



Cabinet minutes

Minutes of the meeting of the Cabinet held on Thursday 22 September 2022 in , commencing at 9.00 am and concluding at 10.30 am.

Members present

M Tett, Cllr A Macpherson, G Williams, S Bowles, S Broadbent, J Chilver, A Cranmer, C Harriss, P Strachan and M Winn

Others in attendance

D King, P Martin and R Stuchbury

Agenda Item

1 Apologies

There were none.

2 Minutes

RESOLVED –

That the Minutes of the meeting held on 12 July 2022 be approved as a correct record.

3 Declarations of interest

There were none.

4 Hot Topics

The following hot topics were raised:-

Cabinet Member for Education and Children's Services

Following a question from the Leader, the Cabinet Member for Education and Skills reported that the Government were looking at removing restrictions on grammar schools moving to a school system with more Multi Academy Trusts. Cabinet would be updated once more information was released.

Cabinet Member for Homelessness and Regulatory Services

The Council had received a further grant of £2.274 million for the rough sleeping initiative with funding for the next three years. The Leader commented on the Council's work to eliminate rough sleeping and the multi-disciplinary approach required. The Cabinet Member also paid tribute to the work of partners such as

Aylesbury Homeless Action Group, Oxford Health and Wycombe Connections.

Cabinet Member for Communities

The Council had been allocated another £2.4 million for the Household Support Fund for the period October to March. The Leader reported that he was delighted to hear the news and commented that the Helping Hands Programme had been one of the most successful programmes the Council had run and it would help residents through the winter particularly with rising costs. The Cabinet Member then commented on the recent County Show where they had highlighted the work of the Community Boards which was well attended and the Community Safety Survey. The Survey would run until Sunday 16 October and residents were encouraged to take part including informing the Council on what areas they considered a priority. The Community Safety Team was also visiting Fresher Fairs at universities to help crime prevention particularly violence against women and girls and providing personal alarms. Teenage girls were particularly vulnerable.

<https://www.buckinghamshire.gov.uk/cost-of-living/>

<https://yourvoicebucks.citizenspace.com/communities/safety-2022/>

Cabinet Member for Planning and Regeneration

The Cabinet Member referred to the development of the Local Plan and Call for all sites which had been completed on 13 September 2022. 700 sites had been put forward and officers needed to look at these sites to see if they were suitable for development. Reference was also made to that fact that the Government might abolish the topdown housing targets.

Cabinet Member for Transport

Buckinghamshire Council and Carousel Buses were launching a new 'demand responsive transport' (DRT) service in and around High Wycombe. The new DRT service came as part of a pilot scheme funded by the Government's Rural Mobility Fund. The new service would run for the next 3 years, with scope to run for longer if the pilot is successful. The High Wycombe DRT pilot was set to launch from 27 September, with an Aylesbury pilot launching later in the autumn. Sitting under Carousel's 'PickMeUp' brand, the Wycombe pilot would serve several communities, including Booker, Daws Hill, Wooburn Green, Wycombe Marsh, Loudwater and Downley. These either have a limited bus service or a route which only served part of the community. Users would be able to book one of the five fully accessible minibuses to collect them either directly from their home, or from one of the 500+ pickup points – also known as 'virtual bus stops' – out and about in the local area. The Cabinet Member would report back on pilot data.

<https://www.buckinghamshire.gov.uk/news/wycombe-residents-will-soon-be-able-to-book-a-bus/>

<https://www.pickmeupwycombe.co.uk/>

Cabinet Member for Accessible Housing and Resources

The Cabinet Member referred to £150 energy rebate for most households in Council Tax bands A to D which could be distributed via post office vouchers if there were no bank details. Residents had a deadline of Friday 30 September 2022 to claim the

rebate. 8,000 vouchers had not been cashed and it was important for residents to do so before the deadline.

<https://www.buckinghamshire.gov.uk/council-tax/150-council-tax-energy-rebate/>

Deputy Leader and Cabinet Member for Health and Wellbeing

Reference was made to the Health and Wellbeing Board which was meeting this afternoon to discuss the Integrated Care Partnership and the Joint Local Health and Wellbeing Strategy Refresh. Residents were encouraged to attend the meeting or watch the webcast; it was an important meeting addressing health inequalities and discussing major transformation in the Health Service. A plea was made for additional funding to help with hospital discharge to move patients out of hospital back into the community.

<https://buckinghamshire.moderngov.co.uk/mgCommitteeDetails.aspx?ID=350>

Leader

Following issues with bin collections in the South of the County regular meetings with the Waste Contractor's Senior Management were being held to ensure that these issues were being addressed. There had been reports of misinformation and misreporting by operatives and this was being investigated. If residents had any issues with their bins they should report it online or escalate this to their local member if required.

<https://www.buckinghamshire.gov.uk/waste-and-recycling/report-a-missed-bin-collection>

5 Question Time

Question from Councillor Robin Stuchbury to Councillor Steve Broadbent, Cabinet Member for Transport and Councillor Peter Strachan , Cabinet Member for Planning and Regeneration

“The section 106 agreement for the Osier Way development has designated part of the £840,000 funding for a specific route upgrade on the A421 and A413 to dual – 2 lane standard carriageway, which predetermines the question of the outcomes of the Buckingham transport study to be undertaken this autumn, the results of which were being submitted to the Town Council and other parishes in early 2023. This project funding has now been included in the signed section 106 agreement which implies that the study will be concentrating on the implementation details of an agreed scheme not the feasibility of alternatives. Buckingham Town Council is in the process of reviewing and updating its Neighbourhood Plan and as I understand it would definitely prefer to discuss such matters thoroughly before decisions are taken and funds committed. In what way does the Cabinet Member consider that pre-empting the results of a survey and not consulting the local Council until some months after a decision is made is in the spirit of the Town and Parish Charter, which is to enable Parish and Town Councils to contribute to the planning process and to work together with Buckinghamshire Council? I look forward to a positive and engaging way forward within your response.”

RESPONSE from Councillor Broadbent

“The S106 agreement for Osier Way secures £840k towards all/any relevant parts of the Buckingham Transport Strategy, as listed in Policy T3 of Vale of Aylesbury Local Plan. This includes; route upgrade on the A421 and A413 to dual, left turn slip at A422/A413/Stratford Road roundabout, Buckingham town wide cycle network improvements and the Buckingham to Silverstone Park cycle route. As you are aware the Local Plan underwent consultation and considerable scrutiny through Examination before being adopted by the Council in September 2021. The schemes outlined in the Buckingham Transport Strategy were also agreed by the Town Council after consultation.

As you are aware, the Transport Strategy team are also in the process of undertaking a technical study to assess the A421 corridor and its links into the neighbouring areas (especially towards Milton Keynes, Bicester, Silverstone Enterprise Zone and the new station planned for Winslow). As we discussed when you raised this at Cabinet on 12th July, the Transport Strategy team will report back on the recommendations made to the Buckingham Town Council, and other parish councils along the route, when the study is completed (expected early 2023). The s106 funding you have referred to is for funding improvements to the A421 corridor, however the monies would not be committed until we have a defined scheme that has been through feasibility and assessment, to ensure it is both viable and represents value for money for the Council.

We are also developing a Buckinghamshire Local Cycling and Walking Infrastructure Plan (LCWIP) which will be an overarching strategy for cycling and walking investment in Buckinghamshire. This strategy will also help Community Boards and town and parish councils develop their own local LCWIPs to improve walking and cycling in their areas. The Buckingham Transport Strategy already identifies a number of walking and cycling initiatives. The identified s106 money could also be used to implement some of these schemes, as outlined above.

In terms of the Town and Parish Charter, we remain committed to working with town and parish councils and are adopting a Statement of Community Involvement regarding consultation with town and parish councils on planning issues.”

6 Forward Plan (28 Day Notice)

The Leader introduced the Forward Plan and commended it to all Members of the Council and the public, as document that gave forewarning of what Cabinet would be discussing at forthcoming meetings.

RESOLVED

That the Cabinet Forward Plan be noted.

7 Select Committee Work Programme

The Leader introduced the Select Committee Work Programme and commended it

to all Members of the Council and the public, as a document that gave forewarning of what Select Committees would be discussing at forthcoming meetings.

RESOLVED –

That the Select Committee Work Programme be noted.

8 Change to the Household Recycling Centre (HRC) service model from nine to ten sites

The Cabinet received a report which outlined a proposal to change the Household Recycling Centre (HRC) service model and HRC contract from a nine site model to a ten site model, with the opening of Bledlow HRC 5 days a week. As part of the proposal, it was recommended that the site be opened for Buckinghamshire Council residents and other aspects of the service be provided in line with the draft Waste Access and Acceptance Policy (WAAP), which was attached at Appendix 1 to the Cabinet report.

The Cabinet report also proposed that non-Buckinghamshire residents be charged for waste acceptance and access for all waste types in accordance with powers set out in Paragraph 51(3) of the EPA 1990, rather than prohibit use of the HRC amenities. To date the neighbouring Local Authority Oxfordshire County Council had not been amenable to enter into Service Level Agreements, therefore Buckinghamshire Council would be able to introduce charges for non-Buckinghamshire residents, for waste acceptance and access for all waste types, who might use Bledlow HRC site.

Buckinghamshire County Council introduced changes to the Household Recycling Centre service on 1st April 2019. This was a difficult decision made in the short term, due to the financial pressures the Council faced and the requirement to secure a balanced budget. The service changes included three HRCs opening 5 days (closing Wednesday and Thursday), Bledlow HRC being closed and the introduction of non-household waste charging at all HRCs. Due to future growth demands near the Princes Risborough area, there was a growing demand for HRC provision. The long-term aspiration would be to build a new HRC closer to the Princes Risborough area. However, a replacement site would have considerable lead in times, typically five years or more. This was due to the complexities such as land acquisition, development control (i.e. the planning process), procurement and construction phase. The recommendations, set out in the Cabinet report, would meet the Council's future needs in the short to medium term, whilst an alternative site was found.

Cabinet took into account the detailed representations which had been submitted by residents and external organisations including the supplementary information which was published on 21 September 2022 on the future tonnage and visitor forecast assumptions and a summary of the key themes where representations had been received such as traffic congestion, previous planning permissions, lack of consultation and site suitability. The supplementary information included

information on the methods used for calculating site use and tonnage forecast. Burnham HRC had been used as a suitable proxy site for modelling assumptions.

The Cabinet Member made reference to concerns regarding traffic congestion. He reported that over the past three years there had been reduced total waste volumes across all HRC sites by approximately 42% and previously when this site had been open 35% of residents had come from Oxfordshire. The Council was not encouraging “out of area” users as this would introduce inconvenience to Buckinghamshire residents and the new charges could mean that out of area residents would not wish to use the facility. In addition the neighbouring authority Oxfordshire County Council had previously not been amenable to enter into a Service Level Agreement with the Council.

A Community Interest Company, which had been formed by one of the local councillors had put an application in for the site to be reopened which the Council, as Planning Authority had opposed. However, this does not impact on this decision as the Council has the original permission to reopen the site as the Waste Authority.

With regard to consultation the Council was not legally required to carry out a consultation but the Cabinet Member had met with the Parish Council and spoken to local members. The Cabinet Member would continue to monitor the impact of any decision and liaise with the Parish Council. A consultation had been carried out in 2019 with a customer satisfaction survey.

The final concern related to site suitability and in particular fire risk. The land has been surveyed which had confirmed its suitability and there was a Fire Management Plan. This proposal was in budget and would be covered within the existing contract.

The Service Director for Legal and Democratic Services then referred to the Waste Access and Acceptance Policy Paragraph 2.7 which addressed some of the need across Buckinghamshire and there was a useful map on page 79 which showed the spread of the network for HRC's. There was a space on the west side in relation to a suitable site for a HRC. The Waste Authority needed to look at this as a network and to balance the needs of the population. He referred to a letter he had sent to a resident of 20 September which had included some legal and technical points. There had been no promise of a consultation taking place. The earlier consultation had been a broader consultation not relating to this specific site. The argument relating to this being a breach of policy related to a separate application made by another organisation for permission which was refused on appeal and the Planning Inspector had given some reasons which did not apply to the Council as a Waste Disposal Authority. The Council were compliant with the relevant policies of the Waste and Minerals Local Plan. There were two duties that Cabinet Members needed to be aware of when making a decision; one was the Equalities Duty (the report included an Equalities Impact Assessment) and secondly under the Countryside and Rights of Way Act 2000 the Council needed to consider the impact of its decision on the Area of Outstanding Natural Beauty. This had been referred to in the Planning Inspector's report as not being of concern and also there was no concern from a highways

perspective. If residents were driving around the county trying to dispose of their waste it would be more beneficial if the site was as close as possible to them which would enhance the AONB rather than have traffic driving a significant distance.

Each Cabinet Member in turn confirmed that they had read and considered all of the representations in full including any documents which had been sent by residents or organisations.

During discussion the following points were made:-

- The Cabinet Member who had previously looked after this portfolio commented that the Council had considered alternative sites but that there was a long lead in time to open another commissioned facility of at least five years which included finding a site and the budget, assessing it, obtaining planning permission and then building it. There was funding in the capital programme for a new site.
- In response to the representations a Cabinet Member asked about traffic management and fire risk. The Cabinet Member reported that the traffic flows would be monitored closely and he would liaise with the Parish Council but also referred to the fact they expected usage to drop. The Council would do their best to mitigate traffic congestion on the roads to the site. The Council had a fire management plan and would undertake due diligence. This was a requirement of the environmental permit. The plans were tailored to the site.
- Another Cabinet Member agreed that there was a gap in the geographical provision and that in the longer term there were plans to commission a new site which should help with the additional housing growth expected in Princes Risborough and Haddenham. He also asked whether vehicle checks for out of county users would impact on traffic congestion. There was a similar system for non-household waste charges. There would be check points at the front of the site of ID and residency checks and in addition the operatives would quickly check the car size before they administer any charge. It would take no longer than non-household waste charging.
- As it was a relatively high charge for out of county there were concerns about non local residents abusing the system by using other people's ID who lived in Buckinghamshire. Out of county residents would be asked for a council tax bill or a digital form of ID but misuse could not be eliminated fully. With any waste spillage the operatives would be vigilant if any evidence was provided of misuse.
- In terms of local feeling the Cabinet Member had been on a call with the Parish Council and there was a range of views; some in support and others against because of concerns raised by local residents who lived on the road of the site. There would be a review of the site in the next six months. He had also spoken to local members. Residents in the broader local area had been very supportive but there were some residents who were close to the site who would be impacted. It was a relatively small site and there were no plans for expansion.

- A query was raised about managing traffic flows and the data provided and whether residents would be aware of busy times so they could avoid travelling to the site at peak use. In response it was noted that there would be three webcams where officers could look at the demand on that site and they would show both directions on the external road as a livestream which residents could check before they travelled and an internal webcam to see how busy it was within the site. Google tools would help show traffic flows which would be posted on social media. Representatives from the team would be at the site in the first few weeks to ensure that there were no issues in accessing it. Traffic data counters were also installed.

RESOLVED that Cabinet approves the following recommendations to take effect from the date the decision is taken unless otherwise stated –

- (1) That the revised Waste Access and Acceptance Policy (WAAP), Appendix 1 to the Cabinet report, be agreed.
- (2) That the Bledlow Household Recycling Centre be re-opened in November 2022, or earlier if it is operationally possible. The HRC to operate on 5 days a week, with closing days being Wednesdays and Thursdays (Option F).
- (3) That non-Buckinghamshire users be charged for waste acceptance and access for all waste types when using the Bledlow HRC.
- (4) That the Service Director of Property and Assets, in consultation with the Cabinet Member for Accessible Housing and Resources be authorised to finalise, agree, exchange and complete the lease documentation.
- (5) That the Service Director of Neighbourhood Services, in consultation with the Deputy Leader and Cabinet Member for Climate Change and Environment, be delegated authority to maintain service level agreement(s) and/or enter agreements with any other neighbouring authorities. This is to share costs for their residents to use Buckinghamshire HRCs on a fair basis.
- (6) That the Head of Strategic Waste Management and Enforcement be delegated authority to undertake all necessary appropriate steps in relation to the Household Recycling Centre contract by executing a Deed of Variation.
- (7) That it be NOTED that the financial implication associated with the recommendations are contained within the Council's Medium Term Financial Plan.

9 Highways Service - Term Consultancy Contract Award

The procurement project team, with support from other disciplines from across the Council and externally, had made positive progress with the delivery of the new Highways operating model and the associated procurement activity and were on programme to deliver these key contracts for the Council. The first of these contracts was the appointment of a new Term Maintenance Contractor which was agreed by Cabinet on 12th July 2022.

The Cabinet report, and the confidential Appendix 1, reported on the outcome of

the procurement exercise for the second of these contracts, the Term Consultancy Contract (TCC) and recommended the award of contract to the preferred bidder with the most economically advantageous tender in accordance with the agreed assessment model for quality and price.

The Term Consultancy Contract was another key component of the new Highway service operating model for the Highways Service and would deliver a high-quality service and value for money.

The range of services that the Term Consultant would provide comprise of specialist support on structures and street lighting, project management and supervision and to compliment the client team on various activities including procuring and supervision of works through the frameworks, as well as general top up of capacity, applying innovation and ensuring best value was being delivered.

The Term Consultant had also been set up so that other service areas of the Council could make use of it for various disciplines and expertise and be able to provide advice and support on developing feasibility and detailed design for large scale capital funded infrastructure projects, flooding and environmental investigation and analysis and Traffic Modelling to deliver the most cost-effective solutions. A full list of activities was shown in Appendix 3.

The Cabinet Member for Transport reported that after a Market Engagement Day in July 2021 they had a strong response from the market with multiple bidders and following a rigorous process the following recommendations have been put forward to start the contract on 1 April 2023. The confidential appendix was discussed in exempt session.

RESOLVED –

- (1) That progress made to date on the procurement of the new Highways Services Contracts be NOTED.**
- (2) That the award of the Highways Term Consultancy contract to the preferred bidder be AGREED, as detailed within Confidential Appendix 1.**

10 Exclusion of the public (if required)

RESOLVED –

That pursuant to Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting during consideration of Minute No 12 and on the grounds that it involves the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Act as defined as follows:

Minute 12 – Highways Term Consultancy Contract – Award

The item includes Information relating to the financial or business affairs of any particular person (including the authority holding that information) (Paragraph 3,

Part 1 of Schedule 12A, Local Government Act 1972) (The need to maintain the exemption outweighs the public interest in disclosure, because disclosure could prejudice the Council's position in any future process or negotiations).

11 Confidential minutes of 12 July 2022

RESOLVED –

That the confidential Minutes of the meeting held on 12 July 2022 be approved as a correct record.

12 Confidential appendix for Highways Service - Term Consultancy Contract Award

This item was undertaken in confidential session as part of Minute item 9 and details of the public discussion and the decisions taken are included within Minute number 9.

13 Date of next meeting

The next meeting would be held at 10am on Tuesday 11 October 2022.