection. On this basis it is deemed that a full EQIA is not necessary.

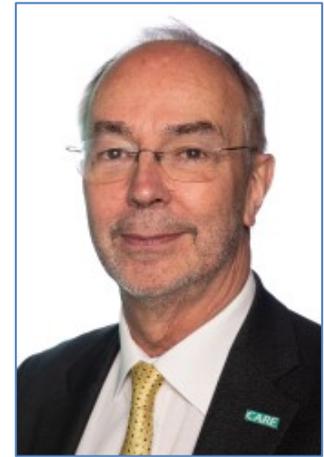
EqIA Screening Sign off

Officer completing this Screening Template: Simon Gallacher Date: 2nd July 2021, reviewed and updated 11th October 2021.

Equality Lead: Maria Damigos Date: 5th November 2021

Buckinghamshire Corporate Board sign off (Please insert name) Date: (Please insert Date)

Not applicable



Cabinet Member report – Leader

Councillor Martin Tett

COVID-19

Having risen sharply, the infection rate has fallen over the past two weekly period and now stands at 453.3 per 100,000. Our hospitals remain under serious pressure as a result of the combined impacts of A&E pressures, winter flu, the need to catch up with delayed operations and Covid. As the situation continues to change, the latest position on COVID-19 will be updated at the Council meeting.

Social Care Funding

Following the last Council meeting I wrote to the Chancellor of the Exchequer and Secretary of State for Health and Social Care expressing our cross-council concerns at the funding available to support the ongoing provision of social care and the future risks if this was not addressed.

Strategic Finance

The Q2 budget monitoring position was taken to Cabinet on 9 November and this showed a breakeven revenue position compared to a forecast overspend of £500k at the end of Q1. Although this is a solid position to be in, the report did highlight significant risks to the forecast, although we do still hold a number of unreleased contingencies that could help offset some of the emerging pressures over the second half of the year.

The Medium-Term Financial Planning process for the next four years is now well underway with Cabinet Members actively reviewing their budget proposals. Whilst the recent Spending Review / Autumn Budget announced new grant funding of £4.8bn for local government over the next three years, the details of how this funding will be distributed and which services it will be allocated to are still not clear. There is emerging evidence that funding may well be reallocated, in line with the Government's 'Levelling up' priorities to elsewhere in the country. Our best predictions are that a significant budget gap will still exist for all years. We expect to receive Buckinghamshire Council's finance settlement in mid-December, and this will then help Cabinet Members in deciding what actions are required in order to set a balanced budget. The draft budget will then be scrutinised by the Finance and Resources Select Committee in January before Cabinet then recommend a final budget to Full Council in February.

Supporting Refugees from Afghanistan

The Council remains very committed to work with Government as part of our commitment to the Afghan Relocations and Assistance Policy (ARAP) which was put in place to help resettle those who were at risk from the Taliban because of their work with UK forces.

Arriving families will be helped to integrate into society and build a new life - ensuring they do not feel alone and isolated - receiving help with medical needs, arranging English lessons, if required,

finding jobs and getting children into education. Part of the arrival package includes donated furniture, a welcome pack and access to local support networks to help them settle in. The Council has pledged to welcome up to 30 families over the next few years and will continue to work closely with partner organisations and the local community.

Our local community and landlords across the county have responded to the call for much-needed homes, huge offers of support have come in from communities and considerable amounts of money have been donated to the 'Afghan Helping Hand' Fund, hosted by Heart of Bucks, which currently stands at £65,000.

At the same time as welcoming the new families to our area, I would like to reassure our residents that when finding suitable places for the families we are ensuring that they are able to settle in easily whilst at the same time being cautious and not placing any additional pressures on local services such as schools and GPs."

HS2

HS2 Ltd appealed the Council's non-determination of a number of lorry route approvals impacting the A413/A355 and the A422. The Council maintained that HS2 Ltd had not provided enough information to assess the cumulative impacts of the additional Large Goods Vehicles on the route corridor. Unfortunately, the Planning Inspector's recent report found against the Council on two of the appeals. Having taken advice from Counsel we are appealing the Planning Inspectorate decisions.

In quarter Q2, we received 10 Schedule 17 applications. Three were decided within the allowed eight weeks and seven within extensions agreed with the applicant.

We are continuing to challenge and hold HS2 to account.

Buckinghamshire Recovery and Growth Proposal

Buckinghamshire's County Deal proposal negotiations have been affected by the recent central government Cabinet reshuffle that resulted in Rt Hon Michael Gove MP becoming Secretary of State for the rebranded Department for Levelling Up, Housing and Communities. However, during this time, the Council and Buckinghamshire Growth Board partners have been continuing to develop our proposals in greater detail to ensure we are well positioned to resume discussions with government at the earliest opportunity. We are also anticipating the Levelling Up White Paper being launched towards the end of the year.

Buckinghamshire Growth Board

Since the last update, the Buckinghamshire Growth Board met once in November. At the meeting, which was held during the COP26 summit, discussions were focussed on Net Zero and green growth. This included considering the implications for Buckinghamshire of local and national policy, as well as the key challenges and opportunities for Growth Board partners to work collaboratively. The Board also considered the headlines from the October Spending Review and Budget and strategic funding opportunities.

The Buckinghamshire Growth Board have been working collaboratively to develop an ambitious Strategic Vision for Buckinghamshire; Succeeding as a Place: Achieving our Shared Vision for Buckinghamshire to 2050. As part of its development, the Growth Board has been engaging with key stakeholders across the county. The Strategic Vision sets out Buckinghamshire's unique identity and ambitions for our places. It articulates our partnership focus and commitment to addressing the challenges that COVID-19, Brexit, and Climate Change present. It provides the over-arching ambition for all future, strategies, and frameworks across the Growth Board partner organisations. As part of the engagement the Strategic Vision was presented to the Growth, Infrastructure and Housing Select Committee. Comments received from the Select Committee, along with those

received from key stakeholders, have been reviewed, and a final draft is being prepared for consideration at the next Growth Board meeting.

The Government's Ox- Camb ARC Consultation

Following the launch of the Oxford Cambridge Arc Spatial Framework policy paper in February 2021, the Ministry for Housing, Communities and Local Government launched the first consultation focussed on 'Creating a Vision for the Ox-Cam Arc' and the proposed scope of the sustainability appraisal. Buckinghamshire Council responded to the Minister responsible for the Arc to reiterate our position, as expressed in August 2020, and set out a number of queries and concerns about the Arc proposals. These included our concerns that the proposed governance arrangements for the Arc would have undue influence on our ability to make plans for Buckinghamshire and our ambition to lead place-based recovery through setting out our own Strategic Vision and desire to agree an ambitious County Deal for Buckinghamshire with the Government. A response to the consultation was also submitted by the Growth Board in support of the Council's and the partners individual organisational responses.

Buckinghamshire Local Enterprise Partnership (BLEP)

The Growth Hub (delivered by BBF on behalf of BLEP) mid-year review took place in October. It highlighted the work of Bucks Business First as our Growth Hub and the continued support for business growth and partnerships and in fostering innovation, low carbon policies, start up and peer network support and training programmes to their 14,000 members and other businesses in Buckinghamshire. Much of this work will be showcased at the Digital Summit and Buckinghamshire Business First AGM. The Buckinghamshire Economic Intelligence Observatory has been developed by the LEP and will be launched in November. Its purpose is to improve evidence-based economic policy decision making by providing a single 'go-to' source of up-to-date economic evidence and increase collaboration between local socio-economic research professionals.

The recent publication of the UK Space Strategy has confirmed Westcott's position as one of the most significant hubs in the country. The LEP responded to the strategy launch highlighting how they could help to promote national growth and support levelling up across the space economy and to reaffirm how they will contribute to the whole of government approach to the sector growth.

Enterprise Zone update

Construction is ongoing and on programme on two Enterprise Zone sites to collectively provide over 60,000m² of new commercial floorspace in the EZ by mid 2022: -

Construction of the commercial units in phase three of the development at Silverstone Park continues at pace, with four new units totalling 24,632m² (<https://silverstone-park.com/new-development-265000sqft>)

At Woodlands (Symmetry Park) three new units totalling 35,803 m², with one unit (8,025m²) pre let to cosmetics company Pangaea Laboratories Ltd, have been completed. (<https://tritaxsymmetry.com/projects/symmetry-park-aston-clinton>)

Additionally, at Westcott construction on Building 4000 is nearing completion ready for fitting out by the Satellite Applications Catapult to provide additional specialist facilities to add to the attraction of the Westcott Space Cluster and Enterprise Zone. The facility, part funded by BLEP through the Get Building Fund, will be operational in spring 2022. (<https://www.youtube.com/watch?v=lcQVY5ETBnc>)

Housing Infrastructure Fund (HIF)

Following successful bids earlier this year, the council has secured three allocations of revenue funding from **Homes England Capacity Funding** to support its work delivering Housing Infrastructure Fund funded capital projects at:

Aylesbury Garden Town:	£343,000
Abbey Barn Lane, High Wycombe:	£325,000
Princes Risborough:	£174,000

Together the funds amount to £842,000. They are being used to support the cost of a range of work areas including design and survey work; coordinating utilities and other works; developing planning applications; and coordinating landowners and developers. The funds are also supporting staffing and other revenue funding and must be used by the end of March 2022. They are welcome recognition and a boost for the works the Council is doing to bring forward infrastructure to support the delivery of new homes across Buckinghamshire.

South East Aylesbury Link Road (SEALR)

Further to planning permission being granted in July 2021, the SEALR Phase 1 project team is working to ensure that the pre-commencement conditions are met. Land negotiations continue apace and preparations for the Compulsory Purchase Order (CPO) / Side Road Order (SRO) / Public Open Space inquiry for Phase 1 are well underway. The inquiry was held 2nd – 11th November at the Gateway. The detailed design has been completed for Phase 1. The preliminary design continues Phase 2 alongside preparing the planning application and land negotiations. The planning application for Phase 2 is expected to be submitted in early 2022.

Cabinet considered a report on this scheme on 9th November to discuss **Princes Risborough Southern Road Links**. Consultation will take place in November and December ahead of the planning application being submitted.

England Economic Heartland (EEH)

Between March and July this year, the England's Economic Heartland Leaders group reviewed the governance structure of EEH as a sub national transport body. Building on the success of the previous format and putting EEH in good stead for the future, leaders agreed that the preferred approach going forward was to consolidate EEH's two political-level meetings – the Strategic Transport Forum and EEH Leaders – into one single meeting.

The newly formed Strategic Transport Leadership Board continues with the same focus as has always been for EEH: driving outcomes and delivering investment for the benefit of the region, ensuring that:

- EEH complements the powers, responsibilities and accountabilities of its partners: collaboration is fundamental to its approach, allowing EEH to speak with one voice on issues of genuine strategic interest.
- the need to adopt a 'whole-systems' approach to connectivity, aligning strategic transport planning with digital connectivity and utilities.
- That all the tools and technical work undertaken by EEH is made freely available to all partners for their own use, providing significant added value, particularly in respect to the tools EEH has developed as part of its regional evidence base.

The Board, and the Government are clear in their shared commitment that EEH must remain a standalone sub-national transport body, working as it does with partnerships across the region. Included in these wider partnerships is EEH supporting and informing the connectivity strand of the Oxford to Cambridge Arc project. However, the Board is clear that the remit of EEH goes well beyond the ambitions of the Arc.

In September, EEH also led the rebranding of the East West Main Line Partnership (previously the East West Rail Consortium) which is chaired by Councillor Steve Broadbent. Please refer to the relevant sections on East West Rail for more information.

EEH awaits the outcome of the Department for Transport's distribution of its settlement following the recent Spending Review. EEH's submission for funding included investment to start taking forward priority schemes into their early stages of business case development; establishing a centre of excellence to boost capability within the region; and a three-year settlement to deliver EEH's wider work programme.

LGA's People and Places Board

LGA's People and Places Board have now held four meetings, the last being in November. Discussions covered the work programme for 2021/22, employment and skills work, the UK Shared Prosperity Fund and Levelling Up Locally <https://lga.moderngov.co.uk/ieListMeetings.aspx?CommitteId=250>

South East Strategic Leaders (SESL)

Since the last update, Leaders have discussed the Government's plans to reform adult social care. The discussion resulted in a letter being sent on behalf of SESL to the Secretary of State for Health and Social Care, setting out SESL's views on the Government's new plan for healthcare, adult social care, and how to fund them. A letter was also sent to the Chairman of the LGA, providing views on the Government's plans from the perspective of the wider South East.

In their September meeting, SESL heard about the roles and opportunities for strategic authorities in the development and use of advanced digital technology and skills. The assessment was drawn from work by the LGA, with clear recommendations for strategic authorities and their partners in supporting and using advanced digital skills.

SESL members considered, from the South East perspective, the Government's pledges on levelling-up and devolution deals. SESL's Chairman wrote to the new Secretary of State for Levelling Up, Housing and Communities setting out SESL's interest in developing these agendas.

In the September meeting, SESL members also shared news and developments relating to the national programme for resettling families from Afghanistan. Following the meeting, the Chairman wrote to the Minister for Safeguarding and Afghan Resettlement, supporting the programme and setting out SESL's views on how it might best be achieved.



Cabinet Member report – Planning and Regeneration

Councillor Gareth Williams

Aylesbury Garden Town, Town Centre Commission

Building from the adoption of the Aylesbury Garden Town masterplan last year, consultants were appointed in June of this year, to prepare and explore delivery options for proposals to the Town Centre in Aylesbury, including a Delivery Framework for the Station Quarter/Waterside area. Over the summer, they have been progressing their baseline work and undertaking a series of meetings with Council Officers, Members and key stakeholders. This has resulted in the development of 10 principles to frame the options work which will follow in the new year.

RIPA / BoPS update

Members of the Buckinghamshire Council Digital Planning Team have been continuing their work with other local authorities and the Department for Levelling Up, Housing and Communities (DLUHC) to develop two new digital tools to improve the submission and processing of planning applications. The Reducing Invalid Planning Applications and Back-office Planning System projects (also known as RIPA and BoPS), launched the 'Apply for a Certificate of Lawfulness' service into private beta testing at the end of June 2021.

Some of the features of the new service include: a drawing tool to help users create their own site plans, automatic checking of planning constraints, and, if the application relates to permitted development, flagging if the project may require planning permission. It is hoped that this service and its features will help reduce some of the main reasons for invalidation and improve the process for our residents. The new tools have gathered significant publicity, with the projects speaking regularly at Plantech events and news of the private beta being picked up by the national and trade press. Buckinghamshire Council has been recognized as a pioneer council for our work on these digital projects along with the London Boroughs of Lambeth and Southwark.

We are delighted to have some of our local agents and residents in Buckinghamshire now using the new service to submit real Lawful Development Certificate applications and share their feedback. This feedback will be used to constantly improve the services and help shape future application types. The tools are hoping to move to public beta testing in the near future.

See an end-to-end demonstration of the tools below by Emily Hadley from the Buckinghamshire Council Digital Planning Team: <https://vimeo.com/624470813>

All information regarding the development of both tools can be found at the websites below:

RIPA: <https://www.ripa.digital/>

BoPS: <https://bops.digital/>

Buckinghamshire Design Code

Work continues on the Buckinghamshire Design Code, a project for which the Council received a grant from MHCLG. This is not about where development goes, or when - that is a matter for the Buckinghamshire Local Plan. The focus of this piece of work is to help us make sure that when development happens, it functions well and looks good. The bucks.place website - launched on 20th September – is the way for everyone to get involved with this project. 71% of responses relate to 'streets and public spaces', which is helpful as we think this will be a key aspect of the Buckinghamshire Design Code. It has had over 1,000 visitors and the top three locations for tags are:

- High Wycombe (22%),
- Amersham (19%) and
- Buckingham and villages (16%)

The project team has planned some focused workshops this autumn to help us understand and find solutions to particularly tricky issues such as accessibility and street design. We are also planning 'code breaking' sessions with developers and agents in January, to help us test the draft code. We look forward to sharing more detail as this work progresses.

Enforcement Update

The team continues to provide a firm but fair service seeking to use the most effective and efficient solutions to resolve breaches of planning control or remedy the planning harm.

Whilst our initial approach to remedying breaches of planning control is usually through amicable negotiation, where that approach fails or where the breach occurring is serious, and where it is appropriate to do so, we continue to take decisive and proportionate formal enforcement action.

The team have now successfully recruited to the two Area Team Leader positions which has stabilised the management of the team. The introduction of these Team Leaders means that more focus has been put on to moving cases forward and to closing cases as necessary, thus reducing the overall caseload. The team have closed 900 cases so far this year, a significant increase on this time last year

Alongside working to reduce the overall caseload, so far in 2020/21, the Council has issued 24 enforcement notices (which is on trend compared to this time last year). We anticipate the total number of formal actions will exceed that of last year.

The team still has a high level of enforcement notice appeals (currently 28 in hand). The high level of appeals is, of course, a bi-product of issuing more notices but the team's performance in enforcement appeals is also very high with 93% of Enforcement Notices being upheld. Clearly, the team's decisions in formal actions are correct and are being backed by the Planning Inspectorate decision notices.

In other work, the team have commenced a programme of increased monitoring inspections to our authorised Waste and Minerals sites. Increased site presence provides the LPA with a greater practical understanding of operational realities of consented M&W sites, which in turn improves our understanding of waste management capacity and aggregate resource within the County.

Member Engagement

The Planning and Environment Service will be setting up one hour bi-weekly member surgery sessions in the new year, provided on a committee area basis, with a view to improve communication and reduce the number of complaints and email correspondence the service is experiencing. The terms of reference for the surgeries and process for booking slots, is being established and will be shared with members ahead of the launch. We will also be setting up Strategic Site Forums for large scale allocations in adopted Local Plans, to be held on a quarterly basis, which will run from pre-application to outline and reserved matters. We are in the process of establishing new posts within the service to support the co-ordination of this activity alongside the Cabinet Member inbox.



Cabinet Member report – Transport

Councillor Steve Broadbent

HS2 and East West Rail (EWR)

EWR and HS2 construction vehicles are continuing to cause damage to roads and, as such, the Council has now agreed with them a process for road repairs. EWR has already carried out road repairs at Queen Catherine Road, Herds Hill and the bottom of Sandhill Road and Verney Road. We have submitted the first three road repair claims to HS2 Ltd. Two new marshals have been appointed and are out and about on-site monitoring contractor activity, providing coordination on the road network and responding to enquiries and complaints.

The East West Rail Consortium, which has campaigned for the reinstatement of a railway between Oxford and East Anglia for more than 25 years, has relaunched as the East West Main Line Partnership. I chair this partnership in my role as Cabinet Member for Transportation. With construction of the Oxford-Bletchley/Milton Keynes section of East West Rail well underway, the Partnership is championing the long-term opportunity for true, coast to coast connectivity, achieved through an East West Main Line, with services running from Norfolk and Suffolk all the way through to South Wales. Supporting the delivery of East West Rail between Oxford and Cambridge and making sure there is appropriate mitigation for local communities during its construction remains fundamental to the Partnership's purpose.

Rights of Way

In the annual condition survey of the rights of way network, volunteers surveyed 5% of the network to ascertain how easy the paths are to use, check if structures such as stiles and gates are in good condition; and check direction signage is in place. This year the survey found that 75% of the paths walked were easy to use, 94% of structures were accessible and 94% of direction signage at roadside was in place.

The Rights of Way Operations Team have recently undertaken several capital works to repair and replace bridges, structures and footpaths in the Claydons, Wing, Waddesdon and the Thames Path. Surface improvement works, on a section of the Ridgeway in Wendover where the bridleway was hazardous, have been carried out in partnership with the Ridgeway Office making this important National Trail safer and more accessible.



The warm and wet conditions over the summer encouraged considerable growth of surface vegetation. In response, two extra clearance crews were commissioned for 12 weeks to work on the annual clearance schedule. Most scheduled clearance jobs have now been completed and additional works reported by the public, including winter clearance, will continue over the autumn and winter.

Transport Strategy

In line with the Government suggestion, we have extended the duration of the three e-scooter schemes in High Wycombe, Princes Risborough and Aylesbury until end of March 2022. These continue to be popular with over 100,000 rides across the three trails since the schemes were launched.

Look out for Be Bright Be Seen and our Commute Smart campaigns on the backs of buses and in the media in November as we encourage commuting by more sustainable travel modes through the winter.

Construction of the A41 Bicester Road Primary Public Transport Corridor

In September, the existing roundabout at the junction with Jackson Road and Dickens Way was removed. Whilst road users have experienced some delays to journey times, the temporary traffic management arrangement has allowed for two-way traffic flows to be maintained along the A41. With construction work progressing well, focus will now switch to carriageway widening work on the westbound approach to the signalised junction with Paradise Orchard. From November to the start of the festive period, lane closures will be in operation to safeguard road users from the close proximity of deep excavations and provide a safe working area for site staff. There are regular project e-bulletins, a [project webpage](#) and electronic Variable Message Signs for road users and the project is still expected to complete in Summer 2022.

The A404/A4155 Westhorpe, Marlow project

This project is currently progressing through the detailed design approval phase involving National Highways and this process is expected to conclude before the end of the year. Subject to approval from National Highways, construction is due to commence in March 2022 with completion expected in the Autumn. Site works are closely co-ordinated with the Marlow Bridge project team.

Upgraded Crest Road junction

I was delighted to officially open the upgraded Crest Road junction on 21st September which unlocks commercial and retail development on the adjacent 'Cressex Island' development and replaces the outdated, small roundabout configuration with an 'intelligent' traffic light-controlled junction to help improve traffic flows and reduce congestion, especially at peak times. The £3M scheme includes a new 600 metre shared use cycleway and footway running from Handy Cross to Holmers Farm Way roundabout and the whole junction has been resurfaced and relined.

Parking Services

Buckinghamshire Council has become one of the first to trial a pioneering electric car club with innovative induction charging. The trial scheme, which is part of the Council's commitment to tackling climate change, makes a hire car available to local residents in Marlow to test the latest technology and gain experience of driving an electric vehicle (EV).

Pilots have begun at three locations to address the level of traffic violations. Legislation is being passed through Government to allow local authorities to enforce some moving traffic offences that are currently dealt with by the police. Temporary cameras have been installed at Marlow Bridge

and two locations in High Wycombe to give a better idea of the number of vehicles that are currently breaking the rules, causing danger to others and damage to our roads.

The team has been working hard to bring together one parking service for all of Buckinghamshire and efficiently deliver the service. The transition to bring on-street enforcement in house has gone well and the team successfully TUPE'd in at the end of September. Alongside this, a new parking management system went live in September and the permit system is now online, giving customers more flexibility in managing their permit.

Transport for Buckinghamshire

The summer months were very busy for TfB teams delivering many capital works across the county. The surface dressing programme was undertaken at 25 locations during July and August. The popular plane and patch programme continues each month and a further phase of 32 sites has recently started on the ground. Drainage schemes are also being delivered every month since the summer through to the end of March.

A key focus throughout the summer months has continued to be on gully cleansing. TfB has suffered multiple challenges over the period associated with the HGV driver shortages and COVID/sickness absences but, throughout, has adapted and frequently revised working arrangements to improve productivity. Additional supply chain partners have started work in recent months to increase capacity.

The summer weather encouraged active grass growth and crews were busy across all rural and urban sites. Alongside summer activities, a key task is preparing for the winter season. Salt was purchased earlier this year to avoid any potential of disruption to delivery. All the salt to be used in road gritting has been delivered and the salt barns are full. We have held a start of season introduction session for the drivers including preparatory runs and the gritter fleet fully checked and ready for service. Supplementary winter resilience plans are in place to ensure that this critical front-line service is prioritised and maintained.

The road safety team has been working with various partner agencies (Thames Valley Police, National Highways, Bucks Fire & Rescue) to promote key messages such as anti-drink drive/anti-drug drive or tyre safety and encouraging older driver assessments.

Bus Service Improvement Plan

Our Bus Service Improvement Plan was agreed by Cabinet on 19th October, submitted to the Department for Transport and published on our website by the Government deadline of 31st October. It has been developed in partnership with bus companies with priorities set by councillors and the public. Government will review all the plans submitted and we expect confirmation by the end of the year of new funding to help deliver what is an ambitious plan to improve bus services. Find out more [on our website](#).

Bee Friendly bus shelter in Aylesbury

A "Bee Friendly" bus shelter with a living green roof is being installed outside the new Sainsbury's store on Bicester Road, Aylesbury. This is the first living green shelter we have put up in Buckinghamshire, funded by the developer. Topped by sedum grass and wildflowers it will encourage pollination and capture particulates from the air to positively contribute towards biodiversity and climate resilience.

School term start – key headlines

The start of the new academic year in September saw several improvements:

- Personal Transport Budgets (PTBs) are now live as an alternative option for SEND students, giving families freedom and flexibility to make their own transport arrangements, as well as supporting children's independence. We have seen a strong take up from parents with over 300 PTBs now in place. The average payment agreed is £3,000 per academic year. They are also cost effective to the Council, as otherwise the Council would need to pay for arranged taxi transport.
- A major retendering programme for all school transport contracts was completed. The annual saving from the retendering exercise is estimated at £3.14m (SEND taxi contracts is £2.07m and of all Mainstream bus and taxi contracts is £1.07m).
- The introduction of 14 new commercial school bus routes which run independently of the Council, enabling parents to buy tickets directly from bus operators without any need rely on Council provision.
- 83 new Council-run bus routes in place. The Council commissions transport for eligible children and the new routes have enabled an increase in the average occupancy on Council buses by eligible children from 39% last October to 74% in October 2021.
- The improved online spare seat application process has enabled parents to have better information on the availability of spare seats before they apply. This has improved the success rate for parents to secure seats from about 50% last year to 84% for September 2021.

Post 16 Transport Policy Statement 2022-23 consultation

Our Post-16 Transport Policy Statement sets out transport arrangements for students aged 16 and over. The Statement specifies the arrangements for transport that the Council considers necessary in order to facilitate the attendance of sixth form aged students receiving education or training. We have a duty to consult on our Statement annually and are proposing minor updates for 2022-23. [The consultation](#) runs for 6 weeks, ending on 29 November 2021. For more on School Transport visit our website at www.buckinghamshire.gov.uk/school-transport.



Cabinet Member report – Culture and Leisure

Councillor Clive Harriss

Culture



The successful Story Stall project (see photo) continued over September and October, with artists running storytelling workshops with interested schools, community groups and Youth Action.

Buckinghamshire Culture is now registered with the Charity Commission as a Charitable Incorporated Organisation; and has submitted an application to the Rothschild Foundation for another three years of funding from January 2022. The Bucks Cultural Leaders Course formally concluded in October; the network that has developed through this programme will continue.

Recruitment is underway for a Film Officer to support the new Buckinghamshire Film Office which is being developed in collaboration with key partners and the film industry, including Buckinghamshire Business First (BBF), Buckinghamshire's Local Enterprise Partnership (LEP), Pinewood Studios and Creative England. The Film Office will support production companies and filming crews with information on Buckinghamshire locations, obtaining permits for filming and production advice and guidance. It aims to maximise the economic and social benefits to the county through increased inward spend, employment opportunities and as a boost to tourism, while also ensuring local residents and businesses continue to benefit from filming in Buckinghamshire and that any disruption from filming is minimised.

The new galleries in the Discover Bucks Museum in Aylesbury are nearing completion with a view to opening to the public early in the new year. The reopening of theatres in early September has seen very good audience numbers at both the Aylesbury Waterside and Wycombe Swan theatres.

Buckinghamshire Archives

The [Buckinghamshire History Festival 2021](#) is running from 30 October to 27 November. Over the month of the festival, we have been posting a new collection of podcasts to add to the archive we started building last year, but the special feature of this year's festival has been the series of live online events held via Zoom for free. Our headline act has been a podcast with Jay Blades from BBC's 'The Repair Shop'.

A One Public Estate feasibility study is underway in conjunction with the Property and Assets service and relevant partners, to investigate potential accommodation solutions for the Archives and other partners' collections and records into the future. This will consider a range of options that the Council and its partners can develop into a preferred solution.

Libraries

Buckinghamshire Libraries and Action4Youth have worked in partnership to deliver youth services from High Wycombe Library; The Junction @ The Library launched in September and is the place for all young people in High Wycombe. The service is open 4pm to 9pm, seven days a week, and offers a timetable of weekly activities (boxing, yoga, HIIT, nutrition advice); a space for socialising and leisure activities (pool tables, PlayStation, hang out spots); and crisis support clinics (providing advice, help and support for young people). All sessions are free of charge and are drop-in with no need to book. Action4Youth also provide counselling in a safe and confidential environment. This initiative has transformed High Wycombe Library's service offer to young people and will provide future partnership opportunities to engage young people in the wider library offer including the development of cultural programmes.

Work has been taking place to increase usage at Micklefield Library by working with local people to organise more activities at the library. A community day to celebrate the 12-year anniversary of the library took place on 16 October; activities included interactive storytelling, artist workshop, advice/information and a theatre production. The celebration was attended by Councillor Andrea Baughan and the Mayor of High Wycombe, and supported by the Family Information Service, local Family Centre, Community Impact Bucks, Surrey and Bucks Trading Standards and local police. The event was a great success with the library packed out throughout the day.

Leisure

The recovery of leisure centres has been continuing positively and we have seen over one million visits since reopening. There has been a strong return to the autumn swim programmes that has lifted income across all our contract areas. This is a really encouraging return so far and one that we will continue to build strongly on with our leisure operators.



We have also seen the completion of the repair and rebuilding of Chalfont Swimming Pool, which reopened to the public on 18 October (see photo). Chalfont Otters have been able to return to their home pool and the swim programme has been eagerly booked by local parents.

At the time of writing this report, we are keenly awaiting the opening of the new Chilterns Lifestyle Centre; we look forward to seeing the true impact the new centre will have in encouraging residents to be more active and take part in the wide range of activities it has to offer. We will provide more on the new centre in the next report.

The South Buckinghamshire Golf Course continued to be busy in September and October with over 7,000 rounds of golf played, bringing the total rounds this year to 26,360 which is the highest number for the same period since 2007.

Farnham Park Playing Fields welcomed back football and rugby during September, and there are now nine adult teams and eleven junior teams playing on a regular basis, generating over 2,000 participants since the start of the season. Softball and baseball have finished for the year although there may be a few junior Academy training sessions during the winter months.

Country Parks

Visitor numbers remain significantly above pre-pandemic levels but are now slightly below last year's all-time highs; numbers for the year to date are 842,000, compared to 871,000 last year and 679,000 pre-pandemic.

The annual Country Parks Halloween Trail attracted 1,320 children and their parents to complete a 1km puzzle-solving route that proved extremely popular; this was a pre-booked event, to ensure that numbers could be more easily managed. Tickets for the Christmas craft activities will be released in the next couple of weeks.

Construction of the new pylon at Denham for HS2 enabling works is now complete and the lines have been rerouted out of the park using the new tower. The removal of two now redundant towers is dependent on the overnight closure of the Chiltern Line in early December so that the old power lines and towers can be removed safely. Ecological improvements for the site including new habitats for water voles, bats and great crested newts have now been agreed and will be implemented as the main contractor retreats from the site. The site should be returned to the council by the end of January 2022.

Landscape and access improvement works at Langley Park, funded by the Heritage Lottery Fund in a joint project with Groundwork South, were completed in September; unfortunately, a number of sculptures linked with these improvements were stolen from site and it has not been possible to identify the thieves. The Country Parks team is currently exploring options, with local sculptors, to carve new sculptures from timber recovered from tree felling works at Denham Country Park facilitating the power line realignment.

Langley Park Country Park woodland has been nominated by the team to be one of the 70 Ancient Woodlands to be dedicated as part the Queen's Green Canopy project. Additional veteran tree surveys are underway to assess the 100+ veteran trees in the park and plan work to ensure that these trees remain in good health for future generations to enjoy.

Surveying has commenced to try to understand the impacts and implications of the spread of ash die back through the parks.

Parks and Play areas

We are pleased to report that Green Flag Awards have been retained in six parks and four towns across the county; Heartlands in Buckingham, Bedgrove Park and Vale Park in Aylesbury, The Rye and Hughenden Park in High Wycombe and Higginson Park in Marlow all retained their green flag status; for many of the sites these awards have been held for at least the last 10 years.



Councillor Sarfaraz Khan Raja, Chairman of High Wycombe Town Committee, joined me on 22 October to officially open the new Boathouse Café at The Rye park in High Wycombe following a £400,000 revamp. The rebuild was managed in partnership with High Wycombe Town Committee. The café includes brand new facilities and completely updates the old corrugated metal shed café which had fallen into disrepair. It also has a 'living' green plant roof, which provides natural insulation to reduce fuel bills, absorbs 80% of the rainfall and filters out pollutants. It also stores CO2

and provides a habitat and food for birds and insects. The café is open 7 days a week from 9am to 4pm now the clocks have gone back.

Following a tendering exercise, contracts are due to be awarded for play area replacements at Cottesloe Park, Haydon Hill and Walton Court in Aylesbury. Outline designs are expected for the U8s area at Desborough Recreation Ground in Wycombe to allow a similar tendering exercise to be completed there.

The replacement of decommissioned play area items, identified in the independent annual inspections, has now been completed at Denby Walk, Riverside Walk and the Paddocks. Further improvements to ball courts at Bedgrove Park and Oakfield in Aylesbury and Calvert Green are planned to be delivered by the end of the financial year. Work has commenced on the installation of the brand-new NEAP play area (for toddlers, juniors and teenagers) at Calvert Green; works also include the removal and hard surfacing of two existing play areas. We hope all works will be completed before Christmas.



Cabinet Member report – Education and Children’s Services

Councillor Anita Cranmer

Shout Out for SEND (Special Educational Needs and Disabilities) Conference

The 2nd Shout Out for SEND conference themed around “Preparation for Adulthood” took place on Wednesday 13 October 2021. 51 students from across Buckinghamshire schools attended the event at Adams Park, High Wycombe, and took part in interactive workshops based on their own interests and ambitions for the future.



Workshops were delivered by a range of organisations, reflecting our partnership approach to achieving the aims of Buckinghamshire’s SEND and Inclusion Strategy. Workshops included:



The event was planned alongside groups of young people who tested out activities and steered the content. Illustrators captured the event as it took place, drawing out the key themes as they emerged.

To close the event, young people described their journeys into adulthood, delivering inspirational speeches to their peers. Louise, aged 19 said:

“A few years ago, perhaps like some of you, I was ashamed of the labels I was given. Perhaps like some of you too, I hated school. I remember getting up each morning going into an environment that was a sensory nightmare After college, I wasn’t sure what I wanted to do so I decided to take a gap year. During this time, I eventually realised that there was a need for disabled children and young people to feel less alone, so I decided to set up an Instagram account where I documented my experiences as an autistic adult existing in a world that wasn’t built for people like me. It is powerful that people are willing to listen to my voice and shows how much of a need there is for disabled voices to be heard. More recently, I have just started university, studying education studies, and am hoping that I can use my experiences to help others. I want to leave you with one message and that is, you are capable of building the life that you imagine for yourselves, whatever that looks like and that things always get better no matter how hard they initially seem.”

Following the conference, animated clips will be created and published on Buckinghamshire’s Local Offer. These are intended to explain the range of options open to young people with SEND and inspire them to take the next step.

Participation Strategy for Young People

This participation strategy has been developed to ensure we capture the views of all young people in Buckinghamshire so that their experiences influence service development at an individual, operational and strategic level. We have worked alongside a wide range of stakeholders to create a strategy that is effective, maximises ownership and has Buckinghamshire’s strategic aims and the profile of need of young people at its heart. The Council has a statutory duty, set out in The Children’s Act 1989, to consider the wishes and feelings of children when decisions are made about them. How well the Council listens to and acts upon the views and experiences of children and young people is part of Ofsted’s inspection framework. Specific actions in place include:

- Champions Programme - A forum of individuals from children’s services focused on developing opportunities for young people to develop themselves and the services they and others receive.
- Activities that bring young people together to experience new things and have fun whilst getting their voices heard.
- Forums that engage young people in conversations about the services they receive, sharing their views, opinions and ideas about how to develop them.
- Training for service areas that supports them to engage with their young people.
- Youth Voice Buckinghamshire Executive Committee - Engaging with young people from all 16 Community Boards across the county. We are aiming to have two Ambassadors from each Community Board area identified who would then join the Youth Voice Executive Committee. They will then be able to represent their board at meetings and feedback relevant information/opportunities to their relevant boards for further discussion and actions. This may then also lead to discussions at Youth Voice where key trends are identified that the Youth Voice group as a collective can take forward as a countywide action as well as area specific opportunities.

Children’s Home Inspection

In September 2021, Ofsted carried out an inspection at one of our in-house children’s homes, The Elms, and judged the service to be “Good”. Ofsted commented that all the previous requirements and recommendations from the last inspection has been met. Work has begun and an action plan is in place to address the recommendations made. Inspectors spoke to young people in the home and their judgement is reflective of the difference we have made to their lives. These outcomes are testament to the hard work of the staff in the homes, social workers, Independent Reviewing Officers and other partners.

Buckinghamshire Holiday Activity and Food (HAF) Summer activities

I am pleased to report that the council has been able to provide a wonderful summer of holiday fun for thousands of children from harder-pressed families, thanks to the Holiday Activity and Food (HAF) summer programme. Children aged 5-16 who are entitled to free school meals were able to enjoy, completely free of charge, high-quality holiday clubs and activities as well as a healthy meal at each session. The sessions, which have been running right across the county, have been delivered by experienced local holiday club providers across five weeks of the summer school holidays.

The HAF programme has been funded by central government with all the local arrangements being made by the council. Over 1500 children and young people in Buckinghamshire attended a session during the summer holidays. At one holiday club in High Wycombe, celebrity chef Tom Kerridge dropped in to surprise the children and give them a masterclass in making healthy coleslaw.

We know that school holidays can be pressure points for some families because of increased costs, such as food and childcare, as well as reduced incomes. This can lead to a holiday experience gap, with those children being less likely to access organised out-of-school activities, more likely to experience ‘unhealthy holidays’ in terms of nutrition and physical health and more likely to experience social isolation. The HAF programme is designed to tackle these issues by providing free holiday activities through clubs and organised sessions. The programme also helps to support the physical and mental health and wellbeing of children and young people, encouraging them to engage in enriching and fun holiday activities and providing them with access to a healthy meal. Information and support for wider family members is built in to all HAF holiday clubs and sessions.

We are now currently finalising our Christmas holiday HAF programme, working alongside the voluntary and community sector; and we are aiming to broaden even further the number of places and range of activities available.

More information on our HAF programme is available at www.buckinghamshire.gov.uk/haf.



Cabinet Member report – Finance, Resources, Property and Assets

Councillor John Chilver

Capital Schools Project

Property Services continue to work with colleagues in Children's Services to bring forward the development and delivery of our substantial new schools and expansion programme. Since our last report we have held the opening events at Kingsbrook Primary and Buckingham school and the Topping Out of the Kingsbrook Secondary School. We continue to progress the Kingsbrook Secondary; Chiltern Hills Academy (major expansion works); Holmer Green and Misbourne School (major expansion and sports hall works). Further projects are now at the early stages of procurement development, these include Kingsbrook Primary B circa £13 million.



Leisure facilities

Property Services continue to work with colleagues in Culture, Sport and Leisure on the development and delivery of new leisure facilities including the Chilterns Lifestyle Centre in Amersham and the installation of a new swimming pool in Chalfont Leisure Centre. The latter is complete and successfully opened on 18 October; at the time of writing, the Chilterns Lifestyle Centre building is approaching Practical Completion.

Brunel Shed, Wycombe

Work is continuing with colleagues in the Economic Development and Regeneration Team on the regeneration of the Brunel Shed, a Grade 2 Listed redundant railway shed, and extension on adjacent land for commercial rent. The project continues to move towards practical completion.

Horns Lane development

A report on the proposed Horns lane development was considered by West Buckinghamshire Area Planning Committee on 12th October 2021.

The resolution was to grant conditional delegated authority to the Director of Planning and Environment and the Service Director for Property to grant permission subject to a Memorandum of Understanding for:

Up to 50 dwellings including affordable housing (48% of total units on site).

The mix and tenure of houses will be provided in accordance with the current evidence at the time (currently a split of 80% affordable rented with up to 20% as intermediate products).

Income grows from filming opportunities

Enquiries for filming in the courts complex in Aylesbury are now being received for January – March 2022.

Current income from the courts building stands at £100k since April 2021. We have potential enquiries for other Aylesbury based assets which are in the early stages of negotiation.

Lettings - Aylesbury

66 High Street

A new tenant moved into the 2nd Floor of 66 High Street in mid-October.

Terms are currently being finalised with a new tenant to occupy the Ground and First Floors. Occupation is expected by the end of November.

The Exchange

Legal terms are expected to complete in November for a new Turkish restaurant in the one vacant remaining unit. The pressures in the construction industry and the scope of the fit-out works mean that it is likely to be summer 2022 before the restaurant is open.

Long Lion

Two proposals have been received for the use of one of the small units in Long Lion (the other side of the Exchange). A final decision will be made by the end of the month.

Aylesbury Community Centres

Since September there has been a steady increase in bookings at all venues with most regular hirers returning to hire. Children's parties have also been popular and continue to be so in the next few months.

I am pleased to confirm that a new Preschool opened at the Alfred Rose Community Centre in September 2021 and attendance is gradually increasing. This has been an excellent cross department project, working with the Children's Services team, to ensure this valuable community service can be continued in the Elmhurst area.

Kickstart Programme

To support local young people with their first steps into permanent employment, Buckinghamshire Council has signed up to the Government's Kickstart Scheme by creating 50 new fixed term work experience placements, funded by the Department of Work and Pensions DWP for six months. Each service has been asked to offer up at least one placement before the scheme closes next March, with the spread across the directorates being as follows:

Directorate	Total placements	Number started (or starting imminently)	Roles still being advertised
Adult's and Health	6	2	4
Children's	4	3	1
Communities	5	2	3
Deputy Chief Executive service	12	4	8
Planning, Growth and Sustainability	8	3	5
Resources	15	9	6
Total	50	23	27

We have been working hard to attract candidates and have advertised our roles on the Council website and on social media, whilst also attending numerous local and countywide job fairs, job centre days and employability sessions.

Our dedicated kickstart co-ordinator is working closely with those who have already started as they reach their first month of employment, gathering feedback and discussing training and development needs. We have planned networking sessions and tailored team building workshops starting in November and will be providing further career planning workshops in the new year. We are also holding workshops and webinars to support line managers on the kickstart process and on getting the best from young people.

To date, all our kick-starters have spoken very highly of the inductions provided to them by their line managers and most are keen to find a job with us after their placement ends: ***"My kickstart role has already taught me so much in just a few weeks. I'm excited to continue to learn and gain more skills within the amazing group of employees at the council."*** Our managers have also been impressed with how well the participants have been settling in, and how talented and ambitious the participants have been. In sessions with our kickstart co-ordinator, some managers have indicated that they will consider participants for permanent roles once placements are coming to an end. This would be managed through our normal recruitment process.

Customer First Update - Customer Call Back

As part of our ongoing Customer First improvements, we are introducing queued Customer 'call backs', to ease the wait times on some of our busiest queues and provide convenience for our customers. This will go live initially on our busiest lines including Revenues and Benefits and Waste.

When a customer calls and there is a queue on the line, they will hear a message asking if they would like to have a call back which will hold their place in queue. When they reach the top of the queue the customer will automatically be called back, and the customer's name will be presented to the agent to support the call. If it reaches voicemail the agent can end the call and the call will remain in queue and re-present 10 minutes later. On the final attempt it will advise that this is the final try and if it is a voicemail a message will be left including the switchboard 0300 131 6000 as the outbound number for all these calls.

We will monitor the success and usage of this initial trial and then implement on our other high demand lines – on the first day of operating this system we had over 50 successful call backs.



Cabinet Member report – Health and Wellbeing

Councillor Angela Macpherson

Legislation and Policy Update

The Government published Build Back Better: Our Plan for Health and Social Care in September 2021. The Plan sets out the Government's proposals to address the following challenges in the health and social care system:

- For individuals, the unpredictable cost and inconsistent quality of care
- Backlogs in the NHS, the need for sustainable NHS funding and increasingly complex needs, and
- The need for reform to achieve a sustainable adult social care system.

The plan outlines actions to tackle the NHS electives backlog, develop sustainable funding and to focus on prevention. For adult social care, the Plan's proposals are:

- To introduce a cap on personal care costs so that from October 2023, no person with eligible adult social care needs will pay more than £86,000 for personal care
- For self-funders to be able to ask their local authority to arrange their care, to secure better value arrangements
- To raise the capital limit beyond which an individual will fully fund their care, from the current limit of £23,250 to £100,000, and
- To provide additional investment to support and develop social care staff.

Work is currently being undertaken to understand the impacts of the changes. In addition, two White Papers are expected by the end of the year. The first will focus on a vision for adult social care and set out a path to long-term financial sustainability. The second will address integration between health and social care.

Health and Wellbeing Board

Earlier this year, the Health and Wellbeing Board agreed its Joint Health and Wellbeing Strategy, *Happier Healthier Lives*. Work has since been taking place to develop three underpinning action plans, *Start Well, Live Well and Age Well* which together will deliver the Board's ambition. In October a workshop was held to develop the Age Well action plan. The workshop was well attended by all partners with contributions from NHS, Voluntary and Community Sector and Healthwatch colleagues, as well as the Council. The action plan will be presented to the Health and Wellbeing Board in January and the Board then will take an active role in monitoring progress on the plan and its outcomes.

The Health and Wellbeing Board held on 18th November focussed on topical issues including access to GPs, the Director of Public Health Annual Report on domestic abuse, the Better Care Fund (a joint fund between the NHS and the Council), the health and social care winter plan and the Board's communication and engagement strategy.

Adults Safeguarding Campaign Update

In September the Adult Safeguarding campaign, 'See Something, Say Something, Do Something' was launched. The aim is to encourage residents to contact the Council if they have concerns about a vulnerable adult.

Since September, there have been over 1,300 referrals from both professionals and members of the public. In terms of the source of referrals, there has also been an increase of 65% in the number of concerns reported by family members, neighbours, or the person themselves in quarter two this year, compared to the same period last year.

Regular posts are being shared across all social media platforms, reaching nearly 80,000 people in total. Just over 380 of those who viewed these posts then visited the Council website to seek further information. Posters are visible on community notice boards, videos played in GP surgeries, adverts placed in resident magazines and newsletters, and daily radio adverts.

With a multi-agency approach, partners, communities and colleagues are thanked for their continuing support in promoting this campaign.

Community Boards – Health and Wellbeing Profiles

One of the most important factors for health is the community and local environment within which people live. Where communities have strong social ties, feelings of togetherness and a sense of belonging, communities thrive. Strong communities will also be a key driver for recovery from the impact of the Covid-19 pandemic.

The latest health profiles for Buckinghamshire's 16 Community Boards went 'live' on 11 October (<https://www.healthandwellbeingbucks.org/local-profiles>). The indicators included in the profiles provide a high-level overview of the important markers of the health and wellbeing of communities such as life expectancy, proportion of children who are overweight, or adults who are physically inactive. They highlight areas where things are going well but also importantly where improvements can be made. The Public Health team has written recommendations for each Community Board as an aid to identifying some immediate actions they can take to improve health and wellbeing in their communities.

A Buckinghamshire Approach to Obesity

Obesity is a complex problem with multiple causes and has significant implications for health. With the majority of adults in England being overweight or obese and a substantial number of children on the same trajectory, particularly those in the most deprived areas, national and local action is needed. By looking at the issue as a system, all partners are able to come together to understand the challenge and identify opportunities for change.

To start the approach, earlier this year Leeds Beckett University was commissioned to undertake a health needs assessment and a mapping exercise to assess the existing problem and the current actions and services across the county that are in place to address obesity. At the end of September, this was followed by a workshop which brought together sixty-five people from a wide range of areas including, planning, transport, leisure and community organisations and had good

engagement from Councillors. The information from this first workshop is being used to create a comprehensive map of obesity in Buckinghamshire which will illustrate the complexity of causes locally and to help identify opportunities to intervene.

A second workshop took place on 10th November to develop a shared vision for the approach to obesity and explore actions that could provide the greatest benefits.

Grow to Give

Grow to Give was formed as a local sustainable response to Covid-19 and local food insecurity, asking people to grow more food in their gardens or allotments and donating this surplus to the Aylesbury Vineyard Storehouse food bank, One Can Trust (High Wycombe) and Buckingham Free Meals. Food banks are seeing an increased demand caused by the pandemic, which for most of our food banks is still at about 150% compared to pre-pandemic levels.

Since Grow to Give started in June 2020, 4.6 tonnes across 14 allotment sites has been donated, with over three tonnes this growing season to date. The scheme has 178 volunteers who regularly donate produce and 30 allotment champions to help run the scheme on the ground.

Veggies in Containers

With approximately 20% of adults in the UK facing food insecurity annually, and the pandemic highlighting the need for a more resilient UK food system, our Public Health team commissioned a pilot 'Veggies in Containers' project.

The aim of the project was to encourage more people to grow their own produce and either use existing outdoor/indoor spaces more creatively or actively participate / set-up community growing sites. The project encouraged healthy diet choices and increased awareness of how easy it is to grow produce in small spaces.

Delivered in Aylesbury, High Wycombe and Chesham through the community organisations Vineyard Storehouse Food Bank, Women's Cultural Arena and Restore Hope, participants were given a growing kit of their choice (windowsill, balcony or small garden) providing all the equipment and 'how to guides'. Recipe cards were also provided to help people make nutritious meals with their produce.

A total of 246 growing kits were distributed, with the majority for small gardens. The overwhelming majority of participants loved the project and said they would try to grow herbs/salad/vegetables again. Having their children alongside proved very popular as did tasting freshly grown produce.



Cabinet Member report – Housing, Homelessness and Regulatory Services

Councillor Nick Naylor

Environmental Health

Food Safety

Following success in securing funding from the Food Standards Agency (FSA) to triage and assess the risks posed by new food businesses, additional staff have now been employed and are working through a list of approximately 900 new food businesses, whilst allowing permanent officers to focus on the highest risk food businesses which are currently trading. The FSA has published a recovery roadmap which the service is following rather than its usual established inspection programme. Environmental Health colleagues are also working closely with Trading Standards regarding Natasha's Law and providing advice to businesses.

Events Safety

Officers have been working closely with a number of event organisers this summer, for example, Pub in the Park and PennFest, to ensure that Covid security measures are in place. Event organisers are encouraged to notify the Council of any events via the Safety Advisory Group (SAGs) irrespective of whether the event requires a licence. The SAGs officers have been encouraging organisers of firework displays to be mindful of neighbours who may not enjoy fireworks.

Air Quality and Climate Change

The Strategic Environmental Protection team continues to identify funding opportunities to support air quality projects. We have recently submitted two bids to DEFRA, one of which, if successful, would create a toolkit for Community Boards and schools to monitor air pollution. The outcomes of the bids should be known by March 2022.

New mobile home parks licensing 'Fit and Proper' requirements

Licensing Committee has recently approved a 'Determination Policy' and fee structure for a newly required register for persons 'deemed fit and proper' to manage mobile home parks. The policy and the associated fees will be reviewed after a year. This will be done alongside a review of caravan site licensing policies which require harmonisation from the legacy councils.

Enforcement Work

Environmental Health has, in the last few months, successfully taken three prosecutions. One was in conjunction with the Licensing team and included a combination of 'smoke free' and licensing offences. Counsel was complementary of the work of Council officers in respect of this case. The remaining two cases concerned breaches of Covid regulations. In 2020, certain premises were not permitted to be open to the public after 10 pm. However, after warnings and written

advice two premises were served Fixed Penalty Notices for continuing to trade. These fines were not paid and as a result matters were escalated to court.

Registrars and Coroners Services

Registrars

The Registration Service is now working at usual demand levels and as of 1 November restrictions on capacity in the ceremony rooms and use of waiting rooms have been lifted. Death registration appointments remain by 'phone, but all other appointments are taking place on a face to face basis. The service has coped very well with the increased pent up ceremony demand across the summer and into the autumn; additional staffing secured from amongst volunteers within the Council workforce has worked well to provide a resilient team, able to deliver extra ceremonies to a very high standard.

Coroners

The Coroner's service also continues to operate at usual demand levels whilst still continuing to work through inquests delayed due to Covid restrictions. The five-year body removal contract has been extended and will now end in October 2023. Negotiations are complete with the bidder for the mortuary and pathology services, with a start date anticipated in the coming months.

Housing

"Everybody In" arrangements were put in place at the start of the Covid emergency to bring all rough sleepers off the streets. Over the last two to three months, notices have been given to any remaining clients who remain accommodated under "Everybody In", and the Council and its partner agencies have been working actively with these clients to help them secure alternative accommodation. In some cases, clients have not engaged with the housing team and have left the accommodation at the end of the notice period. Only one case has been found so far, where a client has unfortunately returned to rough sleeping. Although "Everybody In" has ended, the Council continues to offer and deliver ongoing support to all rough sleepers in partnership with other agencies via the ongoing Rough Sleeper Initiative. This includes outreach support and emergency accommodation where appropriate.

All of the additional protections for tenants (including extended eviction notice periods) that were introduced in response to the Covid emergency have now ended. There are indications that there is an upturn in the number of clients seeking homelessness assistance and landlords serving notice, and we are continuing to monitor this.

Work is underway to develop the new Buckinghamshire Council Homelessness Strategy and consultants have been appointed to lead and co-ordinate this work, which will include a range of stakeholder sessions and engagement.

Trading Standards

Natasha's Law

In October, a significant new food labelling law known as "Natasha's law" came into effect to help people, particularly those with life threatening allergies, to make safer choices about the pre-prepared foods they purchase and consume. Natasha's Law requires ingredient and allergen labelling for foods which are prepared and packaged where they are sold (for example sandwiches from a canteen).

In preparation for the new legislation, as well as putting out general information through a press release and our social media sites, we have also been working with businesses through our Primary

Authority Partners, including school meal providers and the Association of Convenience Stores (ACS) who have over 30,000 members nationally. This has included helping the ACS put together [a one page information leaflet](#) for their members, developing a video explainer to support them to prepare for this change and ensure this important information is given to people so they can make safe informed choices. We will be making use of our volunteers to undertake some market surveillance once the new law is in place to understand where businesses may be struggling to adapt to the new laws so that we can direct some further resources specifically at supporting these businesses to make the changes needed.

When officers visit relevant businesses, they will be providing advice on the new requirements, and will follow up on complaints about non-compliance. This will include working closely with colleagues in the Environmental Health teams across both areas.

New Primary Authority Partnership

Buckinghamshire and Surrey Trading Standards have now engaged with a new Primary Authority Partner – WWF Trading Ltd. The mission of the World Wide Fund for Nature (formerly World Wildlife Fund) is to stop the destruction of nature and help it to recover. Making sure that products sold as part of fundraising activities are safe is incredibly important to WWF. Product safety is just one of the many areas that the partnership will be able to provide support to WWF and help it to succeed.

Gypsy & Traveller Service (GTS) Update

Unauthorised encampments across the last three fiscal years show a steady decline – 38 encampments in 19/20, 18 encampments in 20/21 and 13 encampments in 21/22. This is a combination of the impact of the pandemic alongside a holistic and proportionate local approach. The GTS continued to deal with encampments following government guidance during the pandemic, balancing both the welfare needs of the Travellers and the rights and freedom of the settled community. Robust action was taken on groups when required and rationalised levels of toleration to families that adhere to the Council's code of conduct. Development of the forward looking strategy is due to start this year and will build on existing good work, ensuring a long term plan is in place to manage the GTS.

Licensing

The new Taxi and Private Hire Licensing Policy was implemented on the 6th September 2021 and harmonises requirements for the licensed trade and for users across the Buckinghamshire Council area. This is a significant achievement and, whilst there have been some inevitable challenges; the Service is continuing to work hard to bed the new Policy changes in. Information on the new Policy and on taxi and private hire licensing can be found [online](#).

The draft Buckinghamshire Council Licensing Act Policy was reviewed by Licensing Committee on 20th October 2021 and recommended to Full Council for approval at the 24th November meeting. The recommended implementation date is likely to be early in 2022. At the same meeting Licensing Committee also approved the draft Buckinghamshire Council Gambling Act Policy for public consultation which will commence imminently. Under transitional arrangements both of these policies must be in place for the new council by 1st April 2022 and we are progressing well with a view to meeting this deadline. As we harmonise licensing policies, we will simultaneously look to harmonise customer experience and application processes, focusing on digital improvement and system changes to support this.

The Service has had some recent positive prosecution and appeal outcomes in the Magistrates Court across both commercial and taxi licensing. The team have worked closely over several months with colleagues in the Environmental Health service to prosecute the persons responsible for a shisha bar in the South Bucks area following numerous offences and significant disturbance to nearby residents. A guilty plea was entered in relation to both Licensing Act and Health Act offences and fines and costs of in the region of £6k were awarded to the Council. This was a time-consuming and complex case and is a good example of collaborative working across services to achieve the right outcome.

Cemeteries and Crematoria

Recruitment to the Service is ongoing. The new management team is now recruited and in post with one remaining person joining at the end of November. The team will be working together over the next few months to align the crematoria and cemeteries services more closely, providing a single service across the whole Council area and resulting in a more consistent and accessible service for our customers. The Crematoria team have been working hard to train and support new staff joining the service to ensure that we are effectively prepared and resilient for any additional winter pressures, if required.

The contracts for the design, supply, and installation of three new cremators and the ongoing maintenance contract at the Chilterns Crematorium has recently been awarded to Facultatieve Technologies who are a well-established supplier in this field. The contract includes the provision of additional environmental abatement plant for nitrogen oxide which is not currently required by DEFRA but will likely be soon. The installation of this plant in advance of the requirement to do so supports the Council's wider environmental objectives and priorities. Work is currently underway to tender the associated construction works contract with award due in February 2022.

At Stoke Poges Memorial Gardens the team have run a number of successful recent events including taking part in Heritage Open Day in partnership with the National Trust and a 'Fungus Foray' with an expert from the Mycological Society, aimed at both adults and children who want to learn about different fungi growing in the Gardens.

Service Reviews

Following service review earlier this year, the Environmental Health service is recruiting to several vacancies and officers are transitioning to new roles. Recruitment is also ongoing in the housing service. Officers are looking at opportunities for process harmonisation. The Service Review for Registrars and Coroners services is underway.



Cabinet Member report – Communities

Councillor Steve Bowles

Award for Equalities

As part of our ongoing commitment to Equality, Diversity and Inclusion, the Buckinghamshire Council undertook an internal benchmarking exercise (ENEI's Talent Inclusion and Diversity Evaluation (TIDE)) during the summer of this year, to calculate the Council's current performance against various measures. I am happy to report that we scored highly in many areas and as such we were awarded with a Bronze TIDE award. In an area where we are striving for consistent progress, we are very pleased with the score and we are already using the exercise outputs to plan for additional improvements.

Armed Forces

The Civilian-Military Partnership board had held its second meeting in September. The Civilian-Military Partnership Board's four task and finish groups have been set up and are now working on delivering for the armed forces community across Buckinghamshire. The Veteran's task and finish group has set up their first walk-in centre in Marlow Fire Station with an intention to set up further ones in the coming months. In October, the Armed Forces Champion visited both RAF Halton and RAF High Wycombe with an aim of further strengthening relationships with our military partners.

Community Safety Survey

The annual community safety survey was launched on the Buckinghamshire Council website in September and ran for four weeks. It is a statutory requirement of Community Safety Partnerships, and measures the community's concerns in relation to crime, anti-social behaviour, drugs and alcohol. The results of the survey are currently being analysed and will be taken to the Safer Buckinghamshire Board meeting on 16th November 2021.

Domestic Abuse

The Domestic Abuse Act received Royal Assent on the 29th April 2021 which gives more resources to tackle this critical issue. We want Buckinghamshire to be a place where few people as possible are affected by domestic abuse, but those who are can get help to end the abuse and go on to live the lives they want. Work has been underway to publish a Domestic Abuse Needs Assessment which helps inform local strategic priorities and programmes of work designed to address unmet needs, reduce risk, and prevent future tragedies.

The Buckinghamshire Domestic Abuse Board met on the 6th October 2021; this new Board takes a partnership approach to tackling domestic abuse and will oversee plans for compliance with the new duties and strengthen work linked to wider support for all those affected by domestic abuse in

Buckinghamshire. The Board have supported the co-design of a Domestic Abuse Strategy due to be discussed at Cabinet in December.

Community Boards

There has been a great deal of Community Board activity since the last Full Council meeting. The first edition of the Cabinet Member newsletter was issued in October which highlighted various projects being delivered, this was also shared with town and parish councils keen to know what other boards are doing. Two Chairman and Vice Chairman's sessions have been held, both were well attended and have provided for good discussions across a variety of topics.

The latest round of Community Board meetings is underway, summaries received of the meetings so far reinforce the amount of activity across the Boards. The Funding Panel meeting that I chair, to enable oversight of projects across all boards or where cross board collaboration ideas come through centrally, have needed to be moved to fortnightly due to the pace of activity in all the boards. There is a lovely variety of projects coming through linked to Board action plans, they range from protecting our environment to supporting good physical and mental health. Contributory funding levels vary but to-date c£590k has been secured. I'm looking forward to seeing the boards focus on their engagement plans in the next few months.

Last year's Proud of Bucks awards were fantastic and a great way to recognise Buckinghamshire's community spirit and wonderful community support. This year the Community Boards will run the awards as they are best placed to know their communities and the great people and organisations within them. It also means the Boards can give it their own local flavour, they will shortlist, judge and present the awards. These will launch in November with awards being made in February. There are three categories for each Board – adult, young person and community organisation. There will be a winner for each category and a highly commended. We are delighted that The Clare Foundation is sponsoring the awards.



Cabinet Member report – Climate Change & Environment

Councillor Peter Strachan

COP 26 Regional Roadshow Event

Our Green Wheels in Motion Regional Roadshow event in support of the COP 26 Climate Conference was held on 10 November at the Lunaz Group facility in Silverstone Technology Park. The event showcased a range of technologies and innovative approaches to decarbonising transport emissions, which are either being developed or deployed in Buckinghamshire. This was a fantastic event and really showed how much excellent work is being undertaken in Buckinghamshire. The event was also live broadcast online and a recording will shortly be available via the [climate change](#) page of our website

Climate Change and Air Quality Strategy and Tree Planting

On 19 October, Cabinet adopted the Climate Change and Air Quality Strategy and we are now focusing on its delivery. Over recent months we have focused on supporting nature based solutions to address climate change, including supporting the Queen's Green Canopy initiative, securing over £200k from the Local Authority Treescapes Fund, going to market to plant the first of our own tree planting projects and simplifying the process to request tree planting along road verges. Depending on the outcomes of the procurement exercise, we hope to be planting the first trees in February 2022.

Local Heritage List

The Local Heritage List Project launched in September with funding from Department for Levelling Up, Housing and Communities. This is a great opportunity for members of the public to nominate non-designated heritage assets (buildings, monuments, public artwork, parks and gardens) to be included on our Local List. The web platform sets out examples of the types of sites that can be included and the criteria by which they will be assessed. We already have nearly 2000 sites nominated, and the team have begun assessing these. Sites that end up on the Local List will become a material consideration in the planning process, affording them some protection, and helping to preserve Buckinghamshire's special historic environment. More information is available [online](#).

Greatmoor Energy from Waste (EFW) Contract Update

The last 18 months have been challenging in terms of issues to be dealt with in relation to the EFW contract. Starting in the spring of 2020, the Covid pandemic saw a number of impacts on the EFW contract, with electricity income in particular suffering a huge price fall. Nevertheless, the facility still generated significant quantities of electricity with the amount exported being nearly 190,000 MWh, enough to meet the needs of over 40,000 households.

A further impact of Covid was increased residual waste being taken to the EFW facility. Kerbside collection services for food waste and to a lesser extent garden waste were suspended during the Spring of 2020, along with closures of the Household Recycling Centres. This resulted in waste being diverted into the residual waste stream and ultimately led to a 10.7% year on year increase in waste treated at the facility across 2020/21. In the current contract year (2021/22) a similar narrative is unfolding; HGV driver shortages have resulted in the cancellation of food waste collections across most of the south of the County and this food waste is going into the residual waste stream. This will again incur additional costs for the council, but that will be offset by the savings made from not collecting food waste separately.

Despite the above challenges, the day-to-day contract operation has worked very well, with 100% of residual waste being sent to the facility being successfully treated there, with no diversion needed to other facilities such as landfill. The facility has proven to be a robust method to deal with residual waste which, despite some of the extra costs incurred, is still vastly cheaper than the historic alternative of landfill. In addition, the EFW contract also continues to deliver benefits on reduced mileage for the Council's refuse vehicles with the operation of the High Heavens Waste Transfer Station saving some 139,000 miles on delivery of waste to the Greatmoor facility from the south of the county. Furthermore, the dedicated access road to the facility continues to divert some 130 HGVs per day away from villages in the immediate area.

Household Recycling Centre (HRC) Contract

The HRC contract has this year (2021/22) moved into its final contractual year and overall has continued to operate well, despite the impacts of the Covid pandemic. Spring 2021 saw the remaining car parking restrictions being lifted in line with government guidance on social distancing and since then the sites have operated more or less as normal. Social distancing messages continue to be prominently displayed and regular cleaning remains on each site.

That the service continues to operate well is perhaps best demonstrated by the latest HRC customer survey carried out in June 2021. This showed that 99% of respondents said they were satisfied with the service overall with just over half (52%) saying they were very satisfied and 100% said they felt safe when visiting the sites during the pandemic.

With this being the final contractual year, the team are working closely with FCC to ensure the contract has a smooth transition into the new contract. Meanwhile the procurement of the new HRC contract is at an advanced stage, the new contract will cover the management, operation and running of all nine HRCs, a new service contract is required to be in place by 1st April 2022. There will be further updates in the coming months as Cabinet makes the decision in December to award the new contract.

Garden Food Bulky Wood Waste (GFBW) Contract

February 2021 saw the start of the new five-year GFBW contract with Spanish company Fomento de Construcciones y Contratas (FCC). This replaced the four separate biowaste contracts that previously managed food and green (garden) waste as well as the shredding of bulky waste.

The key feature of the new contract is that FCC do not process most of the waste streams themselves, rather they sub-contract them to a range of third-party contractors/suppliers. Having this range of suppliers means the contract has strong business continuity measures in place in the event of an issue impacting any individual supplier. In addition, this allows the contract the flexibility to deal with future changes in tonnage flows and material streams. A further new element

of the GFBW contract is that the treatment of wood waste becomes part of the contract from April 2022.

The separate processing of food waste, garden waste, bulky waste and ultimately wood waste has demonstrable CO2 benefits against historic landfill disposal options. These CO2 benefits are measured as part of the contract reporting.

Fly-Tipping Enforcement Update

Despite recent difficulties relating to the pandemic, enforcement against fly-tipping in Buckinghamshire has continued at a high level. 59 cases have been fully investigated so far, this financial year, resulting in 18 offenders reported for prosecution, the issue of 39 fixed penalties and the seizure and destruction of two commercial fly-tippers' vehicles. Since March 2020, 127 cases have been investigated and were found to comprise 65 (51.2%) household waste (free at HRC site), 51 (40.2%) trade waste (chargeable status unchanged at HRC site), and 11 included some element of chargeable item(s) (8.7% only). 88 of the cases (68.8%) involved waste brought into Bucks from elsewhere, while 40 were Bucks-produced waste (31.2%).

Buckinghamshire fly-tipping has fallen each month since March 2021 away from a very significant 'Covid' peak level towards levels consistent with pre-pandemic dumping.

Demobilisation of the Biffa Waste Contract in the South of Buckinghamshire

Biffa have successfully delivered waste collection and cleansing services in Buckinghamshire, and the legacy South Bucks area, for the last 14 years. Following an extensive procurement exercise in 2018/19 a new contract was awarded to Veolia covering all Southern areas of Buckinghamshire. On 7 September 2020 Veolia took over waste services in the former Chiltern and Wycombe area from Serco, on 1 November 2021 Veolia will take over delivery of waste services from Biffa in the former South Bucks area.

Staff on the Biffa Contract are subject to applicable TUPE regulations. Wages will increase for Biffa staff across the board as Veolia have a higher rate of pay as Veolia are committed to a minimum Living Wage Foundation rate under the contract. TUPE sessions were expertly supported by Council HR and Waste colleagues – the success of this is reflected in the high number of individuals who will TUPE to Veolia.

Waste vehicles that Biffa use are owned by the Council, Biffa are required to fuel and maintain the vehicles under the contract. A third party fleet assessment in August deemed these vehicles to be in good condition when age is accounted for. The same vehicles will be used from 1 November, although re-badged from Biffa. Veolia are bringing in replacement new vehicles in late 2021, which are diesel 6, will have electrically operated bin lifts, rather than the run of the main motor making them more fuel efficient and environmentally friendly. Driver diagnostics will also be introduced with the new vehicles to prevent speeding, harsh braking, over revving etc. Some capital following sale of the old Biffa vehicles will be available to the Council.

Importantly residents will notice very little difference after 1 November 2021. The same vehicles will be driven the same routes by the same crews. A Veolia badge will replace the Biffa badge on vehicles and uniforms – this is the extent of the change residents might notice.

Veolia are super-resourcing the first two weeks of November to ensure standards are maintained in terms of collection and cleansing. Indeed, it is encouraging to see there has been almost no deterioration in service delivered by Biffa in the final week of their service.

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Notices of Motion

Date: 24 November 2021

Environment Bill

Proposer: Councillor Robin Stuchbury

Seconder: Councillor Stuart Wilson

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.

"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
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."

Speed Limits

Proposer: Councillor Steve Broadbent

Seconded: Councillor Martin Tett

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.”



Leader Decisions Taken

Information on decisions taken by the Leader since the last full Council agenda. For an up-to-date list of decisions taken and forthcoming decisions, please refer to the Council's website – <https://buckinghamshire.moderngov.co.uk/>

7 Sep 2021

TR16.21 - Heavy Goods Vehicle Restrictions, Ivinghoe Area

The Leader AGREED:

To extend the proposed area of weight restriction to include the B440 and put this proposal to Statutory Consultation.

21 Sep 2021

TR17.21 - E-Scooter Trial Extension of End Date

The Leader AGREED:

To extend the end date for the e-scooter trials in Buckinghamshire taking place in Aylesbury, High Wycombe and Princes Risborough until March 2022

29 Sep 2021

PR01.20 - Adoption of the Hollands Farm Development Brief

The Leader AGREED:

To adopt the Hollands Farm Development Brief as a Supplementary Planning Document

30 Sep 2021

HW03.21 - Amendment to Charges for Adult Social Care Services 21/22

The Leader AGREED to the Amendment of the Charges for Home Care and Telecare

5 Oct 2021

TR18.21 - Wendover Cycleway Improvements

The Leader:

NOTED the results of the public consultation event and the proposed amendments to the scheme that are now being explored as set out in section 7.5.

DELEGATED authority to the Head of Highways Infrastructure Projects to complete detailed design having regard to public feedback already received.

DELEGATED authority to the Head of Highways Infrastructure Projects to proceed with the construction of the Wendover Cycleways improvements, once all the appropriate changes to the design have been incorporated.

8 Oct 2021

TR20.21 - Saunderton Vale Waiting Restrictions

The Leader AGREED:

to implement the waiting restrictions as they were advertised and proposed in the Statutory Consultation.

8 Oct 2021

TR19.21 - Lacey Green Waiting Restrictions

The Leader AGREED:

to implement the waiting restrictions as they were advertised and proposed in the Statutory Consultation.

15 Oct 2021

CO01.21 - Devolution Pilot (Green Street Community Centre)

The Deputy Leader and Cabinet Member for Health and Wellbeing, on behalf of the Leader:

- **AGREED** in principle to transfer the management of the Green Street site to the Karima Foundation on a long-term lease of 25 years
- **AGREED** to delegate to the Service Director for Localities and Strategic Partnerships in discussion with the Cabinet Member for Communities, the Service Director for Property and Assets and S151 Officer to finalise the lease arrangements.

20 Oct 2021

L05.21 - Upgrades to Aylesbury Electricity Supply - Housing Infrastructure Fund

The Deputy Leader and Cabinet Member for Planning and Regeneration, on behalf of the Leader:

AGREED to accept "Option A" from connection offer 8600022871 for 31MVA provided by UK Power Networks (UKPN).

This decision is being taken under the 'special urgency' provisions of the constitution due to the deadline of the connection offer from UK Power Networks which does not allow time for the usual decision-making timescales

28 Oct 2021

HW04.21 - Provider Sustainability

The Deputy Leader and Cabinet Member for Planning and Regeneration and the Cabinet Member for Health and Wellbeing, on behalf of the Leader AGREED to make a variation to the existing contract to support provider sustainability in line with the details in the confidential appendix of the report.

28 Oct 2021

TR21.21 - East West Rail Work In Kind (WiK) Prioritisation and Winslow Station Car Park Delivery

The Deputy Leader and Cabinet Members for Transport and Finance, Resources, Property and Assets, on behalf of the Leader AGREED:-

- 1. EWR Work in Kind (WiK) Future Prioritisation: To approve** the proposed WiK schedule, which sets out future priorities for the Council for utilising its WiK contribution in relation to EWR.
- 2. Winslow Station Car Park Delivery: to delegate authority** to the Director of Property and Assets in consultation with the relevant Cabinet Member and S151 Officer
 - (i) to negotiate and complete the emerging Implementation Agreement with Network Rail and
 - (ii) authorise the execution and financing of the Implementation Agreement to enable the delivery of the Car Park to meet the agreed delivery programme as well as the Councils previously agreed commitments based on the costed budget of £7.65m.

- 3. Winslow Station Land Transfer: to delegate authority** to the Director of Property and Assets in consultation with the relevant Cabinet Member and S151 Officer to finalise, agree and implement the emerging land transfer agreement with Network Rail related to the future Winslow East West Rail Station site,
- (i) to facilitate the construction and operation of the new railway station;
 - (ii) to identify and retain any land required to enable the Council to operate the proposed car park; and
 - (iii) to assess and agree any transferred land values with those values being considered to be part of the local contribution via WiK in relation to the values being considered EWR Scheme.

3 Nov 2021

CO02.21 - Household Support Fund

The Leader:

- 1. AGREED the Buckinghamshire Scheme for the utilisation of the Household Fund allocation for Buckinghamshire**
- 2. AGREE to delegate to the Deputy Chief Executive in consultation with the Cabinet Member for Communities the allocation of the funds in accordance with the Scheme as outlined in the report**

This decision is being taken under the 'special urgency' provisions of the constitution for the following reason:

As part of the £500m Household Support Grant Fund recently announced by, Buckinghamshire has been awarded £2,399,190.54. The funds are required to be utilised by 31st March 2022 and are to provide support to a broad cross section of vulnerable households including those who are not in receipt of benefits. Councils have discretion on how to identify and how to support those most in need. The funding is to support households in the most need with food, energy and water bills during the Winter months. It can also be used to support households with essential costs related to those items and with wider essential costs. In exceptional cases of genuine emergency it can additionally be used to support housing costs where existing housing support schemes do not meet this exceptional need. Special urgency provisions are being used for this decision in order to enable effective delivery, in a timely manner, to those who require support from this fund. The report provides the framework for this programme.

For further information please contact Ian Hunt on 01494 421208