



## Cabinet agenda

Date: Tuesday 12 December 2023

Time: 10.00 am

Venue: The Oculus, Buckinghamshire Council, Gatehouse Road, Aylesbury HP19 8FF

### Membership:

M Tett (Leader), A Macpherson (Deputy Leader and Cabinet Member for Health and Wellbeing), G Williams (Deputy Leader and Cabinet Member for Climate Change and Environment), S Broadbent (Cabinet Member for Transport), J Chilver (Cabinet Member for Accessible Housing and Resources), A Cranmer (Cabinet Member for Education and Children's Services), C Harriss (Cabinet Member for Culture and Leisure), A Hussain (Cabinet Member for Communities), P Strachan (Cabinet Member for Planning and Regeneration) and M Winn (Cabinet Member for Homelessness and Regulatory Services)

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<b>2 Minutes</b>	<b>5 - 24</b>

To approve as a correct record the Minutes of the meeting held on 14 November 2023.

**3 Declarations of interest**

**4 Hot Topics**

**5 Question Time**

**Question from Councillor Robin Stuchbury to Councillor Anita Cranmer, Cabinet Member for Education and Children's Services**

Education and children's services currently have a variance of £9.8 million on their budget. The client cost went up by £1.5 million to support children with complex needs in the community. The cost of occupation therapy equipment (£0.4 million) and transport (£0.6 million) will continue to rise with more demand. After-care costs were £0.7 million higher as more young people turn 18 this year combined with a lack of housing for people leaving care, while social care staff cost had a £1.3 million underspend. Buckinghamshire Council's education budget was £0.9 million overspent partly because of pressures related to SEND. If this reflects the current state of your portfolio budget as Buckinghamshire Council sets its precept, I'm worried that Buckinghamshire Council will maintain sufficient funding for your portfolio and would like reassurance that we have enough funding to raise our standard for children's services and SEND and the improvements required by OFSTED.

<b>6</b>	<b>Forward Plan (28 Day Notice)</b>	<b>25 - 44</b>
<b>7</b>	<b>Select Committee Work Programme</b> For Cabinet to note the Select Committee Work Programme.	<b>45 - 54</b>
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**15 Exclusion of the public (if required)**

To resolve that under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item(s) of business on the grounds that it involves the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Act.

Paragraph 3 Information relating to the financial or business of any particular person (including the authority holding the information)

- 16 Confidential Appendix - Contract Award Leisure Services Management 253 - 262**
- 17 Confidential Appendix - Units 1-3, Vale Retail Park – Capital Works and New Lease 263 - 280**
- 18 Confidential Appendix - King George V House, Amersham 281 - 282**
- 19 Date of next meeting**  
4 January 2024 at 10am

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## Cabinet minutes

Minutes of the meeting of the Cabinet held on Tuesday 14 November 2023 in The Oculus, Buckinghamshire Council, Gatehouse Road, Aylesbury HP19 8FF, commencing at 10.00 am and concluding at 12.20 pm.

### Members present

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

### Others in attendance

D Barnes, P Brazier, R Stuchbury and S Wilson

### Apologies

M Tett

### Agenda Item

#### 1 Apologies

Apologies were received from the Leader, Martin Tett. Angela Macpherson, Deputy Leader and Cabinet Member for Health and Wellbeing, chaired the meeting in his place.

#### 2 Minutes

**RESOLVED – That the Minutes of the Meeting held on 24 October 2023 were agreed as a correct record.**

#### 3 Declarations of interest

There were no declarations of interest.

#### 4 Hot Topics

The following hot topics were noted:-

Cabinet Member for Transport

The Cabinet Member referred to the recent storm and that some roads had been closed and crews were working out of hours to clear branches etc. At the end of October the winter service had commenced with the first two grit runs over the weekend. Information on gritting routes was available on the Council website. In response to a question, it was noted that if a road was closed long term with a

diversion in place, consideration would be given as to whether gritting was required. However, temporary diversions were not always gritted.

<https://www.buckinghamshire.gov.uk/parking-roads-and-transport/check-to-see-which-roads-are-gritted/>

Cabinet Member for Education and Children's Services

The SEND Improvement Team held the annual 'Shout Out for SEND' Conference in the autumn term. The aim of the conference was to ensure that the Council was listening to young people with SEND. Their feedback helped the Council to develop services, policies and strategies so that young people with SEND could reach their full potential and access and participate in all walks of life. Young people took an active role in developing activities and running the conference on the day, which ensured that the Council co-produced the conference from start to finish. The conference was designed for pupils of secondary school age and was free to all attendees. Also invited were electively home-educated young people and those who lived in Buckinghamshire but attended schools and settings in other local authorities. The conference was organised and run with partners across Buckinghamshire. The two workshops were bullying and discrimination and Understanding and Awareness and how to make things better.

Cabinet Member for Homelessness and Regulatory Services

Buckinghamshire Council was inviting residents, businesses and organisations to share their views on its draft Housing Strategy for 2024-2029. The Strategy set out the Council's vision, priorities and actions to meet the current and future housing needs and challenges in the county. The Housing Strategy had been developed with the input and support of a wide range of partners, including housing associations, developers, community groups and other public sector organisations.

To achieve the Strategy, the Council had created three draft priorities:

- responding to the needs of Buckinghamshire's diverse population
- better homes: good quality, sustainable and matched to need
- new homes: affordable, accessible and appropriate

The consultation was open until midnight on Monday 18 December 2023 and could be accessed [online](#) or by requesting a paper copy from the Council. The feedback received would help shape the final version of the Strategy, which would be published in 2024.

## 5 Question Time

**Question from Councillor Stuart Wilson to Councillor Peter Strachan, Cabinet Member for Planning and Regeneration**

The Q2 Capital Budget Adjustments and Reprofiling report submitted to this Cabinet contains references in Appendix 1 to a re-profiling of £345,000 for environment-led opportunities and, in particular, 'Spade Oak Lake and Little Marlow Visitor Facility business plans under development as original plans did not produce a net nil cost to the Council. Other options are being considered.'

Cabinet approved a programme of action to evaluate Little Marlow Lakes Country park in two phases last year, starting with a cross-function Officer group tasked with developing a commercial plan for the Council-owned land at Spade Oak Quarry. There has been no indication from this Officer group that this work has been substantially on progressed, beyond a workstream on the creation of a Suitable Alternative Natural Greenspace as mitigation for the impact of development in Bourne End on Burnham Beeches Special Area of Conservation.

What work has been completed to date that would enable this report to conclude that the original plans did not produce a net nil cost to the Council, including the restoration works required under planning condition, what assumptions are now being made for the £345,000 going forward including the timings of the delivery of a viable plan to Cabinet, and when will this be shared with all local Members with a strong vested interest in this proposal?"

#### **RESPONSE from Councillor Strachan**

As context, the £345,000 is existing capital budget which could be used towards funding the development and restoration works of the Council-owned land at Spade Oak Lake (the initial phase of delivery of the Little Marlow Lakes Country Park).

In line with Cabinet's decision to develop a scheme for this site which as a minimum would be a Suitable Alternative Natural Greenspace (SANG) compliant facility, and a business plan which ensures the facility is delivered as a cost neutral enterprise, officers have been focused upon the necessary steps towards SANG compliance, to attract SANG contributions to fund improvements (these would form part of the business plan for delivering the facility).

The SANG work requires a number of stages including visitor surveys to determine capacity at the site, approvals from Natural England, and development of management plans; this work has been progressing well with surveys undertaken over recent months and continuing discussions with Natural England, but will require time to conclude. Hence the reprofiling of the £345,000 capital budget into next financial year and the comments regarding net nil cost/other options, since the restoration works alone would use up this £345,000 budget.

In tandem, officers have also continued to liaise with partners to try and find a way to get Thames Water's £0.4m grant to the Community Partnership implemented for habitat and visitor improvements on the site.

The business plans for the site will continue to be progressed and will be the subject of a paper to Cabinet in 2024/25.

#### **Question from Councillor Robin Stuchbury to Councillor Steven Broadbent, Cabinet Member for Transport**

In Buckingham and North Buckinghamshire it is evident that there are drainage issues with drains both being blocked and not functioning to their full capacity. As an example poor drainage has had a negative impact on property and in two instances within Buckingham children are being impacted greatly by standing water on the road when walking to school. What is the total resource within the local authority for dealing with this situation by way of vehicles and manpower and what plans do you have for budgeting & planning long-term to address these matters to reassure our residents, particularly with increasing storms?

### **RESPONSE from Councillor Broadbent**

Buckinghamshire Highways are responsible for the following aspects of highways drainage and flooding:

- Maintaining highways drainage systems across Buckinghamshire, including gullies, catchpits, soakaways and highways drainage ditches.
- Developing new capital schemes to alleviate highways related flooding.
- Road closures and flood warning signs as part of emergency response to flooding.
- Maintaining supplies of sandbags at each depot and distributing where appropriate and resources allow, to mitigate highway and property flooding. The following supplies of sandbags are maintained:
  - 500 full sand bags (rot proof) in each depot
  - 1000 sand bags (rot proof) empty in each depotThese are primarily for Highways purposes, but if the service has capacity, it will distribute sandbags to properties at risk of flooding at the request of the Emergency Operations Centre or appropriate Duty Officer.
- Providing information to riparian land owners adjacent to the highway about their responsibilities and enforcement where appropriate.

The maintenance of highways drainage assets is carried out by Buckinghamshire Highways through our Term Maintenance Contractor. The Council has committed to ensuring cyclical maintenance of all the 85,000 gullies which is a significant investment and commitment. Officers set out a specific work programme annually, with a reactive maintenance response as necessary during the year. The Term Maintenance Contractor is then responsible for ensuring sufficient resource is available to deliver this work.

Through its Medium, Term Financial Planning (MTFP) process, the Council has allocated the following budgets for highways drainage maintenance in 2023/24:

- £1.367M for Cyclical Gully Maintenance, which includes maintaining all 85,000 of the Council's gullies.
- £1.022M for drainage repairs. These are identified from inspections during the gully maintenance programme as well as following reports from Members and the public.
- £0.25M for reactive gully cleansing. For example, during very wet weather or

where a gully is reported as blocked outside of the cyclical programme.

Currently there is a dedicated crew and gully machine operating out of each of the three main depots, with two additional 'supersucker' gully machines working across the County. This is supplemented by supply chain partners operatives and equipment as and when required to fulfil the needs of the service. Additionally, there is an out of hours emergency service with crews trained and resourced to deal with a range of highways emergencies, including flooding.

There is also a specific "Severe Weather" reserve maintained of around £1.5M. This is to mitigate any additional and unplanned costs associated with storm events etc, beyond what is anticipated for a normal year which could include flooding, fallen trees and long lasting snow or ice as well as repairs to the highway such as following last year's severe winter. It is recognised that severe events are becoming more common place, more damaging and not confined to the winter season and the revised recurrence of severe events is taken into consideration in line with Government formal guidance on Flood Risk Assessments.

In addition, the Council has allocated £2M for capital drainage works. This includes identifying and prioritising new drainage schemes as well as replacing obsolete or broken drainage assets. Again, there is not a specific dedicated resource allocated to this but work is allocated to designers, engineers and other specialist through our Buckinghamshire Highways Alliance partners as required.

The Strategic Flood Management Team is responsible for identifying the Council's flood management strategy and the team work closely with the Highways team to identify priorities to mitigate property flooding where there is a highways element. It should be borne in mind though, that it is principally the responsibility of the homeowner to protect their property from flooding unless this is directly caused by the failure of a highway system. Where the Flood Management Team identifies a particularly need for a highway scheme, this would be dealt with by a bid through the MTFP process.

Like most Highways Authorities, our historic highways drainage systems were not designed to accommodate the increasing intensity and frequency of severe rainfall events we now regularly see. For example, it is not uncommon for rainfall intensity to exceed the capacity of our soakaways and residents may well see standing water in places where there hasn't been previously, until the drainage system has had time for the water level to subside. This is, of course, a national issue and something that is being taken into account in emerging design standards for new highway drainage systems, though even new systems may not be able to deal with every extreme event. It is also not feasible or affordable to upgrade existing highways drainage systems wholesale. Where a specific problem is identified, and prioritised as needing action we will investigate, assess against other proposed schemes and bid for additional funding through the MTFP process as required.

## **6 Forward Plan (28 Day Notice)**

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

**RESOLVED – That the Cabinet Forward Plan be noted.**

**7 Select Committee Work Programme**

The Deputy 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 Director of Public Health Annual Report 2023: Mental Health**

Each year, the Director of Public Health produced an annual report on the health of the population. This year, the report focussed on mental health. The Director of Public Health Annual Report 2022-23 described the factors that supported good mental health, identified groups that were at risk of poorer mental health and made recommendations for the Council and its partners to promote mental health and well-being. The report was a call to action for partners in Buckinghamshire, asking partner organisations to reflect the recommendations in existing multi-agency plans, for the Start Well, Live Well and Age Well Health and Wellbeing Board Strategy.

Mental health was as important as physical health for health and wellbeing. It underpinned people's ability to build strong relationships, to do well at school or in employment, and shaped how people interacted with the world around them. Good mental health often led to better physical health, as well as a reduced chance of dying at a younger age.

People in Buckinghamshire generally enjoyed higher levels of good mental health and wellbeing compared with the England average. However, good mental health was not experienced by everyone and many people experienced periods of poor mental health during their life. Fortunately, there were many things residents could do to improve and protect mental health. There were also actions that schools and organisations could take to support the mental health of those who lived, learnt and worked in Buckinghamshire. These preventative actions were the focus of the 2022-23 annual report.

The report did not consider the different types of mental health conditions, nor did it cover treatment and support for mental illness. These were important subjects that would require a long and detailed report in their own right. Many people with a mental health condition enjoyed a good quality of life and many of the preventative actions in the annual report might support them, in addition to formal treatment. The report further detailed formal research and local data and mentioned that it was not surprising to find a strong overlap between the factors that were important to children and young people and those that were important in adulthood. The things

that affected mental health did not change as people grew older. However, two additional factors become important as people aged – the impact of retirement and increased risks of becoming socially isolated.

The Director of Public Health reported that while the factors for mental health listed could affect everyone, some people in Buckinghamshire were more likely to be vulnerable to poor mental health. National research had demonstrated a link between poverty and mental health and this was evident in Buckinghamshire. While not all mental health conditions and disorders could be prevented, individuals could take steps to improve their own mental health by focusing on the protective factors listed in the report. The Director of Public Health also highlighted those people who were at risk, such as children living in poverty, who were four times as likely to have mental health issues by the age of eleven, or those living in cold homes, who were five times more likely to have mental health issues. Promoting access to green spaces, culture and leisure would provide help and initiatives such as the Opportunity Bucks Programme which helped deprived areas looking at employment opportunities and housing. The Director of Public Health particularly referred to how crucial the early years for children were regarding their mental health and that this started with their cognitive, emotional and social development whilst the mother was still pregnant. Stress in pregnancy also resulted in poorer mental health.

The report made a number of recommendations regarding actions that schools, Buckinghamshire Council, the local NHS and employers and voluntary sector organisations could take to promote good mental health. These actions were grouped into five areas:

1. Support our children, young people and their families.
2. Encourage lifestyles that protect mental health.
3. Provide opportunities for people to build their social network, learn new skills and give to others.
4. Take action on the things that increase people's risk of poorer mental health.
5. Encourage open conversations about mental health.

The Cabinet Member for Health and Wellbeing reported that mental health was as important, if not more important, than physical health for people's wellbeing. This year's Annual Report was about how individuals, communities and organisations could improve and protect their mental health. This was particularly important at a time when recent rises in the cost of living were affecting many people's mental health. The report summarised the things that could promote and protect mental health and highlighted factors that could have a negative impact. It also highlighted groups that could be at risk of poorer mental health so that the Council and partner organisations could consider what actions could be taken to level up mental health across Buckinghamshire. In line with the Health and Wellbeing Strategy it covered mental health throughout life using the themes Start Well, Live Well and Age Well. The report contained recommendations for action for all partners as well as things people could do for themselves and where to get help.

As well as partners, there was a lot the Council could do to help improve mental

health and every portfolio holder could make a real difference to improving people's mental health. This could be by using the Opportunity Bucks Programme to help address financial insecurity, skills, good quality employment and wider work with schools, communities and the voluntary and community sector to support children's mental health or improving the built and natural environment or increasing access to leisure and cultural opportunities or supporting strong connected communities to reduce loneliness and isolation. This report was a call to action to partners in Buckinghamshire. Actions arising from the report would be incorporated into the existing multi-agency plans addressing mental health in children and adults in Buckinghamshire.

During discussion the following points were noted:-

- Help was available for houses with damp and mould. The first port of call would be the landlord, as they were responsible for maintaining the house. If the landlord refused to help, then the resident should contact the Environmental Health Team. The Housing Strategy also included information on how to improve homes and the Council's role in this regard and making more sustainable homes in the future. Housing Associations also had a role in energy efficiency. Helping Hands would also help residents who were struggling to pay their bills. The importance of good sleep was also key.
- With regard to mental health in young people, reference was made to a study, which had been undertaken during the pandemic, where a quarter of sixth formers experienced loneliness. A further study was being undertaken and it would be very helpful to compare figures. Different schools had different approaches, but it was key to build resilience in children. The Chief Medical Officer had given advice on the amount of screen time a child should have. The Director of Public Health reported that they had someone dedicated to working with schools on PSHE, which covered physical and emotional health. They also ran a Healthy Schools Accreditation process, which included a whole school approach to mental health. Furthermore, they had recommended the Penn Resilience Programme to schools and offered peer support groups. There was also the 0-25 Children's and Young People's Programme which included school nurses and health visitors who ran drop in sessions and a teen health website. It was noted that the approach by schools was variable.
- Reference was made to regional variations and an example was given that North West Chiltern (area 7) had poorer outcomes than South West Chiltern (area 12) and the reasons for this. The Director of Public Health reported that the map used national methodologies to look at outcomes, such as anti-depressant prescribing etc, which could be affected by individual GP behaviour or demography, such as older people isolation particularly in rural areas. This would be addressed in the Healthy Aging Strategy by working with the voluntary sector to increase social participation. There would be an exhibition in Buckinghamshire about how to age well. The Cabinet Member for Health and Wellbeing also referred to this Strategy and the importance of transport to help isolation and the need for demand responsive transport.



- This report would be communicated to Members and Community Boards including the Health and Wellbeing Board and Community Groups.

Members welcomed the report.

**RESOLVED –**

**That the Director of Public Health Annual Report 2023: Mental Health be NOTED, and the Council and partners be recommended to incorporate the actions identified in the Annual Report into existing mental health action plans and the Buckinghamshire Health and Wellbeing Strategy Action Plan.**

**9 Buckinghamshire Safeguarding Children Partnership Annual Report 2022/23**

Working Together 2018 stated that partnerships must produce an annual report “at least once in every 12 months period.” The report must set out what they have done as a result of the arrangements, including on child safeguarding practice reviews, and how effective these arrangements have been in practice.

The Cabinet Member for Children’s Services and Education introduced Walter McCulloch - Independent Chair, Buckinghamshire Safeguarding Children Partnership. The Partnership was a multi-agency partnership including police, fire, NHS, Thames Valley Rehabilitation Service and National Probation Service which dealt with 124,000 children. The main vision of the Partnership was to hear the Voice of the Child.

The Independent Chair reported that the report was work in progress and represented his first six months as Chair. He commented that the report should include:

1. evidence of the impact of the work of the safeguarding partners and relevant agencies, including training, on outcomes for children and families from early help to looked-after children and care leavers. This should include looking at data to see if actions were having a positive impact on children, looking at the qualitative assessment, what staff would say across the Partnership and listening to the voices of those with lived experience.
2. an analysis of any areas where there has been little or no evidence of progress on agreed priorities.
3. a record of decisions and actions taken by the partners in the report’s period (or planned to be taken) to implement the recommendations of any local and national child safeguarding practice reviews, including any resulting improvements.
4. ways in which the partners have sought and utilised feedback from children and families to inform their work and influence service provision.

This information had helped the Partnership develop the Business Plan and narrow down the priorities which include:-

- developing the Partnership further so that Partners could hold each other to account and to increase collaborative working

- the collective front door and managing demand through the different agencies
- learning through Case Reviews and the evidence for change
- learning from the lived experience

The Independent Chair thanked Public Health colleagues for the assessments relating to the Child Death Overview Panel, which was a statutory requirement as part of the partnership and stressed the importance of analysing the cause of any tragic deaths. There would be a progress report in 2024 which would show that the Partnership was up to date with their statutory duties. The training needs analysis was work in progress.

These requirements formed the chapters for the annual report that was submitted and considered by Cabinet.

Next steps for the Partnership

- To agree a new business plan with measurable priorities and ensure this was shared with the sub groups for action.
- To review the current membership and structure to ensure that it could deliver what was required.
- To agree and implement a front line staff and residents engagement plan.
- To re-establish and strengthen the links between the relevant Partnership Boards.
- To implement and measure the impact of the revised training offer.
- To review the evidence based from practice reviews and ensure that the learning was shared.

During discussion the following points were noted:-

- Reference was made to the 170 children missing from education, which meant that they were missing from the mechanism for early warning signs. It was important to understand why they were missing and any areas of concern. There were also 1091 children who were electively home educated, and it was important to understand what the checks and balances were for their safeguarding. Reference was also made to community partnerships such as youth organisations and the importance of sharing information. The Independent Chair reported that Buckinghamshire numbers were lower than the previous County he had worked in. Children missing from education were kept under close review including those home educated. This had been recently discussed at a Select Committee meeting. The Corporate Director reported that for children that were home educated, there was an annual requirement for a home visit to take place. For those missing from education there was a partnership approach to sharing information to ensure that those who have a school place access their education and access the support required to enable them to attend school. There was a national profile around attendance and the Council had undertaken a self-assessment in this area with a session with the DfE in early 2024. The Independent Chair

referred to community groups and re-instituting a community based meeting in December, which could be locality based, to hear the voice of those directly involved and benefit from sharing information and further training.

- In terms of collaboration, it was noted that through the community based meeting and other mechanisms there was good collaboration linking services, for example housing and safeguarding and listening to any concerns to protect children and young people.
- 20 causes of death were in the perinatal period which related to the previous report where the Director of Public Health had referred to mental health during pregnancy.
- At the September Partnership meeting there was a good presentation on learning from lived experiences and looking at examples where action could be taken as one of the four key priorities of the business plan. This also linked with a recent HMIC report on child protection.
- Referrals, as was the case with adults, had increased in numbers and complexity. When talking to partners they also commented that there had been an unprecedented rise in referrals and to ensure that the Multi Agency Safeguarding Hub was taking a consistent approach to referrals by looking at thresholds and ensuring good decision making.
- The Cabinet Member for Education and Children's Services reported that the numbers were lower for children missing from education (27) as some families had moved from the area and not notified the local authority.

**RESOLVED –**

**That the Buckinghamshire Safeguarding Children Partnership Annual Report 2022-23 be NOTED.**

**10 Climate Change & Air Quality Strategy - Annual Progress Report 2022/23**

The Climate Change and Air Quality Strategy 2022-2023 Progress Report provided an update on the significant progress made against the aims, objectives, and actions set out in the Council's Climate Change and Air Quality Strategy within the second year following its adoption on 19 October 2021.

Details of 51 activities were provided, many of which addressed several actions in the Strategy. These had contributed to greenhouse gas emissions (GHG) decreasing by 7.73% from 2019 to 2021; nitrogen dioxide concentrations staying within the annual mean value in 2022 (apart from one location where new diffusion tube monitoring was established within the Friarage Road Air Quality Management Area in 2022); and, the Council's GHG emissions being 73.7% lower in '22/'23 compared to its emissions from 1990.

The Council was responsible for 5,401 tCO<sub>2</sub>e (net emissions) in '22/'23. It had kept comfortably within the Council's carbon allocation for '22/'23 (6,953 tCO<sub>2</sub>e) and was on track to reduce the Council's carbon emissions by at least 75% by 2030.

The Cabinet Member for Climate Change and Environment stated that these figures

were a result of partnership working with voluntary and community groups, schools, the waste team, libraries and other organisations such as the Forestry Commission. The Council applied for any available government grants in this area and also had reduced the cost per tree to provide value for money whilst planting on a reasonable scale (145,000 trees over a 12 month period). The target was 543,000 by the end of 2031 planting season, which was effectively one per resident in the County and included smaller planted areas in schools to tree plantations on a larger scale. The Council had met over 35 climate and environmental groups across the County and had a thriving eco – system of local community groups which dealt with a range of different projects and initiatives. There was a dedicated Project Officer to ensure that there was good cross-collaboration between the groups. The Council were looking at projects regarding insulating homes and using solar panels and the two big initiatives in this regard were the Solar Together Scheme and the Energy Doctor Scheme. The Solar Together Scheme, which used bulk purchasing to get good deals for local residents, had delivered 4,356 panels across Buckinghamshire which was equivalent to 2.1 megawatts. The Energy Doctor Scheme had helped 150 homes to obtain better insulation which included advisors visiting qualifying homes to improve on carbon emissions and energy saving. The first electric bin lorry had been ordered and another 8 different vehicles were coming in across the fleet as part of the commitment on transport. With regards to air quality, air quality monitoring showed there was only one exceedance of the annual mean National Air Quality Objective for NO<sub>2</sub> within Buckinghamshire. This was a new monitoring location added in 2022 located within the Friarage Road Air Quality Management Area (AQMA) in Aylesbury. There was a Climate Change Newsletter with 4,000 readers and also a large range of information online. <https://www.buckinghamshire.gov.uk/campaign/bucks-climate-challenge/>

During discussion the following points were made:-

- There was a Green Schools Competition on 8 December 2023, which was held annually.
- In terms of technology, the Cabinet Member reported that they had their first upcycled refuse lorry, which was making use of the chassis and mechanics that were still in good working order after eight years use. A local provider was converting them to use battery packs. This upcycled lorry would be tested in Buckinghamshire before converting other vehicles to ensure it was fit for purpose. As refuse lorries were heavy, they might not be good for hilly routes and were more suited for urban routes, particularly where air quality management plans were in place. The Council had been awarded an Air Quality Grant from Defra of £578,000 to upcycle and electrify the refuse collection vehicle (RCV). Procurement of a supplier for the contract for the retrofit work had been awarded to Lunaz Applied Technologies Ltd. Delivery of the upcycled vehicle was expected before the end of 2023.
- Buckinghamshire Council was delivering on its commitment to upgrade the nearly 29,000 streetlights it maintained to energy-saving LED light bulbs. Over 91% had already been converted and more streetlights, illuminated bollards and signs, and belisha beacons were scheduled for upgrading by the end of the year. The Cabinet Member commented that working across

portfolios was a key requirement as climate change affected every area.

- Home to School Transport taxis and minibuses, which had up to and including 16 seats, had to meet Euro 6 emission and heavy duty vehicles, such as buses and coaches, had to meet Euro 5 emission standards. As reported at Select Committee, the rules for this had changed this year. Incremental changes were made to the fleet to reduce emissions over time. Any ultra-low emission taxi vehicles could be licenced for up to 15 years rather than the standard period of ten to provide incentive.

<https://buckinghamshire.moderngov.co.uk/ieListDocuments.aspx?CId=343&MId=18212&Ver=4>

Cabinet welcomed the progress made.

#### **RESOLVED –**

**That the progress made in 2022-23 against the aims, objectives and actions in the Council's Climate Change and Air Quality Strategy be NOTED.**

#### **11 Opportunity Bucks – Progress Update**

Opportunity Bucks was the Council's local partnership approach to levelling up, working in partnership across the county to improve outcomes for people who were experiencing the most hardship. Outcomes for people across the county were, on average, good. Income was above the national average, educational attainment was high, and the proportion of people claiming out of work benefits was low.

However, the county averages masked the challenges that some people in some specific parts of the county were facing. 10 ward areas had been identified where outcomes were substantially worse for residents, with more people in these wards claiming benefits, having worse health outcomes, experiencing higher crime and having limited opportunities. The Council's aim, through the Opportunity Bucks programme, was to ensure that everyone in the county had the opportunity to succeed, that we grow together as a place and that nobody was left behind. The Cabinet report provided an update on progress made since the official launch of the programme on 7 December 2022.

The Cabinet Member for Health and Wellbeing reported that it was a flagship programme to improve outcomes for residents who were experiencing the most hardship. The Council delivered targeted intervention into the ten wards identified to ensure everyone had the opportunity to achieve such as:-

- A good quality job
- Learning and career progression
- A good standard of attainment and skills
- A healthy and active lifestyle
- A decent, warm home
- Pride in where they live

The Cabinet Member reported that this Project could only be successful with strong partnership working and a strong multi-agency commitment with statutory partners, the voluntary and community sector, local stakeholders, community groups and resident associations. There were 3 levels of working:-

- Thematic partnerships which operated at a strategic level and focused on improving education and youth engagement, job careers and skills, the quality of the public realm, living standards and health and wellbeing for residents across all ten wards.
- Ward Partnerships which had been established at a community level in all of the ten target wards which were led by local members with officer support and involving local stakeholders and community groups who enabled the Council to identify the key local challenges that residents were facing.
- At an individual level a Making Every Adult Matter team to support residents who were experiencing multiple disadvantage and to improve outcomes.

This Project was being monitored through performance indicators. The Cabinet Member for Communities gave a few highlights on what had already been achieved:-

- implementing traffic calming measures in Castlefield to improve the local area.
- a policy change to Buckinghamshire's main Registered Social Landlords to that they could no longer remove carpets by default when tenants change and instead the carpets were offered to the incoming tenants for a nominal fee.
- securing additional funding to support the aims of the programme including £2.1m funding from Government to improve numeracy skills through the Multiply Scheme.
- making functional improvements to the Totteridge recreational group, targeted community clean ups and litter-picks and establishing community cafes.

The Chief Executive informed Members that this was a Buckinghamshire initiative, not national, which the Council wanted to undertake to help disadvantaged residents improve their outcomes and was an innovative approach to the levelling up agenda. It also had buy-in from private and public sector partners who all had a sense of ownership in the programme. Some of these initiatives were short term but other areas such as health, education and housing would take longer to show active improvements. The Service Director for Business Intelligence & Community Support reported that there was an ethos of identifying what worked well and looking at tangible feedback to ensure that funding was invested in the right areas with the highest impact. There was a suite of performance indicators capturing activity taking place and the benefit this provided. The Chief Executive reported that these metrics showed any return on investment particularly for the shorter term and the longer term objectives would not show initially. National metrics could also provide a useful measuring tool.

The Cabinet Member for Homelessness and Regulatory Services reported that this initiative had already helped some previously entrenched rough sleepers who were now using accommodation. Also there had been improvements to living conditions as professionals had referred any concerns to Environmental Health so they could investigate. Work had also been carried out linking in with Community Boards and holding workshops to identify what initiatives could be carried out in those ten wards.

The Cabinet Member for Transport referred to the traffic calming scheme, which had improved community cohesion. Children would be able to play outside which would help to improve their mental health and initiatives like this could be used elsewhere in Buckinghamshire.

Reference was made to the Horizons Programme which provided continued coaching and guidance from the Career Development Consultant, a personalised Horizons learning plan, training and development recommendations and networking opportunities for those who had been referred. The Service Director reported that this programme launched at the end of September and there had been nine referrals so far. The target was 30 individuals of which 20 should come from Opportunity Bucks areas.

Cabinet thanked officers for all their work and the work carried out by Members in the ten wards.

**RESOLVED –**

**That the progress of the Opportunity Bucks programme be NOTED.**

## **12 Q2 Capital Budget adjustments and Reprofiling**

The Capital Programme for 2023-24 to 2026-27 was approved by Full Council in February 2023, with an expenditure budget of £505.9m. The programme was revised to £556.8m following additions agreed by Cabinet in July 2023. The Council often received ringfenced funding in-year from Government and Developers which were added to the programme in a supplementary budget change. Additionally, the programme was reviewed quarterly to check that the profiled spend remained realistic. The report set out the recommended additions and reprofiling for Quarter 2, and also recommended 3 projects to be reduced or removed from the programme. These budget changes would ensure the programme remained realistic and deliverable and released budget for reinvestment. The recommended changes would increase the 4-year Capital Programme to £582.6m by 2026- 27 and would reduce the 2023-24 current year budget from £149.3m to £124.6m.

There were £8.246m of recommended additions to the Capital Programme. In summary:

- £5.908m of new projects funded from external ringfenced funding - £2.567m for new or existing projects funded from ringfenced Government Grants and £3.341m for projects funded by ringfenced s.106 developer contributions. The conditions of

this funding meant that it could only be spent on these specific projects.

- £1.738m of additions made up of 2 existing projects were experiencing overspends due to inflationary pressures, the Biowaste Project and Hampden Memorial Chapel. The proposal was to fund these overspends from earmarked reserves (£1.738m); and
- 1 priority project – CCTV control room upgrades £0.600m funded from a contribution from the RCCR (Revenue Contributions to Capital) reserve.

Since the Quarter 1 update to Cabinet, £18.055m of projects had been added to the programme through separate Leader or Key Decisions. This gave total additions to the programme since Quarter 1 of £26.301m. The Cabinet Member for Accessible Housing and Resources also referred to Appendix 1, which showed MTFP Reprofile Detail by Portfolio and specifically mentioned the South East Aylesbury Link Road and that the funding negotiations with HS2 and Homes England were now resolved.

Leader Strategic Infrastructure projects: percentage profiled spend achieved This was mainly due to the South East Aylesbury Link Road project as negotiations had taken longer than expected with the Government and Homes England. This had now been resolved and a Leader decision was awaited. A further paper was expected to come back to Cabinet.

The Cabinet Member for Accessible Housing and Resources also referred to Appendix 1 which showed MTFP Reprofile Detail by Portfolio and specifically mentioned the South East Aylesbury Link Road. Members noted that the Council remained committed to the delivery of the South East Aylesbury Link Road and continued to be involved in discussions with central government regarding the financing of the project. Securing these funds had taken far longer than anticipated, however a substantial portion of the funding, through the Housing Infrastructure Fund, had now been agreed with Homes England.

**RESOLVED that the following Budget adjustments to the Capital Programme be approved:**

- 1. Addition of £5.908m to the programme for new externally funded ringfenced grants and S106 developer contributions.**
- 2. Addition of £2.338m to the programme funded from Corporate Resources, to fund inflationary pressures or new spend on existing, priority projects.**
- 3. Removal of £0.460m for projects which have completed or are no longer proceeding.**
- 4. Reprofile of £24.335m from the current year into future years.**

### **13 Q2 Budget Monitoring Report 2023-24**

This report set out the forecast Revenue and Capital outturn position for Buckinghamshire Council for the financial year 2023/24 as at Quarter 2. The Council was continuing to experience significant financial pressures due to continued increase in demand and complexity of need in key services, such as Adults Social Care and Children's Social Care. The forecast revenue outturn position at Quarter 2



was an adverse variance of £8.6m, (2% of Portfolio budgets), an increase of £0.3m from the Quarter 1 reported position of £8.3m. This was primarily due to pressures in Health and Wellbeing and Education and Children's Services from demand and market insufficiency issues, coupled with pressures in Housing & Homelessness & Regulatory Services in Temporary Accommodation budgets and Transport budgets. Within the overall position there was an adverse variance of £15.2m (3%) in Portfolios (£14.0m last quarter) offset by a £6.6m (£5.7m last quarter) favourable variance in Corporate & Funding.

The £15.2m (£14.0m last quarter) adverse variance in Portfolios included:

- i. £3.4m pressure (£3.9m last quarter) in Health and Wellbeing due to growth in client numbers, and increased cost of care packages, particularly in Residential, Nursing and Supported Living.
- ii. £9.8m pressure (£3.9m last quarter) in Education & Children's Services predominantly due to the national insufficiency of placements for children looked after leading to a shortage of available placements and very high unit costs of those placements that could be accessed.
- iii. £1.1m adverse variance (£1.5m last quarter) in Housing & Homelessness & Regulatory Services in Temporary Accommodation budgets due to increased demand, particularly for nightly paid accommodation.
- iv. £1.3m adverse variance (£3.2m last quarter) in Transport Services. This was predominantly in Transport costs £1.3m pressure (£0.8m last quarter) due to increased contract costs in Home to School Transport with provider pressure to increase costs on letting of new contracts.
- v. The position also reflected a forecast shortfall on Energy from Waste income of £4.8m due to the reduction in market energy prices.

Following the Quarter 1 position, detailed Portfolio Action Plans had been implemented to address pressures, with a view to urgently bringing budgets back into line. The Quarter 2 position reflected positive variances across several portfolios linked to the delivery of the action plans, however, the financial position had deteriorated overall due to increasing pressures within Education & Children's Services which were detailed in the report. Mitigations of £1.3m had been identified linked to additional electricity income from the EfW plant, relating to a prudent estimate of income projections for 2022-23. Capital spending was forecast to be 99.5% of budget, a variance of £0.6m.

Unsecured debt over 90 days had seen an increase of £5.1m in comparison to Q1, rising from £9m to £14.1m in Q2. This had been scrutinised closely at a recent Select Committee meeting. For Q2 current overall invoice payment performance was 96.1% paid on-time.

Cabinet Members noted that budget pressures were being faced nationally. The Section 151 Officer referred to the risks in the budget as already reported by the Cabinet Member (home to school transport, children's services (particularly placement costs), temporary accommodation and adult services and commented that the current pressures could be met by contingency budgets. The Cabinet

Member reported that the Council was on track to meet its savings targets.

**RESOLVED that Cabinet note the report and the risks and opportunities contained within it and also note the actions being taken to mitigate pressures as set out in para 3.9 of the report.**

#### **14 Q2 Performance Report 2023-24**

The report included the performance report, which provided details of the key performance measures reported through the corporate performance framework for 2023/24 and the performance scorecard, which provided information on four key elements of performance for the Council covering Finance, Customer Service, Performance and Human Resources indicators. Within the performance report and performance scorecard, outturns which were performing at or better than target were classified as Green, those which were within 5% of the target are Amber and those which were more than 5% of the target were Red. At the end of Quarter 2, 92 indicators had outturns reported with a Red, Amber or Green status. Of these, 62 were Green (67%), 10 were Amber (11%) and 20 were Red (22%).

Each Cabinet Member addressed the performance indicators which had a red status as follows-

##### Leader

Strategic Infrastructure projects: percentage profiled spend achieved

The Council remained committed to the delivery of the South East Aylesbury Link Road and continued to be involved in discussions with central government regarding the financing of the project. Securing these funds had taken far longer than anticipated, however a substantial portion of the funding, through the Housing Infrastructure Fund, had now been agreed with Homes England.

##### Cabinet Member for Accessible Housing and Resources

###### Average Call Wait Time

This was below 5 minutes for the last four quarters, but it was still above the target level of 3 minutes although there was an improvement in Quarter 2. Quarter 2 was a busy period with home to school transport at the start of term and garden waste renewals. Online contacts were being promoted, including development of chat bots in four key services and use of call back facility.

###### Overall revenue (forecast) variance (%) across the Council

Addressed in the previous report.

###### £ value of unsecured debt > 90 days (excl Business Rate, Housing Benefit and Council Tax, and not secured against a property or asset) across the Council

Addressed in the previous report – the service area had set up a Task and Finish Group for adult social care debt and was also looking at improving processes including automation.

###### Average time for processing new Housing Benefit claims (days)

Average time for processing Housing Benefit change claims (days)

The backlog of claims was due to closing the previous system and now having a single system as this was an annual rolling target. However, the backlog of claims had now been cleared so improvements were expected.

Cabinet Member for Education and Children's Services

% of children's social care assessments completed in 45 working days

% of children with Initial Child Protection Conferences completed within 15 working days of the strategy discussion

% of Children in Need seen within 4 weeks

Percentage of new Education, Health and Care plans issued within 20 weeks (excluding exceptions)

% of initial Family Support Plans completed within 31 working days

The Cabinet Member responded to all the red indicators commenting that the red status was due to an increase in demand, staffing and recruitment issues and less educational psychologists. The service area was also going through a transformational change to improve services but left a period of uncertainty.

Cabinet Member for Health and Wellbeing

Number of younger people (aged 18-64) admitted to permanent residential or nursing care homes per head of 100,000 population (cumulative)

In line with national trends there was an increase in demand and the Service Area were using the Better Lives Strategy to improve outcomes and enable residents to live at home where possible.

% of young people whose Adult Social Care Assessment was completed before they turned 18 years old (cumulative).

The Cabinet Member reported that she had been working with the Corporate Director to address this, whilst there were small numbers it was important to ensure that the Improvement Plan brought this back on track.

% of successful drug treatment completions of those in treatment

Percentage of service users with needs related to Sexually Transmitted Infections (STIs) seen or assessed within 2 working days of first contacting the service

These two indicators related to Public Health and recent data coming through showed an improvement, which would hopefully mean that future indicators would no longer be red.

Cabinet Member for Planning and Regeneration

Percentage of Planning Enforcement Notice Appeals Upheld

The Cabinet Member reported that the Q2 outturn was 21% against a target of 20% which was due to the decisions of the Inspectorate that were difficult to predict.

Cabinet Member for Transport

Percentage of Category 1 and 2H defects repaired in 2 and 5 working days respectively

Performance in Q2 was 89% which was lower (worse) than the target of 95% but was an improvement from Q1 (70%). There was a 300% increase in the number of reported defects towards the end of last year due to a significant period of sub-zero temperatures last December followed by repeated cycles of wet and freezing conditions into January. There had been improvements since.

Percentage of reported Rights of Way issues dealt with in target time

There was an increasing use of rights of way which led to more queries. In addition, there had been vacancies in the team which had been filled in September, so performance improvements were expected.

Number of uncommitted s106 contributions that must be used within two years

At the beginning of this year the Council undertook a review of all the s106 contributions that it held. This identified contributions deemed to be at risk as they were unspent and approaching the expiry date set out in the relevant s106 agreements (this situation arose due to multiple factors pre and post unitary). Following the review, the use of contributions has been prioritised so that contributions most at risk were able to be used in accordance with the relevant s106 agreements and a new decision making and monitoring process had been introduced for 2024 to ensure contributions were committed at an earlier stage.

**RESOLVED that the performance report be noted including the action taken to improve performance where required.**

- 15 Date of next meeting**  
12 December 2023 at 10am.



## Buckinghamshire Council Cabinet/Leader forward plan

### The local authorities (executive arrangements) (meetings and access to information) (England) regulations 2012

This is a notice of an intention to make a key decision on behalf of Buckinghamshire Council (regulation 9) and an intention to meet in private to consider those items marked as 'private reports' (regulation 5).

A further notice (the 'agenda') will be published no less than five working days before the date of the decision meeting and will be available via the Buckinghamshire Council website ([Cabinet agendas](#) / [Leader decisions](#)).

All reports will be open unless specified otherwise.

Item and description	Wards affected	Councillor(s) / contact officer	Private report? (relevant para)	Date notified
<b>Cabinet 12 December 2023</b>				
<b>Buckinghamshire Serious Violence Response Strategy 2023-2026</b> This sets out the strategy for tackling serious violence in Buckinghamshire, including the drivers of serious violence.		Councillor Arif Hussain  Dr Jane O'Grady		31/5/23

Item and description	Wards affected	Councillor(s) / contact officer	Private report? (relevant para)	Date notified
<p><b>Estates Strategy - King George V House, Amersham &amp; future Customer Access Points (CAP) provision</b> To agree closure of King George V House, Amersham and to agree the future CAP provision for Amersham and Chesham</p>	Amersham & Chesham Bois; Chesham; Chess Valley; Chiltern Ridges; Little Chalfont & Amersham Common; Penn Wood & Old Amersham	Councillor John Chilver  John Reed	Part exempt ( <i>para 3</i> )	17/10/23
<p><b>Fly-Tipping Enforcement Policy and FPN Increase Review</b> To agree the revised Fly tipping Enforcement Policy to address the recent Government change to increase the upper limits of Fixed Penalty Notices for Fly-tipping and Failure in Household Duty of Care and review future delegation route.</p>		Councillor Gareth Williams  Martin Dickman		7/9/23
<p><b>Leisure services management contract</b> To award a new leisure management contract for the following facilities: Aqua Vale, Swan pool &amp; Leisure Centre, Beacon Sports Centre &amp; Theatre, the Evreham Centre, the Little Marlow Athletics Track.</p>		Councillor Clive Harriss  Sophie Payne	Part exempt ( <i>para 3</i> )	6/7/23

Item and description	Wards affected	Councillor(s) / contact officer	Private report? (relevant para)	Date notified
<p><b>Proposed changes to the Waste Access and Acceptance Policy for the Household Recycling Centres (HRC) for charges relating to construction and demolition waste</b></p> <p>To implement the Government’s proposed legislative changes to the Council’s Waste Access and Acceptance Policy for the Household Recycling Centres (HRC) which needs to be amended.</p>		<p>Councillor Gareth Williams</p> <p>Martin Dickman</p>		11/10/23
<p><b>Units 1-3, Vale Retail Park – Capital Works and New Lease</b></p> <p>Capital works are to be undertaken to meet the requirements of a large retailer taking occupation of these vacant units</p>	Aylesbury North	<p>Councillor John Chilver</p> <p>John Reed</p>	Part exempt ( <i>para 3</i> )	10/11/23
<p><b>Visitor Economy Strategy</b></p> <p>Buckinghamshire’s visitor economy is worth approximately £1.1 billion with our county hosting over 2000 tourism businesses. This Strategy will look to build on this by improving collaboration across the sector, encouraging visitors to stay for longer and making our visitor economy more accessible.</p>		<p>Councillor Clive Harriss</p> <p>Shabnam Ali</p>		10/11/23

Item and description	Wards affected	Councillor(s) / contact officer	Private report? (relevant para)	Date notified
<p><b>Buckinghamshire Area Special Educational Needs and Disabilities (SEND) Update</b> This report provides (a) a progress update on the SEND Improvement Programme since inspection; (b) an overview of current challenges across the system and the evolving strategic plans to address these and; (c) a brief overview of the new area SEND Inspection Framework and outcomes to date.</p>		Councillor Anita Cranmer  John Macilwraith	Part exempt <i>(para 2)</i>	10/11/23
<p><b>Council Tax Base 2024-25</b> To set Buckinghamshire Council's Council Tax Base for the following financial year</p>		Councillor Martin Tett  Dave Skinner		6/11/23
<p><b>Devolution Special Expenses</b> To agree the proposed offer and Heads of Terms for the Devolution of three sites under long term leases to Aylesbury Town Council</p>	Aylesbury East; Aylesbury North; Aylesbury North West; Aylesbury South East; Aylesbury South West; Aylesbury West	Councillor Arif Hussain  David Aimson		6/11/23
<p><b>Draft Revenue budget and Capital Programme</b> To agree the draft budget</p>		Councillor Martin Tett  Dave Skinner		6/11/23



Item and description	Wards affected	Councillor(s) / contact officer	Private report? (relevant para)	Date notified
<p><b>High Wycombe 2050 Transport Strategy and High Wycombe Local Cycling and Walking Infrastructure Plan (LCWIP)</b> To approve the High Wycombe 2050 Transport Strategy and High Wycombe Local Cycling and Walking Infrastructure Plan (LCWIP). The plans provide a long-term strategic approach to future transport investment in the High Wycombe.</p>	Abbey; Booker, Cressex & Castlefield; Downley; Ryemead & Micklefield; Terriers & Amersham Hill; Totteridge & Bowerdean; Tylers Green & Loudwater; West Wycombe	Councillor Steve Broadbent  Hannah Joyce		8/8/23
<p><b>Leisure Strategy</b> To provide an assessment of indoor sports and leisure facilities, considering future opportunities and demand around this provision.</p>		Councillor Clive Harriss  Sophie Payne		26/1/23
<p><b>Old County Offices, Aylesbury – Disposal</b> Options for the future of the building known as Old County Offices</p>	Aylesbury North	Councillor John Chilver  John Reed	Part exempt ( <i>para 3</i> )	10/11/23

Item and description	Wards affected	Councillor(s) / contact officer	Private report? (relevant para)	Date notified
<p><b>Provision for Looked After Children</b> This report presents a case for Buckinghamshire to develop 10 new in-house children's homes (32 beds) over the next 3 years. These proposals will enable the Council to meet its statutory duties around placement quality and sufficiency for looked after children as well as reducing exposure to financial and legal risks related to the use of unregistered placements.</p>		<p>Councillor Anita Cranmer John Macilwraith</p>	<p>Part exempt (<i>para 3</i>)</p>	<p>10/11/23</p>
<p><b>Sale of Land in High Wycombe to Long Leaseholder</b> Sale of land for a premium to facilitate regeneration of the overall area. This should result in greater economic activity in the area and job creation.</p>	<p>Chiltern Villages</p>	<p>Councillor John Chilver John Reed</p>	<p>Part exempt (<i>para 3</i>)</p>	<p>4/12/23</p>
<p><b>Six Monthly Adult Social Care Update</b> To provide Cabinet with an update on the national and local issues relating to adult social care in Buckinghamshire.</p>		<p>Councillor Angela Macpherson Craig McArdle</p>		<p>7/9/23</p>
<p><b>Six Monthly Children's Services Update</b> To provide Cabinet with an update on the national and local issues relating to the Children's Services Directorate.</p>		<p>Councillor Anita Cranmer John Macilwraith</p>		<p>6/11/23</p>

Item and description	Wards affected	Councillor(s) / contact officer	Private report? (relevant para)	Date notified
<p><b>Skills and Employment Strategy 2024-2029</b> The Buckinghamshire Skills and Employment Strategy will bring together the latest analysis, employer vision and the tertiary education providers to ensure that Buckinghamshire's current and future workforce are equipped with the skills to reach their potential, gain meaningful employment and boost productivity.</p>		<p>Councillor Anita Cranmer  Elizabeth North</p>		11/10/23
<p><b>South East Aylesbury Link Road (SEALR) Project</b> Update on the SEALR project</p>	<p>Aston Clinton &amp; Bierton; Aylesbury South East; Wendover, Halton &amp; Stoke Mandeville</p>	<p>Councillor Martin Tett  Richard Barker</p>		17/10/23
<p><b>Strategic Asset Management Plan</b> A new Strategic Asset Management Plan (2023-2028) to ensure the framework and management of the property portfolio is in line with our requirements now and in the future.</p>		<p>Councillor John Chilver  John Reed</p>		29/8/23
<b>Cabinet 13 February 2024</b>				
<p><b>Adoption of the Shenley Park Supplementary Planning Document</b> Adoption of the Shenley Park SPD, setting out how the housing allocation should be developed for the delivery of least 1,150 new homes.</p>	Winslow	<p>Councillor Peter Strachan  Charlotte Morris</p>		23/10/23

Item and description	Wards affected	Councillor(s) / contact officer	Private report? (relevant para)	Date notified
<p><b>All-age Autism Strategy</b> To agree the All-age Autism strategy for Buckinghamshire</p>		<p>Councillor Angela Macpherson  Simon Brauner-Cave</p>		13/7/23
<p><b>Buckinghamshire Healthy Ageing Strategy 2023-28</b> To approve the Council's Healthy Ageing Strategy 2023-2028. The Healthy Ageing Strategy sets out how the Council and its partners will work to make Buckinghamshire more age friendly, which is a priority in the Joint Health and Wellbeing Strategy. This will support Buckinghamshire residents to live healthy, fulfilling, and independent lives for as long as possible, to 'age well'.</p>		<p>Councillor Angela Macpherson  Dr Jane O'Grady</p>		23/12/22
<p><b>Budget Scrutiny 2024 Report</b> To consider the budget scrutiny report from the Budget Scrutiny Inquiry Group.</p>		<p>Councillor Ralph Bagge  Chris Ward</p>		27/11/23
<p><b>Capital and Investment Strategy</b> To recommend the Strategy to Full Council</p>		<p>Councillor John Chilver  Mark Preston</p>		27/11/23

Item and description	Wards affected	Councillor(s) / contact officer	Private report? (relevant para)	Date notified
<b>Chilterns Beechwoods Mitigation Strategy</b> Report to consider the recreational disturbance mitigation strategy for Ashridge Commons and Woods	Amersham & Chesham Bois; Aylesbury South East; Chesham; Chess Valley; Chiltern Ridges; Great Missenden; Ivinghoe; Little Chalfont & Amersham Common; Penn Wood & Old Amersham	Councillor Peter Strachan  Charlotte Morris		2/10/23
<b>Medium Term Financial Plan 2024/25 to 2026/27 and Capital Programme 2024/25 to 2027/28</b> For Cabinet to recommend the final budget to Council		Councillor Martin Tett  Dave Skinner		27/11/23
<b>Q3 Budget adjustments to the Capital programme 2023-24</b> Quarterly report		Councillor John Chilver  Dave Skinner		27/11/23
<b>Q3 Budget Monitoring Report 2023-24</b> Quarterly report		Councillor John Chilver  Dave Skinner		27/11/23

Item and description	Wards affected	Councillor(s) / contact officer	Private report? (relevant para)	Date notified
<b>Q3 Performance Report 2023-24</b> Quarterly report		Councillor John Chilver  Matthew Everitt		27/11/23
<b>Cabinet 5 March 2024</b>				
<b>Littering Enforcement Strategy - Options</b> Strategy on how to take litter enforcement forward - options paper.		Councillor Gareth Williams  Martin Dickman	Part exempt <i>(para 3)</i>	7/9/23
<b>November 2023 Leader Decisions</b>				
<b>Physical Activity Strategy 2024 - 2029</b> To approve the Councils physical activity strategy for 2024-29. The physical activity strategy sets out how the Council and its partners will improve the levels of physical activity and opportunities for Buckinghamshire residents.		Councillor Angela Macpherson  Dr Jane O'Grady		19/4/23
<b>December 2023 Leader Decisions</b>				
<b>Aylesbury cycleway north of Bedgrove Park</b> Early investigative works for a new cycleway linking the Hampden Fields development and the existing Aylesbury cycle network	Aylesbury East; Aylesbury South East	Councillor Steve Broadbent  Rebecca Dengler-Jones, Robin Smith		11/10/23

Item and description	Wards affected	Councillor(s) / contact officer	Private report? (relevant para)	Date notified
<p><b>Aylesbury Grid Reinforcement - Update</b> An update on the way forward for the Aylesbury Grid Reinforcement Project.</p>	<p>Aylesbury South East; Bernwood; Ridgeway East; Stone &amp; Waddesdon; The Risboroughs; Wendover, Halton &amp; Stoke Mandeville</p>	<p>Councillor Martin Tett  David Johnson</p>	<p>Part exempt (<i>para 3</i>)</p>	<p>23/2/23</p>
<p><b>Aylesbury Road, Aston Clinton Parking Scheme</b> Yellow lines to control parking and waiting on London Road and Aylesbury Road, Aston Clinton and at side road junctions to support the Highway Code.</p>	<p>Aston Clinton &amp; Bierton</p>	<p>Councillor Steve Broadbent  John Pateman</p>		<p>27/11/23</p>
<p><b>Bierton Traffic Calming</b> Public consultation is to be carried out on a traffic calming scheme along the A418 through Bierton. The proposals include; narrowings, chicanes, build-outs, and pedestrian, cycle, and bus stop improvements. Public consultation and the delivery of a traffic calming scheme was secured as a s106 obligation of the nearby Kingsbrook development.</p>	<p>Aston Clinton &amp; Bierton</p>	<p>Councillor Steve Broadbent  Christine Urry</p>		<p>25/5/22</p>

Item and description	Wards affected	Councillor(s) / contact officer	Private report? (relevant para)	Date notified
<p><b>Buckinghamshire Sexual and Reproductive Health Strategy for 2024 – 2029</b> To approve the Buckinghamshire Sexual and Reproductive Health Strategy for 2024 – 2029</p>		<p>Councillor Angela Macpherson</p> <p>Dr Jane O'Grady</p>		29/8/23
<p><b>Childcare Sufficiency Assessment 2022-2023</b> Annual report detailing how the duty to secure sufficient childcare in Buckinghamshire is being met. The report will be made available and accessible to childcare providers and parents.</p>		<p>Councillor Anita Cranmer</p> <p>Sue Bayliss</p>		23/10/23
<p><b>Closure of parking facility at Hampden House</b> Closure of the parking facility at Hampden House, Railway Street, Aylesbury.</p>	Aylesbury North	<p>Councillor Steve Broadbent</p> <p>Julie Rushton</p>		23/10/23
<p><b>Fleet Trading Account Budget</b> To confirm details of the 2023/24 Fleet Trading Account budget, which is a zero balanced budget and therefore can't be included in the full council decision taken in February for other revenue budgets.</p>		<p>Councillor Steve Broadbent</p> <p>Lindsey Vallis</p>		7/3/23
<p><b>Furze Down School Relocation of Sixth Form</b> Proposal to relocate Furze Down School's Sixth form to the short breaks day service building in Buckingham</p>	Buckingham East; Buckingham West; Winslow	<p>Councillor Anita Cranmer</p> <p>Paula Campbell-Balcombe</p>		29/6/23



Item and description	Wards affected	Councillor(s) / contact officer	Private report? (relevant para)	Date notified
<b>Hackney carriage fare review</b> Review of current maximum hackney carriage fares.		Councillor Mark Winn  Lindsey Vallis		17/10/23
<b>Junction Improvement A41 Aylesbury</b> Early investigation works to improve the A41 / King Edwards Avenue junction, funded by the Housing Infrastructure Fund.	Aylesbury East; Aylesbury South East	Councillor Steve Broadbent  Rebecca Dengler-Jones, Robin Smith		11/10/23
<b>Juniper Hill School Opening of a new SEMH Unit and Closure of existing ARP</b> Proposal to open a Social, Emotional and Mental Health (SEMH) Unit and close the Additional Resource Provision (ARP) at Juniper Hill School, Flackwell Heath.	Flackwell Heath, Little Marlow & Marlow South East	Councillor Anita Cranmer  Paula Campbell-Balcombe		8/6/23
<b>Harmonisation of Pest Control Fees</b> The harmonisation of policy and fees regarding which residents are able to access subsidised pest control treatment.		Councillor Mark Winn  Jacqui Bromilow		30/8/22
<b>Modern Slavery Statement 2022-2023</b> The Modern Slavery Statement provides an annual update on the steps Buckinghamshire Council is taking to prevent modern slavery in its operations and supply chains		Councillor Arif Hussain  Craig McArdle		4/12/23

Item and description	Wards affected	Councillor(s) / contact officer	Private report? (relevant para)	Date notified
<p><b>Proposed Traffic calming on High Street, Edlesborough</b> Installation of 'build-out' feature within the carriageway to effectively narrow the road to one lane of traffic with northbound traffic giving way. This scheme is to be constructed and paid for by the developer to land north of Good Intent.</p>	Ivinghoe	Councillor Steve Broadbent  Joe Bates		23/5/23
<p><b>Proposed Traffic calming on Stratford Drive, Bourne End</b> Proposed raised table covering a staggered junction on Stratford Drive to serve (newly created) junction into new residential development and the existing school access.</p>	The Wooburns, Bourne End & Hedsor	Councillor Steve Broadbent  Joe Bates		23/5/23
<p><b>RAF Halton Supplementary Planning Document</b> Decision to agree the draft RAF Halton Supplementary Planning Document for public consultation.</p>	Wendover, Halton & Stoke Mandeville	Councillor Peter Strachan  Charlotte Morris		28/7/23
<p><b>Rosefield Solar Farm Development Consent Order (DCO)</b> This report seeks approval to obtain delegated powers for the Service Director of Planning &amp; Environment to engage in the Development Consent Order process for the Rosefield Solar Farm. The delegation will also include consultation with relevant Cabinet Member(s) on certain key documents submitted to the Council for a formal response.</p>	Buckingham West; Great Brickhill; Grendon Underwood; Stone & Waddesdon; Wing; Winslow	Councillor Peter Strachan  Christine Urry		11/10/23

Item and description	Wards affected	Councillor(s) / contact officer	Private report? (relevant para)	Date notified
<p><b>Sale of surplus land known as The Courtyard, Cressex, High Wycombe</b></p> <p>A decision is required on accepting one of the offers received as a result of an open market disposal process. The site has been declared surplus to requirements and the decision to sell with result in capital receipt and appropriate levels of affordable housing provision. The site will have been marketed for 4 weeks with the results of the process being presented in a full report to the Leader.</p>	Abbey	Councillor John Chilver  John Reed	Part exempt ( <i>para 3</i> )	10/11/22
<p><b>School Competitions Recommendation of Preferred Sponsors</b></p> <p>Recommendation of proposed Academy Sponsors for three new primary schools: Kingsbrook Primary 2 Hampden Fields Primary School South West Milton Keynes Primary School</p>		Councillor Anita Cranmer  Paula Campbell-Balcombe	Part exempt ( <i>para 3</i> )	19/4/23
<p><b>Scrap metal licensing policy</b></p> <p>To agree final version of the scrap metal licensing policy.</p>		Councillor Mark Winn  Lindsey Vallis		8/8/23

Item and description	Wards affected	Councillor(s) / contact officer	Private report? (relevant para)	Date notified
<p><b>Vale of Aylesbury Local Plan - Affordable Housing - Supplementary Planning Document</b>            This Supplementary Planning Document provides affordable housing guidance to the Vale of Aylesbury Local Plan Policies H1, H2, H6a, H6c, BE2.</p>	Aston Clinton & Bierton; Aylesbury East; Aylesbury North; Aylesbury North West; Aylesbury South East; Aylesbury South West; Aylesbury West; Bernwood; Buckingham East; Buckingham West; Great Brickhill; Grendon Underwood; Ivinghoe; Stone & Waddesdon; Wendover, Halton & Stoke Mandeville; Wing; Winslow	Councillor Peter Strachan  Charlotte Morris		15/2/23
<b>January 2024 Leader Decisions</b>				
<p><b>Local Flood Risk Management Strategy</b>            An update to the local flood risk management strategy.</p>		Councillor Gareth Williams  Colin Walker		27/11/23

Item and description	Wards affected	Councillor(s) / contact officer	Private report? (relevant para)	Date notified
<p><b>Proposed Picasso Place Cycle Crossing, on the Platinum Way Cycle Way</b> A new Raised Cycle Crossing table on the Platinum Way Cycle Way, across Picasso Place is proposed. Currently, the existing cycle users have to rejoin the carriageway from the off road route, which presents hazards to vulnerable users</p>	Aylesbury North West	Councillor Steve Broadbent  Simon Glover		17/10/23
<b>February 2024 Leader Decisions</b>				
<p><b>Archive Service Policies</b> All encompassing overview statement to include sub-policies that cover all aspects of service delivery for the Archives Service.</p>		Councillor Clive Harriss  Sophie Payne		27/11/23
<p><b>Cottesloe School Expansion</b> Proposal to expand Cottesloe School in Wing</p>	Wing	Councillor Anita Cranmer  Paula Campbell-Balcombe		7/9/23
<b>March 2024 Leader Decisions</b>				
<p><b>Buckinghamshire Tobacco Control Strategy 2024-29</b> To approve the Councils Buckinghamshire Tobacco Control Strategy 2024-29, which sets out how the Council and its partners aim to save lives and improve the health of thousands of people in Buckinghamshire by minimising their exposure to tobacco.</p>		Councillor Angela Macpherson  Dr Jane O'Grady		6/7/23

Individual Leader decisions (in consultation with the Cabinet Member) are not discussed at meetings – a report is presented to the Cabinet Member and the Leader will decide whether to sign the decision.

If you have any questions about the matters contained in this forward plan, please get in touch with the contact officer. If you have any views that you would like the cabinet member to consider please inform the democratic services team in good time ahead of the decision deadline date. This can be done by telephone 01296 382343 or email [democracy@buckinghamshire.gov.uk](mailto:democracy@buckinghamshire.gov.uk). You can view decisions to be made and decisions taken on the council's website.

The council's definition of a 'key decision' can be seen in part 1 of the council's [constitution](#).

Each item considered will have a report; appendices will be included (as appropriate). Regulation 9(1g) allows that other documents relevant to the item may be submitted to the decision maker. Subject to prohibition or restriction on their disclosure, this information will be published on the website usually five working days before the date of the meeting. Paper copies may be requested using the contact details below.

\*The public can be excluded for an item of business on the grounds that it involves the likely disclosure of exempt (private) information as defined in part I of schedule 12a of the Local Government Act 1972. The relevant paragraph numbers and descriptions are as follows:

Paragraph 1 - Information relating to any individual

Paragraph 2 - Information which is likely to reveal the identity of an individual

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

Paragraph 4 - Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority

Paragraph 5 - Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings

Paragraph 6 - Information which reveals that the authority proposes:

(a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or

(b) to make an order or direction under any enactment

Paragraph 7 - Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime

Part II of schedule 12a of the Local Government Act 1972 requires that information falling into paragraphs 1 - 7 above is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Nothing in the regulations authorises or requires a local authority to disclose to the public or make available for public inspection any document or part of a document if, in the opinion of the proper officer, that document or part of a document contains or may contain confidential information. Should you wish to make any representations in relation to any of the items being considered in private, you can do so – in writing – using the contact details below.

Democratic services, Buckinghamshire Council, The Gateway, Gatehouse Road, Aylesbury, Buckinghamshire HP19 8FF 01296 382343  
[democracy@buckinghamshire.gov.uk](mailto:democracy@buckinghamshire.gov.uk)

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## Select Committee Work Programmes 2023/24

**Children’s and Education Select Committee** (Chairman: Cllr Julie Ward, Scrutiny officer: Katie Dover)

<b>Date</b>	<b>Topic</b>	<b>Description &amp; Purpose</b>	<b>Lead Officer</b>	<b>Contributors</b>
25 <sup>th</sup> January	Youth Offending Team	Progress update one year on from YOS inspection	Richard Nash Aman Sekhon-Gill	
	Children’s Services Transformation	To update the committee on the progress to date of the transformation programme	John Macilwraith Errol Albert	
7 <sup>th</sup> March	Pathways to SEND services	To provide a 6 month update on the progress against the recommendations within the Pathways to SEND review group report	John Macilwraith Gareth Drawmer	
	New attendance duties	To provide the committee with an update on the new attendance duties and the implications for Buckinghamshire.	John Macilwraith Gareth Drawmer	25 <sup>th</sup> January
	Education Standards Paper	To share with the committee the latest educational outcomes achieved by the children and young people of Buckinghamshire.	John Macilwraith Gareth Drawmer	

**Communities and Localism Select Committee** (Chairman: Cllr Steve Bowles, Scrutiny officer: Kelly Sutherland)

<b>Date</b>	<b>Topic</b>	<b>Description and Purpose</b>	<b>Lead Officer</b>	<b>Contributors</b>
28 February 2024	Leisure Strategy	The Committee will consider the key elements of the proposed Leisure Strategy ahead of it being presented to Cabinet for agreement.	Sophie Payne	Cllr Clive Harriss, Sophie Payne Sue Drummond
	Country Parks	An overview of the Country Parks and their work programme.	Sophie Payne	Cllr Clive Harriss, Sophie Payne, Andrew Fowler
	Cost of Living	An opportunity for members to hear from Council officers and partners on the support that has been available to Buckinghamshire residents to assist them during the cost of living crisis.	Matt Everitt	Cllr Arif Hussain, Matt Everitt, TBC
10 April 2024	Town and Parish Charter	The Committee will receive an annual update on work that has been ongoing in support of the Town and Parish Charter.	Simon Garwood	Cllr Arif Hussain, Roger Goodes, Simon Garwood
	Asylum and Migration Strategy	The Committee will receive an update on the implementation of the Council's Asylum and Migration Strategy.	Matt Everitt	Cllr Arif Hussain, Matt Everitt

**Finance and Resources Select Committee** (Chairman: Ralph Bagge, Scrutiny officer: Chris Ward)

Date	Topic	Description & Purpose	Lead Officer	Contributors
8 – 12 January 2024	Budget Scrutiny Week		All Corporate and Finance Directors	Cabinet Members, Deputies, Corporate and Finance Directors
22 February 2024	Budget Inquiry 2023 Recommendations: 12-month review	To receive an update on the progress of the budget scrutiny recommendations made in January 2023.	David Skinner	Martin Tett
	Budget Performance Monitoring Q3	To review the Quarter 3 Budget Monitoring Report	David Skinner	John Chilver
	Estates Programme	To receive a progress update on the Estates Strategy including plans for inherited assets and oversight on tenants/lessees' changes to council premises which require planning permission.	Sarah Murphy-Brookman John Reed	John Chilver
	External Property Companies	Report on the performance and business plans of the Council's companies: AVE, Consilio, London Road Management Company and Buckinghamshire Advantage. (Item in confidential)	John Reed Mark Preston (AVE & London Road) David Pearce (Consilio) Richard Harrington & Lisa Michelson (BA)	John Chilver
18 April 2024	Customer First	To consider a report following the year's activity on the Customer First programme.	Sarah Murphy-Brookman Lloyd Jefferies Andy Hallsworth	John Chilver Tim Butcher

**Growth, Infrastructure and Housing Select Committee** (Chairman: David Carroll, Scrutiny officer: Tom Fowler)

<b>Date</b>	<b>Topic</b>	<b>Description &amp; Purpose</b>	<b>Lead Officer</b>	<b>Contributors</b>
15 <sup>th</sup> February 2024	Buckinghamshire Place Based Growth Model Update	Review the implementation and functioning of the new Growth Board and its 4 sub-boards.	Richard Ambrose/Steve Bambrick	Martin Tett
	CIL/106 update & Planning Committee performance	CIL/106 update & Planning Committee performance - including numbers of applications, type of applications, over-turns, appeals and cost awards	Eric Owens/Darran Eggleton	Peter Strachan
	Regeneration Framework & Strategies	To review the Bucks Regeneration Framework, as well as the Aylesbury, Wycombe and Chesham Regeneration Strategies.	Richard Ambrose	Peter Strachan/Rachael Matthews
	Review Group report – Planning for future primary healthcare in Buckinghamshire	The Committee will receive the joint Health & Adult Social Care Select Committee and Growth, Infrastructure & Housing Select Committee review report into planning for future healthcare in Buckinghamshire.	Tom Fowler	Isobel Darby, Co- chair of the Review
18 <sup>th</sup> April 2024	NPPF Update	To update the committee on changes made to the National Planning Policy Framework	Eric Owens/Darran Eggleton	Peter Strachan
	Local Plan Update	To update the committee on the progress of the Buckinghamshire Local Plan	Darran Eggleton/John Cheston	Peter Strachan

**Health and Adult Social Care Select Committee** (Chairman: Jane MacBean, Scrutiny officer: Liz Wheaton)

Date	Topic	Description & Purpose	Lead Presenters	Contributors
29 February 2024	Dementia Rapid Review – 6 month update	Following the Committee’s rapid review into dementia support services, this is an opportunity to review the progress in implementing the agreed recommendations at 6 months.	TBC	TBC
	Adult Social Care Improvement plan	For the Committee to evaluate the progress in implementing the workstreams aligned to deliver the ASC transformation programme.	Angela Macpherson, Cabinet Member, Health & Wellbeing	Craig McArdle, Corporate Director, Adults & Health Others - TBC
	Review Group report – Planning for future primary healthcare in Buckinghamshire	The Committee will receive the joint Health & Adult Social Care Select Committee and Growth, Infrastructure & Housing Select Committee review report into planning for future healthcare in Buckinghamshire.	Chris Poll, Co-chair of the Review	HASC Members on the review group

11 April 2024	Buckinghamshire Healthcare NHS Trust's Quality and Performance	An opportunity for the Committee to review the Hospital Trust's quality and performance targets and evaluating this against the HASC's submission to BHT's annual quality account.	Raghuv Bashin, Chief Operating Officer, BHT	Karen Bonner, Chief Nurse and Director for Infection Prevention and Control
	Maternity Services	For the Committee to receive an update on the delivery of maternity services following recent changes.	TBC	TBC
	Development of Primary Care Networks – Annual report	Members will receive an annual report on the development of primary care networks, to include resourcing, staffing and outcomes.	Philippa Baker, Place Director	Anna Marcus, Head of Primary Care Integration

## Buckinghamshire, Oxfordshire and Berkshire West Joint Health Overview and Scrutiny Committee

(Chairman: Jane MacBean, Scrutiny officer: Liz Wheaton)

Date	Topic	Description & Purpose	Lead Presenters	Contributors
24 January 2024	BOB ICB update	Members will review a progress report from the Chairman and Chief Executive of the Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board.	Sim Scavazza, Acting Chair, ICB  Nick Broughton, Interim CEO, ICB	
	ICB Primary Care Strategy	The draft ICB Primary Care Strategy is due to be circulated in December 2023 so this item is an opportunity for Members of the Committee to discuss and feedback on this strategy before it is finalised by the ICB Board in March 2024.	Louise Smith, Deputy Director, Primary Care, ICB	
	Communications and Engagement update	Members will discuss the progress being made in delivering the communications and engagement strategy, following its agreement early in 2023.	Sarah Adair, ICB Director of Communications and Engagement	
	Healthwatch update	This item provides Members with an opportunity to hear from a Healthwatch representative about the work being undertaken across the ICB.	TBC	

	Digital and Data update	A working group of JHOSC Members are reviewing the ICB's digital and data strategy so this item will be an update to the Committee on this piece of work.	Cllr Jane MacBean, Chairman of the JHOSC	
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**Transport, Environment and Climate Change Select Committee** (Chairman: Bill Chapple OBE, Scrutiny officer: Chris Ward)

Date	Topic	Description & Purpose	Lead Officer	Contributors
1 February 2024	East West Rail	To receive an update on the project.	Dr Laura Leech Susan Browning	Steve Broadbent Peter Martin EWR Reps
	Climate Change & Air Quality Strategy: Annual Review	The Committee will annually review the strategy following its adoption on 19 October 2021.  An update on the EV on-street parking trials in Wendover will also be included.	Steve Bambrick Darran Eggleton Alexander Beckett David Johnson  Hannah Joyce Rebecca Dengler-Jones	Gareth Williams  Steve Broadbent
	Buckinghamshire Local Cycling, Walking and Infrastructure Plan	The Buckinghamshire LCWIP will identify and develop a strategic network for walking, wheeling and cycling (active travel) between and through settlements across the County. Active Travel will also be featured in the report.	Steve Bambrick Hannah Joyce Jonathan Fuller	Steve Broadbent
	Buckinghamshire Highways Service Transition	To consider a six-month update on the transition of the Highways contract following go-live on 1 April 2023	Richard Barker Kevin Goad	Steve Broadbent
	Car Parking Strategy	To receive an update report on the emerging Car Parking Strategy.	Richard Barker Kevin Goad	Steve Broadbent
28 March 2024	HS2	To receive an update on the project	Dr Laura Leech	Steve Broadbent Peter Martin HS2 Reps

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## Report to Cabinet

<b>Date:</b>	<b>12 December 2023</b>
<b>Title:</b>	Serious Violence Response Strategy 2023-26
<b>Cabinet Member(s):</b>	Cllr A Hussain, Cllr T Broom
<b>Contact officer:</b>	Gideon Springer
<b>Ward(s) affected:</b>	All

### Recommendations:

- ***Approve the Serious Violence Response Strategy 2023-26***
- ***Note the next steps:***
  - ***Publication of the Serious Violence Response Strategy 2023-26 and submission to the Home Office***
  - ***Development of detailed delivery plan***

### Reason for recommendation:

The production of a Serious Violence Strategy is a statutory requirement of the Police, Crime, Sentencing and Courts Act 2022

## 1. Executive summary

- 1.1 In line with the statutory requirements of the Serious Violence Duty, the Serious Violence Response Strategy 2023-26 has been produced.
- 1.2 The Strategy outlines five priorities and a multi-agency Serious Violence Reduction delivery Plan will be produced to support the delivery of the priorities over the next three years.

## 2. Background

- 2.1 Within Buckinghamshire we have adopted the definition of serious violence as agreed by Community Safety Managers across the Thames Valley:

*“Serious Violence includes specific types of recorded crime, such as homicide, grievous bodily harm, incidents that involve a knife, and areas of criminality where serious violence or its threat is inherent, such as in county lines drug dealing.”*

- 2.2 Following public consultation in July 2019, the Government announced that it would bring forward legislation introducing a new Serious Violence Duty on a range of specified authorities. The aim of the Duty is to ensure relevant services work together to share information and allow them to target their interventions, collaborate and plan to prevent and reduce serious violence within their local communities.
- 2.3 The Duty covers the requirements set out in Chapter 1 of Part 2 of the Police, Crime, Sentencing and Courts Act 2022. It requires specified authorities for a local government area to work together and plan to prevent and reduce serious violence, including identifying the kinds of serious violence that occur in the area, the causes of that violence (so far as it is possible to do so), and to prepare and implement a strategy for preventing, and reducing serious violence in the area.
- 2.4 The Serious Violence Duty also set out a requirement that a Serious Violence Needs Assessment (SVNA) be completed. The SVNA is a comprehensive evidence-based data analysis conducted by Buckinghamshire Council to provide valuable insights to support the development of strategies and activities to address Serious Violence issues.
- 2.5 This SVNA will also indicate key factors of likely causes and trends of serious violence across the Buckinghamshire area.
- 2.6 Local areas’ multi-agency responses to serious youth violence will be the focus of upcoming thematic Joint Targeted Area Inspections (JTAs) carried out by Ofsted, the CQC, HMICFRS and HMIP starting in September 2023. The inspections will focus on how the police, children’s social care, education, youth offending services and relevant health services work together to address and prevent Serious Youth Violence.
- 2.7 The inspectorates will use the scope set out in the government’s Serious Violence Strategy, which includes homicide and knife and gun crime, as well as emerging threats, such as the use of corrosive substances as weapons.
- 2.8 The targeted inspections will evaluate how effectively the local partnership strategic arrangements are working to address and prevent serious youth violence, including looking at the role of the Community Safety Partnership, the VRU and where relevant other multi-agency safeguarding arrangements.
- 2.9 This Strategy will provide evidence of the multi-agency commitment within Buckinghamshire to make a real difference to the safety and well-being of children.

### **3. Serious Violence Response Strategy 2023-26**

- 3.1 Taking the Strategic Assessment and feedback from partners and Councillors and other known insights into account, the Serious Violence Response Strategy 2023-26 has been produced in line with the Government's Serious Violence Duty guidance.
- 3.2 The Serious Violence Response Strategy 2023-26 priorities are:
- **Priority 1** – Raises awareness of serious violence through communication, education and training.
  - **Priority 2** – Support early intervention for vulnerable young people and those becoming at risk.
  - **Priority 3** – Develop awareness of, and embed, the Serious Violence Agenda, and Duty requirements amongst the partnership.
  - **Priority 4** – Enhance appropriate support for those who are released from custody who are most risk of reoffending.
  - **Priority 5** – Undertake a proactive partnership response to cohorts and locations vulnerable to serious violence.

### **4. Delivery Plans**

- 4.1 A multi-agency Serious Violence Reduction delivery plan is being developed to tackle these priorities, setting out clear measures so that we can track the impact and outcome of our actions. The plan will seek to tackle each of the priorities by taking a whole-system public health approach to address the underlying factors that will be drawn out of the SVNA in order to provide the maximum benefit to help keep safer our local communities.
- 4.2 The delivery plan will be overseen by the multi-agency Serious Violence Reduction Delivery Group, with updates going to the Safer Buckinghamshire Board on a quarterly basis.

### **5. Legal and financial implications**

- 5.1 The Police, Crime, Sentencing and Courts Act 2022 sets out the Serious Violence Duty for specified authorities which includes the requirement to produce and implement a Serious Violence Strategy.
- 5.2 The Government has also announced an amendment to the Crime and Disorder Act 1998 to ensure that Serious Violence is a priority for Community Safety Partnerships and ensure they have a Serious Violence Strategy in place.
- 5.3 Tackling serious violence is one of the priorities within the Safer Buckinghamshire Partnership Strategy, and the Safer Buckinghamshire Board will oversee the implementation of the Serious Violence Strategy and Delivery Plan.

- 5.4 Buckinghamshire Council receives very little dedicated funding to support our serious violence work. 2023/2024 is the last year that Buckinghamshire Council will receive £30k from the Home Office, which is used to support early intervention projects.
- 5.5 At present, all Community Safety Partnerships receive a Community Safety Grant from the Police and Crime Commissioner (PCC) which is to be used to fund projects which will assist with the delivery of their community safety strategies. The Safer Buckinghamshire Board, in conjunction with the Office of the Police and Crime Commissioner (OPCC), manage the Community Safety Grant, which for 2023/24 is £486k. This can be used to support the five priorities outlined in the Safer Buckinghamshire Strategy. At present £373k has already been allocated to local projects, which leaves £113k for any of the Safer Buckinghamshire Board subgroups to submit application. Obviously, not all of this would be available to support serious violence work, however the Serious Violence Reduction Delivery Group can apply for funding from this grant to support the implementation of the Serious Violence Response Strategy.
- 5.6 If the decision was made by the PCC that the funding for the Community Safety Partnership was to be reduced, or managed differently by the OPCC, this could impact on the delivery of the Safer Buckinghamshire Strategy 2023-26 and therefore the Serious Violence Response Strategy 2023-26 and Delivery Plan.
- 5.7 Projects can be delivered within the existing funding received and expected in budgetary terms. However, there are continued resource constraints on both the Council and our community safety partners which could see an impact on our delivery.

#### **5a Director of Legal and Democratic Services comment**

- 5a.1 The Director has read and approved the report.

#### **5b Section 151 Officer comment**

- 5b.1 The Officer has read, advised on any amendments and approved the report

### **6. Corporate implications**

- 6.1 The Serious Violence Response Strategy 2023-26 and the implementation of the Delivery Plan will contribute towards the Buckinghamshire Council Corporate Plan through the following key priorities:
- Strengthening our communities
  - Protecting the vulnerable

## **7. Local councillors and community boards**

- 7.1 Two Members Briefing Sessions took place in July, where approximately 50 councillors attended.
- 7.2 Members recognised the importance of the Strategy and supported the priorities set out within the document. The links to domestic abuse and violence against women and girls were flagged during the sessions, and it was explained that there is a separate Domestic Abuse Strategy that links with this Strategy.
- 7.3 Members also raised the importance of early intervention with young people within the county – and this is one of the five priorities within the new Strategy.

## **8. Communication, engagement and further consultation**

- 8.1 As set out in the Serious Violence Duty, the below statutory agencies were consulted via face-to-face discussions as well as a survey and their views regarding the 2023-26 priorities were incorporated into this Strategy:

- Thames Valley Police
- Education
- National Probation Service
- Bucks Fire and Rescue Service
- Local Prisons
- Youth Offending Service
- Public Health

- 8.2 The responses obtained have assisted in ensuring our priorities align with their organisation and will assist in creating the Serious Violence Reduction Delivery Plan to ensure the 2023-26 Serious Violence priorities are delivered effectively.

## **9. Next steps and review**

- 9.1 The Serious Violence Strategy will be published on the Buckinghamshire Council website.
- 9.2 In line with the Government's Serious Violence Duty guidance, the Serious Violence Response Strategy will be submitted to the Home Office by 31<sup>st</sup> January 2024.
- 9.3 The Serious Violence Reduction Delivery Group will finalise the Delivery Plan which tackles the 2023-2026 priorities.
- 9.4 The Annual report on the work of the Safer Buckinghamshire Board will be produced in February/March 2024.

## **10. Background papers**

*Serious Violence Needs Assessment 2023*





## Buckinghamshire Serious Violence Response Strategy 2023-2026

### Contents

#### Foreword

Serious violence has a devastating impact on the victims, their families, the community, and County as a whole. It instils fear, affects wellbeing, and comes at a financial cost. Adverse childhood experiences including Traumatic experiences in childhood can have a lasting effect and cause vulnerability later in life to serious violence issues. Nationally, incidents of serious violence have increased in England and Wales since 2014.

Within Buckinghamshire we are committed to stopping serious violence before it begins and reducing the impact and the number of people affected by serious violence issues. Tackling the drivers of serious violence requires a combined effort with our partners and our communities. We need to properly understand the issues and address risk factors that increase the likelihood of somebody becoming an offender or victim. Prevention is central to our approach.

This strategy and the delivery plan that will support it focus on the importance of early intervention in order to provide young people with the skills to lead productive lives free from violence. Buckinghamshire Council is determined to end the misery serious violence can cause. We will work with our partners to achieve sustainable reductions in serious violence and improve the health and quality of life of those who live, work, and visit Buckinghamshire.

Cllr Arif Hussain  
Cabinet Member for Communities

Craig McArdle  
Corporate Director – Adults and Health  
Buckinghamshire Council

#### Introduction

We are pleased to introduce the Serious Violence Response Strategy 2023-2026 which sets out our priorities for the next 3 years with the goal of reducing and preventing serious violence. The priorities within this Strategy have been informed by an in-depth analysis of data from a range of Buckinghamshire partner organisations.

Our 2023-2026 priorities are:

- Awareness raising of serious violence.
- Early intervention.
- Awareness raising of the serious violence agenda and Duty.
- Supporting those released from Custody.

- Partnership response to those most vulnerable to serious violence.

To achieve these goals, we will work in partnership with our statutory and voluntary/community partners, along with engaging with the local community.

### What is Serious Violence?

Within Buckinghamshire we have adopted the definition of serious violence as agreed by Community Safety Managers across the Thames Valley:

**“Serious Violence includes specific types of recorded crime, such as homicide, grievous bodily harm, incidents that involve a knife, and areas of criminality where serious violence or its threat is inherent, such as in county lines drug dealing.”**

Whilst Domestic Abuse related offences account for a large proportion of serious violence offences, they are not dealt with under this strategy. There is a separate Buckinghamshire Domestic Abuse Strategy 2021-24, which delivers the Council’s statutory duties under the Domestic Abuse Act 2021.

### National context

Serious violence is a national priority due to its growing prevalence and impact. The Office of National Statistics report, based on the Telephone-operated Crime Survey for England and Wales (TCSEW) which looked at the nature of violent crime (year ending March 2022), provided the following overview of the extent of violent crime:

- The TCSEW estimated that 1.9% of adults aged 18 years and over were a victim of violent crime in the year ending March 2022, equating to 1.5 million incidents of violence.
- The police recorded 2.1 million instances of violence against the person offences in the year ending March 2022, an increase of 18% from 1.8 million in the year ending March 2021.
- Police recorded crime showed that the number of homicides in the year ending March 2022 increased by 25% to 709 offences compared with the year ending March 2021.
- There was also a 10% increase in the number of police recorded offences involving knife-enabled crime in the year ending March 2022 (48,931 offences) compared with the year ending March 2021; this remains lower than the pre-pandemic year ending March 2020 (55,076 offences).
- There was no change in the number of hospital admissions for assault with sharp objects in the year ending March 2022 (4,118 admissions) compared with the year ending March 2021 (4,112 admissions); this remains lower than the year ending March 2020 (4,769 admissions).

### *Government’s Serious Violence Strategy 2018*

This Strategy set out the need for pairing effective law enforcement with a need for early intervention/diversionary support for those most vulnerable to being drawn into violence, drugs, and exploitation. It describes the need to identify and address the root cause of violence, especially in young people. The Strategy encourages a whole-system, public health approach; ensuring that both statutory and community/voluntary partners work collaboratively and closely with the community.

### *The Serious Violence Duty*

To assist in reducing and preventing serious violence in 2019 the Government announced legislation which introduced a new Serious Violence Duty. This Duty gave responsibility to a range of specified authorities

to work together to share information/data and target interventions to reduce and prevent serious violence within their communities.

The Duty requires the following specified authorities to adopt a public health approach and work collaboratively to reduce and prevent serious violence:

- Police
- Justice
- Fire and Rescue
- Health
- Local Authority
- Probation

Other agencies, such as Education and Prisons also need to be consulted to ensure a full partnership approach.

The Government also announced an amendment to the Crime and Disorder Act 1998 to ensure that serious violence is a priority for Community Safety Partnerships and ensure they have a Serious Violence Strategy in place.

The Serious Violence Duty also requires a Strategic Needs Assessment to be completed to understand crime trends in the area and identify cohorts most vulnerable to serious violence.

#### *Violence Reduction Units*

In 2019 the Home Office established 20 Violence Reduction Units (VRU) across the areas with the highest levels of serious violence, one of which was the Thames Valley. The VRU assists in strategic leadership, coordination of work, delivery, and evaluation of local interventions and to support the building of capacity and future sustainability.

#### *Office of the Police and Crime Commissioner*

The Office of the Police and Crime Commissioner (OPCC) oversees compliance with the delivery of the Serious Violence Duty, ensures funding is received by the Home Office and is allocated following collaboration with partnerships, including the Community Safety Partnerships, across the Thames Valley.

#### *What have we done in the last 3 years*

In line with the Government's Serious Violence Strategy, the themes of the previous Buckinghamshire Serious Violence Strategy were:

- Early Intervention and Prevention
- Supporting Communities
- Effective Law Enforcement and Criminal Justice Response

Over the past 3 years significant work has been undertaken on these three themes. This has been achieved through collaborative and co-production work with statutory, community and voluntary partners, supporting the delivery of projects along with supporting young people who require diversion away from serious violence and organised crime.

## DRAFT STRATEGY

During the last 3 years we have:

- Created and recruited a Serious Violence Reduction Coordinator to assist in ensuring that the local authority and statutory partners (Police, Justice, Fire and Rescue and Health) are aware of the Serious Violence Duty and their responsibilities. This role was initially funded by the Violence Reduction Unit, but it has now become a mainstream role within the Community Safety Officer role to support the coordination and implementation of the new Duty.
- Established a Serious Violence Task Force to oversee the delivery of the Buckinghamshire Violence Reduction Plan. This Task Force provides operational oversight which meets quarterly to discuss progress and any blockages to delivering the plan.
- Supported the VRU pilot project 'Hospital Navigator Scheme'. This project was launched in Stoke Mandeville Hospital and placed a Navigator within A&E to contact any patient who attended and looked to be either a perpetrator or victim of serious violence. The Navigator worker would discuss whether they required further support and signpost them to appropriate agencies where required. This scheme has now recruited several volunteers to support delivery of this scheme who now also link in with the Ambulance service. BC has regular contact with the organisation (7Roadlight) who run the navigator scheme, available data covering the period from July 2022 to May 2023 shows that 195 persons received intervention conversation support.
- Promoted VRU funded projects 'New Leaf Mentoring Scheme' and identified and funded other third sector intervention providers, recommending them to professionals working with young people who are at risk of school exclusion and/or involved in the criminal justice system or vulnerable to exploitation.
- Supported the VRU funded project 'Intensive Engagement' where they collaborated to deliver an 8 step 'Community Engagement and Problem Solving' model within the Castlefield area of High Wycombe. This involved identifying and engaging with local strategic partners to develop and deliver a local community problem solving partnership between the police, local authority and the local community focusing on reducing serious violence.
- Collaborated and co-produced with the VRU Thames Valley Together Data Project.
- Created a 'Menu' of Intervention Providers and Diversionary activities across Buckinghamshire to assist with diverting young people away from serious violence. This Menu has been integrated into the Buckinghamshire Information Service web page and can be accessed by the Professionals and the public for example is utilised at the weekly MACE (Multi-Agency Child Exploitation) meeting to discuss children at risk of going missing or being exploited.
- Organised and held regular training with Social Care and the Police around the Serious Violence Duty and on the information sharing process with the Police and partner agencies.
- Organised and held training with Social Prescribers and GPs around the Serious Violence Duty and how they can support the serious violence agenda.
- Provided 2022-2024 period over £200,000 of Community Safety funding in collaboration with 'Heart of Bucks' a third sector funding specialist to Community Intervention and Diversionary activity providers to support community safety initiatives.
- Utilised social media platforms and included articles within the Community Safety newsletter in relation to serious violence issues and violence against women and girls.

## DRAFT STRATEGY

- Supported Thames Valley Police and Trading Standards in Operational issues, for example Crime reduction initiatives, Park sweeps, knife amnesty bins, location-based problem-solving serious violence issues and community reassurance.
- Worked with key partner agencies, YOS, NHS, VRU and third sector organisations to safeguard and support young people and adults vulnerable to or involved in serious violence issues
- Worked with Education, Schools and Colleges to support vulnerable young people with youth workers, third sector intervention provider support and counter narrative inputs and projects.

### Thames Valley Together (TVT) data project

The TVT project is an innovative piece of work spearheaded by the Thames Valley Police VRU and is fully supported by Buckinghamshire Council. The aim of this project is to utilise data to understand the threat, risk and harm issues at a location, population, and individual personal level within the Buckinghamshire area. This project is currently within the test phase and is pulling together data from a variety of multi-agency sources including Children and Adult Services, Education, Helping Hands, Revenues and Benefits, Youth Offending Service, Northgate Council Tax, Housing, Community Safety, Anti-Social Behaviour Team, TV Police. The operational system for end users is expected to go live at some point in 2024 and will provide various analytical products, risk stratification and risk identification, impact, and outcome evaluation, along with assistance with planning for demand and location based 'hot spots' information. It is also recognised that across our Partnerships, connectivity and collating relevant meaningful data can be a challenge. We will prioritise improving efficiency and processes to enhance the value of utilising shared data.

### Serious Violence Strategic Needs Assessment

The Serious Violence Duty set out in the Police, Crime, Sentencing and Courts Act 2022 includes a requirement for local partnerships to complete a strategic needs assessment (SNA) to understand how violence is affecting their communities and to help them develop a response strategy.

The Buckinghamshire serious violence SNA has a specific focus on violence-related needs within a local area. Through detailed analysis the SNA has assisted with identifying trends and cohorts/locations most vulnerable to serious violence in order to shape and support the development of this strategy, along with the delivery plan.

The data used in the serious violence SNA has been provided by the Office of the Police and Crime Commissioner (OPCC) covers the period 1st April 2018 to 31st March 2023 and is taken from the Thames Valley Police crime recording system.

Buckinghamshire has lower crime rates than England and the South East across all crime types, however, violence and sexual offences crime rates are increasing nationally, and this increase is also reflected in Buckinghamshire.

In 2022-23, the violence with injury crime rate (number of crimes per 1000 population) in Buckinghamshire (6.0) was lower than Thames Valley (7.1), the South East (8.5) and England (9.6). Violent crime and violence with injury are high-level crime types, some offences of which will be considered serious violence; serious violence is a subset of the wider crime types of violence against the person, sexual offences, and drug offences.

## DRAFT STRATEGY

In line with the definition of the Serious Violence Definition from the Office of the Police and Crime Commissioner for Thames Valley, the serious violence needs assessment looks at all data from Groups 1 and 2, as detailed below:

### Group 1

- All homicide
- All grievous bodily harm
- All knife crime (as collected for Home Office recording) inclusive of all ages, location type (public / private) and domestic abuse.

### Group 2

- All actual bodily harm (thus excluding 'other' violence with injury e.g common assault)
- All drug supply / trafficking (thus excluding possession alone)
- All sexual assault (thus excluding sexual activity and 'other' sexual offences)
- All rape

*Please note that Group 1 will include crime types from Group 2 if a knife is involved (except for drug supply offences).*

### *Summary of SNA fundings*

Serious violence in Buckinghamshire has broadly remained the same over the last 5 years, except for a notable drop in 2020/21, which can be attributed to Covid restrictions, and has relatively low levels of crime when compared to neighbouring areas within Thames Valley, the South East and England.

↓ There were 1,676 **Group 1** serious violence crimes in Buckinghamshire during the 5-year period 2018-2023 – occurrences have fallen 24% during this time.

↑ The highest volume **Group 1** serious violence crimes between 2018-2023 were:

- Grievous Bodily Harm (37% - 624 offences)
- Actual Bodily Harm (30% - 495 offences)
- Robbery (24% - 398 offences)

↓ Robbery had the biggest 5-year change – down 49% between 2018-2023

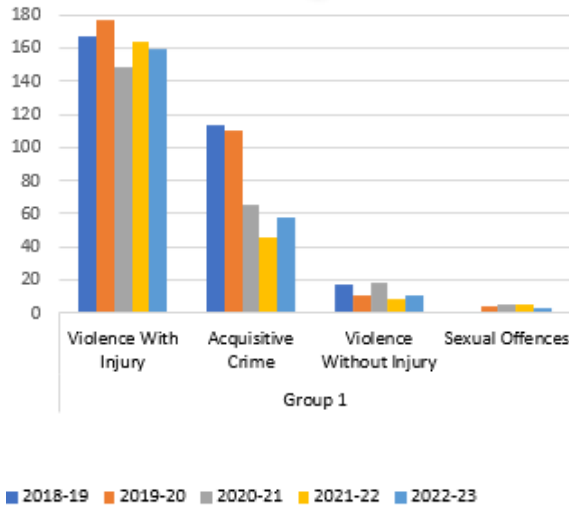
↔ 74% of group 1 serious violence crimes involved a knife – this proportion has remained relatively unchanged over the last 5 years.

↑ There were 17,629 Group 2 serious violence crimes in Buckinghamshire during the 5-year period 2018-2023 – occurrences have increased 8% during this time.

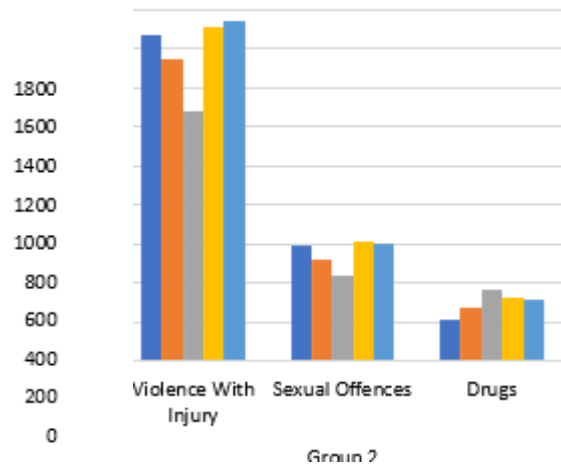
↑ 70% (12,365) of Group 2 serious violence crimes between 2018-2023 2343 Actual Bodily Harm

↑ Drug Supply offences had the biggest 5-year change – increasing 44% between 2018-2023

## DRAFT STRATEGY



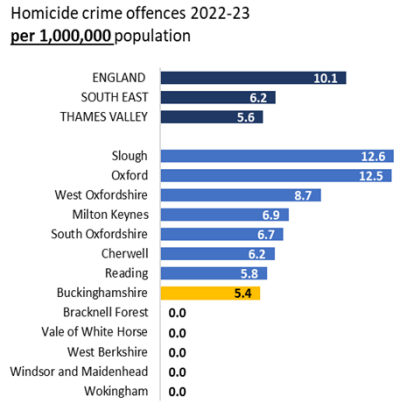
- ↔
 Serious violence crimes in group 1 remain broadly unchanged in terms of volume, although, unlike domestic abuse there is a clear impact of Covid, where the pandemic restrictions reduced the volume of crime (in line with national trends) with the exception of drug supply offences.
- ↓
 Acquisitive crime in group 1 consists solely of robbery involving a knife. This volume has fallen significantly, initially in response to Covid but the volume has not returned post-restrictions.
- ↔
 Violence without injury (consisting solely of 'threats to kill') and sexual offences in group 1 have seen minor fluctuations, but these equate to no-change overall.



- ↑
 Serious violence crimes in group 2 are far higher in volume than group 1. There has been a slight increase in the volume of violence with injury offences, although not sufficient to impact the overall crime rate. The increases are not evenly spread geographically with some areas seeing notable increases.
- ↔
 Sexual offences have remained at a similar level.
- ↑
 Drug supply offences increased significantly during Covid, partly due to perpetrators being very evident during lockdown periods, and partly due to additional Police focus.

### Homicide

- In Buckinghamshire there were 12 homicides between 1st April 2018 and 31st March 2023. Of these, 5 offences involved a knife (42%), and 2 offences were domestic abuse related homicides (1 involved a knife).
- In the last three years, the rate of homicide in England and Wales has been highest in London, with an average of 15.1 offences per million population a year, followed by the West Midlands. Rates are lowest in the South East and South West of England.
- The chart below shows the homicide rates per 1,000,000 population for areas within the Thames Valley for the 2022-23 financial year. Five areas did not have recorded homicide offences in the period (and therefore have a crime rate of 0.0), of the remaining eight areas, Buckinghamshire had the lowest homicide rate.



**Please note:** for homicide, a rate per million population is used due to the low number of offences.

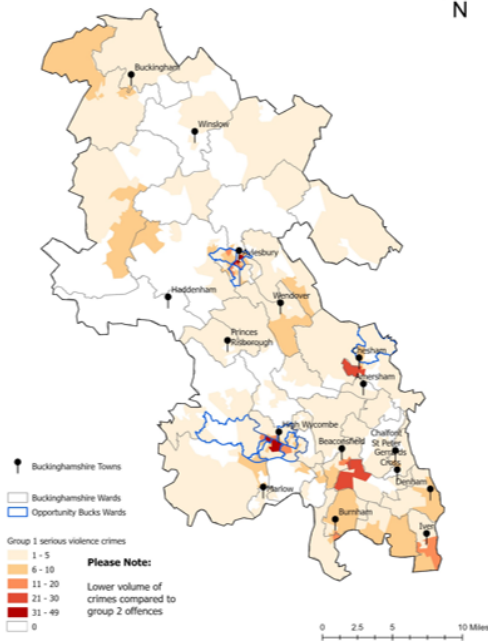
### Sexual Offences

- Buckinghamshire has a relatively low crime rate of reported sexual offences when compared to neighbouring areas within the Thames Valley. However, our reported sexual offences are increasing.
- The Office of National Statistics reports the volume of sexual offences recorded by the police has been increasing over the last decade. However, the impact of high-profile incidents, media coverage, and campaigns is likely to increase people's willingness to report both recent and historical offences to the police. It is therefore possible that some of the increase in volume of offences reflects an increase in reporting. (Recent data published by Rape Crisis of England and Wales shows the reporting of offences remains low '5 in 6 women who are raped don't report – and the same is true for 4 in 5 men').
- Looking at sexual offences that fall within serious violence (a subset of all sexual offences), 2,783 sexual offences (excluding domestic abuse) were reported between 2018 and 2023.
- Of the sexual offences that occurred within our 5-year reporting period there has been a 43% increase in reported rape offences and a 36% increase in reported sexual assaults. Whilst this could be seen as a worrying trend, due to previous low reporting of sexual offences this increase may indicate an increase in confidence to report an incident.

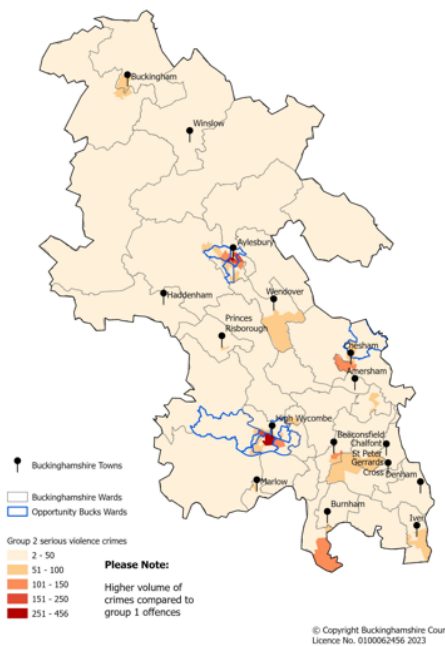


Where is serious violence happening

Group 1 Serious Violence; distribution of crimes between 2018 and 2023



Group 2 Serious Violence; distribution of crimes between 2018 and 2023



These two maps show where group 1 crimes and group 2 crimes have occurred over the last 5 years.

The areas with the highest levels of group 1 serious violence offences are consistent with those areas with the highest levels of group 2 serious violence offences, suggesting the two groups are simply an extension of each other rather than distinctly different issues.

The highest numbers of crimes are around the town centres and are often located in Buckinghamshire's more deprived wards. The numbers are too small to present as crime rates, so the map represents actual numbers of crimes, it is therefore important to recognise that the more populated areas will have higher numbers of offences.

**Please note:** When considering these maps, the group 1 scale (in terms of shading) relates to a much smaller volume of offences.

The following table shows the 10 wards with the highest total offences due to all group 1 violence with injury, knife crime and drug supply offences. All of these are Opportunity Bucks wards except for Downley. The only Opportunity Bucks ward not represented is Totteridge and Bowerdean. Care must be taken when looking at the percentage change over the last 5 years due to lower total crimes.

Of these ten wards:

- **Booker, Cressex and Castlefield** – drug supply offences account for most of the increase\*
- **Aylesbury North West** – although overall crimes saw a decrease between 2018 and 2023, violence with injury offences have doubled
- **Ryemead and Micklefield** – drug supply offences have doubled\*
- **Terriers and Amersham Hill** – drug supply offences account for most of the increase\*

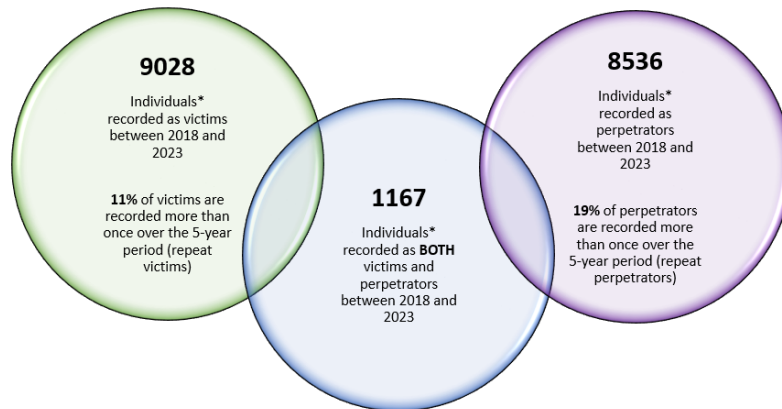
All other wards saw a fall in each of the crime category groups or remained fairly consistent at the start and end of the 5-year period.

\* These wards reflect that drug supply offences are an increasing problem outside of town centres (where we typically see high volumes of serious violence offences) and are affecting residential areas.

**DRAFT STRATEGY**

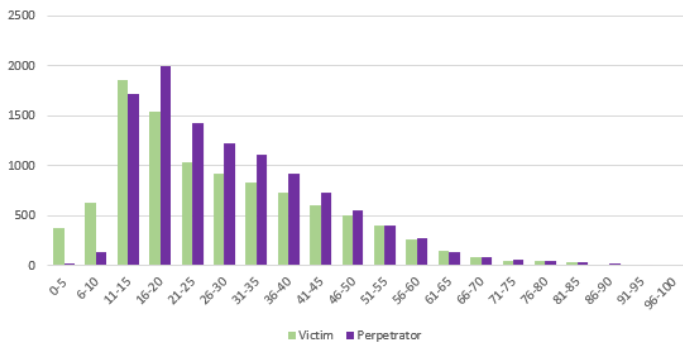
Buckinghamshire Ward	2018-19	2019-20	2020-21	2021-22	2022-23	5-year total	5-year change
Aylesbury North	56	46	46	64	41	253	-27%
Abbey	47	38	42	38	37	202	-21%
Booker, Cressex and Castlefield	37	36	39	25	48	185	30%
Aylesbury <u>North West</u>	26	22	33	29	24	134	-8%
Ryemead and Micklefield	23	17	15	25	20	100	-13%
Aylesbury <u>South West</u>	23	33	19	14	9	98	-61%
Downley	17	26	15	21	16	95	-6%
Terriers and Amersham Hill	12	19	20	21	17	89	42%
West Wycombe	16	7	21	17	12	73	-25%
Chesham	8	29	17	14	4	72	-50%

**What do we know about those involved in serious violence?**

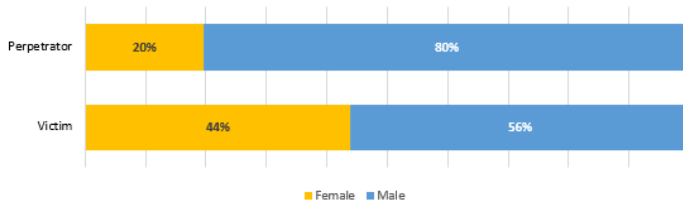


## DRAFT STRATEGY

Age profile of all victims and perpetrators involved in serious violence in Buckinghamshire 2018-2023



Victim and perpetrator split by gender, where known, in Buckinghamshire 2018-23



The highest volume of serious violence crimes are committed by and against 11-25 year olds. **44%** of victims and **47%** of suspects are in this age range. This has remained unchanged during the 5-year period.



The 11-15 age group has the highest number of victims (**18%** of all victims), whereas the 16-20 age group has the highest number of perpetrators (**18%** of all perpetrators).



Males make up more than half the victims of serious violent crime, and account for **80%** of the suspected perpetrators.



Age group 11–15 years has the highest number of female perpetrators, age group 16–20 years has the highest number of male perpetrators



Females make up **19.5%** of all perpetrators and make up **24%** of the 11-15 years perpetrator age group. Violence with injury offences have the highest proportion of female perpetrators (**26%**)



There has been little change over the 5-year period in either the age or gender of perpetrators



There is insufficient data to comment on the ethnicity of serious violence perpetrators



**92%** of knife crime perpetrators are male



Age groups between 11-20 years have the highest number of male and female victims.



Females make up **44%** of all victims and account for more than **50%** of victims aged 15 and under. **85%** of sexual offence victims are female.



There has been little change over the 5-year period in either the age or gender of victims.



There is insufficient data to comment on the ethnicity of serious violence victims.



**81%** of knife crime victims are male.

## Aims and Priorities

Our aim is to prevent and reduce serious violence across Buckinghamshire. We will achieve this by tackling the drivers of serious violence, assessing data, delivering training, sourcing, and funding early intervention work, working collaboratively with partner agencies and evaluating the impact of our work to ensure resources are being used most effectively.

## Consultation

As set out in the Serious Violence Duty, the below statutory agencies were consulted via face-to-face discussions as well as a survey:

- Thames Valley Police
- Education
- The Probation Service
- Bucks Fire and Rescue Service
- Local Prisons
- Youth Offending Service
- Public Health

The responses obtained have assisted in ensuring our priorities align with their organisation and will assist in creating a serious violence reduction delivery plan to ensure the 2023-26 Serious Violence priorities are delivered effectively.

## Youth Voice

Along with obtaining the views of key partners organisations, it is important to also include the views of the young people we are aiming to work with and to also support and encourage the development and creation by young people of a counter narrative to serious violence issues.

Assisting with the national youth view around serious violence; causes and prevention, the VRU and Crest Advisory (commissioned by the Youth Endowment fund) both published research on the subject.

## DRAFT STRATEGY

Both papers found similar insights around the causes and prevention of serious violence which were:

### *Causes:*

A need to belong, to be understood and to be someone.

- Money needs to be made.
- Violence often comes as a package with drugs and gangs due to rivalries, disputes, debts.
- Gangs can appear to provide security and connections and can be joined because of issues at home, family break downs, insecure housing and having parents with mental health difficulties.
- Knife carrying is seen as a form of a protective response due to feeling unsafe.
- Knife carrying is sometimes accepted as commonplace behaviour amongst a peer group.

### *Prevention:*

- Having a structured/stable space to be (physically) and a space to belong (emotionally) to assist in building a positive self-image.
- Having someone who can be trusted and who understands (healthy relationships, support services, community ties, positive role models)
- Having the chance to learn and achieve something (education/employment)
- Mechanisms to understand how to self-regulate emotions and communicate effectively.

Assisting with the local youth view around the causes and prevention of serious violence, we utilised the Bucks Youth Summit which pulled together students of various ages and from various schools across the area to facilitate discussions around violence issues.

### *Views around causes of serious violence mirrored those found nationally with the addition of the below:*

- External environment - geographical area, external influences, school, attitude towards others.
- Trauma - lived experience, death, bullies, isolation, mental health, experience of hate crime.
- Substances.
- Money - lack of, options to access, greed, cost of living, attitude towards how to make it.
- Social media - pressure of maintaining an online life in real life.
- Peer pressure and fitting in - trends, influence of others, imitation, social skills, reputation.
- Gratification and getting away with it - adrenaline, reward greater than risk, small punishment, no consequences.

### *Views around prevention of serious violence mirrored those found nationally with the addition of the below:*

- Investing in services
- Developing reporting systems
- Improving police relations
- Investing in crime prevention infrastructure and systems
- Clarifying and developing consequences
- Early intervention

Buckinghamshire Council recognises the importance of listening to youth voices and developing a counter-narrative around serious violence through relevant projects.

## DRAFT STRATEGY

Our Serious Violence priorities over the next three years:

Through the analysis of the Strategic Needs Assessment and the consultation findings, the following priorities have been agreed:

**Priority 1** – Raise awareness of serious violence through communication, education, and training.

**Priority 2** – Support early intervention for vulnerable young people and those becoming at risk.

**Priority 3** – Develop awareness of, and embed, the Serious Violence Agenda, and Duty requirements amongst the partnership.

**Priority 4** – Enhance appropriate support for those who are released from custody who are at the most risk of reoffending.

**Priority 5** – Undertake a proactive partnership response to cohorts and locations vulnerable to serious violence.

### *Serious Violence Delivery Plan*

A multi-agency delivery plan will be produced to tackle these priorities, setting out clear measures so that we can track the impact of our actions.

The plan will seek to tackle each of the priorities by taking a public health approach and addressing the underlying factors to provide the maximum benefit for the largest number of people. Activity will be focused on early intervention and serious violence location based ‘hotspots’ problem solving, whilst ensuring we minimise the fear of crime and increase public confidence.

The drivers and communities affected by serious violence are far reaching and features as a priority across other service and partnership strategies within Buckinghamshire. The landscape to tackling the drivers as well as the impact of serious violence is complex and addressing trauma, adversity and the root causes is a multi-agency response. It must be recognised that adverse childhood experiences can lead to trauma, so we will work together in partnership to address, treat and holistically support young people affected by trauma.

This strategy will also strongly align and connect to the Domestic Abuse and Violence against Women and Girls Strategy, the Youth Justice Plan, and the work of the Buckinghamshire Safeguarding Children Partnership ensuring we complement, cross reference and co-produce rather than duplicate existing activity.

Priority 1 - Raise awareness of serious violence through communication, education and training; so that professionals and those in our communities can recognise signs, how to report their concerns and make referrals to other agencies (as appropriate).

It is important that professionals can recognise the signs of serious violence and know how to react accordingly. We will:

- Utilise social media and partner communications to raise awareness of serious violence and its drivers.

## DRAFT STRATEGY

- Work with the Voluntary and Community Sector and youth agencies to deliver counter-narrative projects to young people.
- Develop a variety of training materials for Professionals.
- Explore utilising the Thames Valley Together project dashboard to make interagency referrals.

### Priority 2 - Support early intervention for vulnerable young people and those becoming at risk:

- It is important to recognise when a person is showing signs of vulnerability to being drawn into this behaviour and to put interventions in place to support and divert them onto a more positive path. Our commitments within this priority include:
  - Work with partners to ensure a wide range of support is available for those at risk.
  - Ensure appropriate response to disclosures made by young people.
  - Identify interventions for young people.
  - Identify and support funding opportunities for organisations who provide support to vulnerable young people.

### Priority 3 - Develop awareness of, and embed, the Serious Violence Agenda and Duty requirements amongst the partnership:

- Since the announcement of the new Serious Violence Duty, there has been a strong effort to develop awareness amongst both statutory and community/voluntary organisations. This has included outlining the expectations and requirements for statutory organisations, and this work will continue through this Strategy. Our commitments within this priority include:
  - Identify training opportunities and deliver to a wide audience.
  - Measure the impact of the training through evidencing outcome.

### Priority 4 - Enhance appropriate support for those who are released from custody, who are most at risk of reoffending:

- It is important to ensure that those who are being released from prison and police custody have the appropriate support to ensure they can reintegrate themselves in a positive way. Our commitments within this priority include:
  - Develop stronger working relationships with local prisons.
  - Working collaboratively with relevant agencies to ensure suitable support is provided.

### Priority 5 - Undertake a proactive partnership response to cohorts and locations vulnerable to serious violence.

Cohorts and locations which are more susceptible to being drawn into serious violence will be identified through data and intelligence and will be responded to and mitigated accordingly. Our commitments within this priority include:

- Continue to implement the Hospital Navigator programme.
- Complete the multi-agency roll out of the Thames Valley Together (TVT) data project.

## DRAFT STRATEGY

- Work collaboratively with Community and Voluntary Sector organisations.
- Utilising the TVT project dashboard to identify key locations and cohorts.
- Develop a multi-agency problem solving approach to hotspot locations of concern.

### Accountability and Governance

The Safer Buckinghamshire Board will provide strategic oversight of the Serious Violence Response Strategy and will oversee its effectiveness and monitor progress. The Strategy is underpinned by a Delivery Plan that will be implemented by the Serious Violence Reduction Delivery Group.

### Serious Violence Reduction Delivery Group

The Serious Violence Reduction (SVR) Delivery group will meet quarterly and is chaired by a representative from the Safer Buckinghamshire Board. Core membership of the SVR Delivery group is:

- Thames Valley Police
- Youth Offending Service
- Bucks Fire and Rescue Service
- The Probation Service
- Buckinghamshire Council

The SVR Delivery group will also work with a wide range of partners from the statutory, community and voluntary sectors; and other organisations will be invited to attend the SVR Delivery group meetings and will be involved in the implementation of the SV delivery Plan.

The SVR Delivery group will look at how actions within the plan are progressing, which may require reviewing and whether there are blockages to delivering actions which require escalation. Feedback from partner organisations will be vital to understanding the effectiveness of the plan. Updates on the Delivery plan will be provided at Safer Buckinghamshire Board meetings, setting out progress against identified outcomes.

An annual review of the SV Delivery Plan, along with serious violence crime statistics, will be undertaken to ensure the SVR Delivery group are tackling the key issues facing partner agencies and the community within Buckinghamshire. Quantitative evidence of work can prove difficult because of interventions often showing in the long term rather than the short term. Often, qualitative evidence is utilised in the form of case studies to evidence effectiveness. The SV Delivery Plan will be updated in line with the findings of this review and associated case studies.

Buckinghamshire Safer Buckinghamshire Partnership is committed to the principles of the 5 C's whole-system multi-agency approach to serious violence prevention.

- Collaboration
- Co-production
- Co-operation in data and intelligence sharing
- Counter-narrative development
- Community consensus



## Serious Violence Response Delivery Plan November 2023

Priority 1 – Raises awareness of serious violence through communication, Education and Training.					
Priority Owner:					
Action Owner	Action (What is to be delivered)	Output (How is this to be delivered)	Timescale	Evidencing impact	RAG status
Youth Offending Service	Deliver presentation groupwork in schools including a focus on exploitation	Groupwork focuses on some of the factors known to drive Serious Youth Violence.	April 2024	<b>How:</b> Monitor the impact of this on young people involved; qualitatively & quantitatively.  <b>Update:</b>	
Bucks Health Trust (BHT), Oxford Health, Integrated Care Board (ICB)	Training delivered to health staff to include safeguarding, exploitation awareness/modern day slavery, SV signs/impact awareness.	Variety of contact; Microsoft teams/online training packages, face to face training, use of literature etc.	2024-2026. Reassessed each year.	<b>How:</b> BHT - Increased referrals from staff relating to SV. Increase in staff accessing safeguarding teams for advice/support relating to SV. OH - Evaluation of training sessions. Consultations with practitioners accessing the consultation line to discuss cases where there is Violence and /or Exploitation. ICB – discussion/evaluation of training.  <b>Update:</b>	
Bucks Council Education	Raise awareness of intervention support, projects & diversionary activities to prevent those at risk being drawn into serious violence.	Collaborate with alternative provisions such as community/voluntary sector organisations & statutory support.	Reassess January 2025	<b>How:</b> School improvement service to collate anonymised case studies & data where this has occurred & the outcome of the work.  <b>Update:</b>	
Bucks Council Youth Services, Violence Reduction Unit	Develop serious violence reduction communication and counter narrative messaging.	Engage with youth groups & local communities; utilise youth forums for ideas & delivering messaging. Ensure youth voices are consulted around ideas for work.	Reassess January 2025.	<b>How:</b> Case studies & examples of work.  <b>Update:</b>	

## Serious Violence Response Delivery Plan November 2023

Thames Valley Police Bucks Council Education Bucks Council Public Health	Partner with Schools, colleges, and universities to integrate violence prevention into curriculum	Engagement between education leads and dedicated schools' officers to implement	Reassess January 2025	<b>How:</b> Evidence and Examples of work. <b>Update:</b>	
Bucks Fire & Rescue	Raise awareness around fire safety and the dangers around fire setting	Deliver Firewise scheme across Bucks to those identified as partaking in risky behaviours.	Reassess January 2025.	<b>How:</b> Referral figures & anonymised case studies. <b>Update:</b>	
<b>Priority 2 – Support early intervention for vulnerable young people and those becoming at risk.</b>					
<b>Priority Owner:</b>					
<b>Action Owner</b>	<b>Action (What is to be delivered)</b>	<b>Output (How is this to be delivered)</b>	<b>Timescale</b>	<b>Evidencing impact</b>	<b>RAG status</b>
Youth Offending Service	Knife crime prevention group.	Knife crime awareness groups to be delivered in schools.	April 2024	<b>How:</b> Monitor impact on young people via combination of quantitative and qualitative measures. <b>Update:</b>	
Bucks Health Trust 7Roadlight	Hospital Navigator volunteers to continue engaging with those identified as a victim/perpetrator of SV & offer relevant support – signpost accordingly. Promotion & support for this scheme from staff at SM hospital.	Victims/Perpetrators referred by ED team & contacted by Hospital Navigator scheme.  Promotion via posters/training/staff conversation.	Ongoing scheme at present.	<b>How:</b> Improved referrals associated with decrease in hospital reattendances. Hospital Navigator referral data. <b>Update:</b>	

## Serious Violence Response Delivery Plan November 2023

Oxford Health. Thames Valley Police	Appropriate attendance at MACE to ensure support for the exploitation hub/TVP in identifying risk & response to young people involved in exploitation. Appropriate attendance – Bucks Health, YOS, Bernado's, TVP, Family Support Service, Here4Youth. (TVP to review processes following LPA merge in relation to their Harm Reduction process).	Attendance at weekly MACE meeting, share information & take actions where required.	Review annually Jan 2025/2026	<b>How:</b> Measure number of cases discussed at MACE. Impacts/outcomes from exploitation hub.  <b>Update:</b>	
Bucks Council Community Safety team	Support and promote Community/Voluntary organisations/projects which support & divert young people away from SV.	Advertise projects through social media/networks. Link professionals with relevant support/diversionary projects for young people. Support funding rounds, where required through data and statements of need.	January 2025	<b>How:</b> Documentation of successful funding rounds. Qualitative case studies from CVS organisations.  <b>Update:</b>	
Child and Adolescent Mental health Service /Safeguarding team	Supervision sessions available regularly to discuss cases where children and young people may be involved in Serious violence and Exploitation.	Safeguarding Named nurses offer advice on risk assessment and action planning for emerging cases of concern.	Reassess Jan 2025.	<b>How:</b> number of cases discussed, outcomes & anonymised case studies.  <b>Update:</b>	
Bucks Council Community Safety Team And Youth Offending Service	Utilise mentoring services to support young people at risk.	Support mentoring projects	Reassess Jan 2025	<b>How:</b> Evaluation of service provision, referral numbers & anonymised case studies. Utilise PH Behavioral Scientist to support evaluation.  YOS – project evaluation/data.  <b>Update:</b>	

## Serious Violence Response Delivery Plan November 2023

Bucks Council Community Safety Team	Develop 'Achilles heel' partnership disruption and enforcement approach to tackle SV and SOC	Collaborate and co-produce with TVP and key partner enforcement agencies	By April 2023	<p><b>How:</b> Arrange with SEROCU and Home Office Partnership seminar to raise awareness on process and benefits of Partnership working</p> <p><b>Update</b></p>	
<p><b>Priority 3 – Develop awareness of, and embed, the Serious Violence Agenda, and Duty requirements amongst the partnership.</b></p> <p><b>Priority Owner</b></p>					
Action Owner	Action (What is to be delivered)	Output (How is this to be delivered)	Timescale	Evidencing impact	RAG status
Youth Offending Service	Youth Justic Serious Violence Data to be communicated across partnership.	YOS KPI data on SV is reported to MoJ and shared via partnership board	April 2024	<p><b>How:</b> Levels of Serious Youth Violence in Buckinghamshire will be measurable against comparators.</p> <p><b>Update:</b></p>	
Bucks Health Trust Bucks Council Safeguarding team.	ICB (children) are notified of all attendances to ED with concerns around serious violence/stabbing/ gun shots. Appropriate safeguarding/signposting put in place. ED attendances are reviewed and reporting processes in place	<p>Operating principles in place locally.</p> <p>Improved practitioner response/greater understanding of role with the Serious Violence Agenda and Duty requirements to share information related to injuries.</p>	Dec 2024	<p><b>How:</b> ICB to provide data locally &amp; nationally regarding ED attendances of concern.</p> <p><b>Update:</b></p>	
<p><b>Priority 4 – Enhance appropriate support for those who are released from custody who are most at risk of reoffending.</b></p> <p><b>Priority Owner:</b></p>					

## Serious Violence Response Delivery Plan November 2023

Action Owner	Action (What is to be delivered)	Output (How is this to be delivered)	Timescale	Evidencing impact	RAG status
Youth Offending Service	Appropriate support given to children released from custody through the delivery of comprehensive resettlement plans	Intensive supervision is provided for children released from custody which supports desistance from further offending	April 2024	<b>How:</b> Key performance data on reoffending, and custody. Case studies evidence impact. <b>Update:</b>	
Integrated Care Board. Oxford Health	Ensure relevant agencies attend & contribute to MAPPA meetings. Look at processes in place where necessary.	Attendance record	Assess Jan 2025	<b>How:</b> Effective support plans in place. <b>Update:</b>	
Violence Reduction Unit	Support families of those placed in HMP.	Op Paramount – VRU initiative to support families of those in prison.	Assess Jan 2025	<b>How:</b> data of referral numbers for Op Paramount & anonymised case studies. <b>Update:</b>	
Violence Reduction Unit	Support for adults in police custody, ensuring effective intervention & support is in place for when they are released into the community.	VRU funded custody navigator scheme – currently in Aylesbury custody through support of Wycombe Wanderers Sports & Education Trust.	Assess Jan 2025	<b>How:</b> Referral data for custody navigator scheme & anonymised case studies to show impact. <b>Update:</b>	
<b>Priority 5 – Undertake a proactive partnership response to cohorts and locations vulnerable to serious violence.</b>					
<b>Priority Owner:</b>					
Action Owner	Action (What is to be delivered)	Output (How is this to be delivered)	Timescale	Evidencing impact	RAG status
Youth Offending Service	A public health approach to Serious Youth Violence delivered in schools.	Continue to deliver prevention support to children at risk of serious violence and entering the Youth Justice System, through the Multi-Agency Schools project	By April 2024 (mid-year report available from October).	<b>How:</b> Via a combination of quantitative and qualitative measures which are reported to the OPCC. <b>Update:</b>	

## Serious Violence Response Delivery Plan November 2023

Bucks Health Trust safeguarding team	Ensuring intelligence is shared as appropriate with police through intelligence sharing form & with key functions of BHT who work with vulnerable children/young adults.	All staff access safeguarding supervision Information is shared regularly with team leads around exploitation and themes	Ongoing business as usual-annual review of supervision 2024	<b>How:</b> Details to follow <b>Update:</b>	
Bucks Council Community Safety Team Bucks Council Children's Services.	Respond effectively to issues relating to serious violence arising within the community.	Multi-agency problem solving groups set up in response to concerns raised through intel. Review SV post incident strategy processes	Reassess Jan 2025	<b>How:</b> intel around initial issues compared to intel following the problem-solving group (3, 6, 9 12 months depending on need). <b>Update:</b>	
Bucks Council Community Safety team	Support creation of & utilise Thames Valley Together (TVT) data project when live.	Continue with support where needed, onboarding of partner information, legal agreements etc. Utilise data to inform problem solving groups, vulnerable locations/premises meetings. To assist in allocating resources.	Assess Jan 2025	<b>How:</b> Regular TVT board meetings with progress report. Evidence of use of TVT platform once developed. <b>Update:</b>	
Thames Valley Police Bucks Council Community Safety Team	Utilise regular Tasking/Strategic Risk Meetings to share information with relevant partners (YOS and Council) to support TVP focus on Serious Violence (Review processes following Local Police Area merge)	Invite relevant partners to TTCG/SRM meetings. Actions set for partners. TVP and Bucks Council have data analysts in place to help identify areas of serious violence. Bucks Local Command Unit will look to work closely to share data and actions.	Ongoing - 2026	<b>How:</b> TVP, VRU and CSP to share violence data and work together to target identified serious violence concerns. A clear governance process will need to be established across the whole of Bucks once TVP moves to a Local Command Unit model which will align TVP to county boundaries at a local level. <b>Update:</b>	
Bucks Council Community Safety Team	Support partner organisations during	Assist where appropriate/relevant with	Ongoing - 2026	<b>How:</b> Document what work was supported & how.	

## Serious Violence Response Delivery Plan November 2023

	projects/operations focused on Serious Violence.	community projects, knife crime awareness week etc.		<b>Update:</b>	
Thames Valley Police Bucks Council Community Safety Team	Maintain and increase knife amnesty bins across BC area	Use of data around hotspot areas – where would knife amnesty bins be useful? Collection numbers across Bucks area.	Assess Jan 2025	<b>How:</b> Collection data across Bucks. Proof of response to hotspot data.  <b>Update:</b>	

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# Equality Impact Assessment (EqIA)

Template reviewed June 2023

The Public Sector Equality Duty (PSED) was introduced as part of the Equality Act 2010, which protects people from discrimination in the workplace, in the provision of services and in wider society.

The duty requires all public bodies to have due regard to the need to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people

Public bodies demonstrate this due regard in different ways, including producing robust equality impact assessments when considering changes to policies and services.

An EqIA enables us to check the potential impacts on residents and employees of our policies, services and projects. It's an opportunity to challenge how we currently do things.

Carrying out an EqIA should not create extra work; it should be part of your normal service planning process. Most of the information required should already be available to you through other work already undertaken e.g. service user monitoring, analysis of complaints and national research.

The purpose of an EqIA is to *take account* of equality as plans develop, to promote and assist the consideration of equalities issues arising in plans and proposals and to ensure that where possible adverse or disproportionate impacts are minimised and positive impacts are maximised. As such where possible an EqIA should be started at the outset of a project/proposal and continually be developed and reviewed until a final proposal is adopted. An EqIA should be used to ensure decision makers have all the information they need regarding potential impacts to ensure they have due regard to the Public Sector Equality Duty when making judgements.

Carrying out EqIAs should be an integral part of policy or service development/change and larger projects may need more than one EqIA if different areas are impacted by the change.

Any project that requires consultation will automatically require an EqIA.

All approved and signed EqIAs are recorded in a central register. Please email your completed draft EqIA to [equalities@buckinghamshire.gov.uk](mailto:equalities@buckinghamshire.gov.uk). Previous EqIAs can be made available for information upon request. For any questions or if you require support in completing your EqIA please contact Maria Damigos and Natalie Donhou Morley directly.



# Equality Impact Assessment (EqIA)

Template reviewed June 2023

## Part A (Initial assessment) - Section 1 - Background

**Proposal/Brief Title:** Serious Violence Response Strategy 2023-26

OneDrive link to report/policy:

**Related policies:** This Strategy links to the Safer Buckinghamshire Board Strategy

**Date:** 23<sup>rd</sup> August 2023

**Type of strategy, policy, project or service:** Strategy

Please tick one of the following:

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

This assessment was created by:

**Name:** Sarah McBrearty

**Job Title:** Community Safety Manager

**Email address:** sarah.mcbrearty@buckinghamshire.gov.uk

### Briefly describe the aims and objectives of the proposal below:

In line with the statutory requirements of the Serious Violence Duty, the Serious Violence Response Strategy 2023-26 has been produced.

The Strategy outlines five priorities and a multi-agency Serious Violence Reduction Delivery Plan will be produced to support the delivery of the priorities over the next three years.

### What outcomes do we want to achieve?

The Serious Violence Response Strategy 2023-26 priorities are:

- **Priority 1** – Raises awareness of serious violence through communication, education and training.
- **Priority 2** – Support early intervention for vulnerable young people and those becoming at risk.
- **Priority 3** – Develop awareness of, and embed, the Serious Violence Agenda, and Duty requirements amongst the partnership.



# Equality Impact Assessment (EqIA)

Template reviewed June 2023

- **Priority 4** – Enhance appropriate support for those who are released from custody who are most risk of reoffending.
- **Priority 5** – Undertake a proactive partnership response to cohorts and locations vulnerable to serious violence.

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

Please explain your answer:

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

Please explain your answer:

**Does this proposal plan to introduce, review or change a policy, strategy or procedure?**

Yes

There has already been a Serious Violence Strategy in place for the last three years. In line with the Serious Violence duty, this has been reviewed (along with the production of a Serious Violence Needs Assessment) and an updated Serious Violence Strategy has been produced for 2023-26.

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

All communities within bucks are affected by serious violence, therefore this Strategy (and the Delivery Plan that will be produced to deliver the priorities) will impact the wider community.

**Does this proposal affect employees? Yes**

The multi-agency Serious Violence Reduction Delivery Group includes representatives from other Bucks Council departments (including Youth Offending Service, Children Services, Safeguarding etc.)

**Will employees require training to deliver this proposal? No**

Please explain your answer:

**Has any engagement /consultation been carried out, or is planned in the future? Yes**

As set out in the Serious Violence Duty, the below statutory agencies were consulted via face-to-face discussions as well as a survey and their views around the 2023-26 priorities were incorporated into this Strategy:

- Thames Valley Police
- Education
- National Probation Service
- Bucks Fire and Rescue Service
- Local Prisons
- Youth Offending Service



# Equality Impact Assessment (EqIA)

Template reviewed June 2023

- Public Health

The responses obtained have assisted in ensuring our priorities align with their organisation and will assist in creating a subsequent delivery plan to ensure the 2023-26 Serious Violence priorities are delivered effectively.

In addition, two Members Briefing Sessions took place in July. Any feedback received has been included in the Strategy or will be reflected in the Delivery Plan.

## Section 2 - Impacts

Please highlight potential impacts (including unintended impacts or consequences) for each protected characteristic\*. Where there are negative or positive impacts please give more details of the impact. Where the impacts are unclear please explain why.

Age\*

Positive

Negative

Unclear

None

An action plan will be developed to support the delivery of the priorities set out in the Serious Violence Response Strategy. One of the priorities is supporting early intervention for vulnerable young people – this will mean that initiatives and projects will be available for young people to support and divert them from engaging in serious violence.

Disability\*

Positive

Negative

Unclear

None

Details:

Pregnancy & maternity\*

Positive

Negative

Unclear

None

Details:

Race & Ethnicity\*

Positive

Negative

Unclear

None

Details:

Marriage & Civil Partnership\*

Positive

Negative

Unclear

None

Details:

Religion & Belief\*



# Equality Impact Assessment (EqIA)

Template reviewed June 2023

	Positive	Negative	Unclear	<u>None</u>
Details:				
Sex*				
Positive		Negative	Unclear	<u>None</u>
Details:				
Sexual Orientation*				
Positive		Negative	Unclear	<u>None</u>
Details:				
Gender Reassignment*				
Positive		Negative	Unclear	<u>None</u>

Do you anticipate any impacts on military families/veterans in relation to the Armed Forces Act 2021 requirements on local authorities to have due regard to [the Armed forces Covenant](#)? Yes/No

Are there any other additional groups/impacts that the EqIA should evaluate in relation to the proposal? Yes/No/Unclear

### Section 3 – Is a full assessment required?

**If you have answered yes to any of the initial assessment questions in section 1 of this EqIA, or have indicated a negative or unclear impact in section 2, it is likely you will need to complete part B of the EqIA form. Should you need guidance as to whether a full EqIA is needed at this time please contact Maria Damigos or Natalie Donhou Morley before continuing.**

Following completion of part A, is part B completion required?

- Yes
- No
- Not required at this time

Explain your answer:

Whilst ‘yes’ has been selected in section 2 above, this relates to one of the priorities in the SV Strategy providing support to vulnerable young people. This would not be a disproportionate response, but will allow some young people at risk the chance to engage in projects/initiatives which could divert them from engaging in serious violence.



# Equality Impact Assessment (EqIA)

Template reviewed June 2023

The projects commenced under the umbrella of the Strategy will focus on the areas set out in the Strategy as these have been identified as the most in need for the period. While not specifically set out we are aware that both perpetrators and victims often have a number of protected characteristics which interlink, however tackling serious violence within Buckinghamshire which will have a positive impact on all people and the community.

## **Have you completed an DPIA for this project/change? Yes/No**

(As you are completing an EqIA, you may also require a DPIA - for more information please contact [dataprotection@buckinghamshire.gov.uk](mailto:dataprotection@buckinghamshire.gov.uk))

## **Section 4 – Sign off (Only complete when NOT completing Part B)**

Officer completing this assessment: (Please insert Name) Date: (Please insert Date)

Equality advice sought from: (Please insert name) Date: (Please insert Date)

Service Director sign off: (Please insert name) Date: (Please insert Date)

CMT sign off (*if deemed necessary by Service Director*) sign off: (Please insert name) Date: (Please insert Date)

Next review Date: (Please insert Date)

**If required please complete part B (full assessment)**



## Report to Cabinet

<b>Date:</b>	<b>12<sup>th</sup> December 2023</b>
<b>Title:</b>	<b>Fly-Tipping Enforcement Policy Review and Government Fixed Penalty Notice Increase to Fly-tipping &amp; Failure in Householder Duty of Care (as from 31.07.23)</b>
<b>Cabinet Member(s):</b>	<b>Gareth Williams, Cabinet Member for Climate Change &amp; Environment</b>
<b>Contact officer:</b>	<b>David Rounding, Lead Enforcement Officer</b>
<b>Author:</b>	<b>Martin Dickman, Service Director, Communities, Neighbourhood Services</b>
<b>Ward(s) affected:</b>	<b>All Wards</b>

### Recommendations:

- 1. Agree and adopt the revised Buckinghamshire Council Fly-Tipping Enforcement Policy 2023, which sets out criteria to issue a Fixed Penalty Notice (FPN) to an offender based on admissions being made.**
- 2. Agree and adopt the revised FPN upper limits approach (Option 2a), to address the recent Government change to increase the upper limits of FPNs for Fly-tipping and Failure in Householder Duty of Care.**
- 3. Agree delegation to the Service Director for Neighbourhood Services, in consultation with the Cabinet Member for Climate Change and Environment and with Legal Services, to make any technical and legal compliance changes related to the Fly-Tipping Enforcement Policy, following implementation and adoption after the date of this decision.**

**Reason for decision:**

1. The Council is committed to the principle of good enforcement as set out in the Legislative and Regulatory Reform Act 2006, with the purpose of enforcement action meaning the Council can meet compliances.
2. These amendments will align the Council with the new Government legislation recommendations to increase Fixed Penalty Notice (FPN) upper limits and clarifies the issuing of FPNs in line with the Councils 'Zero Tolerance' position in respect to fly-tipping.

## 1. Executive summary

- 1.1 The Buckinghamshire Fly-Tipping Enforcement Policy was adopted by Cabinet in April 2020. The policy is reviewed periodically in order to remain appropriate to meet the necessary compliance requirements. Cabinet is requested to agree to the revised Fly-tipping Enforcement Policy 2023 (Option 2a) with two key changes:
  - a) An increase in Fixed Penalty Notice (FPN) limits
  - b) New criteria to issue an FPN to an offender based on admissions being made.
- 1.2 The amendments are highlighted in **Bold & Italics** in the revised Policy in Appendix A.
- 1.3 Government has confirmed the desire for local authorities to take a more robust approach to tackle waste crime and toughen existing deterrent measures to change behaviours. The Department for Environment, Food and Rural Affairs (DEFRA) announced an increase in statutory Fixed Penalty Notice (FPN) upper limits effective from 31<sup>st</sup> July 2023, which supports DEFRA's wider work to tackle waste crime.
- 1.4 Local authorities have the freedom to determine fixed penalty rates within the limits set out below. The FPN maximum levels have been confirmed as:
  - **Fly-Tipping** – increase from £400 to £1,000.
  - **Failure in Householder Duty of Care** – increase from £400 to £600.

*and*

  - **Littering** – increase from £150 to £500. Changes to the litter FPN Upper limit are not being considered as part of this report. A Littering Enforcement Strategy is being progressed; *a separate decision report will consider appropriate litter enforcement.*

## 2. Fly-Tipping Enforcement Policy & Revised Upper FPN Limits



- 2.1 Upon becoming a unitary authority, Buckinghamshire Council (BC) adopted the ability to issue Fixed Penalty Notices (FPNs) to fly-tipping offenders and those householders whose negligent failure in their 'duty of care' as producer of the waste contributed to the fly-tipping taking place. The Council adopted the Fly-tipping Enforcement Policy in April 2020 which includes issuing fixed penalties for Fly-tipping at the maximum allowed rate of £400, with the offer of a 25% reduction if the penalty was paid within 10 days, allowing a payment of £300, and for Failure in Duty of Care by a householder at a maximum allowed rate of £400, with the offer of a 25% reduction with a payment of £300 as an incentive for early payment. These rates applied both to the act of small-scale fly-tipping, and to householders where their waste was found dumped after they had not duly checked the waste carrier's credentials (usually where the waste has later been found fly-tipped in Bucks).
- 2.2 The Legislative and Regulatory Reform Act 2006 enables provision to be made for the purpose of removing or reducing burdens resulting from the following legislation and promoting regulatory principles:
- a. regulatory activities should be carried out in a way which is transparent, accountable, proportionate, and consistent.
  - b. regulatory activities should be targeted only at cases in which action is needed.
- 2.3 The Council is committed to the principle of good enforcement as set out in the Legislative and Regulatory Reform Act 2006 and believes that the purpose of enforcement action should be to achieve compliance with legislation enforced by the Council. Where the Council believes a business or an individual is in breach of certain legislation, it may issue a FPN requiring that business or individual to pay the Council within a specified period.
- 2.4 FPNs provide local authorities with a visible and effective way of responding to environmental damage and crime. FPNs sit between the lowest form of sanction, a 'Simple Caution', and the prosecution of offenders at court.
- 2.5 Our main objectives of enforcement action are to educate offenders, change future behaviour, and to deter members of the public from committing any type of waste crime, using the most appropriate enforcement responses to secure legislative and regulatory compliance.
- 2.6 Taking the necessary proportionate enforcement action against waste crime provides both the Council and residents reassurance that we are delivering on our statutory duty to keep our land and highways clear of waste. FPNs are a means by which offenders of relatively minor waste criminality can discharge their liability for the offence. If an offender fails to pay within 14 days, standard practice will be to follow up with court prosecution.

## What are the new regulations (2023) amendments?

2.7 The Environmental Offences (Fixed Penalties) (Amendment) (England) Regulations (EOR) 2023 provide Buckinghamshire Council with the option to increase upper limits of the current FPNs, relating to the offences listed below from 31<sup>st</sup> July 2023 and is relatable to Fly-tipping and Failure in Householder Duty of Care. Regulation 2 is associated with Littering.

**Regulation 1** - regulations came into force on 31st July 2023 and confirms that although the regulations extend to England and Wales, they only apply in England.

**Regulation 3** – increases the upper limits for FPNs for the following:

- Section 33ZA - for an offence under section 33(1)(a), involving the disposal of controlled waste on land without a permit (which includes Fly-tipping) offences from £400 to £1000.
- Section 34ZA – for an offence under section 33(1)(a), involving the Failure in Householder waste Duty of Care from £400 to £600.

2.8 It is important to note that the level for a fixed penalty should be appropriate for the individual offence. FPNs that are too high could lead to substantial non-payment rates and will be counter-productive for the Council through increased officer time and legal costs which might not be recovered at court. When a payment is not received and where there is overwhelming evidence against the offender, the Council will explain to the offender that a prosecution in court will be sought. At present, we have a payment rate around 95%.

2.9 A fixed penalty notice will *only* be issued in cases which comply with the Code of Crown Prosecutors, that is, where the “Evidential Test” (*Does the evidence in the case provide a realistic prospect of conviction?*) and “Public Interest Test” (*Is it in the public interest to prosecute? That means asking questions like how serious the offence is, the harm caused to the victim, the impact on communities and whether prosecution is a proportionate response*) have been met. An FPN is issued, in the first instance, as an alternative to a prosecution and due consideration will be given to prosecuting for the offence if they decide not to pay the fine

2.10 On prosecution, the Waste Enforcement team asks for 100% of the Council’s legitimate costs to be paid, however the average award is around 75% by the court (of which we recover 97% of the 75%). While there is a small risk in that we only recover around 73% of our costs, if we did not prosecute non-payment, there would be a larger risk that word would get round that there is no ‘need to pay’.

- 2.11 The policy has also been updated to reflect the ‘Failure by business to furnish Duty of Care documents’ and the ‘Failure to provide evidence of waste carrier registration’. Although there have not been any amendments to these offences, including these penalties in the future policy would enable further transparency.
- 2.12 To address the new Government FPN upper limit increases, this paper recommends the adoption of the revised Buckinghamshire Council Draft Fly-Tipping Enforcement Policy 2023 which is attached as Appendix A. The proposed revised FPN limits are detailed below in table 1.

**Table 1 – Revised FPN Upper Limits**

Offence	Current Limit	Revised Limit
Failure in Householder Duty of Care Section 34ZA	£400	£600
Fly-Tipping Section 33ZA	£400	£1000

### 3. Other Options Considered

- 3.1 **Option 1** – ‘remain as is’. This would be business as usual to remain unchanged and would mean that there may be instances that FPNs are issued to offenders who neither wish to account for, and/or show no remorse for their actions. The adopted Buckinghamshire Council Fly-Tipping Enforcement Policy would remain unchanged including the FPN limits as agreed in 2020. This option is not recommended.
- 3.2 **Option 2a** – the recommended option, to agree and to adopt the revised Buckinghamshire Council Draft Fly-Tipping Enforcement Policy 2023 (Appendix A) and to accept the FPN upper limits approach.
- 3.3 **Option 2b** – to agree and adopt a revised Buckinghamshire Council Draft Fly-Tipping Enforcement Policy 2023 and inclusive of an option for a discount if there is early payment. Research into the position taken by seven neighbouring local authorities has revealed the consensus is to discount for early payment ‘an average’ of around 20%.

This option is not recommended, but it is proposed that the rates of payment will be monitored and closely reviewed holistically during the first 6 months of adoption and implementation, and if payment of FPNs at the non-discounted level becomes sub optimal, the paper does recommend a delegation to the Service Director of

Neighbourhood Services in consultation with the Cabinet Member for Climate Change and Environment to implement a change to this approach if desired.

#### **4. Legal and financial implications**

- 4.1 An FPN is an alternative to prosecution; if an alleged offender does not pay an FPN, then enforcing authorities should be prepared to prosecute them for the original offence. It is therefore crucial that prior to issuing an FPN, local authorities have sufficient evidence to support a prosecution in view of the increased penalty amounts and the requirement for enforcement action to be proportionate. Where FPNs are issued without the necessary supporting evidence, the Council may find themselves subject to challenge.
- 4.2 The Department of Environment, Food and Rural Affairs (DEFRA) Guidance for Local Authorities on Householder Waste Duty of Care FPNs (updated 11<sup>th</sup> December 2018) states that a fixed penalty notice is not an appropriate sanction for: *“operators in the Waste Management Industry; repeat offenders or those responsible for large scale Fly-tipping or Fly-tipping of hazardous waste”*.
- 4.3 By inference, if unsuitable for an FPN these cases should usually also be considered unsuitable for an offer of simple caution to be made by way of case disposal unless overwhelming circumstances indicate that would be appropriate.
- 4.4 Statutory Guidance in the form of the Litter and Refuse: Code of Practice (updated 26<sup>th</sup> September 2019) makes it clear that any monies raised from issuing a FPNs relating to Fly-tipping can only be used on functions under Part II of the Environmental Protection Act 1990 “Waste on Land”. Any income will be reinvested back into the Waste Enforcement Team functions.

#### **Risks**

- 4.5 Currently 95% of FPNs are paid. The money from FPNs supports the ongoing work of the Waste Enforcement Team. This money is not available to be used more generally by the Council. There is a risk that increasing the amount of FPNs without discount could lead to an increase in non-payment due to affordability, however offering no discount is in line with the recent statutory changes.
- 4.6 In the event of non-payment prosecution should follow. DEFRA advises that *“Failure to follow up an unpaid FPN with prosecution for the original offence will discredit the use of fixed penalties and the duty of care itself. The need to pursue unpaid fixed penalty notices must be considered in the development of an enforcement strategy and the necessary resources made available. It is not acceptable for an authority to decide after a fixed penalty notice has been issued that it does not have the resources to prosecute if the notice is unpaid”*.

- 4.7 Buckinghamshire Council will seek to prosecute all cases at court where FPNs have been issued but not paid. Appropriate resource will need to be in place to manage the non-payment process. There is sufficient resource to manage current levels of prosecution, and this will be monitored through implementation should the recommendations in this report be agreed.
- 4.8 A significant increase in prosecutions will require additional legal resources to manage this work as well as additional officer time in preparing the evidence for prosecution and attending court. These costs are not 100% recovered from the defendant even in the event of successful prosecution. A successful prosecution may also not result in a fine of the same level being issued, as the Court will take account of a Defendant's income in determining the level of the fine.
- 4.9 Finally, the length of time a prosecution could take would cause significant delay in any fine being paid if the Court determined that to be an appropriate disposal of the case.
- 4.10 The repayment rate will be closely monitored during the first 6 months of adoption and implementation by the Enforcement team and Legal services.

#### **4A. Director of Legal & Democratic Services Comment**

- 4.11 The director has read and commented on the report. The only comment was on the third recommendation and to include the wording "and in consultation with Legal Services" which has now been added.

#### **4B. Section 151 Officer Comment**

- 4.12 The minor budget changes will be incorporated in the proposed budgets as part of the Medium-Term Financial Planning process.

### **5. Corporate implications**

- 5.1 In relation to climate change and sustainability, Fly-tipping and Failure in Householder Duty of Care is no different from general waste in terms of environmental consequences, where it is left to break down into a broad range of chemicals. It is far better dealt with by recycling metals, glass, and paper etc, which all have far lower energy input requirements than making new items from raw materials. Even the fuel and energy used for transport for collection of litter can be avoided where waste is not allowed to leave the general cycle. Therefore, the increase to FPNs with an option for early payment, may deter people from waste crime and influence behaviour change.
- 5.2 An Equalities Impact Assessment (EqIA) screening (Appendix B) has been undertaken which does not show the need for a full EqIA assessment.

- 5.3 A Data Protection Impact Assessment (DPIA) full assessment has been undertaken please see **Appendix C** (*draft versions*). There are no envisaged implications and is in adherence with Council process and procedures.
- 5.4 DEFRA guidance states that in no circumstance should enforcement activity be considered a means to raise revenue. The recommendation provides an acceptable balance between value for money (VfM) and service provision requirements compared to other options considered.
- 5.5 The health, safety, and welfare of all investigating officers is continuously reviewed to ensure their work environment is safe. Officers use body work cameras if conducting on the door interviews and dashcams whilst investigating any fly-tipping incidents.

## **6. Local councillors & community boards consultation & views**

- 6.1 Local councillors and community boards will be provided with an update on FPN upper limit increases and early payment options for Fly-tipping and Failure in Householder Duty of Care should the recommendations in this paper be agreed.

## **7. Communication, engagement & further consultation**

- 7.1 The outcome will be communicated, and a high-level communications plan implemented. Stakeholders include:
- Residents
  - Community boards, Parish, Town, and elected Members
  - Neighbouring Local Authorities
- 7.2 As part of the implementation plan, the changes to the upper limits of FPNs for Fly-tipping and Failure in Householder Duty of Care will be further developed. Discussions with the necessary internal stakeholders have taken place to ensure the public, internal and external stakeholders are updated.

## **8. Next steps and review**

- 8.1 Should the recommendations in this paper be agreed, and following the call-in period, the Fly Tipping Enforcement Policy 2023 will become effective. Public communications are planned for December 2023 and January 2024.
- 8.2 Published policy documents and the Council website will be updated to replace the existing 2020 policy to reflect the amendments.

## **9. Background papers**

- **Appendix A – Buckinghamshire Council Fly-Tipping Enforcement Policy Amendment 2023**

- **Appendix B – EQIA – Fly Tipping Enforcement**
- **Appendix C – DPIA – Fly Tipping Enforcement**

## **10. Your questions and views**

10.1 If you have any views that you would like the Cabinet Member to consider, please inform the democratic services team. This can be done by email to [democracy@buckinghamshire.gov.uk](mailto:democracy@buckinghamshire.gov.uk).

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# **Buckinghamshire Council**

## **Fly-Tipping Enforcement Policy (2023)**

### **Contents**

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- 8. Comments and complaints about enforcement activity**

Status	Live	Version	
Last review date	7 April 2020 <i>Insert new policy implement date</i>	Next review date	<b>13 February 2024</b>
Approved by (Director)	Richard Barker	Date approved	TBC
Member/ Partnership Board Approval	Cabinet Policy Group	Date approved	7 April 2020 <i>Insert new policy approval date</i>

## 1. Introduction

This document sets out the Buckinghamshire Council Fly-Tipping Enforcement Policy ("the Policy") which details what residents, businesses, and individuals of Buckinghamshire can expect from Buckinghamshire Council ("the Council") when it carries out its regulatory and enforcement functions.

This Policy takes into account current principal legislation, including: -

- (a) The European Convention on Human Rights and,
- (b) The Human Rights Act 1998,
- (c) The Regulation of Investigatory Powers Act 2000,
- (d) The Police and Criminal Evidence Act 1984,
- (e) Criminal Procedure and Investigations Act 1996,
- (f) The Regulatory Enforcement and Sanctions Act 2008, and
- (g) Equality Act 2010

In applying this Policy, the Council will take account of the Buckinghamshire Council overarching Regulatory Enforcement Policy, any new relevant legislation that applies any amendments to existing legislation and guidance policies from the secretary of state.

This Policy also takes into account current statutory guidance or schemes, including: -

- (a) The Regulators' Code,
- (b) The Code for Crown Prosecutors, and
- (c) Primary Authority Principle.

## 2. Scope

This Policy applies to all legislation included in Parts 3 and 4 of the Schedule to the Legislative and Regulatory Reform (Regulatory Functions) Order 2007, as amended, and including the following list of Statutes and successor legislation: -

- (a) Environmental Protection Act 1990,
- (b) Clean Neighbourhoods and Environment Act 2005,
- (c) Control of Pollution (Amendment) Act 1989,
- (d) Environment Act 1995,
- (e) Local Government Act 1972, *and*
- (f) ***The Environmental Offences (Fixed Penalties) (Amendment) (England) Regulations 2023.***

## 3. Guiding Principles of Legislative and Regulatory Enforcement

The Council is committed to the principle of good enforcement as set out in the Legislative and Regulatory Reform Act 2006 and believes that the purpose of enforcement action should be to achieve compliance with legislation enforced by the Council.

The Council believes that the majority of businesses, individuals, consumers and residents of Buckinghamshire wish to comply with the law. The aim of this Policy is: -

- To protect those businesses, individuals, consumers, and residents from unlawful activity,
- To work with them to promote economic growth in Buckinghamshire, and
- To ensure that the small number of businesses and individuals who intentionally or repeatedly engage in unlawful activity are subject to appropriate enforcement activity.

The Council will deliver regulatory services in a way which is: -

- (a) **Transparent:** The Council will give advice and information in plain language and ensure that those it regulates are able to understand what is expected of them. The Council will distinguish between legal requirements and good practice recommendations.
- (b) **Accountable:** The Council's activities will be open to public scrutiny, with clear and accessible policies, and a fair and efficient complaints procedure.

- (c) **Consistent:** The Council will carry out its duties in line with relevant service standards where possible and will endeavour to ensure that enforcement action is applied consistently within Buckinghamshire and, where appropriate, in similar ways to other local authorities.
- (d) **Proportionate:** Enforcement activities will reflect the risk and harm in particular to the environment, alongside victims (whether to businesses, individuals, consumers and residents of the area or the wider community) and will reflect the seriousness of the breaches and any previous action taken by the Council or any other organisation.

Our primary objective is to secure legislative and regulatory compliance. The Council aims to use the most appropriate approach from the available enforcement responses. Those responses will range from advice and guidance through to litigation depending on the individual circumstances of the breach. The Council will target its enforcement activity based on threat, risk, harm, and intelligence information in order to address those areas causing greatest detriment or concern to businesses, individuals, consumers, residents and other users of services in the area, or which address national priorities impacting on these groups.

Where a business or an individual is found to be in breach of legislation the Council will work with that business or individual and any other person to put right the problem. However, it is recognised that, in the majority of cases, formal enforcement action will be taken.

In exceptional circumstances, or where required by legislation, the Council may depart from this Policy. Any decision to do so will be properly rationalized, based on the evidence, and fully documented.

#### **4. Enforcement actions**

There is a wide range of advice, guidance, and enforcement actions available to the Council from those intended to inform and support those it regulates, to formal legal proceedings with the potential for a financial or custodial penalty. These include, but are not limited to, the following:

##### **Advice and Guidance**

###### **Verbal and Written Advice**

The Council will provide advice on compliance and issue guidance and support where appropriate, at the Council's discretion. The objective of this action is to assist individuals and businesses to comply without the need to resort to more formal action.

***Verbal and written advice will be appropriate in the most minor examples of offending and where the offence is not serious enough to warrant other forms of enforcement. For example, where a resident has disposed of a large quantity of waste to fill a street litter bin, blocking its use for passers-by, and they have not previously received a warning.***

## Notices

- **Notices under section 34(5) Environmental Protection Act 1990 (“the EPA 1990”).**

Where a notice is issued under s34(5) of the EPA 1990, the recipient is under a duty to furnish a waste transfer note to the requesting officer within seven days of the Notice being issued. It is a criminal offence not to respond to a request for information under this section.

- **Notices under Section 5 Control of Pollution (Amendment) Act 1989**

Where a notice is issued under this section, the recipient is under a duty to evidence that they are an authorised waste carrier, or to evidence that they are not required to be registered as an authorised waste carrier. The notice can be complied with by producing the evidence on demand, by producing it at a specified place and within a specified period, or by sending the evidence to a specified place within a specified period. It is a criminal offence to fail to comply with the notice.

- **Notices under Section 108 Environment Act 1995 (“EA 1995”)**

Notices under s.108 of the Environment Act 1995 can be used to require production of extracts from records which an officer believes a company holds and which are necessary for the purposes of the investigation of a potential criminal offence. It is a criminal offence not to respond to a request for information under this section. A Notice sent will set out details of the specified records held and allow a period of time for the recipient to respond in writing to the request for extracts from those records in the Notice e.g. the name, address and date of birth of a bank account holder to whose numbered account a waste producer has paid for the removal of waste from their p. The Notice must specify that if the recipient does not respond within the time period allowed, they will be prosecuted. When serving a Notice under these powers the officer executing the power is obliged to and will produce evidence of their authority to exercise the power at the time of service.

The Council may also use powers under s.108 EA 1995 when inviting a member of the public to an interview under caution and may consider prosecution action against those who refuse to attend or ignore requests to attend.

## Formal Enforcement Actions

***Buckinghamshire Council has a ‘zero tolerance’ policy towards fly-tipping. The Council will consider prosecuting fly-tipping offences at court as well as contributory failures in duty of care by waste holders.***

### **Simple Cautions**

A Simple Caution may be offered as an alternative to **a Fixed Penalty Notice (FPN)** for some minor offences, or for first time offences, to a business or individual where there is a realistic prospect of conviction, and where that business or individual has admitted the offence. **Where a Simple Caution is declined, a prosecution will normally ensue.**

**To be eligible for a Simple Caution there must be an admission of guilt by the offender. A Simple Caution will be endorsed in the Council records and may be admissible in subsequent Court proceedings for a similar offence.**

**Where a Simple Caution is declined, a prosecution will usually follow.**

**Simple Cautions administered by Buckinghamshire Council are not the same as those issued by police services and details are not entered on to the Police National Computer. Simple cautions in this context are a specific formal warning to an offender (who has admitted the offence) that if they re-offend a court could take the caution into account and on re-offending a larger sentence could be imposed on conviction.**

#### **Fixed penalty notices ("FPNs")**

Where the Council believes a business or an individual is in breach of certain legislation, it may issue a financial penalty requiring that business or individual to pay the Council within a specified period. Payment of the penalty discharges liability for the alleged offence. If the penalty is not paid **within 14 days (as stated on the FPN documentation)**, a prosecution will normally follow. Any subsequent prosecution will be for the alleged offence, not for the non-payment of the FPN.

FPNs are usually the most appropriate enforcement for a first-time offenders, for low level examples of fly-tipping. When considering whether an FPN is appropriate, the location that the waste has been deposited, the amount of waste and the nature of the waste will be relevant. Hazardous waste, such as asbestos, will not be suitable for an FPN.

**An FPN will not usually be offered to offenders unless they make admissions, however each case will be considered on its own merits and the circumstances presented.**

**On 31<sup>st</sup> July 2023, the Government introduced increased upper limits for FPNs for the offences of Fly-tipping and failure in Householder Duty of Care. The revised upper limits are as follows:**

- **Under section 33ZA - Fly-tipping: from £400 to £1000**
- **Under section 34ZA – Failure of Householder Duty of Care: from £400 to £600**
- **Under section 34A - Failure by Business to Furnish Duty of Care Documents: No Change**
- **Under section 5B – Control of Pollution (Amendment) Act 1989: No Change**

**Offence**

**Fixed Penalty**

<b><i>Fly-Tipping</i></b>	<b><i>£1000</i></b>
<b><i>Failure in householder Duty of Care</i></b>	<b><i>£600</i></b>
<b><i>Failure by business to furnish Duty of Care documents</i></b>	<b><i>£300</i></b>
<b><i>Failure to provide evidence of waste carrier registration</i></b>	<b><i>£300</i></b>

***Where a business is required to furnish the Council with documents which they are required to keep under their Duty of Care, or where a waste carrier is required to provide evidence of their waste carrier registration, the Council may issue a fixed penalty of £300 if they fail to comply.***

Anyone under the age of 17 will not ***normally*** be prosecuted ***nor receive an FPN*** and will be managed through the ***use of*** appropriate cautions and/or formal warnings.

***Buckinghamshire Council issues FPNs only where it believes that both the Evidential Test (Does the evidence in the case provide a realistic prospect of conviction?) and Public Interest Test (Is it in the public interest to prosecute?) has been satisfied. This gives consideration to the seriousness of offence, takes into account any harm caused to the victim, the community impact and whether prosecution is a proportionate response). Should this test be fulfilled they default position will be to prosecute the offence at court if the fixed penalty is not paid.***

### **Seizure**

Relevant legislation allows the Council to seize vehicles, goods, equipment, documents, or other articles required as evidence in potential court proceedings. Where goods are seized, we will give the person whom they are seized from a receipt.

***Where vehicles have been used for fly-tipping, the Council may seize the vehicle subject to the provisions of the relevant legislation. The Council may release the vehicle to the owner on presentation (within 15 working days) of the original vehicle registration document together with evidence that valid insurance is held, and that the vehicle has a valid MOT. Where these conditions are not met the Council will take possession of the vehicle and may safely destroy or sell it to defer costs as appropriate. Alternatively, the Council may choose to retain the vehicle if appropriate until such time as a court may determine whether the vehicle should be returned to the owner or forfeited to the Council. This would normally be part of a prosecution for the fly-tipping offence.***

### **Prosecution**

A prosecution will result in the matter being decided before a Criminal Court. If convicted this could result in a fine, community order or even a sentence of imprisonment in fly-tipping cases. A conviction will also create a criminal record.

Buckinghamshire Council will seek full cost recovery, including officer time, legal costs and any clearance costs incurred, and will always prosecute where appropriate and proportionate to do so.

A prosecution will be the most appropriate disposal where fly-tipping is taking place for profit and where waste is illegally deposited in the course of business, such as by a construction company.

### **Restraint and Confiscation Proceedings**

Where a business or an individual has enjoyed substantial financial gain as a result of criminal activity, the Council may seek to prevent the access to assets, such as bank accounts, property and investments and may seek confiscation of those assets under the Proceeds of Crime Act 2002.

### **Appeals**

An FPN is offered in lieu of prosecution, and as such, there is no formal right of appeal. If an alleged offender does not accept their liability for the offence, there is no requirement on them to pay the fixed penalty. The assumption should always be that if a fixed penalty is unpaid, the case should be prosecuted, giving the alleged offender the opportunity to defend their case in court. This is consistent with schedule 11N.14 of the DEFRA Codes of Practice on Litter & Refuse.

## **5. The interests of Council stakeholders**

The Council does not want its enforcement activities to have a negative effect on businesses nor individuals who comply with the law. The Council will undertake its work to ensure, as far as possible, that the circumstances of each case are taken into consideration to make sure that compliant businesses or individuals are not affected.

## **6. Enforcement Policy implementation**

This policy *was* implemented *in April 2020* and *was amended on <<Insert Date Upon Approval>> to reflect the Government changes to upper limits to fixed penalties on 31<sup>st</sup> July 2023.*

It is available for viewing on the Council's website. Braille, large type, audio recording or other language versions will be considered on request.

## **7. Information Sharing**

Personal and business information held by the authority will only be shared in accordance with the relevant information sharing protocol or legislation. Individuals or businesses that are successfully prosecuted will be publicised through appropriate communication methods to promote the enforcement activity taken by Buckinghamshire Council.



The authority will take a proactive approach to data matching and the sharing of information via agreed secure mechanisms with other regulatory agencies and local authorities about businesses and individuals to help target resources and activities and to minimise duplication of enforcement activity. Any sharing of information will be in compliance with the previous paragraph and the authority's data sharing procedures.

## **8. Comments and complaints about enforcement activity**

If you wish to comment on this Policy or make a complaint about enforcement activity, please contact the Council by emailing:

[complimentsandcomplaints@buckinghamshire.gov.uk](mailto:complimentsandcomplaints@buckinghamshire.gov.uk)

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April 2020

## EqIA – Screening Questions

**Proposal/Brief Title:** Proposed Introduction of Fixed penalty notices (FPN's) for Fly-Tipping

**Date:** 07/04/2020 – updated 08/08/2023

**Type of strategy, policy, project or service:**

Please tick one of the following:

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

**This report was created by**

**Name:** Gary Slee

**Job Title:** Enforcement Team Leader

**Email address:** Gary.Slee@Buckinghamshire.gov.uk

**Briefly describe the aims and objectives of the proposal below:**

The old authorities in Buckinghamshire did not issue fixed penalty notices against fly-tipping offences. The new Buckinghamshire Council now has full powers and therefore it is proposed that the new Council should utilise these and make arrangements to issue FPNs for fly-tipping offences at the earliest opportunity. This policy would enable that to happen. It would grant enforcement officers the ability to deal with more investigations in a more streamlined and proportionate manner.

**NDM - 08/08/23** - Three years after the original implementation, the policy has been reviewed, and some wording amended to manage the public's expectations of potential enforcement for small scale matters. Additional wording has also been added to clarify the approach to fixed penalty notices.

**What outcomes do we want to achieve?**

### 1) Screening Questions

1.1 Does this proposal plan to withdraw a service, activity or presence?

No

Please explain your answer: **This is an addition to a pre-existing policy**

**1.2 Does this proposal plan to reduce a service, activity or presence?**

No

Please explain your answer: This proposal adds the ability to issue fixed penalty notices by enforcement officers.

**1.3 Does this proposal plan to introduce, review or change a policy, strategy or procedure?**

Yes

Please explain your answer: This proposal introduces the ability to issue fixed penalty notices by enforcement officers.

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

Yes

Please explain your answer: This proposal will affect the wider community in such a way that should the offence of Fly-Tipping be committed, the offender may or may not be eligible to be dealt with using a Fixed Penalty Notice.

**1.5 Does this proposal affect employees?**

No

Please explain your answer: This policy would not directly or indirectly affect Buckinghamshire Council employees.

**1.6 Will employees require training to deliver this proposal?**

Yes

Please explain your answer: Their role in terms of issuing FPN's is set out in the policy, and the Team Leader will brief any staff that requires additional training.

**1.7 Has any engagement /consultation been carried out?**

Yes

Please explain your answer: Engagement has been held with key officers and elected members. There has been no formal consultation as this was not required.

**NDM - 08/08/23** – additional edits will be agreed by elected members having been involved in the process thus far.

**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

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

**Update 09/11/23 NDM:** The Council will ensure enforcement is applied equally across all those who offend in relation to fly tipping, therefore disproportionate impact is not anticipated.

### **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:**

I have responded 'yes' to several questions and recognise that this will impact the wider community.

### **EqIA Screening Sign off**

**Officer completing this Screening Template:**

**Gary Slee**

Date: 07/04/2020

**Equality Lead: Natalie Donhou-Morley**

Date: 08/04/2020 Updated - 08/08/2023

**Cabinet Board sign off: (Please insert name)**

Date: (Please insert Date)

**Please continue to the next page to complete a full EqIA.**

## **EqIA – Full Equality Impact Assessment**

### **Step 1: Introduction**

**Policy or Service to be assessed:** Fly-Tipping Enforcement Policy including the proposed introduction of Fixed penalty notices (FPN's) for Fly-Tipping

**Service and lead officer:** Neighbourhood Services

**Officers involved in the EqIA:** Gary Slee

**What are you impact assessing?**

Existing

New/proposed

Changing/Update revision

Other, please list:

## Step 2: Scoping – what are you assessing?

**What is the title of your service/strategy/policy/project?**

The proposed introduction of Fixed penalty notices (FPN's) for Fly-Tipping to be incorporated into the Fly-Tipping Enforcement Policy

**What is the aim of your service/strategy/policy/project? –**

The old authorities in Buckinghamshire did not issue fixed penalty notices against fly-tipping offences. The new Buckinghamshire Council now has full powers and therefore it is proposed that the new Council should utilise these and make arrangements to issue FPNs for fly-tipping offences at the earliest opportunity. This policy would enable that to happen. It would grant enforcement officers the ability to deal with more investigations in a more streamlined and proportionate manner.

**NDM - 08/08/23** - Three years after the original implementation, the policy has been reviewed, and some wording amended to manage the public's expectations of potential enforcement for small scale matters. Additional wording has also been added to clarify the approach to fixed penalty notices.

**Who does/will it have an impact on? E.g. public, visitors, staff, members, partners? –** The Public

**Will there be an impact on any other functions, services or policies? If so, please provide more detail -** No

**Are there any potential barriers to implementing changes to your service/strategy/policy/project? -** No

## Step 3: Information gathering – what do you need to know about your customers and making a judgement about impacts

**What data do you already have about your service users, or the people your policy or strategy will have an impact on, that is broken down by equality strand? Please also include a judgement on the potential impact:**

Age: **No**

Disability: **No**

Gender re-assignment: **No**

Race: **No**

Religion or belief: **No**

Sex: **No**

Sexual orientation: **No**

Pregnancy and maternity: **No**

Marriage & Civil Partnership: **No**

**Do you need any further information broken down by equality strand to inform this EqIA?**

 Yes

X No

If yes, list here with actions to help you gather data for the improvement plan in Step 5

N/A

**Is there any potential for direct or indirect discrimination?**

Yes

X No

If yes, please provide more detail on how you will monitor/overcome this

N/A

**Conclusion:**

The ability of the new authority to issue Fixed Penalty Notices in relation to low level fly-tipping offences would offer another proportionate tool within the suite of enforcement responses available. Based on the outcome of this EqIA, it is concluded that no further action required.

#### **Step 4: Improvement plan – what are you going to change?**

<b>Issue</b>	<b>Action</b>	<b>Performance target (what difference will it make)</b>	<b>Lead Officer</b>	<b>Date to be Achieved</b>
Please insert txt	Please insert txt	Please insert txt	Please insert txt	Please insert txt
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**EqIA approved by: Natalie Donhou-Morley**

**Date: 08/04/2020 Updated: 08/08/2023**

**Next review date: 08/08/2026**

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# Buckinghamshire Council

## Data Protection Impact Assessment [DPIA]

**Service and Team:** TEE Planning & Environment - 23.05.2018

*REVISED – Aug 23 and Nov 23*

**Process/Project/Activity:** PACE Interviews & Case Files

### SUBMITTING DATA CONTROLLER DETAILS

<b>Data Controller Name:</b>	Buckinghamshire Council
<b>Data Controller contact:</b>	Data Protection Officer – dataprotection@buckinghamshire.gov.uk

### STEP 1: IDENTIFY THE NEED FOR A DPIA

1. Give a summary of the process/project/activity and what it hopes to achieve.

*You may find it helpful to refer or link to other documents, such as a Business Case or PID.*

1. The Waste Enforcement Team carries out investigations into the illegal dumping of waste. This includes gathering information at formal investigative interviews under conditions prescribed by the Codes of Practice under the Police and Criminal Evidence Act 1984 (often called PACE interviews). Information is presented for review by the Enforcement Manager who approves and authorises formal enforcement actions as appropriate. Where it is intended that a case should be considered for prosecution at Magistrates’ or Crown Court under criminal Law the evidence bundle is submitted for consideration by the Litigation Team within Legal Services.

*The process/project/activity will involve using the following personal information:*

<b>Personal data</b> (select those that apply)		<b>Special category data</b> (select those that apply)	
Forename	<input checked="" type="checkbox"/>	Racial or ethnic origin	<input checked="" type="checkbox"/>
Surname	<input checked="" type="checkbox"/>	Political opinion	<input type="checkbox"/>
Date of Birth	<input checked="" type="checkbox"/>	Religious belief	<input type="checkbox"/>
Age	<input checked="" type="checkbox"/>	Trade Union membership	<input type="checkbox"/>
Gender	<input type="checkbox"/>	Health or Social Care Status	<input checked="" type="checkbox"/>
Address	<input checked="" type="checkbox"/>	Sexual life	<input type="checkbox"/>
Postcode	<input checked="" type="checkbox"/>	Commission or alleged commission of an offence	<input checked="" type="checkbox"/>
Unique ID (i.e. NHS No)	<input checked="" type="checkbox"/>	Proceedings for any offence committed or alleged	<input checked="" type="checkbox"/>

*List any other personal information collected: Email address, contact telephone number, vehicle make, vehicle model, vehicle registration and photo/video. Sensitive data (Racial/Ethnic origin, Political opinion, Religious belief, Health & Social Care Status and Sexual life) and Financial data could be collected incidentally.*

### STEP 2: DATA PROTECTION LEGISLATION COMPLIANCE

1. Do you already collect, use, store or share this information?
2. What is your lawful basis?
3. How is the collection and use of the information fair?
4. How will you be transparent about the collection and use of the information?
5. How will you ensure that this information is only used for this process/project/activity?
6. Is this the minimum of information you need?
7. How will you ensure the accuracy of the information you collected/stored/used/shared?
8. How long will you keep (retain) the information?
9. When will you delete (or destroy) the information?

# Buckinghamshire Council

## Data Protection Impact Assessment [DPIA]

10. If this is a new system, explain how automatic retention and destruction has been built in?
11. Why will it not be deleted sooner?
12. What are the security risks associated with the collection, storage, use and sharing of this information?
13. Does the Information Asset Owner know about this process/project/activity?
14. Have you or the Information Asset Owner updated the Record of Processing Activity (ROPA)?

1. Yes, we already collect data and information.

2. Select those that apply: **To comply with duty under Environmental Protection Act 1990**

Legal obligation	X	Contract
Processing is necessary to comply with the law (not including contractual obligations).		Processing is necessary for a contract you have with the individual, or because they've asked you to take specific steps before entering into a contract.
Public task	X	Vital interests
Processing is necessary to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.		Processing is necessary to protect someone's life.
Legitimate interests		Consent
Processing is necessary for your legitimate interests or the legitimate interests of a third party, unless there is a good reason to protect the individual's personal data which overrides those legitimate interests. <b>Cannot apply to BC processing data to perform our official tasks.</b>		The individual has given clear consent for you to process their personal data for a specific purpose.

3. The information is collected solely to allow processing of criminal investigation.
4. Transparency is governed here within the terms of criminal law (Criminal Procedures and Investigations Act 1996) which limits information available to persons suspected of and charged with offences.
5. This is overseen both by the supervising Enforcement Manager and directly by Legal Services, when suspects are 'reported for consideration of prosecution'.
6. All 'relevant' material has to be retained for evaluation as to whether or not it must be disclosed to 'defence' side. 'Minimum' is not a term of relevance here.
7. We gather information for legal use both by prosecution and defence. We are not able to 'ensure accuracy' in the manner suggested. The information is considered, and evidential and relevancy tests are applied.
8. The information will be kept in accordance with the Council's retention policy – 6 years +1.
9. The information will be deleted in accordance with the Council's retention policy – 6 years +1.
10. N/A
11. We investigate criminal offences and on occasions we will have a regularly encounter with the same suspect who is under a "renewed" investigation following an incident(s) where they are suspected of re-offending.
12. Our work involves criminal investigations, and we deal with sensitive information. The largest potential 'security risk' might involve a witness' details being inadvertently released to the suspect.
13. The information Asset Owner is aware of this.
14. *Graham Tennant confirmed on 30.08.23 that he will register this on the ROPA.*

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### STEP 3: DESCRIBE THE PROCESSING

#### Describe the nature of the processing:

1. How will you collect the information and who from?
2. How will you use the information?
3. How will you store the information?
4. How will you delete the information?
5. Will you be sharing the information with anyone? You may find it useful to refer to a flow diagram.
6. How will you be sharing information?
7. What are the risks of collecting and using the information?
8. Will any suppliers, contractors or third parties be collecting, storing or using the information on our behalf?
9. Will any suppliers, contractors or third parties be collecting, storing or using the information for themselves?
10. Will any suppliers, contractors, third parties or external organisations have access to the information e.g. because they are storing it or when they need to do maintenance to a system?
11. If this is new technology (e.g. computer system, App, platform, etc) what assurances has the provider given you about its security?

1. We are investigating offences relating to the illegal deposit of waste. This means verbal, written, and eyewitness evidence together with CCTV video and still photographs taken by surveillance cameras.
2. We analyse the information to determine if anyone can legitimately be suspected of having committed a waste offence. That person is then shown the evidence we intend to rely on during a PACE interview. If charged with an offence they are likely to be shown or have access to all the information we have gathered, barring sensitive information relating to witnesses.
3. We now store all evidence and information on the secure site SharePoint.
4. Cases and files are stored with dates and are deleted at or before 6 years +1, as per the Council's retention period.
5. We share information with Thames Valley Police and on a very rare occasion with the Environment Agency, where we are presented with a valid disclosure request.
6. This usually takes the form of an email link to One Drive but can involve physically sharing files on SD cards where the other authority is led on the investigation and our officers are witnesses.
7. A person is 'innocent until proven guilty' in this context, so it is important that their details are kept secure so that no 'slur' on their character would arise due to inadvertent publicity that they were a suspect. It is also vital that witnesses' details are not shared (beyond the necessary level) with suspects/defendants.
8. Yes, for body worn cameras (Halo Europe) and CCTV (DSSL Group Ltd and Videosoft Global Ltd). Both contracts have individual DPIA's and contractual agreements in place for stored data.
9. No, the data is stored on a portal only accessed by individual username and password by our investigating officers. If the contractor/supplier was to access our data for any reason, then they are contractually obliged to submit an access request to the Council. This request would need to be approved before any data can be accessed.
10. Yes, as per question 8 & 9.
11. We have a contract with a CCTV company (DSSL Group Ltd as the main Contractor and Videosoft Global Ltd as the Sub-Contractor) which sets out standard Buckinghamshire Council provisions

#### Describe the scope of the use of the information:

1. How often will you be collecting the information?

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2. *How many individuals' information will you be collecting (don't forget to count family members)?*

3. *What geographical area are the individuals located in?*

1. The information will be collected daily.

2. Approx 100-150 annually.

3. Individuals will be mainly based in Buckinghamshire and the neighbouring areas, but on a rare occasion there may be other UK locations and possibly Europe. This would mean communication with a suspect who is outside Bucks (to make an appointment) but would not mean gathering information from them.

**Describe the context of the process/project/activity and its use of personal information:**

1. *What is your relationship with the individuals and how much control will they have?*

2. *Would they expect you to use their information in this way?*

3. *Do they include children or other vulnerable people?*

4. *Are there prior concerns over the use of personal information in this way or security flaws?*

5. *Is it novel or new in any way?*

6. *What is the current state of technology in this area?*

7. *Are there any current issues of public concern that you should factor in?*

8. *Are you/your provider signed up to any approved code of conduct or certification scheme?*

1. Investigators deal with witnesses and suspects. Witnesses will have no control once they have volunteered information other than they would have the right to withdraw a statement. Suspects have no control beyond the rights set out under Criminal Procedures and Investigations Act 1996.

2. Yes – this is standard criminal procedures.

3. On the very rare occasion the officers would need to handle data associated with children or vulnerable people. This data would be handled in the same way as other data, but decision making would consider age and any vulnerability.

4. No – it is necessary and is stored securely on the Council's secure SharePoint portal.

5. No this is an existing process.

6. Our CCTV cameras are covered under a separate (and signed off) DPIA. The portal used is secure (and meets the standard IT security and encryption requirements) and the Council's systems are also secure.

7. No, as the process of PACE interviews and case files are covered under the Criminal Procedures and Investigations Act 1996. Investigating officers are governed by the legislative guidance and law when processing PACE interviews and case files.

8. Criminal Procedures and Investigations Act 1996 governs behaviours of our investigators together with Police and Criminal Evidence Act 1984.

**Describe the purposes of the use of the information:**

1. *What do you want to achieve?*

2. *What is the intended effect on individuals?*

3. *What are the benefits of the processing – for you, for the individuals and more broadly?*

1. We aim to apprehend and prosecute all known offenders under PACE compliance.

2. Individuals will be suspects, witnesses or defendants within the justice system, and if appropriate they will be given with a written warning, a Fixed Penalty Notice or will be prosecuted.

3. The benefit will be to successfully follow a criminal investigation / justice procedure to secure the appropriate outcome to the waste crime.

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### STEP 4: CONSULTATION PROCESS

#### Consider how to consult with relevant stakeholders:

1. Describe when and how you will seek individuals' views, or justify why it's not appropriate to do so?
2. Who else do you need to involve within BC (i.e. Procurement, IT, Legal, Equalities)?
3. Do you need to ask your data processors or suppliers, contractors or third parties to assist?
4. Have you consulted information security experts, or any other experts?
5. If this relates to new technology (e.g. computer system, App, platform, etc) has IT confirmed it meets current security standards?
6. Have you consulted the Information Governance (IG) team?

1. Views are not sought in the way envisaged by the question. Criminal cases are heard at Magistrates' and Crown Courts where the suspect will have their views heard in a fair way.
2. Legal are involved with cases 'reported for consideration of prosecution'. An EQIA has been completed and signed off for this process.
3. We may need to ask for contractors / suppliers to assist if there are any known system issues or maintenance faults. These agreements are covered in the individual DPIAs and under their signed contracts.
4. Yes – regarding recordings of PACE interviews, 'body worn' cameras and the CCTV. The body worn cameras and CCTV have individual DPIAs to cover data protection.
5. Yes, under both contracts for body worn cameras and CCTV, IT requirements have been agreed and satisfied.
6. Yes, IG were consulted during preparation of DPIAs for body-worn camera use and for the use of CCTV systems for gathering evidence.

### STEP 5: ASSESS NECESSITY AND PROPORTIONALITY

#### Describe compliance and proportionality measures, in particular:

1. Does the collection and use of the information actually achieve your purpose?
2. Is there another way to achieve the same outcome?
3. What information will you give individuals about this processing?
4. Provide a link to relevant Privacy Notice, screenshots of proposed form wording, correspondence or templates associated with the processing.
5. How will you help to support the individual's data protection rights?
6. If there is a supplier, contractor or third party collecting, using or storing information on our behalf, is this detailed in the proposed contract with them?
7. What measures are you taking to ensure suppliers, contractors or third parties comply?
8. How will you safeguard any international transfer of data?

1. Yes, all data collected is used to pursue a waste crime under PACE.
2. No, we are required to collect this data and all investigating officers follow the PACE regulation.
3. Individuals will be provided the relevant and necessary information as set out and required under the Criminal Procedures and Investigations Act 1996.
4. N/A.
5. All data protection rights is provided under PACE law.
6. Yes and all information relating to this is covered under the individual DPIAs and under the contractual agreements.

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7. Any contract held where data is stored (CCTV/Body worn cameras), we have obtained all necessary and signed off DPIAs. All data protection agreements are covered under the individual contracts.
8. We have no intention of handling any international transfer of data.

### STEP 6: IDENTIFY AND ASSESS RISKS

*Describe source of each risk and the nature of potential impact on individuals. Include associated compliance and corporate risks as necessary.*

Risk ref	Description	Likelihood of harm Remote, Possible or Probable	Severity of harm Minimal, Significant or Severe	Overall risk Low, Medium or High
1	Data is lost during migration or transfer.	Remote	Significant	Medium
2	Images of individuals are shared in publicity materials despite individuals requesting that their images are not shared.	Remote	Significant	Medium
3	Compromise to BC SharePoint system.	Remote	Significant	Medium
4	Vehicles used in commission of offence could have images released in publicity materials but may no longer be owned by offender.	Possible	Minimal	Medium

### STEP 7: IDENTIFY MEASURES TO REDUCE RISKS

*Identify additional measures you could take to reduce or eliminate each risk identified as Medium or High risk in step 6. If N/A, please state*

Risk ref	Options to reduce or eliminate risk	Effect on risk Eliminated, Reduced or Accepted	Residual risk Low, Medium or High	Measure approved Yes or No
1	SharePoint use.	Accepted	Low	Yes
2	Images of individuals only ever shared following court conviction when in public domain.	Reduced	Low	Yes
3	Images of vehicles always have index plate obscured.	Reduced	Low	Yes

### STEP 8: SIGN-OFF AND RECORD OUTCOMES

	Name/role/date	Notes
<b>Measures approved by:</b>		<i>Integrate actions into Risk Register, with dates and named owners.</i>
<b>Residual risks approved by:</b>		<i>If accepting any residual High risk, you MUST consult the ICO before proceeding.</i>
<b>Reviewed/agreed by:</b>		<i>All DPIAs must be reviewed and agreed by Information Asset Owner (HoS) before being passed to the IG team.</i>

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<b>IG advice provided:</b>	Jennifer Griffin, Head of Info Gov and Complaints	<i>IG advice to include compliance, step 7 measures and if processing can proceed.</i>
<b>Summary of IG advice:</b>		
<b>IG advice accepted or overruled by:</b>	Martin Dickman, Service Director, Neighbourhood Services	<i>If overruled, explain your reasons.</i>
<b>Comments:</b>		
<b>Consultation responses reviewed by:</b>	<i>If applicable</i>	<i>If decision departs from individuals' views, explain your reasons.</i>
<b>Comments:</b>		
<b>DPIA to be kept under review by:</b>	<b>Gary Slee, Enforcement Manager and Janine White, Enforcement Project Manager</b>	<i>IG team may also review ongoing compliance with DPIA.</i>
<b>Date DPIA sent to IG:</b>	<b>30/08/23</b>	

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## Report to Cabinet

<b>Date:</b>	<b>12<sup>th</sup> December 2023</b>
<b>Reference number:</b>	<b>N/A</b>
<b>Title:</b>	<b>Proposed changes to the Waste Access and Acceptance Policy for the Household Recycling Centres (HRC) for charges relating to DIY waste</b>
<b>Cabinet Member(s):</b>	<b>Gareth Williams Cabinet Member for Climate Change and Environment</b>
<b>Contact officer:</b>	<b>Gurbaksh Badhan, Head of Strategic Waste Management and Enforcement (Gurbaksh.Badhan@buckinghamshire.gov.uk)</b>
<b>Ward(s) affected:</b>	<b>All wards</b>
<b>Recommendations:</b>	<p><b>It is recommended that Cabinet approves the following recommendations to take effect from the date of compliance on 31<sup>st</sup> December 2023.</b></p> <ol style="list-style-type: none"><li><b>1. Cabinet agree the principles as set out in the draft Waste Access and Acceptance Policy (WAAP Appendix 1) which stays the same except for charges for non-household waste under the legislative threshold to be removed AND in principle approval of the draft policy in line with changes set out in the legislation.</b></li><li><b>2. To remove the charging for non-household DIY waste for those eligible below the free threshold in line with the legislation for Buckinghamshire Council residents and noting that charging remains in place for above the threshold for all DIY/construction and industrial waste (also known as non-household) for Buckinghamshire users across the HRC network.</b></li><li><b>3. To maintain charging for all waste types for non-Buckinghamshire Council residents across the HRC network and no free thresholds will apply (waste quantity and frequency of visits) unless a service level agreement is in place.</b></li></ol>

4. **That authority is delegated to the Director of Legal Services, Director of Neighbourhood Services and the Head of Strategic Waste Management and Enforcement in consultation with Cabinet Member for Climate Change and Environment to undertake all necessary appropriate steps in relation to finalising and adopting the revised Waste Acceptance and Access Policy (WAAP Appendix 1), after considering relevant Equality Impact Assessment and Data Protection Impact Assessment, and to make necessary changes arising from any enacted legislation.**
5. **To note that the financial implications associated with the recommendations form part of the Council's budget setting processes Medium Term Financial Plan (MTFP) 2024/25–2027/2028.**

**Reason for recommendation:**

1. To prepare for implementation of the Government's legislative changes to introduce reduced charging powers for Waste Disposal Authorities (WDA) and remove charges for waste derived from small scale home improvements (household DIY waste). As a result, the Council's current Waste Access and Acceptance Policy (WAAP) for the Household Recycling Centres (HRC) will need to be amended to accommodate the change. Owing to the tight timeframes for implementation, authority is sought to enable policy changes to be made and notification of the change to be managed.
2. The new legislation will come into force on 31<sup>st</sup> December 2023.

**1. Executive summary**

- 1.1 The Council are the Waste Disposal Authority (WDA) and are under a statutory duty to provide HRCs under the Environmental Protection Act (EPA) 1990 Section 51 and the WDA provides 10 sites across the county operated under contract by FCC. Under the EPA 'household' waste has to be accepted without charge at HRCs and the existing legislation allows the WDA to charge for certain 'non-household' or DIY/ construction/ demolition type waste streams. The Council introduced charging for these non-household waste streams in April 2019.
- 1.2 On 18 June 2023, the Government announced their intention to abolish charges on small amounts of DIY wastes brought to HRCs by setting a minimum threshold level to be accepted without charge. On 21 November 2023 the new regulations were laid in Parliament and stated that:

Waste from construction or industrial waste, demolition works, including preparatory works is to be treated as household waste for the purpose of (a) Section 32(2) and (2a) of the Act, (disapplication of Section 34(1) and duty of the occupier of domestic property to transfer household waste only to an authorised person or for authorised transport purposes); and (b) section 51 of the Act (functions of waste disposal authorities, but only where-

  - i. The waste is produced at a domestic property by occupiers of that domestic property carrying out their own construction or demolition works, including preparatory works;

- ii. The waste is not from construction or demolition works, including preparatory works, for which payment has been or is to be made;
- iii. The amount of waste delivered to any disposal site in a single visit is either –
  - a. Less than 100 litres and capable of being fitted into two 50 litre bags OR
  - b. a single article of waste no larger than 2000mm x 750mm x 700mm in size and;
- iv. Waste delivered to waste deposit sites does not exceed four single visits per household in any four week period.

1.3 The current WAAP charges for all non-household waste streams. Under the legislative changes any DIY waste produced by a tradesperson, including landlords, will remain liable to a charge without any free threshold. As such, no changes to WAAP are required in respect of tradespersons or commercial waste. The changes required to WAAP relate only to the charges for Buckinghamshire Council residents for household DIY waste over the free threshold of one load per week at HRCs and non-Buckinghamshire Council residents for all waste types. Due to the short timeframe, we may not be able to implement a robust management system which would have been more streamlined (likely to centre around a revised version of the Council's current e-permit system) by 31<sup>st</sup> December 2023. We are working on this to understand the requirements in order to implement the new e-permit system and this will be implemented during 2024. We are therefore recommending a phased approach with full implementation no later than the July 2024. This report sets out the changes and how we will implement this.

## **2. Main body of report**

- 2.1 The Council currently operates 10 HRC sites across the county, and around 85-90% of the waste received at these centres (measured by tonnage) is accepted without charge for Buckinghamshire residents as household waste. However, since 2019 a range of DIY type materials (construction, demolition, and landscaping) have incurred a charge. The Council is currently permitted to charge for these streams as they are considered non-household waste streams under the existing Controlled Waste Regulations 2012.
- 2.2 The Council introduced charging for non-household waste streams in April 2019 as a key part of financial savings with a range of measures including reducing opening hours at all HRCs, reducing opening days at some HRCs from 7 days to 5 days per week and the closure of Bledlow HRC. This was designed as a MTFP requirement to reduce costs by over £1m.
- 2.3 Since charging for DIY waste was introduced, payment transactions number in the region of 50,000 per annum, which would indicate that around 1 in 20 HRC users/ visitors are bringing in such waste. The HRC sites receive over 1.2 million visits per annum.
- 2.4 On 18<sup>th</sup> June 2023, the Government announced that it "...will abolish the fees which some local authorities charge for disposing of DIY waste at household waste recycling centres (HWRCs). This will support householders to dispose of their waste in a responsible manner and encourage recycling". The Government believes that "This will make it much easier and cheaper for people making home improvements to get rid of their waste – and may reduce the temptation to use waste cowboys who fly-tip rubbish".

- 2.5 To apply this change, the Government has amended the existing Controlled Waste Regulations 2012 (CWR). In summary these changes have the following key principles and implications for the Council.
- a. Clarification that home improvement works undertaken by a tradesperson, including landlords, would not fall under the changes and can still be charged for in full without any free threshold limits;
  - b. Small-scale household DIY projects will have a set legislative de-minimus level which is required to be accepted for free within a set frequency of visits and volume of waste permitted, please see Appendix 5 for further information. The Council would therefore be able to charge for waste exceeding the de-minimus threshold (large-scale DIY projects). The threshold set as waste delivered in a single visit that does not exceed the equivalent of the following:
    - Less than 100 litres and capable of fitting into two 50 litre bags OR a single article of waste no larger than 2000mm x 750mm x 700mm in size.
- In addition, waste delivered to waste deposit sites does not exceed four single visits per household in any four week period.
- c. The Government believe that a limit is necessary to prevent abuse of the system by traders who should be paying for waste disposal;
  - d. The Council can charge for all waste types including all DIY waste for non-Buckinghamshire users across the HRC network unless a service level agreement is in place with the relevant neighbouring authorities;
  - e. Commercial construction and industrial waste will continue to be subject to charges with no free threshold limits.

- 2.6 The Government introduced secondary legislation in the form of a Statutory Instrument (SI) on 21<sup>st</sup> November 2023 to amend the CWR. Please see Appendix 5. To ensure that we are ready to implement the new changes by 31<sup>st</sup> December 2023 a decision is sought to agree a draft WAAP, please see Appendix 1 for further information. Officer delegations are sought to finalise WAAP taking into account any EqIA and DPIA assessments.

#### **Proposed new DIY permit**

- 2.7 Since October 2006 there has been a waste access and acceptance policy (WAAP) in place at all of the Councils HRCs. The WAAP sets out the rules that govern how the HRC sites operate and as such will be the document that will need to change to incorporate the legislation changes enabling charging only for household DIY waste above the free threshold level at all of Buckinghamshire Council's HRCs.
- 2.8 The WAAP requires specific changes to introduce the legislative changes. The proposed recommendations in this report have been reflected in the draft WAAP, please refer to Appendix 1. Below is a summary of the proposed updates and supported by recommendation 1:
- Removal of charges for household DIY waste from Buckinghamshire Council residents for the minimum threshold allowed by legislation.

- A new DIY waste e-permit to be introduced to facilitate and support identification of those eligible below the free threshold and charging remains in place for above the threshold for all household DIY/construction and industrial waste (also known as non-household).

The following aspects of the WAAP are to remain and continue in place:

- Non-Buckinghamshire households: Controls for cross border use to be managed part through direct administrative arrangements with neighbouring local authorities and part through the charging for non-household waste.
- Charging non-Buckinghamshire users for waste acceptance and access for all waste types.
- Commercial waste from landlords and traders will be charged in full with no free threshold.

### Proposed administration of new DIY e-permit

2.9 An example of how the free threshold eligibility would work in practice is set out below.

Step 1: A customer will apply for an e-permit on the Council website. If householders do not have an e-permit when visiting the HRC, staff will ask householders to park up on site and complete an e-permit before depositing of waste. If this is not possible, staff will require householders to complete an e-declaration otherwise they will not be able to dispose of any household DIY waste.

Step 2: The customer enters basic details to ensure they are using the right service and are abiding by the WAAP. The customer will be advised that the DIY waste e-permit allows free disposal of household DIY waste up to:

- a. One visit with;
- b. One load - One load is defined as up to 100L (loose waste capable of being fitted into two 50L rubble bags);
- c. **OR** one large item 2m x 0.75m x 0.70m. These loads are examples of total size. Residents will likely bring waste in smaller bags or larger items broken up.
- d. Part loads will be classed as a full load for the free threshold limits. Site staff will make the final decision as to the total volume of waste.

Step 3: The permit is valid for 7 days. The customer will receive an electronic copy of their DIY e-permit to their email inbox.

Step 4: Customer arrives on site, shows their proof of address and DIY waste e-permit to the member of staff at the entrance. Site staff will estimate the volume of DIY waste and how many loads it constitutes. Standard containers of 25ltrs can be used in the case customers disagree.

Step 5: Site staff will scan the DIY waste e-permit to register the visit and the quantity of DIY waste.

Step 6: If householders have exceeded their free allowance, they can either:

- a. Wait until the 7 day period ends and then renew their household DIY waste e-permit, before visiting again, or
- b. Pay for the extra household DIY waste, over the free allowance, they would like to bring.

Step 7: The DIY waste e-permit automatically ends after 7 days. A customer can renew a DIY waste e-permit at any stage after the 7 days have passed.

- 2.10 To implement these changes, it will be necessary to create a new household DIY Waste e-permit, alongside the existing permits. We have worked closely with the web development team to create a new e-permit. The new permit will be ready by the 31<sup>st</sup> December 2023.
- 2.11 There would be an increase in the number of HRC users that would need to use the household DIY e-permit before visiting the HRCs, many having never used the e-permit system before. The design of the household DIY e-permit will be as streamlined as possible, without losing the essential monitoring and deterrence functions. Given the short timescales there are streamlining limitations, for example the household DIY waste e-permit will be in addition to any other permits, which will mean some residents require two permits (e.g., for household DIY waste and a large trailer). Additional functionality to streamline the whole e-permit system can be accommodated into the new CRM updates due in Summer of 2024 and may incur between £8,000-£16,000 in one-off development costs.

The Councils e-permit system is currently used to control commercial type vehicles, those arriving on foot or with a large trailer. The e-permit system is considered to be a proportionate control measure to monitor suspected commercial abuse, whilst still being convenient for the vast majority of residents. This means any Buckinghamshire resident or neighbouring authority with a service level agreement (SLA), such as Slough Borough Council, would need to apply for the permit in advance of delivering the household DIY waste to the HRCs. No DIY waste would be accepted without an e-permit or charges maybe applicable. This is supported by recommendation 1.

### **Cross Border Usage**

- 2.12 It is recognised that, in some locations, the network of Buckinghamshire HRCs is more convenient for non-Buckinghamshire residents to access compared to similar facilities within their own administrative area. The Council is not encouraging “out of area” users to use its HRCs.
- 2.13 It is recommended that charges are introduced for non-Buckinghamshire residents, in accordance with powers set out in Paragraph 51(3) of the EPA 1990, rather than prohibit use of the HRC amenities, unless a service level agreement is in place with the relevant neighbouring authorities, such as with Slough Borough Council. The Council can introduce charges for non-Buckinghamshire residents across all HRCs for waste acceptance and access for all waste types outside of its administrative area including DIY waste and no free threshold will apply. E-Residency checks in place across all HRCs e-permits will not be required for non-Buckinghamshire residents as there is no risk of abuse given that all waste types are charged for.

### **Historic Waste Volumes and Visitors across the HRCs**

- 2.14 Since 2019 waste volumes have reduced by 42% and visitor numbers have also reduced by approximately half a million per year (see Appendix 2 – Table 1, Fig 1 and Table 2, Fig 2). Both these changes correlate to when charging was introduced for DIY waste. It is difficult to accurately predict the full extent and impact of those new changes and whether it will fully reverse these numbers,

however, it is reasonable to assume waste volumes and visitor numbers across the HRC network will increase following the Governments changes.

- 2.15 It is likely (though difficult to prove) that a lot of the waste that was handled at the HRCs prior to 2019 was in fact from commercial/ trade sources. The trends and patterns from historic tonnages show there is an increased risk that the Council will again be managing commercial waste for free, which local authorities have no duties to do so. The Council is able to charge for commercial waste brought in by a tradesperson, including landlords with no free threshold limits.

### **Fly-Tipping**

- 2.16 Based on past experience the Council does not expect to see a decrease in fly-tipping with the Government's changes. Since 2020 some 47% of fly-tips investigated have involved trade waste (which was never 'free') and 46% involved only waste which the householder could have recycled free of charge had they chosen to do so. 93% of investigated fly-tips were unaffected by any charges at the HRCs. Only 7% included at least one chargeable item that was found dumped – even here it was just a portion of the fly tip, for instance in a carload of waste with a single tyre or other similar chargeable item.
- 2.17 The complexities around implementing the legislation changes could be compounded when a trade person offering discounts for commercial work if the householder brings it along to an HRC. The legislation change proposals are highly likely to increase taxpayer's costs for the disposal of commercial waste, the Council should consider robust enforcement as part of the draft WAAP policy (Appendix 1)
- 2.18 In June 2021 Waste Resources Action Programme (WRAP) published a report, 'The relationship between fly-tipping rates and HWRC charging' which concluded there was no link between charging and fly-tipping at recycling centres. The research also considered a range of other factors such as deprivation - again the report did not find evidence that HRC charging is associated with higher rates of fly-tipping. In April 2022 the National Audit Office (NAO) called on the government to "better understand the relationship" between landfill tax rates and incentives to commit waste crime. The NAO warns that organised crime groups are becoming "more involved" in the waste sector.
- 2.19 Five recommendations are proposed in this report covering the changes required, which can be summarised as follows:
- i. Implement free disposal of household DIY waste materials up to the threshold levels (as detailed earlier). This will allow Buckinghamshire residents and neighbouring authority residents who have an SLA in place (Slough Borough Council) the free threshold of household DIY waste and charges would apply above the threshold.
  - ii. Retain charging non-Buckinghamshire users for all waste types and access with no free threshold limits. There are lower risks, lower opportunity for commercial abuse and lower financial implications with this option Due to the short timeframe with legislation only being enacted on 21<sup>st</sup> November 2023, we may not be able to implement a robust management system to operate and enforce the new charging



principles by 31<sup>st</sup> December 2023. It is therefore proposed to implement a phased approach with full implementation no later than July 2024.

- iii. Amend and update the revised draft WAAP.

2.20 The central Pros and Cons of the recommendations can be summarised as follows:

- i. Pros – Makes full use of the threshold limit and includes the most sophisticated operation and enforcement processes and therefore has the lowest risk of abuse by traders and the lowest cost impact to the Council.
- ii. Cons – Implementation of a new enforcement and monitoring system as part of WAAP is more complex and will take time to implement. In particular, in the short term there are risks over the ability to implement by 31<sup>st</sup> December 2023.

Cons – Increase in customer contact both online and at the Customer Service Centre and there is likely to be an increase in complaints.

Cons - Additional functionality likely required to streamline the whole e-permit system and may incur between £8,000-£16,000 in one-off development costs.

### 3. Other options considered

**Option A: Do nothing.** This would mean no changes would be implemented in line with the legislation. This is not a recommended option.

Pros – No resource cost implications to implement.

Cons – The Council would be acting outside its legal powers which would result in reputational, legal, and financial consequences for not complying with the legislation.

**Option B: Remove all charges for construction and industrial waste (household DIY waste).** This would mean all household DIY waste is allowed in for free across all the HRCs, no visitor frequency limits, or volume restrictions would apply. This is not a recommended option.

Pros – No control measures at the site entrance which will make it easier for HRC site users. Customers would prefer this option.

Cons – There would be congestion at the sites and there would be cost implications of up to circa £1.8m per annum. It is likely a large portion of this cost will come from abuse by commercial/ trade persons and landlords.

**Option C: Control the quantity of household DIY waste allowed in for free, apply charges above threshold and not monitor the frequency of visits of householders.** There are risks and financial implications related to commercial abuse with this option because the frequency of visits is not being monitored. This is not a recommended option.

Pros – Allows limited enforcement of the scheme. Customers would prefer this option.

Cons - Likely to be significant costs as there is only limited capacity for controlled household DIY waste. Implementation of a new enforcement and monitoring system as part of WAAP.



**Option D: Control the frequency of visits of Buckinghamshire residents and Local Authorities with an SLA in place (Slough Borough Council) for household DIY waste but apply no limit to the quantity accepted without charge.** There are risks and financial implications related to commercial abuse with this option because the quantity of household DIY waste is not being monitored. This is not a recommended option.

Pros – Allows for limited enforcement of the scheme.

Cons – Likely to be significant costs as there is limited capacity for controlled waste and if frequency of visits is not monitored and charges applied as part of this process there is increased risk of commercial operators benefitting from the householder concession and loss of revenue for excess deposits. Implementation of a new enforcement and monitoring system as part of WAAP.

## 4. Legal and financial implications

### Legal Implications

- 4.1 The Council's HRC service is provided under the Environmental Protection Act 1990. Section 51 requires the Waste Disposal Authority (WDA) to arrange for places to be provided at which residents may deposit household waste and for the disposal of any waste deposited. The arrangements should secure that each place is:
- a. Situated within the area or so as to be reasonably accessible to persons resident in its area;
  - b. Available at all reasonable times (including at least one period on the Saturday or following day or each week, except the 25<sup>th</sup> December or 1<sup>st</sup> January); and
  - c. Available for the deposit of waste free of charge by residents.

However, the arrangements may restrict the availability of specified places to specified descriptions of waste.

- 4.2 The WDA may also include arrangements for the HRCs provided under s.51 to be available for the deposit of household or other controlled waste by other persons on such terms as to payment (if any) as the authority determines.
- 4.3 Household waste is defined in the Controlled Waste (England and Wales) Regulations 2012. Construction and industrial waste is defined as industrial waste, regardless of whether it is produced from domestic premises or not. However as from 31 December 2023 the new legislation disapplies the definition in relation to household DIY waste up to the thresholds set out in the main body of the report so that it is treated as household waste.
- 4.4 The Local Authorities (Prohibition of Charging Residents to Deposit Household Waste) Order 2015 prohibits WDAs from charging its own residents to enter into, or exit from, a HRC or deposit household waste at an HRC. This prohibition will apply to the below threshold DIY waste as this is treated as household waste.

## Financial implications

- 4.5 The implementation of changes are not anticipated to have a significant cost as essentially, they are administrative changes to existing systems. However, further enhancements to the new Abavus platform once it is launched in July 2024, may cost in the region of £8,000 dependant on the complexity. Changes to tonnages into the HRCs could be significant and in the worst-case scenario, it is estimated the Council will see an increase of 27,000 tonnes on top of the current approximate 50,000 tonnes per annum that the HRCs currently handle across all waste streams. This additional tonnage is made up of the chargeable materials along with residual waste and wood waste.
- 4.6 The financial implications of these changes (recommendations 1-5) are set below and are based on the following key assumptions:
- It is assumed that there will be a 50% increase in the amount of new household DIY type waste coming into the site for free, which equates to approx. 6,500 tonnes of household DIY waste, alongside an additional 7,000 tonnes of other waste streams, this is based on historic volumes between 2015/16-2018/19.
  - It is assumed that a significant but unknown proportion of this additional waste is commercial waste which will find its way into the HRC network and/or disposal costs (assumed within the 50%). Currently this waste is likely to be finding legitimate, alternative routes such as skip hire, skip bags etc. (monitored through historic waste volumes and actual waste volumes across collection and disposal).
- 4.7 Using the assumptions set out above the impact of the new legislation on the current costs for disposal and loss of income are set out in table 3 below. The low-risk numbers represent the envisaged costs of implementing recommendations 1-5;

**Table 3 MTFP proposals considering the legislation implications across treatment and disposal contracts**

Contracts		MTFP 2024/25 £	MTFP 2025/26 £	MTFP 2026/27 £	MTFP 2027/28 £
HRC	Low Risk	321,693	331,344	337,971	344,730
	High Risk	643,386	662,688	675,942	689,460
Green Food Bulky Wood Waste	Low Risk	136,012	140,093	142,895	145,752
	High Risk	272,025	280,185	285,789	291,505
Energy from Waste	Low Risk	384,701	396,242	404,167	412,251
	High Risk	769,403	792,485	808,334	824,501
Total	<b>Low Risk assumed in MTFP proposal</b>	<b>842,407</b>	<b>867,679</b>	<b>885,033</b>	<b>902,733</b>
	<b>High Risk unbudgeted in MTFP proposals</b>	<b>1,684,814</b>	<b>1,735,358</b>	<b>1,770,065</b>	<b>1,805,467</b>

## 4a Director of Legal & Democratic Services comment

The Director has read the report and comments have been incorporated accordingly.

## 4b Section 151 Officer comment

The Director has read the report and comments have been incorporated accordingly.

## 5. Corporate implications

5.1 Corporate implications have been considered as below:

- a) Property – no implications
- b) HR – no implications
- c) Climate change

The Household Recycling Centre Service contract has an overall performance target to achieve reuse, recycling, and composting target of 68%. The HRC contract has an aspirational reuse, recycling, and composting performance target of 73% or more. It is reasonable to assume due to the anticipated increased waste volumes, the performance targets may become stretching to contribute to the Climate Change and Air Quality Strategy goals.

If the Council considers it appropriate to deliver higher aspirational performance targets for reuse, recycling, and composting, for example but not limited to climate change, there are envisaged service cost changes which may require the Council to invest. This will be monitored and reviewed as part of the Council's MTFP.

In Monthly and Annual Reports, the Contractor is required to record and report the measurement of performance against agreed carbon metric baselines, to demonstrate agreed improvement against targets over the Contract period. This includes any changes to environmental legislation.

- d) Sustainability

There is a requirement for FCC Waste Services (UK) Ltd to reduce the environmental impact of the services provided during the contract term. The solutions align with both the proximity principle and reducing vehicle emissions, therefore reducing transportation requirements i.e., carbon, including optimising vehicle routing and how the various waste materials are managed.

The HRC contract requires FCC Waste Services (UK) Ltd to manage recyclable and non-recyclable waste delivered to the HRCs through the most appropriate route, FCC Waste Services (UK) Ltd is required to deliver performance through reuse, recycling, composting and diversion from disposal (landfill and treatment).

- e) Equality

By its nature the changes to the Policy are not expected to have a disproportionate impact on any group with protected characteristics. However protected groups may be affected by the implementation of the changes such as the permit system and when visiting a HRC. As the change to the policy is a legal requirement an Equalities Impact Assessment (EqIA) will be completed so that any impacts of implementation can be identified and considered when putting into place relevant processes and procedures.

- f) Data

More information will be collected from individuals for permit purposes and whilst this is likely to be an extension of the current permit processes further consideration of how this information will be used, especially in relation to identifying potential evasion of charges, is ongoing. A Data Protection Impact Assessment (DPIA) is currently being drafted and refined to be used in the design of and /or change to the permit system.

g) Value for Money

The recommendation provides an acceptable balance between value for money (VfM) and service provision requirements compared to other options considered.

h) Health and Safety

Body Worn Video (BWV) are worn by HRC site staff for conflict management and handling for customers and site staff. The recordings can be used to help undertake incident investigations for example, customer complaints, abusive threatening behaviour, and crime prevention. There are relevant notices and signage at each HRC site to confirm that this activity is being undertaken.

## **6. Local councillors & community boards consultation & views**

- 6.1 The WAAP is an adopted policy by the Council and was last reviewed January 2023, the fees and charges are reviewed annually as part of MTFP and budget setting cycle, including budget consultation. We will also include updates to local Councillors & Community Boards as part of the communications plan. We expect to engage on key points of how we communicate and the details of the proposed implementation.

## **7. Communication, engagement & further consultation**

- 7.1 The outcome of the decision will be communicated clearly to all stakeholders. A high-level communications plan is being developed and will be completed with detailed methods of engagement as soon as implementation plans are finalised (post decision). Stakeholders include:

- Residents
- Parish and Town Councils and elected Members
- BC Teams – Waste, Customer Services, Business Support, Communications, Libraries
- FCC Environment and site staff – on site digital signage
- Local and Social Media
- Neighbouring Local Authorities

- 7.2 As part of the annual customer satisfaction survey, we will gauge resident awareness of the changes, satisfaction with the new system and any changes in behaviour as a result. The survey is conducted in May/June and can be compared to previous annual surveys.

## **8. Performance Review**

8.1 Post implementation of the changes, a review will be undertaken approximately in 6 months' time, July 2024 onwards. The performance review will consider the use of the household DIY permit, overall e-permit system, staff feedback, impacts of any abuse of the system and consider any further necessary changes.

8.2 The performance review will consider the following information:

- Monitoring systematic abuse from information obtained from the e-permit system;
- Monitoring site staff checks and contractor feedback (ID/residency checks, declarations, contract reporting and monitoring information);
- Monitoring visitor and tonnage numbers;
- Monitoring financial implications;
- Monitoring customer contacts and feedback, including from Slough Borough Council;
- Monitoring fly-tipping.

## 9. Next steps and review

9.1 Following the decision being made the following next steps will be actioned:

Next step	Indicative date
Cabinet meeting	12 December 2023
Statutory Instrument (legislation) published by Government. Compliance by 31 December 2023.	21 November 2023
Implementation of proposed charging changes to be implemented by the legislation compliance date.	31 December 2023
Key Implementation activities	
Enhancement of e-permit/digital solution to track and monitor control measures.	December 2023
Customer service contact centre – provide FAQs and scripts	December 2023
Prepare site for operational use: <ul style="list-style-type: none"> <li>• FCC Waste Services Ltd (UK) to train HRC staff.</li> <li>• Signage</li> </ul>	December 2023
The Communication plan will target: <ul style="list-style-type: none"> <li>• Residents</li> <li>• Parish and Town Councils and elected Members</li> </ul>	December 2023 – March 2024.  As part of normal business as usual activities there will be ongoing HRC communications related to these changes.

<ul style="list-style-type: none"> <li>• BC Teams – Waste, Customer Services, Business Support, Communications, Libraries</li> <li>• FCC Environment and site staff – on site digital signage</li> <li>• Local and Social Media</li> <li>• Neighbouring Local Authorities</li> </ul> <p>Focussing on key messages:</p> <ul style="list-style-type: none"> <li>• Small amounts of household DIY waste can now be disposed of for free from 31 December 2023</li> <li>• Residents must have a valid household DIY waste e-permit before visiting the site.</li> <li>• Any waste brought over the free allocation will still be charged for.</li> <li>• DIY waste produced by traders at residential properties will be charged for, whoever brings the waste to site.</li> <li>• Communication channels: <ul style="list-style-type: none"> <li>• HRC digital screens</li> <li>• HRC site signage</li> <li>• Press release</li> <li>• Social media</li> <li>• Websites</li> <li>• Google business listings</li> <li>• Waste Wizard updates</li> </ul> </li> </ul>	
<p>Performance review</p> <p>To consider the following information:</p> <ul style="list-style-type: none"> <li>• Monitoring systematic abuse from information obtained from the e-permit system;</li> <li>• Monitoring site staff checks and contractor feedback (ID/residency checks, declarations, contract reporting and monitoring information);</li> <li>• Monitoring visitor and tonnage numbers;</li> <li>• Monitoring financial implications;</li> </ul>	<p>July 2024 onwards</p>

- |  |  |
|--|--|
| <ul style="list-style-type: none"><li>• Monitoring customer contacts and feedback, including from Slough Borough Council;</li><li>• Monitoring fly-tipping</li></ul> |  |
|--|--|

## 10. Background papers

10.1 The following background papers are included with this report:

**Appendix 1:** DRAFT Waste Access and Acceptance Policy WAAP 2023

**Appendix 2:** Tonnage and Visitors across all HRC Sites per annum

**Appendix 3:** HRC Charging Changes - Equality Impact Assessment Screening Questionnaire

**Appendix 4:** HRC Charging Changes - Data Protection Impact Assessment Screening Questionnaire

**Appendix 5:** The Controlled Waste Regulations – Statutory Instrument

## 11. Your questions and views (for key decisions)

11.1 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. This can be done by email to [democracy@buckinghamshire.gov.uk](mailto:democracy@buckinghamshire.gov.uk).

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# Buckinghamshire Council Household Recycling Centres

## Appendix 1 - Draft Waste Access and Acceptance Policy (WAAP)



**Effective Date: 31<sup>st</sup> December 2023**

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## 1. Introduction

1.1 The purpose of this document is to set out Buckinghamshire Councils (the Council) approach to the disposal of waste at its Household Recycling Centres (HRCs). This policy<sup>1</sup> details the following:

- Opening days and hours;
- Permitted users of the sites;
- Access criteria, including permitted vehicles;
- Charging where applicable for users at all sites; and
- Waste electronic-permits (E-permits).

1.2 There are a number of terms used to describe household DIY waste. Household DIY waste is also referred to as Construction & Industrial (C&I) waste and Construction & Demolition (C&D) waste.

1.3 The appendices include further details relating to categories of waste, exemptions, and restrictions and charging schemes.

1.4 The principles of this policy are to:

- Help protect the environment by promoting waste prevention and waste minimisation messages;
- Provide cost effective facilities for disposal of waste that are sustainable (includes consideration of fly-tipping) and maximise the re-use and recycling of waste;
- Provide sustainable waste management solutions in a cost-effective manner for Buckinghamshire Council taxpayers.

1.5 This policy applies to waste disposal activities within the administrative boundary of Buckinghamshire Council (which excludes Milton Keynes).

1.6 This policy is made in accordance with the main legislative frameworks which include the following:

- The Environmental Protection Act (EPA) 1990
- The Controlled Waste (England and Wales) Regulations (CWR) 2012. The Government introduced secondary legislation in the form of a Statutory Instrument on 21<sup>st</sup> November 2023 to amend the CWR in respect to construction & industrial waste (C&I)/household DIY waste. The changes relate

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<sup>1</sup> The WAAP was introduced in October 2006 and has been regularly reviewed and updated accordingly.

to a free threshold on quantity of C&I/ household DIY waste and frequency period of visits. <sup>2</sup>

1.7 In addition, this policy takes account of statutory and non-statutory guidance and best practice including:

- Energy from Waste: A guide to the debate: Department for Environment Food & Rural Affairs (DEFRA, 2014)
- Our Waste, Our Resources: A Strategy for England: Department for Environment Food & Rural Affairs (DEFRA, 2018)

1.8 Finally, this policy sits alongside other Buckinghamshire policies relating to waste, as follows:

- Joint Waste Strategy for Buckinghamshire 2014-2020<sup>3</sup>.
- The Buckinghamshire Minerals and Waste Local Plan 2016-2036 (adopted July 2019)<sup>4</sup>.
- Buckinghamshire Council Fly-tipping Enforcement Policy<sup>5</sup>

## 2. Context

2.1 As part of its overarching Waste Strategy and its principle of helping to protect the environment by prevention and minimisation of waste, the Council seeks to prevent and reduce waste in accordance with the following waste hierarchy. The Council encourages Buckinghamshire residents to support this waste hierarchy which ranks the various waste management options in order of environmental impact. This is the basis of Buckinghamshire Council's Waste Management communication plan. The waste hierarchy is based on environmental foot printing, it sits within the wider circular economy approach to managing resources and is widely accepted by experts in the waste industry:

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<sup>2</sup> [The Controlled Waste \(England and Wales\) \(Amendment\) \(England\) Regulations 2023 \(legislation.gov.uk\)](#).

<sup>3</sup> <https://www.recycleforbuckinghamshire.co.uk/media/1691/joint-waste-strategy-2014-20.pdf>

<sup>4</sup> <https://www.buckinghamshire.gov.uk/planning-and-building-control/planning-policy/minerals-and-waste/>

<sup>5</sup> <https://www.buckinghamshire.gov.uk/waste-and-recycling/waste-policy-documents/fly-tipping-enforcement-policy/>



Figure 1: Waste Hierarchy

- 2.2 Prevention and minimisation - The most effective way of reducing our environmental footprint is by preventing and minimising the amount of waste we create in the first place. Residents are encouraged to do this by, for example, shopping smart and home composting.
- 2.3 Re-use - We can re-use many items ourselves; alternatively, there are numerous re-use opportunities that exist in Buckinghamshire. These are good places to contact other people and organisations that may have use for unwanted items, for example charity shops and online re-use forums. The Council has re-use shops at Aston Clinton and High Wycombe HRCs and re-use items are accepted at all of the Council's HRCs. HRC staff will make decisions on whether items are re-useable or not. Site staff, users and visitors are not authorised to sell or barter. The only sales permitted at HRCs are those from HRC re-use shops.
- 2.4 Recycle - Many items can be recycled, and the Council provides collection services for recycling materials from residents' kerbside. The Council provides HRCs for residents to recycle items which may / may not be accepted through kerbside collection schemes. Further information can be found on the Council's website<sup>6</sup> and digital 'Waste Wizard' tool<sup>7</sup> which helps residents to decide what to do with different types of waste to encourage more recycling.
- 2.5 Energy recovery - the Council has invested in energy recovery through its Energy from Waste facility at Greatmoor. The facility thermally treats up to 300,000 tonnes of residual waste per annum generating electricity transferred into the national grid. This waste comprises of both household and commercial waste that would otherwise be disposed of in landfill sites.

<sup>6</sup> <https://www.buckinghamshire.gov.uk/waste-and-recycling/>

<sup>7</sup> <https://www.recycleforbuckinghamshire.co.uk/waste-wizard/>

- 2.6 In accordance with the principle to provide cost effective facilities for disposal of waste that are sustainable and maximise re-use and recycling of waste, the Council has taken in to account its current population, geographic factors, and future housing growth.
- 2.7 Buckinghamshire covers an area of around 1,565km<sup>2</sup>. The total population of Buckinghamshire is 547,060 (2020). The population is projected<sup>8</sup> to increase by 19,300 (3.5%) from 2020 to 2030. This figure could be higher if new dwellings continue to be built in the administrative area. There is, on average, 350 residents for every km<sup>2</sup> in Buckinghamshire.
- 2.8 The Council makes provision for re-use, recycling, treatment, and disposal of a wide range of household waste across its HRC network. There are also a number of voluntary and third sector organisations that provide networks for re-use of unwanted household items.
- 2.9 The Council is required to produce development plans which set out planning policies for the local area. These plans also allocate areas for future development and identify areas that should be protected from development.

The development plans usually include:

- Local plans
- Mineral and waste plans<sup>9</sup>
- Neighbourhood plans<sup>10</sup>

The plans provide allocations and supporting policies to develop future HRCs closely aligned to future growth areas.

- 2.10 In the long term it is recognised there is planned to be considerable future growth within the administrative area. This matter will be considered by the Council in order to plan for HRC site betterment for the medium to long term.

### **3. Statutory Requirements**

- 3.1 The Council's HRC service is provided under the EPA 1990, section 51 as follows:

- (1) It shall be the duty of each waste disposal authority to arrange —  
(b) For places to be provided at which persons resident in its area may deposit their household waste and for the disposal of waste so deposited;

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<sup>8</sup> Data sourced from the Office of National Statistics

<sup>9</sup> [Buckinghamshire Minerals and Waste Local Plan \(buckinghamshire.gov.uk.s3.amazonaws.com\)](https://www.buckinghamshire.gov.uk/s3.amazonaws.com/Buckinghamshire%20Minerals%20and%20Waste%20Local%20Plan)

<sup>10</sup> [Neighbourhood plans | Buckinghamshire Council](#)

- (2) The arrangements made by a waste disposal authority under subsection (1) (b) above shall be such as to secure that—
- (a) Each place is situated either within the area of the authority or so as to be reasonably accessible to persons resident in its area;
  - (b) each place is available for the deposit of waste at all reasonable times (including at least one period on the Saturday or following day of each week except a week in which the Saturday is 25<sup>th</sup> December or 1<sup>st</sup> January);
  - (c) Each place is available for the deposit of waste free of charge by persons resident in the area;
- But the arrangements may restrict the availability of specified places to specified descriptions of waste.
- (3) A waste disposal authority may include in arrangements made under subsection (1) (b) above arrangements for the places provided for its area for the deposit of household waste free of charge by residents in its area to be available for the deposit of household or other controlled waste by other persons on such terms as to payment (if any) as the authority determines.

3.2 As part of its principle of reducing the cost of waste disposal to Buckinghamshire taxpayers, the Council reviewed the number of HRCs that are necessary to ensure they are cost effective and at a place that is reasonably accessible. In determining the number and location of sites, the Council has taken account of the following:

- drive times for residents to their nearest sites and alternatives (county-wide)
- haulage and waste transfer logistics
- cost per tonne of running each site
- possible fly-tipping impacts
- estimated savings compared to other options
- visitor numbers
- future housing growth (and ability for each site to handle this growth)
- legislative compliances
- deliverability
- traffic counters
- waste tonnages & trends
- service costs
- benchmarking against other HRC services
- industry best practice
- annual Buckinghamshire HRC customer satisfaction surveys

This list is not exhaustive; it provides an overview of the scope of information used to help inform the decisions taken.

3.3 Household waste means waste from a domestic property which is used wholly for the purpose of living accommodation, a caravan situated on a caravan site, a residential home, education premises and certain hospitals and care homes. The Controlled Waste (England and Wales) Regulations (CWR) 2012 (and subsequent amendments to the Statutory Instruments) provide a definition of Household Waste and those categories that can be subject to a collection charge and a disposal charge if collected from the property and a disposal charge if brought to an HRC. Household waste for which no disposal charge can be levied is as follows:

- Articles of household waste, including those which exceed 25kg in weight or does not fit into the receptacle provided for collection from the home;
- Garden waste;
- Dead domestic pets;
- Waste oil or grease;
- Asbestos, where this is waste from a domestic property not connected to construction or industrial works;
- Waste from premises used wholly or mainly for public meetings;
- Clinical waste and offensive waste produced at a domestic property, a caravan or a vehicle or vessel used wholly for the purposes of living accommodation;
- Waste from a residential hostel;
- Waste from a charity shop selling donated goods originating from domestic property, but only for that waste that originated from a domestic property; and
- Waste from premises occupied by a community interest company or charity or not for profit body which collects goods for re-use or waste to prepare for re-use from domestic property, but only for that waste that originated from a domestic property.

3.4 At the time of writing this a disposal charge can be levied for the following categories of household waste (CWR 2012):

- Waste from a charity shop selling donated goods, but only to the extent that the waste originated from a non-domestic property;
- Waste from premises occupied by a community interest company or charity or not for profit body, which collects good for re-use or waste to prepare for re-use, but only to the extent that the waste originated from non-domestic property;
- Litter and refuse collected under section 89(1)(f) of the EPA 1990;
- The non-Buckinghamshire resident's user charging regime flows from an interpretation of The Local Authorities (Prohibition of Charging Residents to Deposit Household Waste) Order 2015, which prohibits a charge being levied to Buckinghamshire residents within the administrative area. Non-Buckinghamshire resident users- can be charged. This charge is for non-



Buckinghamshire resident users entering and exiting the HRCs. For further details please refer to paragraph A5.3.

- Waste from a residential home or land belonging to or wholly or mainly used in connection with a residential home;
- Waste from premises forming part of a university, school, or other educational establishment, but subject to paragraph 4(8) of the CWR 2012 Regulation; and
- Waste from a penal institution.

3.5 Construction and industrial waste arising from preparatory works at domestic premises constitutes industrial waste. Further details of what the Council classifies as construction and industrial waste are provided in Table 1 below. The Council has agreed to accept construction and industrial waste from domestic properties at its HRCs in line with legislative changes<sup>11</sup> (a free limit accepted of C&I/household DIY and a frequency period for free) and then on payment of a reasonable charge to cover the cost of dealing with and disposing of this type of waste.

3.6 Table 1 provides a non-exhaustive list of examples of the types of materials which the Council will accept free of charge at HRCs, and those for which charges can be levied.

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<sup>11</sup> [The Controlled Waste \(England and Wales\) \(Amendment\) \(England\) Regulations 2023 \(legislation.gov.uk\)](#).

Table 1 – Categories of waste which will/will not be accepted free of charge to Buckinghamshire residents within the administrative area to the HRCs

<b>Materials which are accepted <u>free of charge</u></b>	<b>Materials for which <u>charges could be levied above the free limits</u> (legislation states quantity and frequency of visits for free, charges can be levied above the free threshold)</b>
<p>All household waste delivered by residents to the HRCs, including but not limited to:</p> <ul style="list-style-type: none"> <li>• Small recyclables:</li> <li>• Cardboard;</li> <li>• Paper;</li> <li>• Cans;</li> <li>• Glass;</li> <li>• Plastic bottles;</li> <li>• Drinks cartons / Tetra-pak;</li> <li>• Textiles and shoes;</li> <li>• Books;</li> <li>• Green (garden) waste;</li> <li>• Metal;</li> <li>• Large and small electrical domestic appliances;</li> <li>• Hazardous household wastes:</li> <li>• Chemicals;</li> <li>• Paint;</li> <li>• Fridges and freezers;</li> <li>• Televisions and monitors (CRT);</li> <li>• Fluorescent tubes;</li> <li>• Batteries (domestic);</li> <li>• Dense plastics;</li> <li>• Carpet (TBC);</li> <li>• Mattresses;</li> <li>• Furniture;</li> <li>• Black-bag waste containing general waste</li> </ul>	<p>Waste resulting from construction and industrial/ household DIY waste:</p> <ul style="list-style-type: none"> <li>• Fence and shed panels;</li> <li>• Ceramic tiles (all types);</li> <li>• Bathtub;</li> <li>• Toilet;</li> <li>• Cistern;</li> <li>• Basin;</li> <li>• Bidet;</li> <li>• Shower trays;</li> <li>• Shower screen;</li> <li>• Drainage and sewer pipes;</li> <li>• Doors and windows;</li> <li>• Fitted kitchen units;</li> <li>• Insulation material;</li> <li>• Roofing materials including felt, guttering and tiles;</li> <li>• Inert material such as rubble, concrete, breeze blocks, paving slabs, mortar and rendering, bricks, cement board, roof tiles and roof slate;</li> <li>• Plaster and plasterboard;</li> <li>• Laminate flooring;</li> <li>• Linoleum;</li> <li>• Wooden floorboards and skirting boards;</li> <li>• Asbestos resulting from construction or demolition works;</li> <li>• Soil from construction works, including landscaping activities;</li> <li>• Gravel, pebbles, lintels;</li> <li>• Any other building materials;</li> </ul> <p>Other:</p>

	<ul style="list-style-type: none"> <li>• Any DIY works which used the skills of a trades person to undertake and not undertaken by the householder</li> <li>• Tyres</li> <li>• Boilers</li> <li>• Car parts</li> </ul>
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3.7 Clinical waste – as an alternative to disposal at an HRC, the Council collects clinical waste free of charge from domestic premises, for further details please see the Council’s website. For this reason, this waste will not be accepted at the HRCs.

3.8 Domestic Pets (for example, cats and dogs) – as an alternative to disposal at an HRC, for further details please see the Council’s website. This is the responsibility of the owner. For this reason, this waste will not be accepted at the HRCs.

#### 4. Access to the Council’s HRCs

4.1 This section details the location of the Council’s HRCs and some of the user groups who may use the sites. It also describes the restrictions controlling access that apply to HRC sites. Further detail is provided in Appendix A.

4.2 There are ten HRCs located across Buckinghamshire as shown in Table 2.

Table 2- Locations of 10 HRC sites within Buckinghamshire

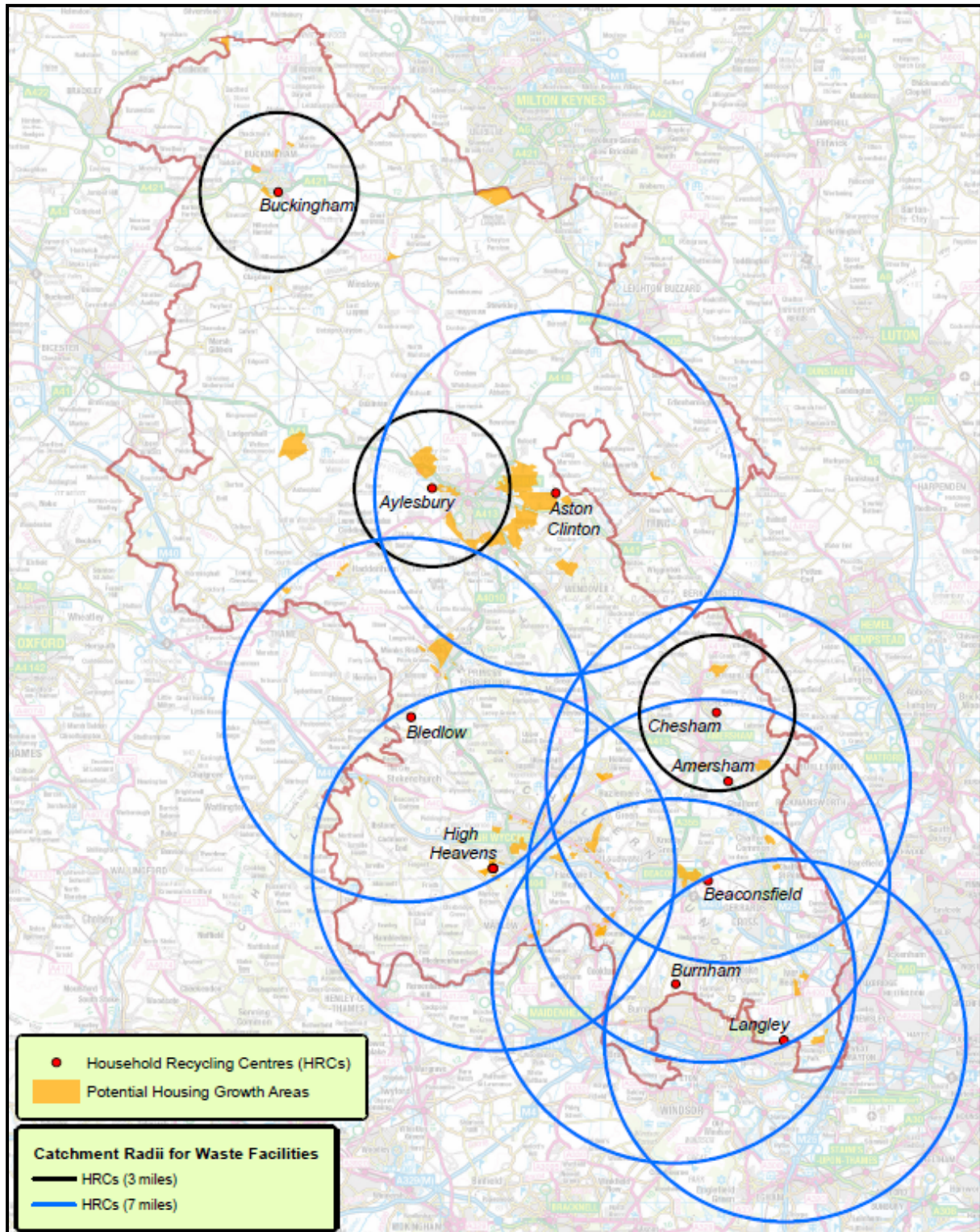
Buckinghamshire Council HRC Sites
<b>Amersham HRC</b> , London Road East, HP7 9DT
<b>Aston Clinton HRC</b> , College Road North, HP22 5EZ
<b>Aylesbury (Rabans Lane) HRC</b> , Rabans Close, Rabans Lane, HP19 8RS
<b>Beaconsfield HRC</b> , A40 London Road, Lower Pyebushes, HP9 2XB
<b>Bledlow Ridge HRC</b> , Wigans Lane, Bledlow Ridge, High Wycombe, HP14 4BH
<b>Buckingham HRC</b> , Yonder Slade, Buckingham Industrial Park, MK18 1RZ
<b>Burnham HRC</b> , Crowpiece Lane, SL2 3TG
<b>Chesham HRC</b> , Latimer Road, HP5 1TL
<b>High Wycombe HRC</b> , High Heavens, Clay Lane, Booker, SL7 3DJ
<b>Langley HRC</b> , Langley Park Road, SL3 6DD

The geographical location of each HRC is show in Figure 2 below which also indicates areas of proposed housing growth and an indication of the catchment area that each HRC serves. This is split into urban (3-mile catchment) and rural (7-mile catchment) sites.

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Figure 2 – The current HRC network distribution model and potential future household growth - 10 HRCs

(Catchment radii range is based on Waste & Resources Action Programme (WRAP) HWRC guidance [2016])



## 5. Enforcement

- 5.1 The HRC staff will check proof of residency and E-permits. Household DIY will apply charges over the free allocation.
- 5.2 The HRC staff will make a decision as to whether charges<sup>12</sup> should be applied or access should be refused. If the decision is that a charge should be levied, which the resident refuses to pay or the individual is not entitled to dispose of waste at the HRC, the individual must leave the site with the waste. Failure to do so, the Council can consider enforcement action, including legal proceedings.
- 5.3 All HRC staff receive bespoke training relating to this policy. This supports a consistent application of working practices across all the HRC sites. Training of staff will be refreshed and updated at regular intervals as appropriate.
- 5.4 Buckinghamshire residents can appeal a HRC staff's decision by writing to: Buckinghamshire Council, Strategic Waste Management and Enforcement, Walton Street Offices, Aylesbury, HP21 1AU or emailing [waste\\_strategy@buckinghamshire.gov.uk](mailto:waste_strategy@buckinghamshire.gov.uk)
- 5.5 Any breach of this policy by users of the Councils HRCs will be reported to Buckinghamshire Council Strategic Waste Management and Enforcement team, which may lead to investigation, access refused to the HRCs, and formal warning / simple caution / issue of fixed penalty / court prosecution should a criminal offence have been committed. Debt recovery measures will also be considered where appropriate.
- 5.6 The Councils E-permit digital system will be used to assess patterns and trends of site users and commercial waste across the ten HRC sites. This is to inform the fees and charges for the HRC service and suspected commercial abuse which could lead users to be refused access to the HRCs.
- 5.7 Automatic Number Plate Recognition (ANPR) systems are installed at the Councils HRCs for the purpose of the prevention and detection of crime. Information obtained from these may be used to aid enforcement agencies in their investigations. CCTV and webcams are also installed for safety, security, and site monitoring. For the purpose of safety, security and investigations site staff may wear body cameras whilst engaging with residents, traders, and other site users.

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<sup>12</sup> <https://www.buckinghamshire.gov.uk/waste-and-recycling/>

5.8 The Council **will not** refund any waste charges if it believes that the charges have been correctly applied by HRC staff.

5.9 Depositing waste outside of designated drop-off or disposal points / containers at any HRC may constitute an offence of fly-tipping and will be investigated by Buckinghamshire Council Strategic Waste Management and Enforcement team for any enforcement action, including possible prosecution. This will be undertaken in accordance with the Fly-tipping Enforcement Policy. The approach to enforcing fly-tipping or related offences will follow that as set out in the Buckinghamshire Council Fly-tipping Enforcement Policy<sup>13</sup> in respect of fly-tipping and ancillary offences. Further details on fly-tipping can be found on the Council website<sup>14</sup>.

## **6. Declaration**

6.1 HRCs will continue to operate a system whereby they may ask any user to complete a Declaration Form. By completing the form, the user confirms that the waste is from their home and not related to a trade or business activity.

6.2 The information recorded on the Declaration Forms will be recorded by the Councils Waste Management Services to review and investigate any suspected misuse, trade abuse and further enforcement action may be undertaken as outlined in 5.9 above.

## **7. Records and Data Protection Act**

7.1 The Council collects personal data as part of its e-permit scheme and declaration process, and through customer surveys, operation of CCTV, body cameras and ANPRs systems at HRCs. The Council will use this information to review site usage and ensure compliance with this policy. Details may also be shared with the Environment Agency and other law enforcement agencies for the purpose of carrying out a statutory function or prevention or detection of crime. A detailed draft Data Privacy Impact Assessment has been undertaken and is available.

## **8. Equalities Act 2010**

8.1 The Equalities Act 2010 aims to prevent disability discrimination and provide protection for disabled people under the law. It also says that people must not be discriminated against or harassed because they are mistakenly perceived to be disabled. This includes legal rights for disabled people accessing goods, services, and facilities. A detailed Equality Impact Assessment has been undertaken and is available.

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<sup>13</sup> <https://www.buckinghamshire.gov.uk/waste-and-recycling/waste-policy-documents/fly-tipping-enforcement-policy/>

<sup>14</sup> <https://www.buckinghamshire.gov.uk/waste-and-recycling/>

## 9. Compliments and Complaints

- 9.1 The Council and our partners continue to aspire to keep Buckinghamshire thriving and attractive; hence we are always seeking new ways of improving customer experience through customer compliments, comments, or complaints.
- 9.2 We will investigate complaints and acknowledge compliments and comments. Contact details are provided on information boards at each HRC site and details of the formal complaints process is published on the Council website<sup>15</sup>.

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<sup>15</sup><https://www.buckinghamshire.gov.uk/your-council/contact-us/>



## Appendix A – Details of HRCs operations

### A1. HRC Opening Hours and Days

- A1.1 Buckinghamshire HRCs are open 7 days a week, except Christmas Day, Boxing Day, and New Year's Day. Aylesbury (Rabans Lane), Bledlow, Burnham and Chesham HRCs offer a 5-day service and are closed on Wednesday and Thursday each week.
- A1.2 Access to HRCs for all users and visitors is only permitted during opening days and hours.
- A1.3 Site opening hours in the summer (1<sup>st</sup> April - 30<sup>th</sup> September) are between 9:00am and 6:00pm and in the winter (1<sup>st</sup> October - 31<sup>st</sup> March) are between 9:00am and 4:00pm. (Aylesbury) Rabans Lane, Bledlow, Burnham and Chesham HRCs offer a 5-day service and are closed on Wednesday and Thursday each week.
- A1.4 Site opening days and times are published on the Council's website<sup>16</sup>, site notices, and site boards and available through the on-site literature.
- A1.5 The Council's HRCs have webcams installed at all sites; this allows customers to plan their visit to our sites using real-time information and see how busy the sites are<sup>17</sup>.
- A1.6 Users will be asked to leave the site by closing time and will be advised 10 minutes before closing as they enter the site.
- A1.7 HRCs may close in exceptional circumstances, such as severe weather, essential maintenance, and unplanned / emergency events.

### A2. Buckinghamshire HRC Users

- A2.1 HRCs within Buckinghamshire are primarily provided for Buckinghamshire residents to dispose of household waste. The Council will permit disposal of prescribed other types of waste, subject to payment of a charge. Details of the charges levied are set out later in this policy.
- A2.2 Landlords should note that waste produced from properties that are rented out and disposed of, by or on behalf of the landlord and works undertaken by a trade's person, is classed as commercial waste and, as such, must be disposed of through a legitimate commercial waste collection / disposal provider and charges are applicable.

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<sup>16</sup> <https://www.buckinghamshire.gov.uk/waste-and-recycling/household-recycling-centres/>

<sup>17</sup> <https://www.buckinghamshire.gov.uk/waste-and-recycling/household-recycling-centres/>

### **A3. Town and Parish Councils**

A3.1 Town and Parish Councils will have access to designated HRCs to deposit specific waste types. These arrangements will be agreed in advance with the Council. All other site access and material restrictions will apply.

### **A4. Charity and other voluntary / non-registered organisations**

A4.1 All charities wishing to use the Council's HRCs for the first time must be registered as licensed waste carriers prior to accessing any HRC. Registration requirements can be viewed online<sup>18</sup> or by calling the Environment Agency (England) helpline on 03708 506506.

A4.2 Charities must show their waste carriers licence or exemption (as applicable) when disposing of waste at a Council HRC.

A4.3 Charities will be required to apply for an E-permit via the Council web portal<sup>19</sup>.

A4.4 We allow charities or not-for-profit organisations to use our household recycling centres to dispose of waste and recycling at: Amersham, Aston Clinton, Aylesbury (closed Wednesday and Thursday) Beaconsfield and High Wycombe. These sites are only available to use from Monday to Friday, they accept larger vehicles up to 7.5 tonnes. Charities will have to enter into an agreement with the Council prior to using the HRCs. In order to use the HRC, the charity must be located in Buckinghamshire, use will be limited to non-hazardous household waste items and charges will be applied for construction and industrial and other waste types such as tyres. Charities cannot dispose of hazardous waste such as electrical items, oils, chemicals, or asbestos.

### **A5. Non-Buckinghamshire households**

A5.1 It is recognised that in most cases residents will use HRCs that are closest to their household; hence there will be some cross-border use of HRCs.

A5.2 The Council may set up Service Level Agreements (SLA) with neighbouring authorities for cross-border access to ensure the costs of provision of the HRCs are shared fairly. The Council has an SLA with Slough Borough Council (SBC), and residents of SBC will be subject to the same restrictions as Buckinghamshire Council residents.

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<sup>18</sup> <https://www.gov.uk/register-renew-waste-carrier-broker-dealer-england>

<sup>19</sup> <https://www.buckinghamshire.gov.uk/waste-and-recycling/business-and-charity-waste/>

- A5.3 Where there is no SLA with neighbouring authorities, non-Buckinghamshire Council users will be **charged for all waste types** no free limits will apply.
- A5.4 Where a Service Level Agreement does not exist with neighbouring authorities, those out-of-county (non-Buckinghamshire users) may be refused access or further charges will be levied at any point in time. Site staff decision is final. See Table 3 for further details.
- A5.5 Non-Buckinghamshire residents are required to note the trailer restrictions in figure 3 and vehicle access criteria set out in A7 and banned vehicles as set out in A8. Any non-Buckinghamshire resident can use any HRC if required, for an access and acceptance charge. Any non-Buckinghamshire resident who refuse to pay the charges will be refused access to Buckinghamshire Councils HRCs.
- A5.6 At the point of entry at any Buckinghamshire Council HRCs, site staff will ask users to provide a form of approved proof of residency. i.e., Driving Licence, utility bill or Council Tax bill. Non-Buckinghamshire residents will be charged an access and acceptance charge. Site staff decision will be final. Charges for non-Buckinghamshire resident to use Buckinghamshire HRCs can be found in Table C3.
- A5.7 A concession for non-Buckinghamshire residents who require a larger vehicle to accommodate their disability, whilst using Buckinghamshire HRCs, has been considered in relation to section 29(2) of the Equalities Act which prohibits discrimination in relation to the provision of services.

#### **How will the concession work?**

In advance of a non-Buckinghamshire resident user visiting, the user should fill in an online form with their name, vehicle model, make and colour to “declare” their need of the larger vehicle to accommodate their disability. The user will print or save an electronic copy and present the declaration to HRC staff upon visiting the site.

The user will be charged based on the approximate volume of waste instead of vehicle size. Site staff will use standard sized bins of differing capacity to estimate the total volume of waste the user has brought. Site staff decision will be final.

#### **Examples of concessions:**

1. A user has a large vehicle to accommodate their wheelchair, they only need to dispose of 5 black bags which only quarter fill the large car.

This user is likely to receive a concession and charged the site visit access and acceptance rate of a small car.

2. A user has a small van to accommodate their disability, the van is full of garden waste. No space is taken up with equipment to help accommodate their disability.

This user is unlikely to receive a concession and charged the site visit access and acceptance rate of a small van.

Table 3 – Materials for which charges can be levied to non-Buckinghamshire residents

<b>Materials for which charges can be levied to non-Buckinghamshire residents</b>
<p>All waste delivered by non-Buckinghamshire residents including but not limited to:</p> <ul style="list-style-type: none"> <li>• Small recyclables:</li> <li>• Cardboard;</li> <li>• Paper;</li> <li>• Cans;</li> <li>• Glass;</li> <li>• Plastic bottles;</li> <li>• Drinks cartons / Tetra-pak;</li> <li>• Textiles and shoes;</li> <li>• Books;</li> <li>• Green (garden) waste;</li> <li>• Metal;</li> <li>• Large and small electrical domestic appliances;</li> <li>• Hazardous household wastes:</li> <li>• Chemicals;</li> <li>• Paint;</li> <li>• Fridges and freezers;</li> <li>• Televisions and monitors (CRT);</li> <li>• Fluorescent tubes;</li> <li>• Batteries (domestic and vehicle);</li> <li>• Dense plastics;</li> <li>• Carpet;</li> <li>• Mattresses;</li> <li>• Furniture;</li> <li>• Black-bag waste containing general waste;</li> <li>• Fence and shed panels;</li> <li>• Ceramic tiles (all types);</li> <li>• Bathroom suites;</li> <li>• Doors and windows;</li> <li>• Fitted kitchen units;</li> <li>• Roofing materials including felt, guttering and tiles;</li> </ul>

- Inert material such as rubble, concrete, bricks and roof tiles;
- Plaster and plasterboard;
- Laminate flooring;
- Wooden floorboards and skirting boards;
- Asbestos resulting from construction works generating C&I waste;
- Soil from construction works, including landscaping activities;
- Any other building materials;

Other:

- Any DIY works which used the skills of a trades person to undertake and not undertaken by the householder
- Tyres
- Boilers
- Car parts

## **A6. Traders / Commercial users**

- A6.1 The Council does not have a duty to accept waste from commercial sources and / or traders, hence all waste deposits from trade activities will be chargeable. A pricing schedule for specific trade waste streams is set out in Appendix C (Table C2).
- A6.2 Traders, for the purpose of this policy, are people or organisations who engage in any kind of commercial business charging for their services.
- A6.3 All traders must be registered as licensed waste carriers prior to accessing the Council HRCs. Registration requirements can be viewed online<sup>20</sup> or by calling the Environment Agency (England) helpline on 03708 506506. Details of charges can be found on the Council website<sup>21</sup>.
- A6.4 For the purpose of Section 34 of EPA 1990 Duty of Care; traders are required to fully describe and accurately declare the nature of all waste being deposited and show their waste carriers licence at the HRCs prior to accessing the Council HRCs.
- A6.5 Traders are required to comply with their own Duty of Care and pay for all waste deposited according to the published charging scheme. Traders must self-separate and deposit waste into the relevant containers for re-use, recycling, treatment, or disposal. The Council HRCs reserve the right to refuse entry and / or recover additional costs should this duty not be fulfilled.

<sup>20</sup> [Register or renew as a waste carrier, broker or dealer - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

<sup>21</sup> <https://www.buckinghamshire.gov.uk/waste-and-recycling/business-and-charity-waste/>

- A6.6 Traders are only permitted access to use the chargeable Trade Waste Service which are provided at the following HRCs: Aston Clinton; Aylesbury (Rabans Lane)<sup>22</sup>; Beaconsfield; High Wycombe; and Amersham. Only these sites have the necessary legal compliances in place. Vehicle size limit is up to 7.5 tonne due to site capacity considerations. HRC staff complete and provide Duty of Care documents to traders using the chargeable Trade Waste Service.
- A6.7 In order to manage traffic at our HRCs traders will normally be permitted to visit HRCs Monday to Friday only. This will be subject to regular review and change as required. The Council reserves the right to refuse entry to traders at peak times and other instances in the interest of householders.
- A6.8 Certain wastes are not accepted from traders, and these include air conditioning units, lead acid (vehicle) batteries, chemicals, commercial fridges / freezers, commercial fridge-freezers, computer monitors, fluorescent tube lights, gas bottles, oil, TVs, and tyres.
- A6.9 Cash and cheque payments are not accepted at any HRC. Charges are reviewed annually or as needed including in line with legislation. Trade Waste Service charges are available on Trade Waste Service sites and published on the Council website<sup>23</sup>.
- A6.10 Commercial waste is a variable price related to waste type and weight. Any mixed loads will be charged at the highest value waste within the load. For example, for a mixed load of garden waste and general waste, the whole load would be charged at the higher general waste price. Exact prices are available in Table C2.
- A6.11 The following HRCs: Aston Clinton; Aylesbury (Rabans Lane)<sup>24</sup>; Beaconsfield; High Wycombe; and Amersham offer use of the weighbridge for businesses or householders to weigh vehicles £12 including VAT. Charges are reviewed annually or as needed including in line with legislation.

## **A7. Vehicular Access Criteria**

- A7.1 The Council requires Buckinghamshire and Slough residents to obtain an E-permit (which is free of charge) in advance when certain vehicles are to be used to dispose of waste. This ensures that the Council can monitor the amount of household waste deposited by residents and identify any potential abuse by individuals who are running commercial businesses. All HRCs are fitted with Automatic Number Plate Recognition (ANPR) devices which will be used to monitor vehicle movements to help

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<sup>22</sup> Rabans Lane (Aylesbury) is closed on Wednesday and Thursday

<sup>23</sup> <https://www.buckinghamshire.gov.uk/waste-and-recycling/business-and-charity-waste/#dispose-of-your-own-business-waste>

<sup>24</sup> Rabans Lane (Aylesbury) is closed on Wednesday and Thursday

assess whether there is any exploitation and unusual frequency of visits by the same vehicle to the HRC network.

- A7.2 Any householder may deposit their own household waste at a HRC in a car, including 4x4s, SUV and MPVs with or without a single axle trailer (maximum trailer size 1.2m long x 0.9m wide, up to 60cm high with a cover and excluding tow bar). No vehicle E-permit is required, but E-permits are required for householders bringing household DIY and or Asbestos waste in a vehicle with/without a trailer.
- A7.3 Any householder may bring their own household waste to a HRC in a commercial vehicle, provided the vehicle has no more than four wheels. An e-permit is required when a householder uses a commercial vehicle to deposit household waste.
- A7.4 A commercial vehicle is defined as a van, pick up, minibus (with 8-11 seats), flat back or similar, which have no more than 4 wheels.
- A7.5 Any householder may bring their own household waste to a HRC using any vehicle with a single or twin axle trailer that is bigger than 1.2m long x 0.9m wide (maximum trailer size 2.4m long x 1.2m wide, up to 60cm high with a cover and excluding tow bar). A vehicle E-permit is required.
- A7.6 Due to site capacity, vehicles with trailers larger than 1.8m long x 1.2m wide may only visit the following HRCs: Aylesbury (Rabans Lane); Amersham; Aston Clinton; Beaconsfield; and High Wycombe (maximum trailer size 2.4m long x 1.2m wide, up to 60cm high with a cover and excluding tow bar). A trailer E-permit will be required.
- A7.7 Where a householder has hired a commercial vehicle, they must bring their hire documents when visiting a HRC site.
- A7.8 Any other type of vehicle not covered above will not be permitted access into the HRCs.
- A7.9 Any householder can only enter sites to deposit waste on foot if they have a valid E-Permit. Householders may not park outside sites and walk in with or without their waste.
- A7.10 All children under the age of 12 and pets must remain in the vehicle when visiting a HRC. Children under the age of 17 should be accompanied by a responsible adult, who should supervise them at all times.

Figure 3 – Trailer sizes accepted at HRCs due to site capacity

Trailer size	Vehicle e-permit required?	Sites	DIY/Asbestos e-permit still required
up to 0.9m x 1.2m	No	All	Yes
0.9m x 1.2m - 1.2m x 1.8m	Yes	All	Yes
1.2m x 1.8m - 1.8m x 2.4m	Yes	Amersham, Aston Clinton, Aylesbury, Beaconsfield & High Wycombe only	Yes
<ul style="list-style-type: none"> <li>Trailers larger than 1.8m x 2.4m not allowed on any sites.</li> <li>Maximum height of all trailers is 0.6m.</li> <li>Householders always require separate e-permits if bringing DIY waste and/or asbestos.</li> </ul>			

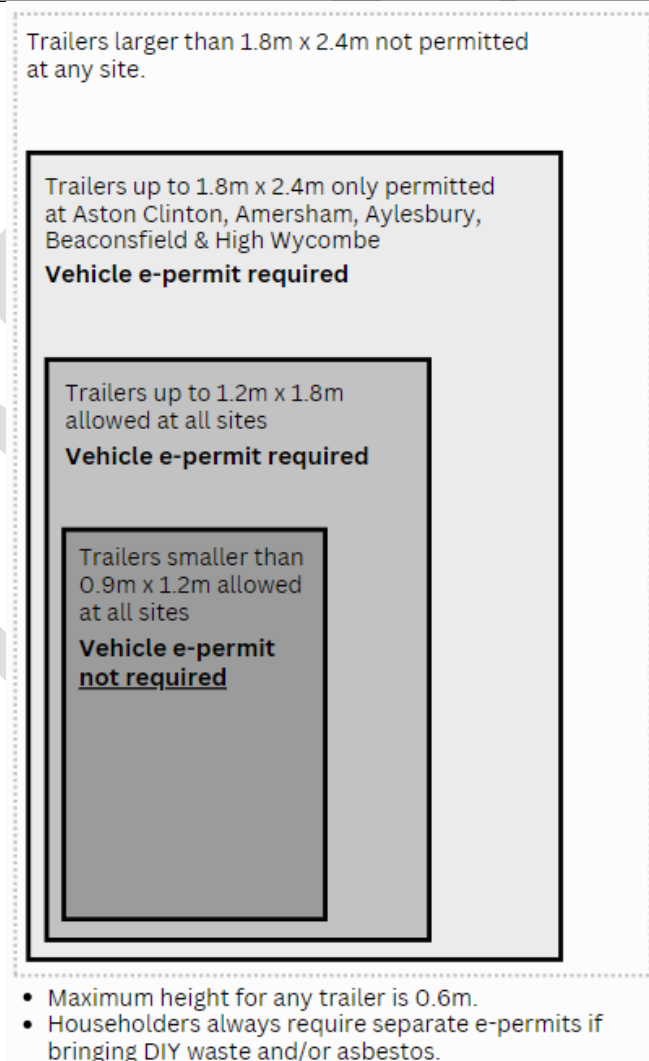
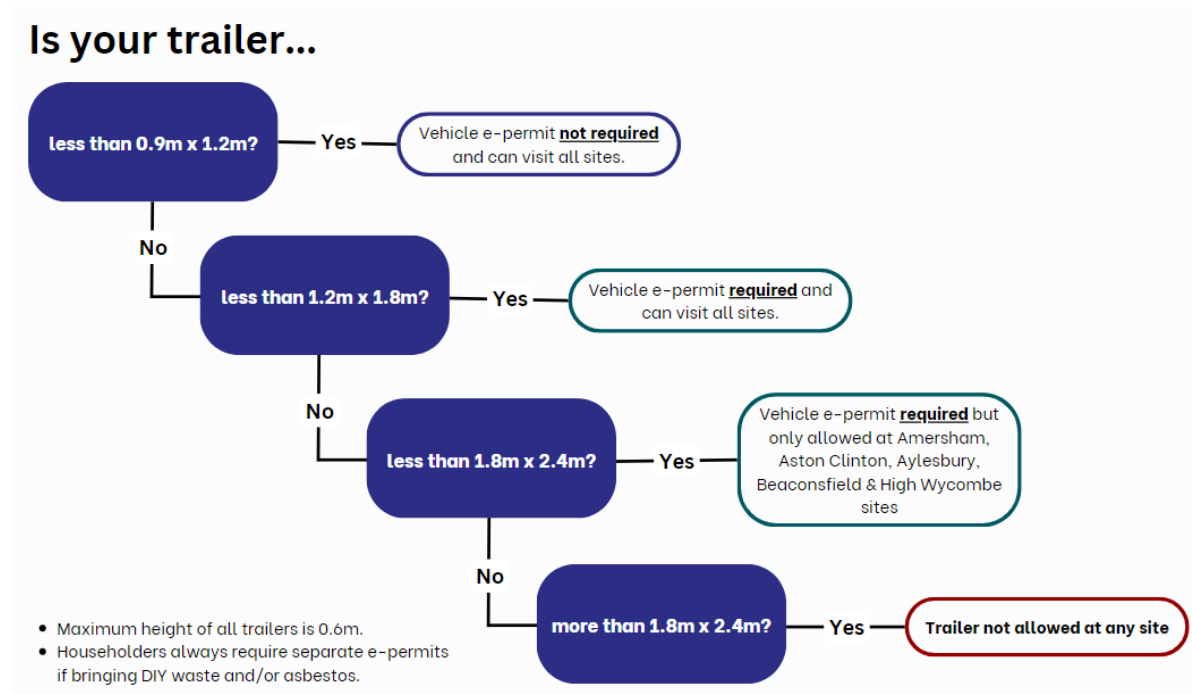




Figure 4 – Trailer sizes accepted at HRCs due to site capacity  
 Please note: E-permits still required for householders bringing household DIY and or Asbestos waste irrespective of vehicle/trailer used.



## A8. Banned Vehicles

A8.1 For commercial waste, safety, site size and capacity reasons some vehicles are not allowed into any Council HRC. The following vehicles will not be permitted access to any HRC:

- Any vehicle carrying trade waste including landlords, unless paying to use any Council Trade waste HRC
- Any vehicle with more than 4 wheels unless at a Council Trade waste HRC
- Any vehicle weighing more than 7.5 tonnes
- Any trailer larger than 2.4m long x 1.8m wide
- Any vehicle with a tipper or tipping tail lift mechanism
- Horseboxes
- Tractors

## A9. Chargeable construction and industrial waste (C&I), household DIY over the free allocation and other non-household waste and non-Buckinghamshire residents

A9.1 Chargeable household DIY waste over the free threshold/construction and industrial waste (C&I) includes asbestos, plasterboard, ceramic tiles, soil and hardcore, and wood waste derived from construction and demolition activities, including but not

limited to, internal and external doors, kitchen units and worktops, windows, laminate flooring and floorboards, door frames, garden sheds, fence panels and posts, outbuildings, and any construction wood waste. Charges also apply to disposal of tyres, boilers and car parts.

- A9.2 Charging non-Buckinghamshire users unless there is a SLA in place with a neighbouring authority for waste acceptance and access for all waste types including C&I waste for all HRCs. No free limits will apply including for C&I waste and frequency of visits.
- A9.3 No cash payments will only be accepted, only debit/credit card or pre-payment cards.
- A9.4 Appendix C (Tables C1, C2, C3 and C4) details the pricing schedule for non-Buckinghamshire users for construction and industrial waste. The charges will be reviewed as a minimum annually or due to changes in legislation. Due care and consideration has been undertaken and acting in good faith.

## **A10. Waste Electronic-Permits (E-permits) for Buckinghamshire and Slough residents**

- A10.1 The permit scheme was introduced as the Council recognises that some householders may wish to use commercial type vehicles to bring in household waste and C&I waste.
- A10.2 The scheme does monitor commercial vehicles onsite, frequency of visits, any waste accepted up to a limit for free and excessive waste quantities being delivered.
- A10.3 'E-permit' means an electronic permit, which must be obtained from the Council before visiting a HRC<sup>25</sup>.
- A10.4 E-permits will be provided at no cost.
- A10.5 E-permits will be sent electronically to the user in the form of an email containing a QR code. This QR code must be presented to HRC site staff on entry to HRC (either in electronic or paper format) for validation.
- A10.6 Households wishing to apply for an E-permit will need to create an account using their personal information. Once an account has been created, householders will be

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<sup>25</sup> <https://www.buckinghamshire.gov.uk/waste-and-recycling/household-recycling-centres/when-you-need-a-waste-permit/>

able to apply for subsequent E-permits by logging into their waste permit account and requesting the relevant E-permit.

- A10.7 Without a valid E-permit, users will be refused entry and depositing waste at any HRC.
- A10.8 Should users who have already been refused entry continue to attempt to enter the site to deposit their waste, site staff will record and pass their details to the Council for enforcement investigation. Please see section 5 of the WAAP for further details.
- A10.9 To ensure traffic flow at HRCs is as quick as possible, E-permit applications must be completed online<sup>26</sup> prior to attending the site.
- A10.10 E-permit applications can be made at any time of the day.
- A10.11 Householders who do not have internet access can ask friends or family to apply for an e-permit on their behalf, apply for an e-permit using the internet facilities available at their local library or by phoning the Council contact centre on 0300 131 6000.
- A10.12 The Council contact centre is open Monday-Thursday 9:00am-5:30pm and Friday 9:00am-5:00pm, excluding Bank Holidays.
- A10.13 The E-permit service is not available to traders (see Appendix A6 for details of the Council chargeable Trade Waste Service).

## **A11. Types of E-permit**

- A11.1 There are four types of E-permit which users (excluding traders) may apply for:
- Commercial vehicles and trailers E-permit
  - Access on foot E-permit
  - Asbestos waste E-permit
  - Construction and Industrial Waste (C&I)/household DIY E-permit

Table 4 - E-permit summary

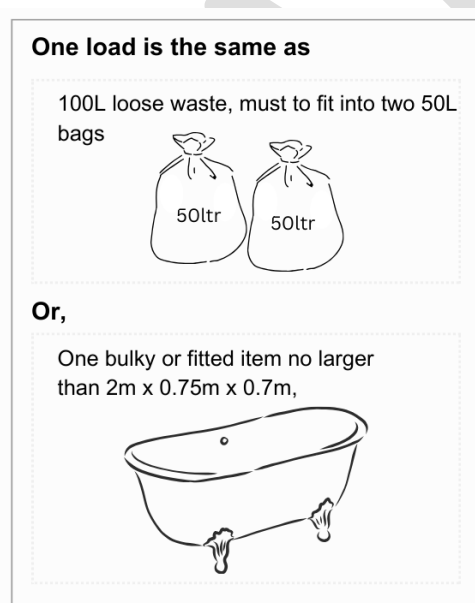
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<sup>26</sup> <https://www.buckinghamshire.gov.uk/waste-and-recycling/household-recycling-centres/when-you-need-a-waste-permit/>

E-permit type	Justification criteria	E-permit validity	Restrictions
<p><b>Commercial vehicles and trailers</b></p>	<p><b>A commercial vehicle is defined as a van, pick up, minibus (with 8-11 seats), flat back or similar.</b> Any trailer larger than 1.2m long x 0.9m wide.</p> <p>Permitted to bring all household waste types including general waste, recyclables, electrical items (note limit of 2 items per year for fridges, freezers, TVs, and computer monitors) and non-household waste in any volume.</p> <p>Note that charging for non-household waste applies; see <b>Appendix A9</b> for more details.</p> <p>Charities must register for this type of permit regardless of type of vehicle.</p>	<p>Valid for 31 days (1<sup>st</sup> application), then 90 days (subsequent applications).</p>	<p><b>Banned vehicle list</b></p> <ul style="list-style-type: none"> <li>• a vehicle with more than 4 wheels unless at a Council Trade waste HRC</li> <li>• a vehicle weighing more than 7.5 tonnes</li> <li>• a trailer larger than 1.8m long x 1.2m wide, up to 60cm high with a cover and excluding tow bar</li> <li>• a vehicle with any mechanical lifting device fitted</li> <li>• horseboxes</li> <li>• tractors</li> </ul> <p>Charging for C&amp;I waste applies; see <b>Appendix A9</b> for more details.</p> <p>Charities can only bring non-hazardous household waste (see <b>Appendix A4</b> above) and charges apply for C&amp;I waste.</p>
<p><b>Access on foot</b></p>	<p>Using the HRC on foot, without a vehicle</p>	<p>Valid for 31 days (1<sup>st</sup> application), then 90 days (subsequent applications).</p>	<p>Charging for C&amp;I waste applies (see <b>Appendix A9</b> for more details).</p>
<p><b>Asbestos</b></p>	<p>Disposal of asbestos in connection with construction and demolition works. See <b>Appendix B</b> for more details.</p>	<p>Valid for 12 months, with maximum of 3 visits. Only available at Amersham, Aston Clinton, Aylesbury</p>	<p>Not available for Charities or Traders.</p> <p>Charging for C&amp;I waste applies (see</p>

		(Rabans Lane) <sup>27</sup> , Beaconsfield, High Wycombe, and Langley HRCs.	<b>Appendix A9</b> for more details).
<b>Household DIY Waste</b>	Disposal of small quantities of Household DIY waste.	Valid for 7 days. Permits can be renewed after 7 days with no limit to renewals.	One load admitted. Any additional household DIY waste constitutes non-household waste and can be charged for. (see <b>Appendix A9 and table C3</b> for more details).

Example of the free allocation of household DIY waste per 7 days:



## Appendix B – Waste exemptions and restrictions

### B1. Waste Acceptance Criteria

B1.1. Buckinghamshire HRCs accept a wide variety of waste categories. This appendix details the categories of waste not accepted at HRCs:

- Clinical and offensive waste (section 3.7)

<sup>27</sup> Aylesbury (Rabans Lane) is closed on Wednesday and Thursday

- Carcasses (including domestic pets) and faeces. However, quantities of animal bedding equivalent to 1-2 bags per week are permitted from small domestic pets where this is double bagged.
- Hazardous waste – see Hazardous Waste list (section B3).
- Un-sectioned trees that cannot be easily lifted by customers or site staff.
- Flammable liquids and explosives (e.g., petrol/fireworks/ammunition).
- Commercial vehicle tyres.
- Other waste that poses a risk to health or property – staff at the HRC have a right to refuse any waste that falls into this category.
- Trade waste, except brought by a licensed waste carrier and only at designated sites<sup>28</sup>. Residents have a legal Duty of Care to ensure that anyone who collected waste from their property is legally authorised to take, transport, and dispose of it safely (see section B2.2 below).

## **B2. Alternative disposal arrangements for waste not accepted or for which a charge is levied**

B1.1 Residents are encouraged to explore alternative arrangements for disposal of excess waste arising from undertaking refurbishments within their home, such as:

- Reuse items where possible, for example via online sites like eBay, Facebook Marketplace or Freecycle where the items can be posted for free
- Hiring a skip
- Using a 'waste bag' service, for example those available at DIY stores
- Using a private waste or recycling facility
- Employing a legitimate waste contractor

B1.2 Residents should always follow the S.C.R.A.P. code if you are having household waste removed:

**S** - Suspect all waste carriers; do not let them take your waste until they have proven themselves to be legitimate. A professional waste carrier should happily answer reasonable questions.

**C** - Check that a waste carrier is registered on the Environment Agency's website<sup>29</sup>.

**R** - Refuse any unexpected offers to have your rubbish taken away. If you suspect that someone you have spoken to will be disposing of waste illegally, report them to the Environment Agency.

**A** - Ask what will happen to your rubbish and seek evidence that it is going to be disposed of appropriately.

**P** - Paperwork must be obtained: a proper invoice, waste transfer note or receipt, including a description of the waste being removed and the waste carrier's contact details.

<sup>28</sup> <https://www.buckinghamshire.gov.uk/waste-and-recycling/business-and-charity-waste/>

<sup>29</sup> <https://environment.data.gov.uk/public-register/view/index>

### **B3. Hazardous Waste**

- B1.3 There are some types of waste which could put human health or the environment at risk because of their chemical or biological nature.
- B1.4 The Council accepts this waste so long as it is in accordance with normal household use. For this reason, the amount of waste deposited may be monitored.
- B1.5 For the purpose of this policy, hazardous waste includes, but is not limited to: chemicals (e.g. garden chemicals and oil-based paints), bonded asbestos, fluorescent tubes, ovens, hobs, and LPG cylinders.
- B1.6 The following annual limitations apply to hazardous waste to keep it in line with normal household use: 4 fluorescent tubes, 2 car batteries, 10 litres engine oil, 5 litres chemicals and 2 LPG cylinders.

### **B4. Asbestos**

- B1.7 Only certain HRC sites are licensed to accept asbestos waste. These are Amersham, Aston Clinton, Aylesbury (Rabans Lane)<sup>30</sup>, Beaconsfield, High Wycombe, and Langley.
- B1.8 These HRCs will accept household items which contain asbestos, subject to the amount of items coming within normal household use. A permit is required, which is free of charge<sup>31</sup>.
- B1.9 Charges will be applied for the disposal of asbestos associated with non-household construction and industrial waste.
- B1.10 Charities and Traders wishing to dispose of asbestos can make use of the chargeable disposal arrangements as listed at specific HRCs as set out in point B4.1 above.
- B1.11 Asbestos must be removed by specialist asbestos removal and disposal contractors. These can be found in the local telephone directory, online or by contacting members of the Asbestos Removal Contractors Association.

## **Appendix C – Pricing schedules for non-Buckinghamshire resident users, disposal of construction and industrial waste, household DIY waste over the allocation and for Trade waste**

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<sup>30</sup> Aylesbury (Rabans Lane) is closed on Wednesday and Thursday.

<sup>31</sup> <https://www.buckinghamshire.gov.uk/waste-and-recycling/household-recycling-centres/when-you-need-a-waste-permit/>

- C1 The prices contained within this Appendix will be reviewed annually and in line with legislation changes. The prices will be published on the Council website and available across the HRC sites. Part bags will be charged as per whole bag.
- C2 Please note that trade waste rates are only applicable to trade users of the sites and not residents. Traders bringing in construction waste will be charged the rates contained in Table C1 and will **not** be charged at the general waste price for wood and rubble.
- C3 Commercial waste is a variable price related to waste type and weight. Any mixed loads will be charged at the highest value waste within the load. For example, for a mixed load of garden waste and general waste, the whole load would be charged at the higher general waste price. Exact prices are available in Table C2.
- C4 Applicable charges for non-Buckinghamshire users for waste acceptance and access for all waste types for all HRCs



Table C1 - Full price list for Buckinghamshire if they bring household DIY waste over their free allocation. and for all DIY waste brought by non-Buckinghamshire resident users

## Commercial & Industrial waste price list

The charges for any commercial or industrial waste items not specifically listed will be decided by staff on site, based on the current price list and the decision of site staff is final. These prices include VAT and are correct as of 1<sup>st</sup> Apr 2023.

<b>Hardcore &amp; rubble</b>	<b>each</b>	<b>Kitchen items</b>	<b>each</b>
Bags of cement ( <i>per 25 litre bag</i> )	£3.50	Kitchen sink and taps	£3.50
Bricks & rubble ( <i>per 25 litre bag</i> )	£3.50	Kitchen tiles ( <i>per 25 litre bag</i> )	£3.50
Concrete bricks ( <i>per 25 litre bag</i> )	£3.50	Kitchen unit	£7.00
Roof tiles / slates ( <i>per 25 litre bag</i> )	£3.50	Kitchen worktops ( <i>up to 2m x 1m</i> )	£10.50
Stones / gravel / sand ( <i>per 25 litre bag</i> )	£3.50	<b>Timber</b>	<b>each</b>
Soil ( <i>per 25 litre bag</i> )	£3.50	Floorboards / laminate ( <i>up to 2m x 1m</i> )	£3.50
Paving slab ( <i>1m x 1m</i> )	£3.50	Fence panel	£3.50
Turf ( <i>per roll or per 25 litre bag</i> )	£3.50	Fence post	£3.50
<b>Bathrooms items</b>	<b>each</b>	Skirting board / door frames ( <i>up to 2 x 1m</i> )	£3.50
Bath panel	£3.50	Shed ( <i>per panel</i> )	£3.50
Bathroom pedestal	£3.50	Timber offcuts ( <i>per 25 litre bag</i> )	£3.50
Bathroom sink	£3.50	Wood chipping ( <i>per 25 litre bag</i> )	£3.50
Bathroom tiles ( <i>per 25 litre bag</i> )	£3.50	Wooden decking ( <i>up to 2m x 1m</i> )	£3.50
Bathroom towel rail	£3.50	Wooden pallets	£3.50
Bath (inc. panel)	£7.00	Wooden trellis	£3.50
Bathroom cabinets - fitted	£7.00	<b>Windows &amp; Doors</b>	<b>each</b>
Bathroom sink & pedestal	£7.00	Door ( <i>internal</i> )	£3.50
Bidet	£7.00	Door ( <i>external</i> )	£14.00
Toilet cistern	£7.00	Greenhouse panel ( <i>whole side</i> )	£14.00
Toilet pan	£7.00	Window	£14.00
Shower screen / door	£14.00	<b>Roofing materials</b>	<b>each</b>
Shower tray	£14.00	Loft insulation ( <i>per roll or 2m x 1m sheet</i> )	£3.50
Toilet pan, cistern and seat	£14.00	Roofing felt ( <i>per roll or 2m x 1m</i> )	£3.50
<b>Plasterboard (at specific sites only)</b>	<b>each</b>	Guttering / pipes ( <i>up to 10m</i> )	£3.50
Plaster or gypsum ( <i>per 25 litre bag</i> )	£8.30	<b>Asbestos (at specific site only, e-permit required)</b>	<b>each</b>
Plasterboard sheet ( <i>up to 2m x 1m</i> )	£9.80	Asbestos 1m x 1m	£4.80
<b>Tyres</b>	<b>each</b>	<b>Other cont.</b>	<b>each</b>
Car or motorcycle tyre	£5.50	Oil Tank (Empty)	£7.00
<b>Other</b>	<b>each</b>	Fireplace	£14.00
Artificial grass ( <i>per roll</i> )	£3.50	Storage Heater	£14.00
Pond liners ( <i>3m x 3m</i> )	£3.50	Wood burner / stove	£14.00
Chimney pot	£3.50	Water tanks ( <i>empty</i> )	£14.00
Sheet glass ( <i>per 25 litre bag of 1m x 1m</i> )	£3.50	Shed - whole ( <i>up to 2m x 2m</i> )	£24.50
Lime mortar	£3.50	Boiler	£25.60
Loft door / hatch	£3.50		
Radiator	£3.50		



Table C2 - Pricing schedule Trade waste (trade waste is charged by weight)  
 For the avoidance of doubt, any site user bringing in mixed loads (e.g., green, general waste and mixed recycling) will be charged the general waste per visit rate. Site staff decision is final. Any construction and demolition waste, household DIY waste over the free allocation please refer to table C1

## Commercial & industrial waste price list for businesses

A valid Waste Carriers Licence/Exemption Certificate must be provided for each visit and a Waste Transfer note completed. If you are carrying waste and not registered with the Environment Agency, you may be prosecuted and fined.

We only accept debit card, credit cards or business cheques. No cash is handled on this site.

<b>General Waste</b> - Includes non-recyclable waste such as furniture, toys, mattresses, sofas and black bagged non-recyclable waste			
	Cost	VAT	Cost inc. VAT
Up to 250kg	£55.83	£11.17	£67
251kg to 600kg	£100	£20	£120
601kg +	£166.67 per tonne	£33.33 per tonne	£200 per tonne

<b>Green Waste</b> - Includes compostable garden waste such as grass cuttings, prunings, small branches and fallen leaves			
	Cost	VAT	Cost inc. VAT
Up to 250kg	£35	£7	£42
251kg to 600kg	£65.83	£13.17	£79
601kg +	£88.33 per tonne	£17.67 per tonne	£106 per tonne

<b>Recycling</b> – materials that can be recycled such as plastic bottles, paper, cardboard and metals			
	Cost	VAT	Cost inc. VAT
Up to 250kg	£41.67	£8.33	£50
251kg to 600kg	£76.67	£15.33	£92
601kg +	£102.50 per tonne	£20.50 per tonne	£123 per tonne

<b>Commercial &amp; Industrial</b> – any materials that are included in the commercial & industrial disposal charges, such as, rubble, soil, bathroom sanitary ware, fence panels & timber			
	Cost	VAT	Cost inc. VAT
Up to 250kg	£75	£15	£90
251kg to 600kg	£179.17	£35.83	£215
601kg +	£298.33 per tonne	£59.67 per tonne	£358 per tonne



Table C3 - Pricing Schedule for non-Buckinghamshire users should be read in conjunction with paragraph A5 and A9. These charges will be levied unless a service level agreement is in place with a neighbouring authority.

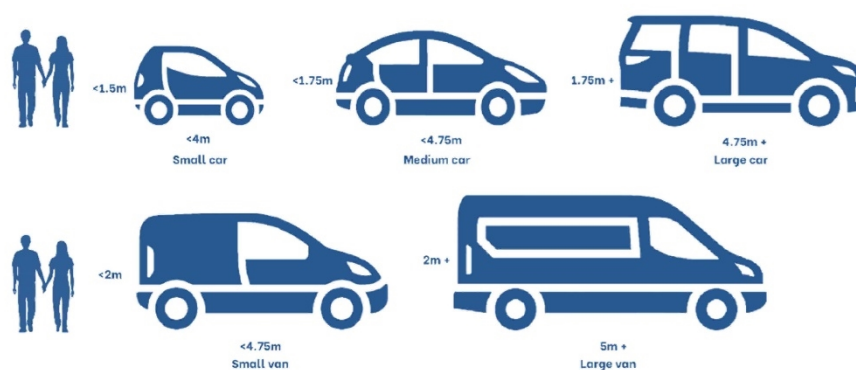
## Charges for users from outside of Buckinghamshire

The prices below only apply to those users from outside Buckinghamshire and who do not pay Council Tax to Buckinghamshire or Slough Borough Council. These prices include VAT and are correct as of 1st Apr 2023.

Vehicle type	Estimated Capacity (l)	Per visit cost		
		Garden waste	Recyclable waste	General waste
<b>Small car</b> e.g. Vauxhall Corsa, Ford Fiesta, Audi A1	Up to 400	£24.35	£28.29	£31.52
<b>Medium car</b> e.g. Kia Sportage, Ford Kuga, Nissan Qashqai	401-700	£55.55	£64.02	£84.07
<b>Large car</b> e.g. Skoda Octavia, Range Rover, Citroen Bellingo	701-1000	£105.73	£122.95	£200.34
<b>Small van</b> e.g. VW Caddy, Vauxhall combo	701-1000			
<b>Large van</b> e.g. Ford Transit, Mercedes Sprinter	More than 1000	£158.58	£184.43	£400.68

### Vehicle types

The sizes of each vehicle types are given below and will be used by staff if there is disagreement on the type of vehicle. All charges are based on a the maximum a vehicle can carry, part loads are charged as full. Mixed loads, e.g. garden waste mixed with recycling, will be charged at the General Waste prices.



### Note

- 1,000 litres is equivalent to c.1 tonne. The vehicle capacity assumes the maximum a vehicle could carry with all seats down boot size and/or trailers. Site staff decision is final. The charges are also comparative to Table C2 (Trade waste pricing schedule) to minimise traders using the sites illegally.
- For the avoidance of doubt, any site user bringing in mixed loads (e.g., green, general waste and mixed recycling) will be charged the general waste per visit rate. Site staff decision is final. Any construction and industrial waste, please refer to table C1.
- A concession for non-Buckinghamshire residents, who require a larger vehicle to accommodate their disability, is in place. Please refer to Section A5 of the Policy for more information and how to apply.

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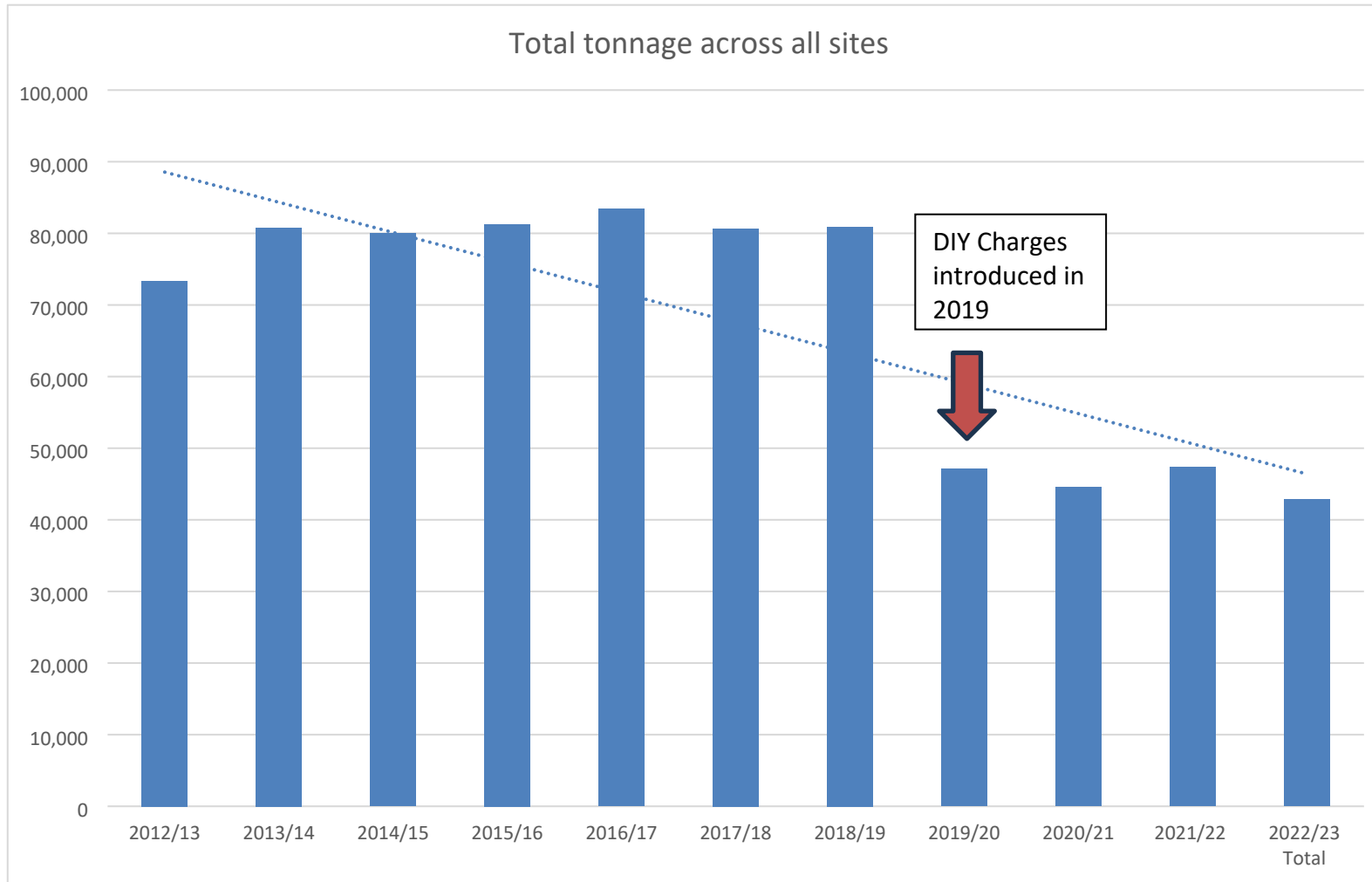
Appendix 2 – Waste Tonnage and Visitor Numbers per annum

**Total Tonnage across all sites:**

**Table 1:**

Source Site Name	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23 Total
Amersham HRC	6,883	7,984	7,848	8,098	8,348	7,734	7,644	5,451	5,086	5,605	4,929
Aston Clinton HRC	9,074	9,883	10,108	9,070	9,572	9,370	10,286	7,041	7,584	7,532	6,840
Aylesbury HRC	8,752	9,397	9,659	9,507	10,277	9,466	9,512	5,160	3,822	5,002	4,600
Beaconsfield HRC	9,108	10,458	10,234	10,445	10,773	10,528	9,967	6,855	7,030	6,524	6,036
Bledlow Ridge HRC	5,011	5,444	5,200	5,451	5,502	5,176	5,708	138			157
Buckingham HRC	4,811	4,699	4,584	4,764	5,098	4,842	4,724	3,066	3,113	3,452	3,152
Burnham HRC	4,793	5,575	5,450	5,896	6,353	5,232	5,008	2,659	2,274	2,511	1,986
Chesham HRC	7,209	7,774	7,121	7,505	7,807	7,331	7,184	3,969	3,408	3,607	3,179
High Wycombe HRC	9,691	11,031	11,138	11,612	12,243	12,440	12,858	8,126	8,707	9,489	8,758
Langley HRC	8,036	8,552	8,651	8,927	7,403	8,552	8,037	4,668	3,497	3,612	3,201
<b>Grand Total</b>	<b>73,368</b>	<b>80,797</b>	<b>79,994</b>	<b>81,275</b>	<b>83,374</b>	<b>80,669</b>	<b>80,928</b>	<b>47,132</b>	<b>44,521</b>	<b>47,333</b>	<b>42,837</b>

**Total Tonnage across all sites**  
**Figure 1:**



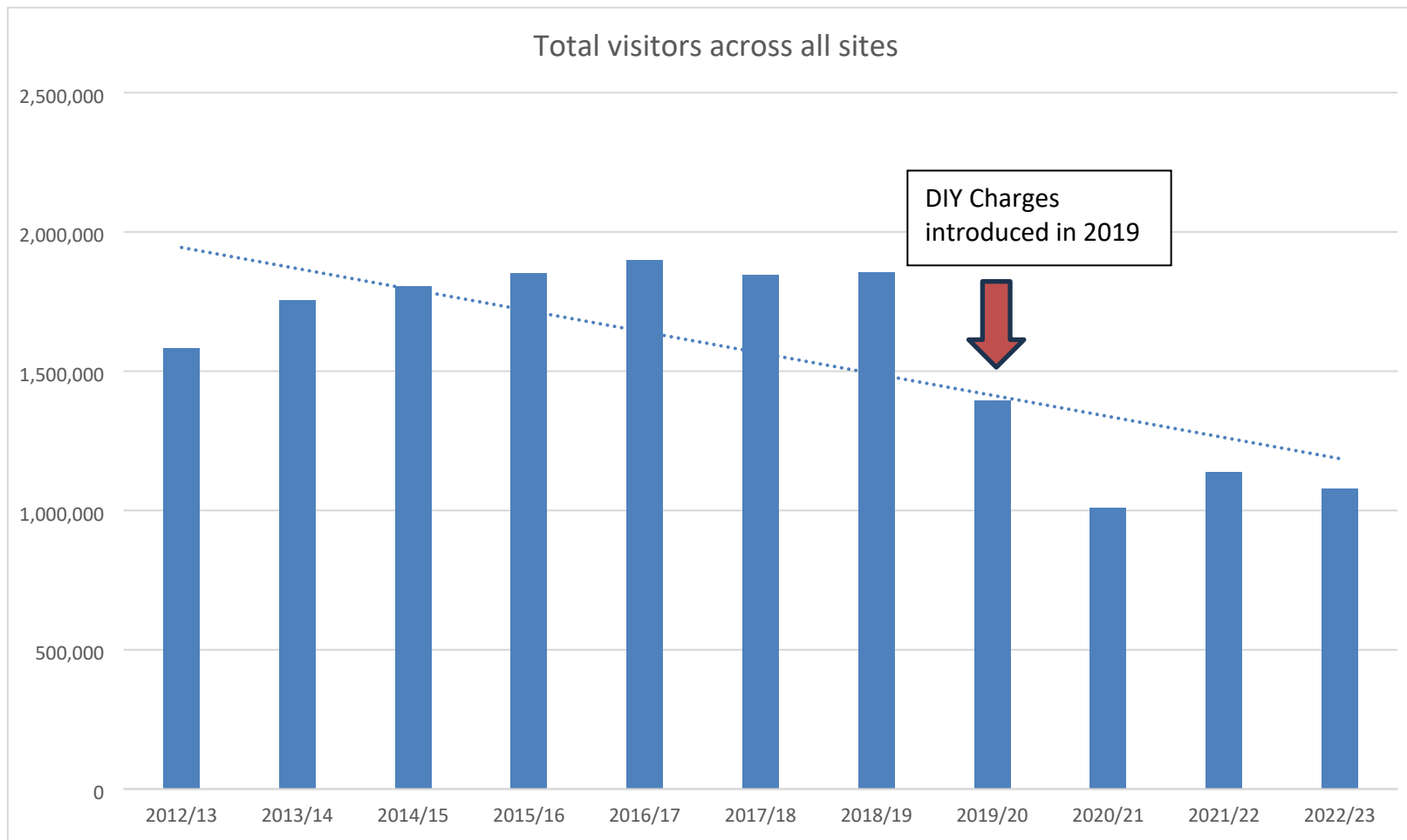
Appendix 2 – Waste Tonnage and Visitor Numbers per annum

**Total Visitors across all sites:**

**Table 2:**

	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23
Amersham	149,119	167,066	165,234	169,332	174,311	169,469	171,163	143,777	113,491	130,028	127,354
Aston Clinton	218,883	244,716	259,722	263,203	266,536	259,111	263,248	221,128	171,983	207,692	190,335
Aylesbury	198,220	210,874	219,330	228,835	232,275	221,784	215,771	145,731	91,672	127,401	121,241
Beaconsfield	225,654	247,582	242,112	240,711	246,199	244,084	239,100	200,844	162,092	172,013	165,401
Bledlow	83,081	88,246	99,698	98,038	103,158	97,288	103,977				4,850
Buckingham	98,961	110,136	112,550	115,792	118,497	116,416	117,826	102,350	86,767	98,299	100,067
Burnham	94,313	104,963	107,264	110,353	112,932	109,557	110,653	61,824	49,149	54,778	47,023
Chesham	137,496	153,022	156,376	160,881	164,640	159,734	161,331	122,484	91,187	103,637	94,677
High Wycombe	220,227	256,151	264,681	282,154	292,584	286,795	289,663	243,317	162,777	153,754	147,302
Langley	156,239	173,881	177,692	182,811	187,082	181,550	183,366	154,027	80,251	90,051	79,638
<b>Total</b>	<b>1,582,193</b>	<b>1,756,637</b>	<b>1,804,659</b>	<b>1,852,110</b>	<b>1,898,214</b>	<b>1,845,788</b>	<b>1,856,098</b>	<b>1,395,482</b>	<b>1,009,369</b>	<b>1,137,653</b>	<b>1,077,888</b>

**Total visitors across all sites**  
**Figure 2:**







## Appendix 3 - Equality Impact Assessment (EqIA)

Template reviewed June 2023

The Public Sector Equality Duty (PSED) was introduced as part of the Equality Act 2010, which protects people from discrimination in the workplace, in the provision of services and in wider society.

The duty requires all public bodies to have due regard to the need to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people

Public bodies demonstrate this due regard in different ways, including producing robust equality impact assessments when considering changes to policies and services.

An EqIA enables us to check the potential impacts on residents and employees of our policies, services and projects. It's an opportunity to challenge how we currently do things.

Carrying out an EqIA should not create extra work; it should be part of your normal service planning process. Most of the information required should already be available to you through other work already undertaken e.g., service user monitoring, analysis of complaints and national research.

The purpose of an EqIA is to *take account* of equality as plans develop, to promote and assist the consideration of equalities issues arising in plans and proposals and to ensure that where possible adverse or disproportionate impacts are minimised, and positive impacts are maximised. As such where possible an EqIA should be started at the outset of a project/proposal and continually be developed and reviewed until a final proposal is adopted. An EqIA should be used to ensure decision makers have all the information they need regarding potential impacts to ensure they have due regard to the Public Sector Equality Duty when making judgements.

Carrying out EqIAs should be an integral part of policy or service development/change and larger projects may need more than one EqIA if different areas are impacted by the change.

Any project that requires consultation will automatically require an EqIA.

All approved and signed EqIAs are recorded in a central register. Please email your completed draft EqIA to [equalities@buckinghamshire.gov.uk](mailto:equalities@buckinghamshire.gov.uk). Previous EqIAs can be made available for information upon request. For any questions or if you require support in completing your EqIA please contact Maria Damigos and Natalie Donhou Morley directly.



# Appendix 3 - Equality Impact Assessment (EqIA)

Template reviewed June 2023

## Part A (Initial assessment) - Section 1 - Background

Proposal/Brief Title: Changes to the Waste Access and Acceptance Policy for the Household Recycling Centres for charges relating to construction and demolition waste

OneDrive link to report/policy: **[LINK REQUIRED]**

Related policies: [Waste Access & Acceptance Policy](#)

Date: 8th September 2023

Type of strategy, policy, project or service:

Please tick one of the following:

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

This assessment was created by:

Name: Andrew Jenkins

Job Title: Waste Prevention Team Leader

Email address: Andrew.jenkins@buckinghamshire.gov.uk

### Briefly describe the aims and objectives of the proposal below:

The proposal is to update the current policy to reflect upcoming legislative changes which affect the Council's current operations at Household Recycling Centres (HRCs).

On 21 November 2023 the new regulations were laid in Parliament and stated that:

Waste from construction or industrial waste, demolition works, including preparatory works is to be treated as household waste for the purpose of (a) Section 32(2) and (2a) of the Act, (disapplication of Section 34(1) and duty of the occupier of domestic property to transfer household waste only to an authorised person or for authorised transport purposes); and (b) section 51 of the Act (functions of waste disposal authorities, but only where-

The waste is produced at a domestic property by occupiers of that domestic property carrying out their own construction or demolition works, including preparatory works;

The waste is not from construction or demolition works, including preparatory works, for which payment has been or is to be made;



## Appendix 3 - Equality Impact Assessment (EqIA)

Template reviewed June 2023

The amount of waste delivered to any disposal site in a single visit is either –  
Less than 100 litres and capable of being fitted into two 2 x 50 litre bags OR  
a single article of waste item no larger than 2000mm x 750mm x 700mm in size; and;  
Waste delivered to waste deposit sites does not exceed four single visits per household in any four week period.

The Government's legislative change does not abolish all charges but set a minimum level to be accepted for free, larger amounts will still be able to be charged for. Any DIY waste produced by a tradesperson or for profit will still be able to be charged for.

The Council's current policy places charges for non-household waste (DIY waste) with no waste allowed in for free. As such, the policy will not comply when the new legislation is enacted.

The changes in the local policy will:

- **Remove charges for DIY waste below** the governments proposed volume and frequency thresholds
- **Maintain charges for any DIY waste above** the governments proposed thresholds
- Monitor frequency of visits bringing DIY waste, via an e-permit

### What outcomes do we want to achieve?

The outcome for this proposal is for the Council and it's policy to remain lawful when new legislation is enacted.

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

Please explain your answer: Residents will still be able to bring as much DIY waste as they currently can, however the charging policies around this waste will change.

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

Please explain your answer: Residents will still be able to bring as much DIY waste as they currently can, however the charging policies around this waste will change.

### Does this proposal plan to introduce, review or change a policy, strategy or procedure?

Yes

Please explain your answer: The current Waste Access & Acceptance Policy will require updating to reflect the new legislation. As detailed above, for Buckinghamshire residents it will:

- **Remove charges for DIY waste below** the governments proposed volume and frequency thresholds.
- **Maintain charges for any DIY waste above** the governments proposed thresholds.



# Appendix 3 - Equality Impact Assessment (EqIA)

Template reviewed June 2023

- Monitor frequency of visits bringing DIY waste, via an e-permit

In terms of non-Buckinghamshire residents, the policy will

- Expand the existing charges for all waste disposal for non-Buckinghamshire residents to all sites, unless an SLA with a Local Authority is in Place

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

Please explain your answer: It will allow residents who currently pay to dispose of DIY waste, to do so for free. There may be a requirement to apply for an e-permit before their visit, as currently happens with commercial vehicles or asbestos, but this remains free.

**Does this proposal affect employees? No**

Please explain your answer: Employees are contracted by FCC Waste Services (UK) Ltd.

**Will employees require training to deliver this proposal? Yes**

Please explain your answer: The contracted employees will receive training on the new policy.

**Has any engagement /consultation been carried out, or is planned in the future? No**

Please explain your answer: This policy update is required by law, the potential methods of implementing are limited and as such would not be suitable for any engagement with site users. The Waste Team have worked with neighbouring authorities, national bodies, contractors, and other Council departments to discuss the changes and appropriate updates to the policy.

## Section 2 - Impacts

Please highlight potential impacts (including unintended impacts or consequences) for each protected characteristic\*. Where there are negative or positive impacts, please give more details of the impact. Where the impacts are unclear, please explain why.

Age\*

Positive

Negative

Unclear

None

Details:

Disability\*



## Appendix 3 - Equality Impact Assessment (EqIA)

Template reviewed June 2023

Positive	Negative	Unclear	<b><u>None</u></b>
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Details:

Pregnancy & maternity\*

Positive	Negative	Unclear	<b><u>None</u></b>
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Details:

Race & Ethnicity\*

Positive	Negative	Unclear	<b><u>None</u></b>
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Details:

Marriage & Civil Partnership\*

Positive	Negative	Unclear	<b><u>None</u></b>
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Details:

Religion & Belief\*

Positive	Negative	Unclear	<b><u>None</u></b>
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Details:

Sex\*

Positive	Negative	Unclear	<b><u>None</u></b>
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Details:

Sexual Orientation\*

Positive	Negative	Unclear	<b><u>None</u></b>
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Details:

Gender Reassignment\*

Positive	Negative	Unclear	<b><u>None</u></b>
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Do you anticipate any impacts on military families/veterans in relation to the Armed Forces Act 2021 requirements on local authorities to have due regard to [the Armed forces Covenant](#)? No

Please explain your answer:



## Appendix 3 - Equality Impact Assessment (EqIA)

Template reviewed June 2023

Are there any other additional groups/impacts that the EqIA should evaluate in relation to the proposal? Yes

Details: Poverty. The majority of current visits that are chargeable will become free, this is a positive impact on poverty, albeit with a very limited number affected.

### Section 3 – Is a full assessment required?

**If you have answered yes to any of the initial assessment questions in section 1 of this EqIA, or have indicated a negative or unclear impact in section 2, it is likely you will need to complete part B of the EqIA form. Should you need guidance as to whether a full EqIA is needed at this time please contact Maria Damigos or Natalie Donhou Morley before continuing.**

Following completion of part A, is part B completion required?

- Not required at this time

Explain your answer:

No negative impacts are currently anticipated

Government hope that the change in legislation will help householders to dispose of their waste in a responsible manner and encourage recycling. The changes will also make it cheaper for people making home improvements to get rid of their waste. Government also expects the changes may reduce residents temptation to use un reputable services who then go on to fly-tip rubbish.

### Have you completed an DPIA for this project/change? No

(As you are completing an EqIA, you may also require a DPIA - for more information please contact [dataprotection@buckinghamshire.gov.uk](mailto:dataprotection@buckinghamshire.gov.uk))

### Section 4 – Sign off (Only complete when NOT completing Part B)

Officer completing this assessment: Andrew Jenkins Date: 08/09/2023

Equality advice sought from: Natalie Donhou Morley Date: 11/09/2023

Service Director sign off: (Please insert name) Date: (Please insert Date)

CMT sign off (*if deemed necessary by Service Director*) sign off: (Please insert name) Date: (Please insert Date)

Next review Date: 1/12/2024 (11 months after introduction to understand any additional impacts not foreseen)

## Appendix 4 - Buckinghamshire Council

### Data Protection Impact Assessment Screening Questionnaire

Service Area: Strategic Waste Management and Enforcement

Project/Activity: Proposed changes to the Waste Access and Acceptance Policy for the Household Recycling Centres (HRC) for charges relating to DIY waste

Date: 31/12/2023

**What is a Data Protection Impact Assessment (DPIA)?** A DPIA is a process which assists the Council in identifying and minimising the privacy risks of new projects, services or policies. The DPIA will help to ensure that potential problems are identified at an early stage, when addressing them will often be simpler and less costly. A DPIA enables an organisation to systematically and thoroughly analyse how a particular project or system will affect the privacy of the individuals involved.

With this in mind please begin by completing the screening questions below

	Category	Screening question	Yes/No
1.1	Identity	Will the proposed activity involve the collection of new information about individuals? <i>i.e. information you have not previously collected/recorded before</i>	No
1.2	Identity	Will the proposed activity compel individuals to provide information about themselves?	No
1.3	Multiple organisations	Will information about individuals be disclosed to organisations or people who have not previously had routine access to the information?	No
1.4	Data	Are you using information about individuals for a purpose it is not currently used for, or in a way it is not currently used?	No
1.5	Data	Does the proposed activity involve using new technology which might be perceived as being privacy intruding for example biometrics or facial recognition?	No
1.6	Data	Will the proposed activity result in you making decisions or taking action against <u>individuals</u> in ways which could have a significant impact on them?	Yes
1.7	Data	Is the information about individuals of a kind particularly likely to raise privacy concerns or expectations? For example health records, criminal records, or other information that people are likely to consider as private?	No
1.8	Data	Will the proposed activity require you to contact individuals in ways which they may find intrusive?	No

*The HRC service will need to update the [Electronic Surveillance DPIA](#) and other associated assessment (CCTV) prior to any new data processing 31<sup>st</sup> December 2023. These assessments need to be reviewed as part of normal reviews bi-annually or as when prior to new data processes changes.*

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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STATUTORY INSTRUMENTS

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**2023 No. 1243**

**ENVIRONMENTAL PROTECTION, ENGLAND**

**The Controlled Waste (England and Wales)  
(Amendment) (England) Regulations 2023**

<i>Made</i>	- - - -	<i>21st November 2023</i>
		<i>22nd November</i>
<i>Laid before Parliament</i>		<i>2023</i>
<i>Coming into force</i>	- -	<i>31st December 2023</i>

The Secretary of State makes these Regulations in exercise of the power conferred by section 75(8) of the Environmental Protection Act 1990<sup>(1)</sup>.

**Citation, commencement, extent and application**

1.—(1) These Regulations may be cited as the Controlled Waste (England and Wales) (Amendment) (England) Regulations 2023.

(2) These Regulations come into force on 31st December 2023.

(3) These Regulations extend to England and Wales and apply to England only.

**Amendment of the Controlled Waste (England and Wales) Regulations 2012**

2.—(1) The Controlled Waste (England and Wales) Regulations 2012<sup>(2)</sup> are amended as follows.

(2) In Schedule 1, in the table set out in paragraph 3 entitled “Classification by nature of waste or activity producing waste”, for entry 9 substitute—

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“9	Waste from construction or demolition works, including preparatory works	Industrial waste	The waste is to be treated as household waste for the purposes of—  (a) section 34(2) and (2A) of the Act (disapplication of section 34(1) and duty on the occupier of domestic property to transfer household waste only to an authorised person or for authorised transport purposes); and
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(1) 1990 c. 43. Section 75(8) was amended in England and Wales by S.I. 2006/937.

(2) S.I. 2012/811, amended by S.I. 2012/2320, 2015/1360, 2018/942, 2019/188, 2020/904.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(b) section 51 of the Act (functions of waste disposal authorities) but only where—

(i) the waste is produced at a domestic property by occupiers of that domestic property carrying out their own construction or demolition works, including preparatory works;

(ii) the waste is not from construction or demolition works, including preparatory works, for which payment has been or is to be made;

(iii) the amount of waste delivered to any waste disposal site in a single visit is either—

(a) less than 100 litres and capable of being fitted into two 50 litre bags, or

(b) a single article of waste no larger than 2000mm x 750mm x 700mm in size; and

(iv) the waste delivered to waste deposit sites does not exceed four single visits per household in any four week period<sup>7</sup>.

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21st November 2023

*Robbie Moore*  
Parliamentary Under Secretary of State  
Department for Environment, Food and Rural  
Affairs

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend Schedule 1 of the Controlled Waste (England and Wales) Regulations 2012 ([S.I. 2012/811](#)) as they apply in England.

Regulation 2(2) replaces old entry 9 of the Table entitled “Classification by nature of waste or activity producing waste” with new entry 9. The amended entry has the effect of adding an additional purpose for when construction waste is treated as household waste, which is for the purpose of section 51 of the Environmental Protection Act 1990 ([c. 43](#)) (“the Act”), concerning the functions of waste disposal authorities, but only when the waste meets the description set out in column 4 of the entry. If the waste does not meet that description, the waste remains to be treated as industrial waste for the purpose of section 51 of the Act and waste disposal authorities can charge to dispose of it.

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## Report to Cabinet

<b>Date:</b>	<b>12 December</b>
<b>Title:</b>	<b>Contract Award – Leisure Centre Management</b>
<b>Cabinet Member(s):</b>	Cllr Clive Harriss, Cabinet Member for Culture and Leisure
<b>Contact officer:</b>	Sue Drummond, Head of Leisure
<b>Ward(s) affected:</b>	Multiple wards, as a council-wide service
<b>Recommendation:</b>	<b>To agree the recommendation to award the contract to operate the Council’s leisure facilities at Aqua Vale Swimming and Fitness Centre (Aylesbury), Swan Pool and Leisure Centre (Buckingham), Little Marlow Athletics Track, Evreham Sports Centre (Iver) and the Beacon Centre (Beaconsfield) to the preferred bidder as detailed within Confidential Appendix 1.</b>

### Reason for Recommendation:

- i. The Council has undertaken a competitive procurement procedure with negotiation for the tender of its Leisure Management Contract for the above facilities, for the period commencing 1 April 2024 until 30 June 2029 (with an optional extension of up to 12 months).
- ii. The contract period is designed to allow opportunity for further harmonisation of operating arrangements when the operator contract covering leisure centres in High Wycombe, Princes Risborough and Marlow expires in 2029.
- iii. The award of the contract as recommended will enable delivery of the income targets for the leisure portfolio within the Council’s existing Medium Term Financial Plan.

### 1. Executive summary

- 1.1 This report sets out the procurement approach and outcomes and how this will benefit residents.

1.2 The full procurement evaluation report, financial information and details on the preferred bidder are set out in the Confidential Appendix 1 to this report.

## 2. Background and context

2.1 Public leisure facilities and programmes play a key role in ‘strengthening communities’ by supporting and encouraging adults, children and young people to be more physically active, which in turn improves health inequalities and reduces the life expectancy gap. There are currently more than 3 million visits to the Council’s leisure centres across Buckinghamshire each year and this has continued to increase.

2.2 As a new unitary authority, Buckinghamshire Council inherited five different operator contracts for its leisure facilities from the legacy councils:

**Table 1 – Current leisure operator contracts**

Operator	Locations	Contract end date
Everyone Active/SLM (Aylesbury area contract)	<ul style="list-style-type: none"> <li>Aqua Vale Swimming and Fitness Centre (Aylesbury)</li> <li>Swan Pool and Leisure Centre (Buckingham)</li> </ul>	March 2024
GLL (South Bucks area contract)	<ul style="list-style-type: none"> <li>Beacon Centre (Beaconsfield)</li> <li>Evreham Sports Centre (Iver)</li> </ul>	March 2024
More Leisure / Serco Leisure	<ul style="list-style-type: none"> <li>Little Marlow Athletics Track</li> </ul>	March 2024
Places for People Leisure (Wycombe area contract)	<ul style="list-style-type: none"> <li>Wycombe Leisure Centre</li> <li>Court Gardens (Marlow)</li> <li>Risborough Springs</li> </ul>	June 2029 (no option to extend)
Everyone Active/SLM (Chiltern area contract)	<ul style="list-style-type: none"> <li>Chiltern Pools (Amersham)</li> <li>Chalfont Leisure Centre</li> <li>Chesham Leisure Centre</li> </ul>	March 2035 (option to extend 5 years)

2.3 This procurement delivers the first stage of the Council’s plans to review and rationalise operating arrangements as contracts come up for renewal. It will replace the three contracts highlighted in green above with a single new contract which will run for a term of five years and three months. This contract period aligns to the expiration of the legacy Wycombe area contract, enabling a further opportunity for contract harmonisation if desirable at that time, to provide for greater economies of scale and efficiencies; and to allow the Council time to determine future needs for leisure facilities into the longer term, informed by the developing Local Plan.

2.4 The procurement approach was informed by external specialist consultancy support including soft market testing undertaken for Buckinghamshire and across the wider

leisure industry around the country, with consideration of the changed market circumstances post-pandemic.

- 2.5 The soft market testing exercise identified that operators are carefully considering the new contracts they bid for, as many have several contracts coming up for renewal (due to the pandemic, re-procuring leisure contracts was put on hold during 2020-2022, with many councils extending contracts where end dates were due). The Council carefully considered its specification and contract clauses to ensure that the tender was attractive to the market but offered residents value for money.
- 2.6 The Council has followed a competitive procedure with negotiation tender process, using Sport England template documents (contract and services specification) which were tailored to reflect the Council's outcomes and requirements for service quality and financial outcomes.
- 2.7 The Council set out its partnership philosophy with an operator based on the following principles:
- Mutual respect
  - A shared vision
  - A shared commitment to increasing participation in sport and physical activity and championing inclusivity in Buckinghamshire, particularly amongst identified under-represented groups, including, without limitation, disabled people
  - Proactive collaboration and cooperation
  - Partnership working with key public, private and third sector organisations involved with enabling and delivering opportunities for sport and physical activity participation
  - Effective and regular communication and reporting
  - A proactive approach to identifying new opportunities to develop or enhance the services.
- 2.8 The services specification referenced the Council's strategic outcomes in areas including the Corporate Plan, Opportunity Bucks (Buckinghamshire's local response to levelling up), Joint Local Health and Wellbeing Strategy 2022-2025 and Physical Activity Strategy, Climate Change and Environment. There are further references to Opportunity Bucks' outcomes and wards in the catchment area of the leisure centres within the contract, which were identified for specific focus of work to improve activity levels to support all programme outcomes, but specifically good mental and physical wellbeing and independent living.
- 2.9 The agreed evaluation framework for the tender evaluation is set out below.

	Evaluation Criteria and Weightings	% weighting
	<b>Price / commercial</b>	
1	<b>Management Fee</b>	20%
2	<b>Viability of business plan</b>	15%
3	<b>Acceptance of contract terms and conditions</b>	5%
	<b>TOTAL</b>	<b>40%</b>
	<b>Quality</b>	
1	<b>Delivering Outcomes – active wellbeing service</b>	20%
2	<b>Delivering Outcomes – Opportunity Bucks</b>	15%
3	<b>New ways of working</b>	10%
4	<b>Research, intelligence, and product development</b>	5%
5	<b>Partnership working across the Buckinghamshire Council area</b>	10%
	<b>TOTAL</b>	<b>60%</b>
	<b>TENDER TOTAL</b>	<b>100%</b>

2.10 The contract is designed to establish an appropriate balance of liabilities and risk between the Council and the operator. This includes:

- **Viability/deliverability of projected income to the Council:** the contract commits the preferred bidders to the financial terms of their tender regardless of leisure marketplace fluctuations and therefore places the risk of such fluctuations with the operator. The operator’s detailed breakdown of planned income and expenditure for each site is included in the contract, with underpinning rationale. Robust due diligence has been undertaken on all operators as part of the procurement process.
- **Covid/ future pandemic events:** In the event of any future pandemic arising which results in legislative intervention by Government in the interests of protecting public health, the Council will respond in line with any prevailing national legislation and guidance at that point in time. Experience has demonstrated it would simply not be possible to guarantee any position in respect of such future events as the response would, necessarily, be driven by the position taken by Government. Within the detailed preparation and negotiation in relation to this procurement process, the Council in taking careful account of the current view of the leisure market with appointed external expert



advisors (Max Associates and Trowers & Hamblins), recognised the commercial value to the bidding process in having provision for a short period (6 months) of continuing relief in the event of a future pandemic/epidemic once legislative restrictions had been removed.

- **Capital Investment:** given the length of the contract, to make it coterminous with the end of the Wycombe contract in 2029, the Council is not intending that significant works are undertaken as part of this contract. However, the option was provided for tenderers to define small scale improvements, facility/equipment upgrades that could be made to meet the Council's outcomes and improve the financial position and return of the contract. The Council set a maximum of £500,000 available for improvements to centres on this basis.
- **Contract mobilisation:** Following the contract award there will be a three-month mobilisation period to establish and embed the new contract requirements. This period will be carefully managed and monitored to ensure a successful launch of the new contract and to ensure business continuity is delivered. This period is prepared for and will be resourced thoroughly by the incoming contractor; our leisure operators are all very experienced in this process which is important both for the staff that will be transferring and for customers who will also expect a smooth transition of service.
- **TUPE:** There are no Council employees affected by this, it is a second and third generation contract transfer where staff will transfer to a new leisure operator. The full and detailed process will begin in January after the contract award.

### **3. Procurement outcome: submission highlights**

- 3.1 The Council's existing contracts are managed by leading national operators in the sector and underpinned by strong partnership working, with all the current operators collaborating effectively both across the Council and with our wider partners to maximise the contribution of public leisure to the health and wellbeing of our communities.
- 3.2 Consequently, there has been strong competition from all these leading leisure operators for this contract opportunity, due to the strength of our existing relationships and the Council's procurement approach around combining contracts into the longer term.
- 3.3 **Quality** – it was known that these operators all have strong quality management, health and safety, sales and marketing, customer care, cleaning repairs and maintenance and related policies and procedures. The objective of the specific method statements included in the tender was to ascertain how the operators would deliver the Council's wider outcomes for health and wellbeing and focus resources in those demographic and geographic areas of higher health inequality and lower activity levels.

### 3.4 Key delivery commitments included:

- Participation – investment into centres and programming to significantly increase number of new people using the centres and overall throughput, particularly in swimming lessons, gyms and group exercise classes.
- Working with partners, including Leap (Active Partnership) and other stakeholders: education, health partners and public health, other Buckinghamshire leisure operators, Community Boards, voluntary sector, national governing bodies of sport, etc.
- Having a strong focus on understanding residents' needs, via user and non-user surveys.

### 3.5 Commitments under the council's strategic priorities included:

#### **Strengthening communities**

- Development and delivery of detailed Active Communities Plans with a dedicated resource to work with Council and other stakeholders to deliver the plan.
- Delivery of community-based activities, out of the leisure centres and in more deprived wards, particularly in Aylesbury and those wards of focus in Opportunity Bucks.
- Delivery of programmes in parks and open spaces.

#### **Protecting the vulnerable**

- Improved use of customer profiling to understand demographic and geographic gaps in users and to work with the communities to understand the barriers to being active and implement suitable interventions; examples being ladies only / teen sessions / learn to cycle schemes / working with social prescribers to enhance the referral programmes / chair-based exercises
- Strengthening connections and working with health partners
- Running Holiday Activities and Food programmes
- £1 holiday sport sessions
- Working in collaboration with the health and wellbeing service
- UK Active and Sport England sponsored programmes, for example This Girl Can/Good Boost
- Disability swim sessions.

#### **Improving the Environment**

- Centre-specific environmental plans
- Energy champions

- Supporting cycle to work schemes for staff
- Reducing single use plastics
- Supporting the council with any PSDS / SALIX funded proposals and implementation.

### **Increasing prosperity**

- Demonstrate social value generated across the contract on an annual basis
- Expand Apprentice and work experience programmes including for young people NEET
- Increased employment opportunities at the centres
- Policies to promote volunteering by staff.

3.6 In relation to understanding the lessons from Covid and how services have and would continue to change, examples included:

- Digital transformation and improved use of data to evidence outcomes and impact
- Aligning programmes to wellbeing and mental health, not just physical activity
- More sophisticated and targeted marketing
- Awareness of the market in which centres are in and honing products and offer for a more bespoke approach
- Improved systems for identifying areas of inactivity and directly focusing on these
- More sophisticated approach to influence behaviour of people who are less active / not active.

## **4. Other options considered**

4.1 Not applicable.

## **5. Legal and financial implications**

5.1 This paper has been agreed with Legal Services, Procurement and Finance Services and representatives from these areas have been part of the procurement project team and were involved in the negotiation sessions. Procurement, Legal and Finance have also been an integral part of the tender evaluation process.

5.2 The tender exercise was conducted in compliance with regulation 29 of the Public Contracts Regulations 2015, which gives a contracting authority the flexibility to negotiate with selected suppliers to improve initial bids whilst maintaining minimum requirements set out in the invitation to negotiate.

- 5.3 The Council used the model Sport England 'Leisure Operating Contract'. The Council has used the template, a widely recognised and industry accepted standard, and made some adaptations to take account of local circumstances. It now reflects for example the Council's strategic requirements in relation to the term and extension period of the contract, and the Council's position in anticipating a surplus contract with a management fee payable to the Authority; and aligns some of the key timescales and contract management tools within the contract with the Council's existing contracts, to ensure consistency.
- 5.4 The minimum requirements (preserved in the specification for the services) where suppliers could not negotiate were: Core Centres in scope; Operator's Quality Management system; Website and booking system; Customer Services Policy and Complaints; Pricing – Operator shall provide a concessionary scheme; Staffing; Safeguarding; Cleaning; Marketing; Data and ICT Management; Health and Safety management; Major Incident Reporting; Equipment; Legislation and Policy; and Pool water quality.
- 5.5 As part of the contractual arrangement, the successful operator would be granted leases of the leisure centres in scope at a peppercorn rent in order that they can lawfully discharge their contractual obligations (i.e. deliver the services) at those sites. Those lease arrangements would end on expiry or termination of the leisure contract.
- 5.6 The contract awarded to the successful operator is framed as a surplus contract, meaning it is designed to manage relationships where an operator pays the employer (the Council) for delivering the services.

#### **5a Director of Legal & Democratic Services comment**

The Director has seen and approved this report.

#### **5b Section 151 Officer comment**

The proposal aligns contracts whilst maximising income streams to protect existing income targets within the Medium Term Financial Plan.

The £500k capital funding can be met from reserves and will form part of the 2024/25 Capital programme, subject to Cabinet approvals.

### **6. Corporate implications**

- 6.1 The contributions that this contract will make to a range of corporate plan and wider priorities are set out in section 3.
- 6.2 Equality. An equalities impact assessment was undertaken and is kept under review and updated as and when required.

6.3 There are no other specific corporate implications; key requirements of the operators around Property, Health and Safety, Data Protection etc are all clearly defined and specified within the contract.

## **7. Local councillors & community boards consultation & views**

7.1 Member engagement has been undertaken throughout the procurement process through the Member-led Leisure Board, and through regular discussions and briefings with the Cabinet Member for Culture and Leisure.

## **8. Communication, engagement & further consultation**

8.1 The Communications Team is preparing the communications plan for when this new contract is awarded. The approach will be mindful of the Council's positive contract partnerships with other leisure operators and the need to maintain customer confidence.

## **9. Next steps and review**

9.1 Should the recommendation be accepted, then the necessary steps will be taken to award the contract to the preferred bidder and commence mobilisation. A transition team will be established with regular oversight from the Cabinet Member to ensure the effective mobilisation of the new contract.

## **10. Background papers**

Confidential Appendix 1: tender evaluation report covering the detailed financial outcome and recommendation.

## **11. Your questions and views (for key decisions)**

If you have any questions about the matters contained in this report, please contact 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. This can be done by email to [democracy@buckinghamshire.gov.uk](mailto:democracy@buckinghamshire.gov.uk).

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# Equality Impact Assessment (EqIA)

Template reviewed June 2023

The Public Sector Equality Duty (PSED) was introduced as part of the Equality Act 2010, which protects people from discrimination in the workplace, in the provision of services and in wider society.

The duty requires all public bodies to have due regard to the need to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people

Public bodies demonstrate this due regard in different ways, including producing robust equality impact assessments when considering changes to policies and services.

An EqIA enables us to check the potential impacts on residents and employees of our policies, services and projects. It's an opportunity to challenge how we currently do things.

Carrying out an EqIA should not create extra work; it should be part of your normal service planning process. Most of the information required should already be available to you through other work already undertaken e.g. service user monitoring, analysis of complaints and national research.

The purpose of an EqIA is to *take account* of equality as plans develop, to promote and assist the consideration of equalities issues arising in plans and proposals and to ensure that where possible adverse or disproportionate impacts are minimised and positive impacts are maximised. As such where possible an EqIA should be started at the outset of a project/proposal and continually be developed and reviewed until a final proposal is adopted. An EqIA should be used to ensure decision makers have all the information they need regarding potential impacts to ensure they have due regard to the Public Sector Equality Duty when making judgements.

Carrying out EqIAs should be an integral part of policy or service development/change and larger projects may need more than one EqIA if different areas are impacted by the change.

Any project that requires consultation will automatically require an EqIA.

All approved and signed EqIAs are recorded in a central register. Please email your completed draft EqIA to [equalities@buckinghamshire.gov.uk](mailto:equalities@buckinghamshire.gov.uk). Previous EqIAs can be made available for information upon request. For any questions or if you require support in completing your EqIA please contact Maria Damigos and Natalie Donhou Morley directly.



# Equality Impact Assessment (EqIA)

Template reviewed June 2023

## Part A (Initial assessment) – Section 1 – Background

Proposal/Brief Title: **Contract Award – Leisure Centre Management – from 1 April 2024, to operate the Council’s leisure facilities at Aqua Vale Swimming and Fitness Centre (Aylesbury), Swan Pool and Leisure Centre (Buckingham), Little Marlow Athletics Track, Evreham Sports Centre (Iver) and the Beacon Centre (Beaconsfield).**

OneDrive link to report/policy:

Related policies: N/A

Date: **Cabinet 12 December**

Type of strategy, policy, project or service:

Please tick one of the following:

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

This assessment was created by:

Name: Sue Drummond

Job Title: Head of Leisure

Email address: [sue.drummond@buckinghamshire.gov.uk](mailto:sue.drummond@buckinghamshire.gov.uk)

### **Briefly describe the aims and objectives of the proposal below:**

The Council has undertaken a competitive procurement procedure with negotiation for the tender of its Leisure Management Contract for the above facilities, for the period commencing 1 April 2024 until 30 June 2029 (with an optional extension of up to 12 months). This process recognises that Buckinghamshire’s public leisure facilities and programmes play a key role in ‘strengthening communities’ by supporting and encouraging adults, children and young people to be more physically active, which in turn improves health inequalities and reduces the life expectancy gap. There are currently more than 3 million visits to the Council’s leisure centres across Buckinghamshire each year and this has continued to increase. This new leisure contract will require the successful bidder through the detailed specification and operating contract to continue to provide a wide and varied accessible and inclusive programme of activities.

### **What outcomes do we want to achieve?**

Encouraging and supporting increased levels of active participation for all residents at these facilities with a varied range of programmes, projects, classes and clubs programmes through:





# Equality Impact Assessment (EqIA)

Template reviewed June 2023

A shared commitment to increasing participation in sport and physical activity and championing inclusivity in Buckinghamshire particularly amongst identified under-represented groups, including, without limitation, disabled people.

Partnership working with key public, private and third sector organisations involved with enabling and delivering opportunities for sport and physical activity participation.

A proactive approach to identifying new opportunities to develop or enhance the services.

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

Please explain your answer:

The provision of a leisure service at these facilities will continue; whilst there will be new approaches and programmes available, current established recognised clubs and groups will continue to be included and supported.

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

Please explain your answer:

Below are some illustrative examples of how the service will be developed and delivered going forward:

Improved use of customer profiling to understand demographic and geographic gaps in users and to work with the communities to understand the barriers to being active and implement suitable interventions; examples being ladies only / teen sessions / learn to cycle schemes / working with social prescribers to enhance the referral programmes / chair-based exercises etc.

Other examples include:

Strengthening connections and working with health partners

Running Holiday Activities and Food programmes

£1 holiday sport sessions

Working in collaboration with the health and wellbeing service

UK Active and Sport England sponsored programmes, for example This Girl Can / Good boost

Disability swim sessions

Expand apprentice and work experience programmes including for young people NEET.

Increased employment opportunities at the centres.

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

Please explain your answer:

Within the new leisure operating contract there will be a refreshed approach to the activity programme that will build on the existing programme and use by local groups and clubs.

There will also be a community outreach activity programme developed within local



# Equality Impact Assessment (EqIA)

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community settings – this is aimed at reaching those who may not see a leisure centre as their preferred location but who could be supported and encouraged in other ways to become more active, which we hope will see positive impacts for the wider community.

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

Please explain your answer:

New and continued positive opportunities for residents to become more active across all these leisure facilities.

### Does this proposal affect employees? No

Please explain your answer:

There are no Buckinghamshire Council employees involved directly in providing these services, they are already contracted out.

Staff employed by the current leisure operators will TUPE transfer to the new leisure operator.

### Will employees require training to deliver this proposal? No

Please explain your answer:

As above, no impact on Council employees; any staff training required will be provided by the Leisure Operator for their own staff.

### Has any engagement/consultation been carried out, or is planned in the future? Yes

Please explain your answer:

Engagement has taken place with organisations such as swim clubs, athletic clubs etc. that already have “a protected allocation of time” within a facility, to reassure that this can continue under any new arrangement.

## Section 2 – Impacts

Please highlight potential impacts (including unintended impacts or consequences) for each protected characteristic\*. Where there are negative or positive impacts please give more details of the impact. Where the impacts are unclear please explain why.

Age\*

Positive	Negative	Unclear	<b>None</b>
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Details:

Disability\*

Positive	Negative	Unclear	<b>None</b>
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# Equality Impact Assessment (EqIA)

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Details:

Pregnancy & maternity\*

Positive	Negative	Unclear	<b>None</b>
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Details:

Race & Ethnicity\*

Positive	Negative	Unclear	<b>None</b>
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Details:

Marriage & Civil Partnership\*

Positive	Negative	Unclear	<b>None</b>
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Details:

Religion & Belief\*

Positive	Negative	Unclear	<b>None</b>
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Details:

Sex\*

Positive	Negative	Unclear	<b>None</b>
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Details:

Sexual Orientation\*

Positive	Negative	Unclear	<b>None</b>
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Details:

Gender Reassignment\*

Positive	Negative	Unclear	<b>None</b>
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**Whilst a new provider is yet to be confirmed, no impacts have been identified. However, the new contract is aiming for an increase in community outreach and affordable activities, and as such is anticipated to have positive impacts on the local communities.**



# Equality Impact Assessment (EqIA)

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**Do you anticipate any impacts on military families/veterans in relation to the Armed Forces Act 2021 requirements on local authorities to have due regard to [the Armed forces Covenant](#)?** No

**Are there any other additional groups/impacts that the EqIA should evaluate in relation to the proposal?** Yes

Details:

The leisure service requires the operators to provide a range of concessionary prices for residents alongside schemes for example that enable carers to attend, low cost family activities in school holidays, activities in conjunction with MIND, Age UK, Dementia UK, partnership work with Public Health and social prescribers to reach new audiences. However, no impacts on these groups are currently anticipated due to the contract change.

## Section 3 – Is a full assessment required?

**If you have answered yes to any of the initial assessment questions in section 1 of this EqIA, or have indicated a negative or unclear impact in section 2, it is likely you will need to complete part B of the EqIA form. Should you need guidance as to whether a full EqIA is needed at this time please contact Maria Damigos or Natalie Donhou Morley before continuing.**

Following completion of part A, is part B completion required?

- Yes
- No**
- Not required at this time

Explain your answer:

This new leisure operating contract will continue to provide through the service specification and operating contract a timetable and programme that includes accessible and inclusive activities for residents. The monitoring of this service contract includes details of attendance by specific groups /age range /ethnicity etc and also considers the work being undertaken to increase participation and engagement within these groups.

Changes to individual community programmes/activities should be considered by the new provider in regards to equalities to mitigate any potential impacts where possible on protected groups.

**Have you completed an DPIA for this project/change?** No



# Equality Impact Assessment (EqIA)

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## **Section 4 – Sign off (Only complete when NOT completing Part B)**

Officer completing this assessment: Sue Drummond Date: 7 November 2023

Equality advice sought from: Natalie Donhou Morley Date: 24 November 2023

Service Director sign off: Sophie Payne Date: 28 November 2023

Next review Date: October 2024

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## Report to Cabinet

<b>Date:</b>	<b>12<sup>th</sup> December 2023</b>
<b>Title:</b>	<b>Units 1-3, Vale Retail Park – Capital Works and New Lease</b>
<b>Relevant councillor(s):</b>	<b>Cllr John Chilver</b> – Cabinet Member for Accessible Housing and Resources
<b>Author:</b>	Ryder Sibley Paul Redstone
<b>Ward(s) affected:</b>	Aylesbury North
<b>Recommendations:</b>	<p><b>That Cabinet:</b></p> <p><b>(1) Approve that the Council enters into an Agreement for Lease on Units 1-3 Vale Retail Park, which is in line with the MTFP income target. Furthermore, to grant delegated authority to the Director of Property Assets, in consultation with the Cabinet Member for Accessible Housing and Resources, to enter into the Agreement for Lease, including the commitment of a capital sum of funding for the enabling works.</b></p> <p><b>(2) Approve a supplementary budget change to the Capital Programme to use a capital sum from the Investment Property Reserve to fund enabling works on units 1-3 in Vale Retail Park.</b></p>
<b>Reason for decision:</b>	The property requires enabling works to achieve a market rent with the level of return set out in the report. The proposed works and letting deliver a high-quality covenant, reduces existing budget pressure by creating a

secure income stream and improves the profile of the Retail Park.

## **1. Executive Summary**

- 1.1 The property was acquired in 2015. The recession in the retail market together with the move to online shopping has resulted in some tenants not renewing their lease or in the case of Mothercare entering administration. This has led to a loss of income and voids creating pressure on the forecasted rental budget. Marketing for commercial uses has continued and a prospective tenant for parts of the retail park has been found and terms negotiated.

## **2. Background Information & New Lease Requirements**

- 2.1 There had previously been negotiations with a Supermarket Occupier to secure tenancies on Units 1-3, and the Vale Retail Park revenue budget was set on the assumption that they would be in place by October 2023, providing rental income and picking up rates and utilities costs. As the deal did not happen there is an in-year Revenue pressure in Property budgets, currently being met by a Voids contingency.
- 2.2 Units 1-3 have been re-marketed for over 6 months, following the previous prospective tenant walking away from the transaction as a result of a change in the company's acquisition criteria. In total the three units have been vacant for over 2 years. Units 4 and 5 are let to tenants with good quality covenants.
- 2.3 Following the remarketing of the site, there has been limited interest in the property being let as individual units as well as a whole block. Negotiations had been undertaken with a supermarket occupier for Units 1, 2 and part of 3, however the terms were appearing unviable in respect of the proposed income and capital expenditure, along issues in agreeing the enabling works. Heads of Terms have been agreed in principle (subject to Council approval and contract) with B&M to take all the available space.
- 2.4 The Managing Agents (Carter Jonas) have advised that Units 4-5 have indicated that they would be inclined to exercise their right to break unless there is progress in letting the vacant units. Without complimentary occupiers on the Estate, the lack of footfall could result in the Tenant's reviewing their options and vacating, resulting in further pressures on the Property Budget's. The focus is to secure new leases on the Retail Park to further reduce the voids, loss of income and holding costs.
- 2.5 Securing the tenant will require the Council to undertake capital works to the property to reconfigure the existing retail space, providing a shell-and-core unit



ready for the Tenant to take occupation and undertake their fit-out. Additionally, the Council will be providing a garden centre to the side elevation of the unit. Outline detail of the works including costs are included in the confidential annex at Part 2.

- 2.6 B&M are currently in positive discussions with the Planning Department, who are providing a helpful steer in order to achieve full permission to go ahead with the proposed works.

### **3 Other Options Considered**

- 3.1 Do nothing – This would result in the property remaining vacant with the Council incurring holding costs. The property would remain a drain on financial resources.
- 3.2 Continue to market the property – It is unlikely that the Council would secure a better-quality covenant and/or a higher rent in the current market. Rental values for the property are very unlikely to rise in the short to medium term. Our Letting Agents (Curson Sowerby Partners/Harvey Spackfield) have advised that the market is currently plateauing and that any further delays could result in other offers received being lower than that of B&M's. The property would remain vacant with the Council incurring holding costs and a revenue budget shortfall. In any instance, the properties would still need to be refurbished to remain an attractive proposition for new tenants.
- 3.3 Require B&M to undertake the conversion works – In principle this would result in either granting a longer rent-free period or making a capital payment. An extended rent-free period to cover the works would defer rental income on the site for over 6 years. An obligation for the tenant to undertake the works is not appropriate as the property is not a 'stand-alone' unit and the works extend beyond the immediate area to be demised.
- 3.4 Redevelop the property – With the large number of voids the option of fully vacating the retail park and redeveloping is a possibility. However, Pets-at-Home and Bensons for Beds have security of tenure – giving legal rights to a new lease at the end of their term. The Council would be required to demonstrate clear plans to redevelop and pay compensation to them to deliver vacant possession. The estimated value of the property as a development site is below that of improved value following the B&M letting.
- 3.5 High Street Retailer – Due to a change in business strategy and potential relocation of their existing unit in Aylesbury town centre, they have expressed a late interest in the site. It should be noted that if this occupier is unable to secure the whole of Vale Retail Park to build a 58,000 sq ft store, they have verbally indicated to our Letting Agents an intention to potentially vacate Aylesbury town centre. At the time of writing, they have not yet submitted a firm or detailed proposal for the site. This

occupier is aware that the Council is in advanced negotiations with B&M. If an offer is received, prior to Cabinet, the relevant Heads of Service will be updated.

#### **4 Legal & Financial Implications**

- 4.1 The proposed agreement for lease will commit the Council to a lease of up to 15 years, plus any statutory continuation thereof, from practical completion of the works. The proposed Landlord's enabling works will be subject to satisfactory planning and procurement rules.
- 4.2 The detailed financial breakdown is set out in Part 2 of this report (confidential annex).

#### **5. Corporate implications**

- a) Property – The proposal secures a high quality covenant at a market rent to an existing Investment Asset.
- b) HR – n/a
- c) Climate change – The enabling works will be in compliance with EPC and energy efficiency regulations.
- d) Sustainability – n/a
- e) Equality – n/a
- f) Data – It should be noted that the Heads of Terms are confidential.
- g) Value for money – The proposal provides an improved return on the investment as set out in the body of the report.
- h) Value for money – The proposal provides an improved return on the investment as set out in the body of the report.

#### **6. Consultation with local councillors & community boards**

- 6.1 Local Councillors were sent this paper on 17<sup>th</sup> November. To date no replies have been received, nor any objections raised.

## **7. Communication, engagement & further consultation**

- 7.1 A headline report outlining the Heads of Terms and potential costs has been presented to and approved by the relevant internal boards.

## **8. Next steps and review**

- 8.1 The tenant has been given internal board approval to proceed. In order to meet similar timescales, it is required that the report goes to Cabinet in December.
- 8.2 Solicitors have been appointed and are progressing legal documentation. The appointed Project Manager/Architects have been progressing negotiations with the Specifications and Planning Application. They are to review the cost enabling works and negotiate any savings to the scheme design.

## **9. Your questions and views (for key decisions)**

- 9.1 If you have any questions about the matters contained in this report please get in touch with the author. If you have any views that you would like the cabinet member to consider please inform democratic services [democracy@buckinghamshire.gov.uk](mailto:democracy@buckinghamshire.gov.uk)

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## Report to Cabinet

<b>Date:</b>	<b>12<sup>th</sup> December 2023</b>
<b>Title:</b>	<b>King George V House – Amersham</b>
<b>Cabinet Member(s):</b>	<b>John Chilver</b> – Cabinet Member for Accessible Housing and Resources
<b>Contact officer:</b>	<b>Sarah Murphy-Brookman/John Reed</b>
<b>Ward(s) affected:</b>	Abbey, Amersham and Chesham Bois, Aylesbury North, Aylesbury Northwest

### Recommendations:

This report forms part of the Councils medium term financial planning and is required to meet the savings targets set out therein and in relation to the Estate Strategy £2.4M revenue savings and capital receipts of £6M.

Pursuant to the Cabinet Report in January 2023:

1. ***Bring forward the closure of the Council Offices at King George V House, Amersham:***
  - a. ***Blocks A and B and the KGVH CAP+ to close – the last operating day will be 12 January 2024***
  - b. ***Block C to close upon the opening of Chesham Library touchdown.***
2. ***For King George V House staff to be relocated to Queen Victoria Road offices, Wycombe with exceptions where there is a business rationale for an alternative base.***
3. ***Refurbish Chesham Library ground floor and 1<sup>st</sup> floor to provide an enhanced library offer on the ground floor and Council Officer touchdown space for Adult Social Care, Children’s Services/Child Protection Conferencing and Communities in accordance with the plans (appendices 1 and 2).***
4. ***The revenue and capital costs of moving, all to be forward funded from the King George V House sale proceeds.***

5. ***To approve a budget supplementary change to the MTFP for forward funding the implementation costs set out in this report and the confidential appendix.***
6. ***Market King George V House for sale and seek conditional or unconditional offers for the freehold subject to contract noting that a further report will be brought to Cabinet in 2024 once marketing and agreement of Heads of Terms has been finalised.***
7. ***Move to two Council Access Points (CAP) + locations in Buckinghamshire, one in the north (Walton Street, Aylesbury) and one in the south (Queen Victoria Road, Wycombe)***

***The CAP+ sites continue to be managed by Customer Service staff in those locations as they are in main council buildings and CSC staff provide face to face service for the more complex customer enquiries.***

8. ***Create a Council Access Point (CAP) offering in Amersham Library, ready to operate from 15 January 2024.***

***Library CAP sites are managed by Library staff and provide a more general set of service enquiries, sign posting, self-service terminals and a telephone service which give access to a priority phone line into the customer service centre.***

9. ***To note that: The January 2023 Estates Strategy report considered the potential re-provision of a small footprint of offices than currently in Amersham. This will not now be provided as Council Access Points and alternative facilities will be provided at Chesham Library as set out in this report.***

10. **This report delivers savings and capital receipt linked to MFTP.**

#### **Reason for recommendation:**

The Council set out in its MTFP (Medium Term Financial Plan) a requirement to make £2.4m pa revenue savings from efficiencies in its operational estate as well as a £6m capital receipt. The proposals contained in this report will contribute towards these targets and are expected to meet the capital receipt targets set out in the confidential appendices to this report. In addition, at the 11<sup>th</sup> July 2023 Cabinet meeting it was agreed that in light of the worsening financial position that savings should be accelerated and that there should be a strategic property and finance review brought forward to manage in year budget pressures and to examine opportunities for additional savings, income or capital receipt. The accelerated closure of King George V House forms part of those savings, which if approved would contribute to the overall savings target, generating a revenue saving and a capital

receipt and by completely exiting the site will provide additional revenue savings and capital receipt. The financial assessment is set out in the confidential appendices.

## **1. Executive summary**

- 1.1 The establishment of the unitary council created opportunities to rationalise the office accommodation inherited from the legacy councils. Furthermore, in common with other parts of the public and private sector, the organisational use of office accommodation has changed significantly post-Covid.
- 1.2 The closure of King George V House (henceforth referred to as KGVH) forms a component part of the Council's occupational estates strategy set out in the Cabinet paper of January 2023, which identified the potential closure. Data on operational usage of the Council's main buildings has been collected over a significant period of time post covid, and the occupancy data gained for KGVH shows that it is now the least occupied of the corporate buildings. Work has therefore been done to consider future options as set out in this report.
- 1.3 KGVH has the capacity to house over 526 desks on a daily basis. Data collected over a significant period of time post covid suggest it is now occupied at around 16% capacity. In addition to being significantly underutilised its closure will contribute to the carbon saving of the Council.
- 1.4 Staff consultation has occurred and the results of that consultation have been considered.
- 1.5 This initiative also considers how the Council will continue to respond and engage with the community and the proposals to extend the Council Access Points (henceforth referred to as CAPs) and also the transfer of activities currently undertaken at KGVH such as Planning Committee meetings.
- 1.6 Initiatives already completed to support the achievement of the required MTFP cost savings and improved efficiencies have included the closure of Capswood; commercial letting of Easton Street Offices and Wycombe Old Library, closure of floors at Walton Street Offices and the re-purposing of office space at The Gateway. As part of the estate's strategy, we are awaiting a decision from the Secretary of State regarding the certificate of immunity for the Council Offices at Walton Street. The closure of KGVH contributes to this programme and does not conflict with any of the work undertaken to date or planned moving forward.
- 1.7 The Council's Work Smart strategy has been designed to enable the organisation to maximise the benefits of flexible working, whilst ensuring that we meet the requirements of our residents and continue to drive improvements in productivity. Our desk-based teams in particular balance the benefits of working in the office and collaborating with colleagues in person, with the opportunity to work at home and

reduce commuting. These arrangements have become critical to the Council's ability to attract and retain staff within a competitive labour market. Our experience of this model of working over the past two years has provided us with a good dataset about the unitary council's need for office space, and we are now in a position to bring forward one of the proposals to reduce the size of the estate and the operational running costs.

- 1.8 Bringing forward the closure of KGVH offices from July 2024 to January 2024 means that we can increase our opportunities for savings in revenue and further our ability to rebalance the office estate with actual requirement.

## **2. Introduction**

- 2.1 As part of the Work Smart strategy, work has been taking place to develop the estates strategy, considering office buildings based on future need, occupancy and meeting room technology. This will facilitate collaboration and a greater desk: staff ratio.
- 2.2 The estates strategy has identified that as KGVH offices has the lowest proportion of occupancy, in year savings can be made by closing the building and providing touchdown space locally for services with clients who are based in the area. The savings plan is set out in the confidential appendices.

The site is as indicated in Appendix 4 and includes KGVH and the car park to the south-east of the building (above the law courts). The site is just over 2 acres in total.

- 2.3 In considering this plan, a staff consultation programme has been engaged; consideration has been given about community provision of services including the rolling out of additional CAPs as well as proposals for alternative space for Planning meetings, Community Boards and Licencing Committee meetings.
- 2.4 A programme comprising a short term and longer-term vacation of KGVH is proposed and set out below including the provision of an additional CAP at Amersham library.



## **KGVH**

### **Phase 1 – closure and relocation to QVR including new touchdown space at Chesham Library**

- 2.5 It is planned that staff who have KGVH as their contractual base will have a permanent change of location, which for the majority will be to Queen Victoria Road, High Wycombe (henceforth referred to as QVR), and this will take effect from 15 January 2024.
- 2.6 It is planned that KGVH, which has two sections, will close sequentially. Blocks A and B will be closed on 12 January 2024 and staff from this part of the building will move immediately to QVR offices, Wycombe.
- 2.7 Block C will close on or before 30 June 2024. Children’s and Adults Social Care staff who are based in Block C can continue to use KGVH until its final closure, after which they will move permanently to QVR offices. We are providing 18 touchdown spaces in the middle of the ground floor of Block C for other services needing to touchdown and access stored information between January and June 2024.
- 2.8 The Amersham CAP+ at KGVH will close on 12 January and the new Amersham CAP in Amersham Library will formally open on 15 January 2024. We know from visitor enquiry records that residents are already using Amersham Library as a CAP. To supplement QVR office and meeting space it is proposed that Chesham Library 1<sup>st</sup> floor is refurbished to provide touchdown space for Children’s and Adults Social Care, and conference rooms for Child Protection Conferencing, with storage for Environmental Services as highlighted by the Service as a requirement. It is intended that this becomes ready following a full internal refurbishment in June 2024, or earlier if the programme allows.

### ***Chesham Library touchdown space and hot desking at South Buckinghamshire Golf Club***

- 2.9 Library services in Chesham are currently delivered from the ground and first floor of the library. A re-modelling of the ground floor will be undertaken as part of the building refurbishment project to enable all library services to be delivered from the ground floor.
- 2.10 The new layout will provide a more accessible library service offer and the existing library CAP will be enhanced with the introduction of a private phone booth and private meeting space.
- 2.11 Chesham Library 1<sup>st</sup> floor will be refurbished to provide 18 desks for touchdown space for Children’s and Adults Social Care. There will be two conference rooms for Child Protection Conferencing including a small reception area. Staff welfare space

and storage for Environmental Health Services are also included within the floor plans.

- 2.12 For staff the first floor is accessible by a separate entrance and there is a lift for anyone requiring disability access. There will be security provided on site.

In addition to Chesham hot desking space for staff working in the south of the county will also be provided by repurposing an existing meeting room at the South Buckinghamshire Golf Course in Farnham Royal. This can be created at no additional cost using existing office furniture and IT connections to provide for up to six people at a time, noting that it would only be available during the opening hours for the course and that any external commercial bookings would continue to be honoured to maintain income (bookings/availability can be managed by uploading to the existing desk booking system). Since likely uptake is unknown, this is proposed as a trial with a review after six months. This hot desking space is part of public space (no swipe card entry) so staff will need to be mindful of data protection when using this space.

- 2.13 Once Chesham Library's refurbishment is complete, Children's and Adults Social Care will fully relocate to QVR offices, alongside using Chesham Library as touchdown and conferencing space.

2.14 ***Rates Mitigation***

Our financial assumptions assume that when vacant KGVH will attract 3 months rates free. In part because of the rating assessment of the building some of these will be achieved in this financial year and some in the next. The rating assessment is divided for the property which is somewhat unusual. We are consulting with specialist rating advisors regarding the potential to expand the rates free period for 12 months, this would be the subject of a separate report if it is possible.

2.15 ***Car Parking***

Currently the car park to the rear of KGVH and to the left-hand end of KGVH are public car parks. The value of the site would be maximised by incorporating the car park areas into the development footprint of the disposal. Currently the car park has two functions, one as longer stay which generates approximately £30k pa rising to £45k pa. The assessment from the car parking team is that this demand will move to the multi-story car park and is unlikely to materialise in a significant decrease in car park income. The other factor is that the car park has a 30-minute drop off free of charge which is used by parents to drop off their children at the day care in the leisure centre, the proposal is that the Council would look to provide this provision

outside the leisure centre.

## 2.16 **Unions Responses**

Responses have been received from Unison and AEP. A meeting has been held with Unison to discuss the issues they raised and a meeting with AEP has been offered. UNISON's issues centred around concerns that the proposal did not feature a future presence for staff in Amersham as indicated in the original Cabinet report; QVR not being a reasonable location for some staff; recommended approach to car parking at QVR and the sharing of the office plans for QVR, all of which the Council have covered in the close of consultation report and briefing. UNISON also requested a review of travel costs in terms of both monetary cost and time lost, it was explained that travel costs would be re-imbursed in line with staff's terms and conditions of employment. AEP's response centred around concerns about storage and staff travel time which are being addressed as part of the consultation process.

## 2.17 **QVR Office Space**

Using occupancy data QVR has space to be able to accommodate all KGHV staff based on both buildings' current occupancy and relocated staff will be accommodated as follows:

Service Area	KGVH Floor	QVR Floor
Children's	Block C Ground Floor	Ground Floor
Adults	Block C Ground Floor	2 <sup>nd</sup> Floor
Waste	Block A/B Ground Floor	1 <sup>st</sup> Floor
Environmental Health	Block A/B Ground Floor	Ground Floor
Planning Policy & Compliance	Block A/B Ground Floor	Ground Floor
Planning & Development	Block A/B Ground Floor	Ground Floor
Democratic Services	Block A/B Ground Floor	1 <sup>st</sup> Floor

Licensing	Block A/B Ground Floor	Ground Floor
Legal Services	Block A/B Ground Floor	1 <sup>st</sup> Floor
Corporate Business Support	Block A/B Ground Floor	Various
Housing	Block A/B Ground Floor	1 <sup>st</sup> Floor

2.18 QVR occupancy will continue to be monitored to ensure we use the space efficiently. All QVR staff have been informed about the proposed changes and been given the opportunity to provide input and feedback.

### **KGVB – Phase 2 – disposal**

- 2.19 A report will come to Members to Cabinet in the first quarter 2024 about the proposed disposal. It is envisaged that the best capital receipt complying with the terms of S123 of the Local Government Act 1972 will be on a subject to Planning basis.
- 2.20 During the planning period it is anticipated that the building will be shut down but with arrangements in place to comply with insurance and security. A rates mitigation strategy will be applied to reduce running costs. It is anticipated that final disposal will be in March 2025. Financial assumptions and planning are set out in the confidential appendices.
- 2.21 During the time the majority of the building is empty, it is anticipated secure car parking will be provided for car parking teams and waste teams (approximately 10 vehicles) until alternative provision is found. The parking team will remain in the Lodge until at least June 2024 and until alternative arrangements are found.

## **Council Access Points**

### **Introduction**

- 2.22 As part of the arrangements for the new unitary council a commitment was made to residents to provide local access to Council services through a network of CAPs primarily based in Council libraries. These 11 Library CAPs are supplemented by 3 CAP+ which are located in our 3 main offices.
- 2.23 This proposal will reduce our CAP+ provision down to two – one in the North of the County in Walton Street, Aylesbury and one in the south of the county in QVR, High Wycombe and will increase our library CAPs to 10 with the addition of Amersham library in the Chilterns Lifestyle Centre.
- 2.24 As part of this proposal there will be a communications plan both locally in the Amersham and Chesham areas but also across the County to promote CAPs – as well as other ways to contact the council – as the original launch campaign was stood down due to Covid.

### **Amersham CAP+ closure.**

- 2.25 As part of the KGVH review Officers have considered whether council owned properties or partner properties in the area could be utilised as a CAP+. The key issue is that if a CAP+ presence was to be maintained in Amersham, separate to the KGV building, it would require an investment such as rent, refurbishment, relocating staff to manage the space, security provision and technology installation and maintenance, all of which would reduce the estate saving and potentially require capital investment.
- 2.26 A detailed review of the Amersham CAP+ usage has been undertaken, the details are set out below, and the conclusion is that with a targeted communications campaign that the majority of resident enquiries can be dealt with either at Amersham Library CAP, or Chesham library CAP.
- 2.27 Relocation of the face-to-face service in Amersham from the KGVH office to the library will ensure a continued presence in Amersham with general and signposting services. The new Amersham Library CAP will have an enclosed phone booth to enable customers to access specialist support from Customer Service Agents from a private space.
- 2.28 Taken together the proposal is therefore to move to two CAP+ sites in Walton Street and Wycombe and create a CAP offering in the Amersham Library (in the Chiltern Lifestyle Centre opposite KGVH).

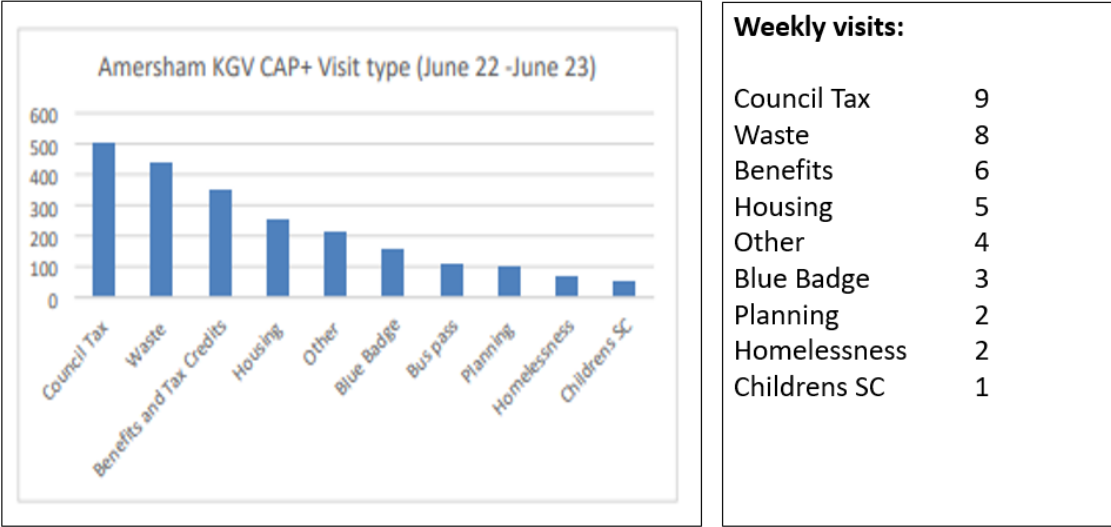
- 2.29 A review of the KGVH cap usage – set out further detail below – has been undertaken to understand why residents are accessing Council services and on the basis of this analysis we are confident that these proposals, supplemented by a communications campaign, will provide suitable albeit different service provision.
- 2.30 Communication in the run up to the closure will be key and customers will be made aware by Customer Service agents, through a set of new leaflets; face to face briefing and help and a broader communications campaign before closure that Chesham Library CAP will be able to assist with general and signposting services along with Amersham Library CAP. The communications campaign will also explain how services can be accessed online where customers are digitally able.
- 2.31 It is also proposed that we move to a new naming convention to reduce the confusion of what takes place between a CAP+ and a CAP. All CAPs based in libraries will be known as a ‘Library Council Access Point’ and the enhanced offering at office locations will continue to be known as CAP+.
- 2.32 During the closure and refurbishment of the Chesham Library building It will be necessary to provide an interim Library CAP service from a temporary site.  
Informal and confidential discussions have already taken place and several community venue sites in close proximity to the library have expressed an interest in accommodating an interim Library CAP at low or no cost to the council.  
Arrangements will be formalised once decision to proceed is made.

### **Current KGVH CAP+ usage and alternative service provision**

- 2.33 The Amersham CAP+ is situated in the reception area of the building, resourced by Customer Service Agents on a rota basis. The offer of face-to-face services is a central part of our customer contact strategy, in particular to ensure that vulnerable residents or customers who do not have access to digital services at home are offered a supported service or use of council digital equipment.
- 2.34 KGVH CAP+ received 2501 recorded visits over the last 12 months (June 22-June 23). KGVH is the least visited CAP+ with High Wycombe and Aylesbury CAP+ receiving more visits in that time, along with Aylesbury and High Wycombe library CAPs. High Wycombe is the most visited Library CAP with 5048 recorded visits.

The graph below shows the top 10 reasons for customer visits during that time and these have generally been for simple enquiries and CSAs have confirmed that most visitors are picking up equipment (such as waste bags), dropping off documents or making payments.

## KGVH CAP+ visits and volumes – annual and weekly



- 2.35 Further data from July to September 2023, shows that there were 26 enquiries classified as homelessness presentations at KGV CAP+, 89 at Walton St and 166 in QVR. Those 26 at KGVH were typically younger customers who were at risk of becoming homeless, or who want to apply for housing, rather than actually being homeless.
- 2.36 The current process at KGV is that the CAP+ staff help them log into our system so that they can make a homelessness application and once that has been completed the customer is able to leave and wait to hear from the Housing Team as per normal procedures. Where someone is not able to complete our forms using our self-service terminals then the Customer Service Agent would assist them in calling the Housing team to assist them with their application over the phone. The Amersham or Chesham Library team would provide the same support were there to be any such cases presenting at the library CAP.

## Other enquiry types

2.37

Enquiry	Proposed solution
Collection of bin bags, bin boxes/caddies by residents	Align the service with the rest of the county: all orders to be placed online/via phone and sent direct to customers' homes.
Paying council tax	This ceased in April 2023. Customers are now helped to either sign up for Direct Debit or to pay at a Post Office.
Document drop off – some customers drop items into the office post box to pass to the back-office service	At Library CAP sites customers can be assisted to scan in documents to email to council service areas however libraries do not take documents for internal transfer.
Litter picking equipment collection and storage	The North also offer this service from Pembroke Road but do not require customers to return the equipment.  Recommendation to align the services and inform residents that they should retain the items.

### Library CAP staff – refresher training

2.38 To support Library CAP staff at Amersham and Chesham, refresher training will be provided. Customer Services at KGV, who currently run the CAP+, will provide detailed training and hand-over sessions with staff in the Amersham and Chesham library to discuss the customers who tend to visit, types of enquiries and advice on how to manage these enquiries and how to refer enquiries into the Customer Contact Centre or to the CAP+ at Wycombe or Aylesbury.

### CAP Communication Plan

2.39 A communications campaign, including flyers and posters to be situated in KGV, is being prepared to ensure that all customers who regularly visit the CAP+ are aware of the planned move and the alternative provisions on offer to them.



## Other information

### 2.40 Office Occupancy

Data on operational usage of the Council's main buildings has been collected manually over a significant period of time post covid, and this occupancy data gained for King George V House shows that it is the least occupied of the corporate buildings, as outlined below:

*A review of the usage of the main legacy offices provided the following data:*

Capacity and Occupancy Rates			
	Total number of desks	Average Daily Occupancy Jan 23 – July 23	Percentage Occupancy
Gateway (Aylesbury)	374	123	33%
Walton Street (Aylesbury)	1,114	437	39%
QVR (High Wycombe)	327	71	21%
KGVH (Amersham)	526	88	16%

### 2.41 The timeline for the closure of King George V House is as below:

25 <sup>th</sup> September 2023	Consultation launched with staff
31 <sup>st</sup> October 2023	End of staff consultation
12 <sup>th</sup> January 2024	KGVH Blocks A&B close
15 January 2024	Staff move to Queen Victoria Road, Wycombe
Jan to June 2024	Block C ground floor occupied by Children's and Adults Services; hotdesking space for all Services provided
By June 2024	Chesham Library 1 <sup>st</sup> floor becomes available for Children's and Adults Services, along with storage for Environmental Health
By June 2024	Children's and Adults Services move to Queen Victoria Road, Wycombe
By June 2025	Retention Schedule completed and heritage assets moved to Wycombe or Aylesbury
30 <sup>th</sup> June 2024	KGVH Block C closes
June 2024 – June 2025	Disposal timescale and mitigation of costs subject to Planning.

## 3. Other options considered

3.1 Letting as offices – in the current challenging climate, the market for letting has been severely affected and is insufficiently robust to proceed with this option. Occupiers are seeking quality accommodation and the building would need significant capital expenditure to make it attractive to an office occupier.

- 3.2 Closing of QVR offices – we need a corporate presence in the south of the county, and a base for direct services to meet the needs of the public. QVR offices was more recently refurbished than KGVH and has sufficient space to accommodate the staff transferring to this office. QVR is also generating income as we have tenants in occupation.
- 3.3 Moving operations to one of the Aylesbury offices – as above a corporate presence is needed in the south of the county to serve the public.
- 3.4 Do nothing – this is not the recommended option. The Council set out an ambition in the Unitary Business Case to achieve operational savings from its estate. The estate is under utilised and not undertaking these proposals will continue to see space being provided that is not needed to assist the organisation.

#### **4. Legal and financial implications**

- 4.1 Local authorities are given powers under the Local Government Act 1972 to dispose of land in any manner they wish, including sale of their freehold land. The main constraint is that the disposal must be for the best consideration reasonably obtainable pursuant to section 123(1) of the Local Government Act 1972.
- 4.2 The Council's Medium Term Financial Plan (MTFP) already includes revenue savings of £2.4m from the operational estate, and a net capital receipts target of £6m from KGVH. If these savings are not delivered, the Council will need to identify alternative savings in order to deliver a balanced budget, as set out in the Unitary Business Case.
- 4.3 **Implementation costs** Set out in confidential Appendix 3
- 4.4 **Revenue Savings:** The Revenue Savings which are projected are set out in the Confidential appendices and will contribute towards the Councils Medium Term Financial targets.

#### **Director of Legal & Democratic Services comment (Nick Graham)**

- 4.5 Service Director, Legal has read and noted report.

#### **Section 151 Officer comment**

- 4.6 The Revenue savings and net Capital Receipt from the Closure are projected to be in line with the MTFP target. The costs of the move can be funded from the expected

capital receipt from the sale of the site, and this paper includes the Cabinet Recommendations to include this in the MTFP.

## **5. Corporate implications**

### **5.1 HR**

A formal consultation has been held with employees whose contractual location is currently KGVH and employees who have a contractual location elsewhere but choose to work from Amersham for business or personal reasons have also been consulted with. Employees have been invited to comment on the proposals and 1-1 meetings have been held with their Head of Service where the employee has requested it.

All requests to relocate to an office other than QVR have been considered in consultation with Heads of Service and decisions have been based on business needs to ensure consistency. The outcome is that a relatively small number of employees will be accommodated in offices in Aylesbury. This is largely due to them already working from an Aylesbury office with other members of their team.

All employees have a mobility clause in their contract of employment which allows the Council to require them to relocate to other offices following appropriate consultation. Pending Cabinet approval, each employee will be issued with a variation to contract letter informing them of their new contractual location.

### **5.2 Climate change**

King George V House has the second highest electrical and gas use of the Council's occupied office portfolio. NCO in Walton Street is the highest by virtue of being the largest occupied building.

## Carbon efficiency usage

	kWhs Building Total	£'s per annum Building Total	TCO2e per annum Building Total	Carbon Emission Contribution (1 = highest; 4 = lowest)	Occupancy (Apr '21-Mar '22)	TCO2e per annum per occupant	Carbon Emission Contribution per occupant (1 = highest; 4 = lowest)
King George V House	1,322,176	£ 271,714.00	268	3	19,927	0.0134275	2
The Gateway	1,061,422	£ 317,837.00	232	2	21,317	0.0108772	3
Queen Victoria Road	924,743	£ 204,932.81	190	4	12,296	0.0154368	1
Walton Street	3,040,464	£ 490,935.00	593	1	76,912	0.007705	4

### 5.3 IT

There is a data centre in the basement of KGVH that will need to be decommissioned, and IT colleagues are aware of this requirement. The decommissioning will take place by December 2024, as contracts are in place until that time.

With staff moving from KGVH to QVR, Wycombe, a review of what IT equipment needs to be provided at QVR is being carried out. With staff using different legacy laptops and screens the offices will need to be set up correctly. Revised floorplans will identify the exact requirements and IT will be responsible for ensuring the relevant equipment is set up.

### 5.4 Value for money

The proposals in this report also support the ambitions of our Corporate Plan to be “realistic and focus on greater efficiency and value for money” and that “we will manage our assets to create long term benefits and additional income reducing our dependency on the taxpayer and protecting front line services.”

### 5.5 Equalities Impact Assessment

There is a current equalities impact assessment which has been developed for the estate’s strategy (see appendix 5)

## **6. Local councillors & community boards consultation & views**

- 6.1 Cabinet Member is supportive of the Direction of Travel.
- 6.2 The Member support group are supportive of the disposal of KGVH. Members and Local Members have been briefed on this proposal and feedback provided.
- 6.3 The Community Board Manager confirmed that no meetings for the board take place at KGVH and therefore there are no relocation requirements; the board Chairman and members were informed about the proposals as part of the member briefings.
- 6.4 Planning meetings will be moved to QVR as will any in person Licencing meetings.

## **7. Communication, engagement & further consultation**

- 7.1 In addition to the consultation with staff contractually located to KGVH, noted above, a briefing about the proposals and likely changes to office layout was given to staff based at the QVR offices. Any issues or concerns raised have been included in the overall staff feedback.
- 7.2 Two briefings were held with members prior to the start of the consultation with staff – the first was with members local to Amersham and the second with all members.
- 7.3 The proposal to relocate committees currently run from KGVH was discussed with committee chairmen and no adverse feedback was received.
- 7.4 Key partners written to in confidence about the proposal to close the office were: Thames Valley Police; Bucks Fire and Rescue Service; SCAS; Community Impact Bucks; Citizens Advice; BOB ICB; BMKALC; Chesham Town Council and Amersham Town Council.
- 7.5 Comments were received from Thames Valley Police and Bucks Fire and Rescue Service, both of whom said that closure of KGVH would not present them with any operational issues.
- 7.6 Due consideration was given to a consultation with residents about the closure of KGVH. The decision not to consult with residents as part of a formal public consultation was based on two premises:

- a. A Library CAP would be re-provided in Amersham at an alternative location, as detailed above, with other mitigations put in place for services not provided by a library access point and considered as part of the EqIA (appendix 5).
- b. The Gunning Principle (the principles that determine legitimate consultation) around “intelligent consideration” states that information “must relate to the consultation and must be available, accessible, and easily interpretable for consultees to provide an informed response”. Given that the driver for the closure of the office base is financial, with a requirement to make savings, residents would need to be presented with a wide range of financial information in order to suggest legitimate alternatives for finding the savings.

## **8. Next steps and review**

- 8.1 Work with the KGV closure project team and communications team to create a single communications plan to ensure that all stakeholders are informed of the change in service delivery and location of alternative offerings.
- 8.2 Agree where the litter picking equipment is to be stored.
- 8.3 Agree if Post Box at Amersham and Chesham Library CAPs can be included in the collection schedule and install boxes.
- 8.4 Progress the refurbishment of Chesham Library. Property Services have engaged with affected services, including Communities, on this project and appointed consultants to work on plans. These are close to being signed off and following this and agreement of costs, the refurbishment of the space will be underway.
- 8.5 Facilitate the move of staff contracts from the base of KGVH to QVR, Wycombe. HR are engaging with colleagues on this and will continue to do so post consultation.
- 8.6 Facilitate the move of staff and equipment in line with the proposals and following engagement with Directors and Heads of Service. This is already underway.

### **Your questions and views (for key decisions)**

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. This can be done by email to [democracy@buckinghamshire.gov.uk](mailto:democracy@buckinghamshire.gov.uk).

## Appendix 1

Chesham Library Floor Plan, Ground Floor - Non confidential

## Appendix 2

Chesham Library Floor Plan – First Floor - Non confidential

## Appendix 3

Implementation Costs - **Confidential**

## Appendix 4

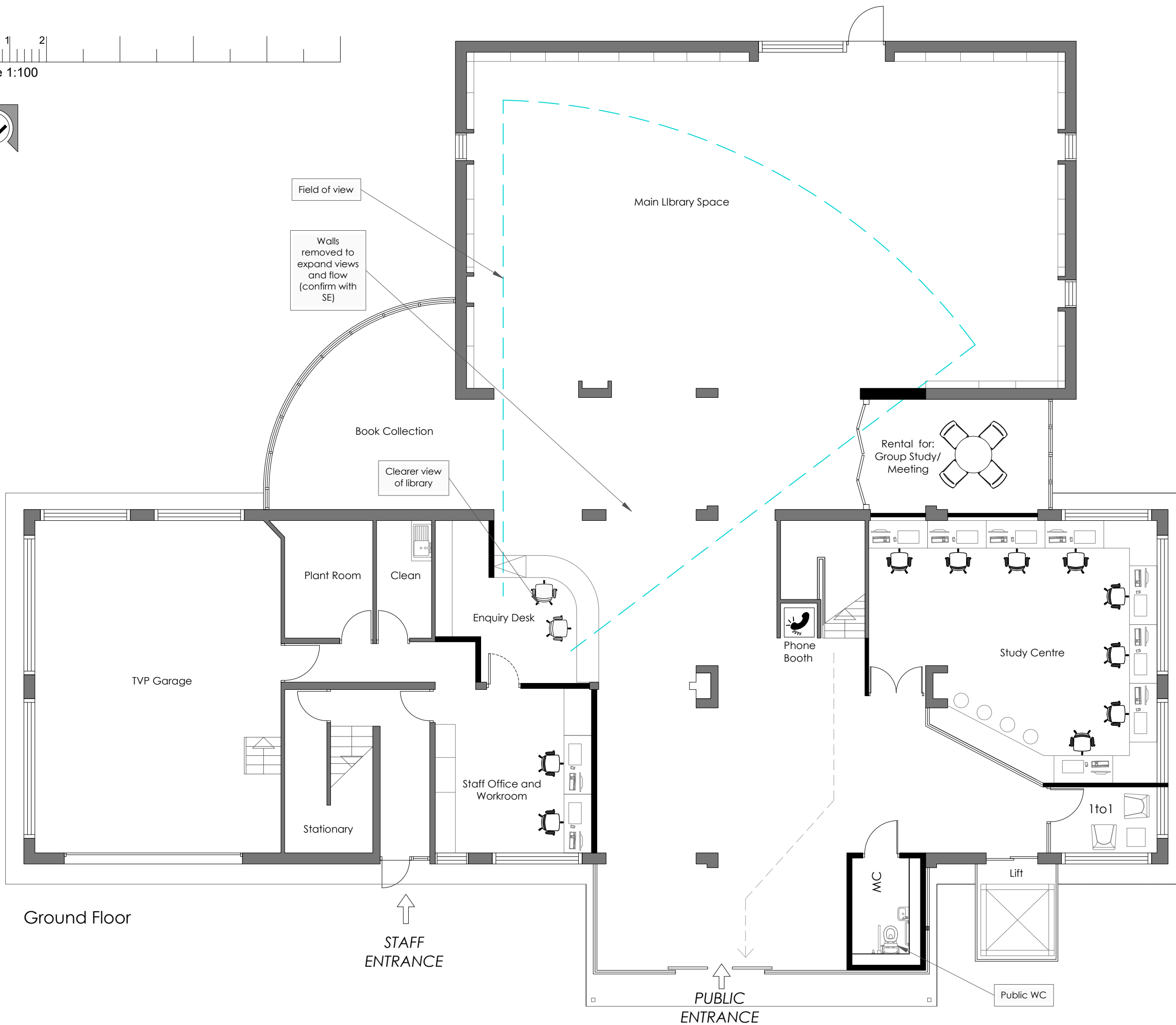
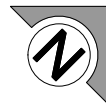
KGVH Site Plan – Non confidential

## Appendix 5

Equality Impact Assessment (EqIA) – Non confidential

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Notes:  
DO NOT SCALE UNLESS FOR  
PLANNING PURPOSES  
**TO BE READ IN COLOUR**

Page 237

REV	DATE	PURPOSED OF REVISION	DRAWN	CHECK
D3	04.10.23	Updated	AC	PB
D2	03.10.23	Update	AC	PB
D1	19.09.23	Draft Issue	AC	PB

**CONTOUR**  
ARCHITECTURE

This drawing is not to be used in whole or part other than for the intended purpose and project as defined on this drawing. Refer to the contract for full terms and conditions.

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Buckinghamshire Council

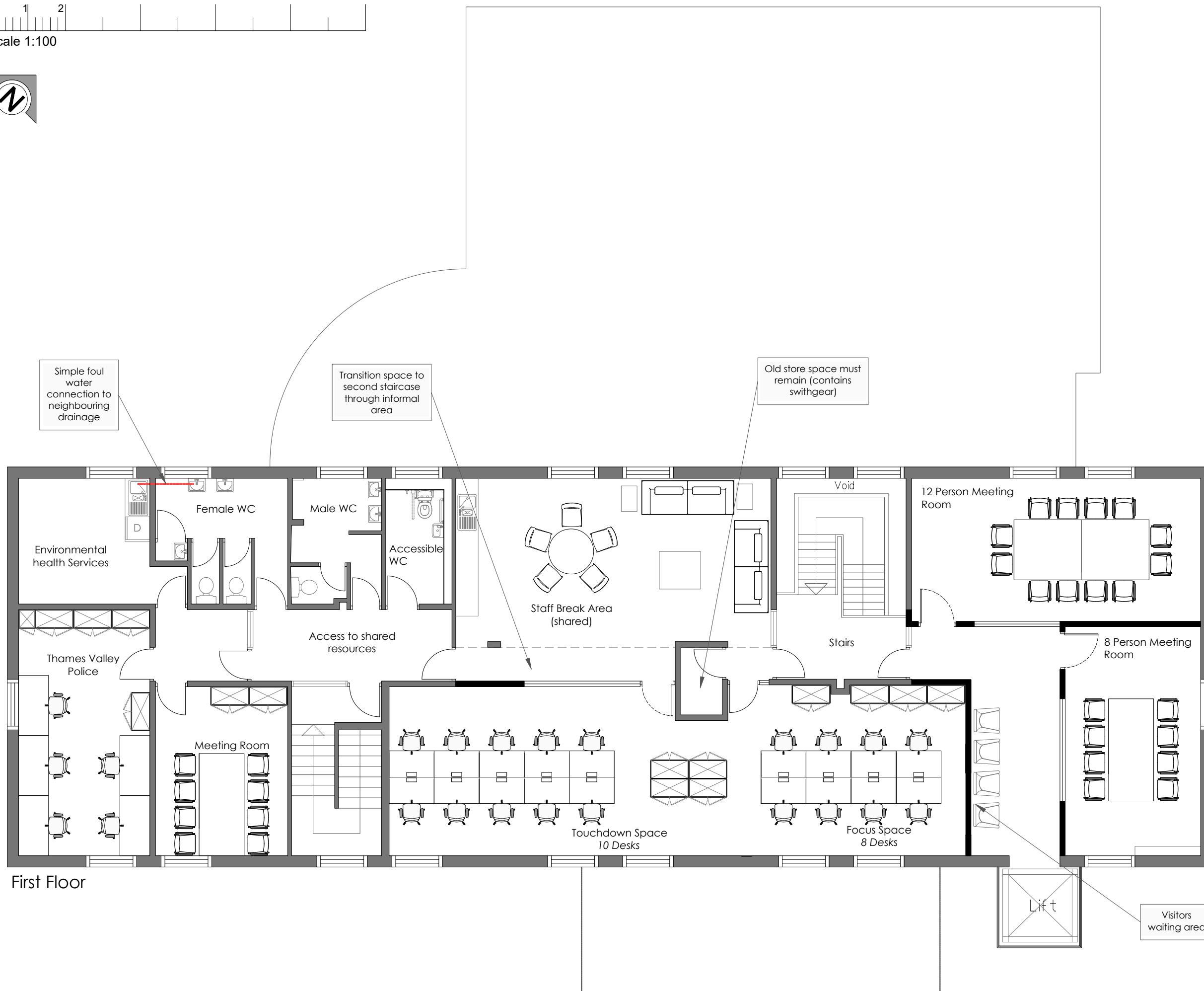
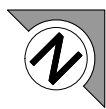
Project  
Chesham Library

Drawing Title  
Proposed Ground Floor  
Option 2

Scale 1:100	Drawing Status Draft
Project No. 23.119	Drg No. 100.201
Rev D3	

Appendix

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First Floor

Notes:

DO NOT SCALE UNLESS FOR PLANNING PURPOSES

TO BE READ IN COLOUR

REV	DATE	PURPOSED OF REVISION	DRAWN	CHECK
D4	30.10.23	Cupboard reinstated	AC	PB
D3	12.10.23	Room names	AC	PB
D2	03.10.23	Update	AC	PB
D1	19.09.23	Draft Issue	AC	PB

**CONTOUR**  
ARCHITECTURE

This drawing is not to be used in whole or part other than for the intended purpose and project as defined on this drawing. Refer to the contract for full terms and conditions.

Client  
Buckinghamshire Council

Project  
Chesham Library

Drawing Title  
Proposed First Floor

Scale  
1:100

Drawing Status  
Draft

Project No. 23.119

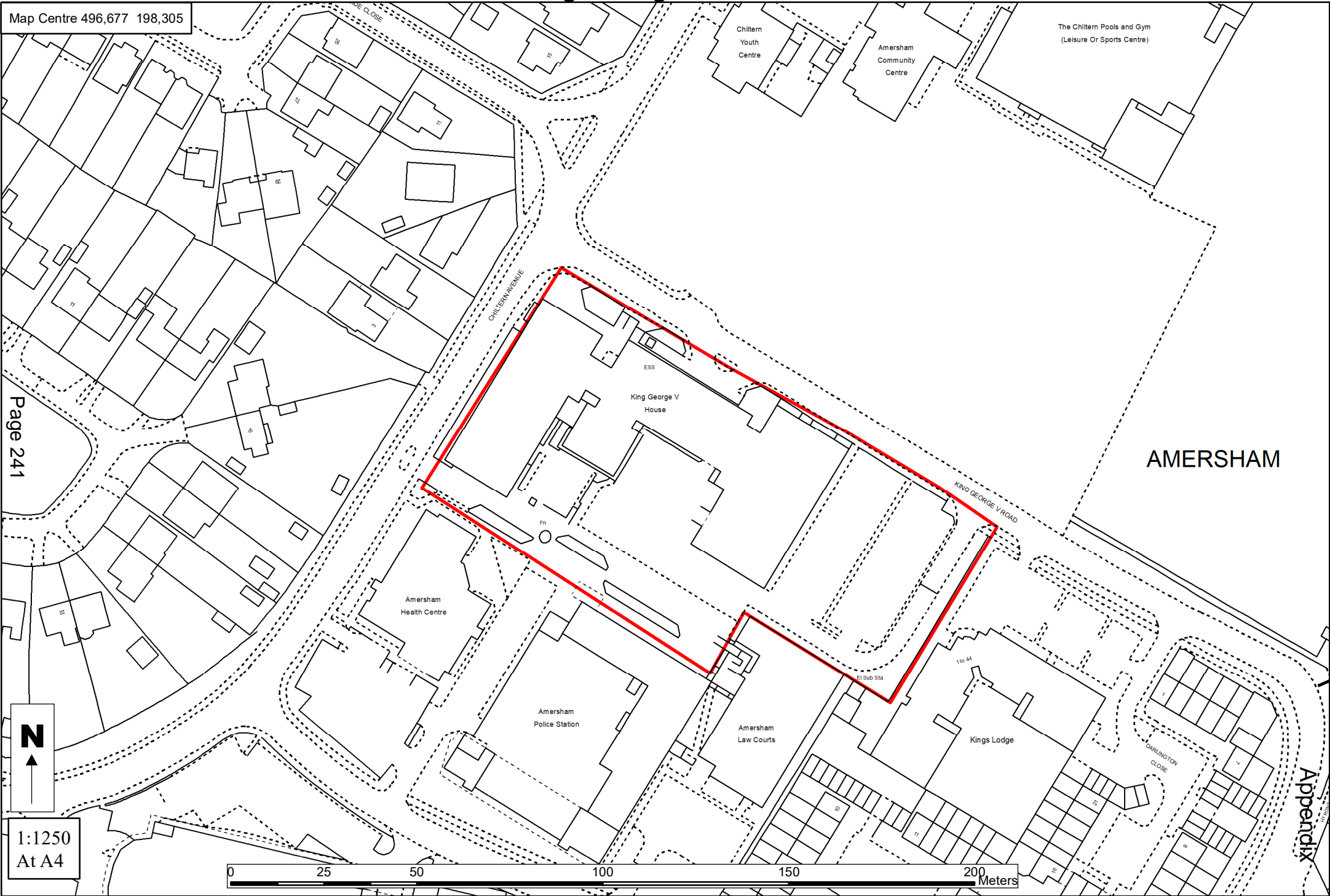
Drg No. 100.004

Rev D4

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# Area Office, King George V Road, Amersham

Map Centre 496,677 198,305



AMERSHAM

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# Equality Impact Assessment (EqIA)

Template reviewed June 2023

The Public Sector Equality Duty (PSED) was introduced as part of the Equality Act 2010, which protects people from discrimination in the workplace, in the provision of services and in wider society.

The duty requires all public bodies to have due regard to the need to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people

Public bodies demonstrate this due regard in different ways, including producing robust equality impact assessments when considering changes to policies and services.

An EqIA enables us to check the potential impacts on residents and employees of our policies, services, and projects. It's an opportunity to challenge how we currently do things.

Carrying out an EqIA should not create extra work; it should be part of your normal service planning process. Most of the information required should already be available to you through other work already undertaken e.g. service user monitoring, analysis of complaints and national research.

The purpose of an EqIA is to *take account* of equality as plans develop, to promote and assist the consideration of equalities issues arising in plans and proposals and to ensure that where possible adverse or disproportionate impacts are minimised and positive impacts are maximised. As such where possible an EqIA should be started at the outset of a project/proposal and continually be developed and reviewed until a final proposal is adopted. An EqIA should be used to ensure decision makers have all the information they need regarding potential impacts to ensure they have due regard to the Public Sector Equality Duty when making judgements.

Carrying out EqIAs should be an integral part of policy or service development/change and larger projects may need more than one EqIA if different areas are impacted by the change.

Any project that requires consultation will automatically require an EqIA.

All approved and signed EqIAs are recorded in a central register. Please email your completed draft EqIA to [equalities@buckinghamshire.gov.uk](mailto:equalities@buckinghamshire.gov.uk). Previous EqIAs can be made available for information upon request. For any questions or if you require support in completing your EqIA please contact Maria Damigos and Natalie Donhou Morley directly.



# Equality Impact Assessment (EqIA)

Template reviewed June 2023

## Part A (Initial assessment) - Section 1 - Background

Proposal/Brief Title: Consideration of closure of Council office at King George V House Amersham

OneDrive link to report/policy:

Related policies:

Date: August 2023

Type of strategy, policy, project or service: Closure of offices

Please tick one of the following:

- Existing
- New or proposed

xChanging, update or revision

- Other (please explain)

This assessment was created by:

Name: Gill Smith

Job Title: Head of Facilities Management

Email address: [gill.smith@buckinghamshire.gov.uk](mailto:gill.smith@buckinghamshire.gov.uk)

Briefly describe the aims and objectives of the proposal below:

The Council set out in its MTFP (Medium Term Financial Plan) a requirement to make £2.4m pa revenue savings from efficiencies in its operational estate as well as a £64m capital receipt. In addition, at the 11<sup>th</sup> July 2023 Cabinet meeting it was agreed that in light of the worsening financial position that savings should be accelerated and that there should be a strategic property and finance review brought forward to manage in year budget pressures and to examine opportunities for additional savings, income or capital receipt.

As part of the estates strategy CMT have agreed to bring forward proposals to close KGVH to provide in year savings due to under occupation of offices. The Customer Access Point, CAP+, will also be closed.

What outcomes do we want to achieve?

The accelerated closure of King George V House forms part of those savings, which if approved would contribute to the overall savings target, generating a revenue saving and a capital receipt and by completely exiting the site will provide additional revenue savings and capital receipt





# Equality Impact Assessment (EqIA)

Template reviewed June 2023

The proposal is based upon the underutilisation of the office space and low CAP+ usage.

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

Please explain your answer:

Closure of office space. Proposal for staff presence to be relocated to Queen Victoria Road building in High Wycombe. There is a linked proposal for a new small touchdown space being available at Chesham Library for social services teams and Child Protection Conferencing where services are required to remain local as well as storage space for Environmental Health.

Member meetings/democratic events will be relocated to QVR Wycombe Offices.

There may be an impact on car parking availability (service users/residents/staff) at the point of moving to new locations if agreed.

It is proposed that the CAP+ will not be replaced, but there will be a new CAP in Amersham Library and the Chesham CAP as part of the library refurbishment will be relaunched. There will be a County wide communications campaign about the services which can be accessed at Library CAPs – unfortunately this was never progressed at Vesting Day due to Covid.

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

Please explain your answer:

Please see above

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

Please explain your answer:

Relates to office building/facilities. The strategy and potential closure of the Amersham office was considered in the Councils Cabinet report on 5<sup>th</sup> January Cabinet 2023 and 11<sup>th</sup> July 2023.



# Equality Impact Assessment (EqIA)

Template reviewed June 2023

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

Please explain your answer:

It will affect service users, customers and the wider community as the proposals include replacing the existing CAP+ at KGVH with CAP provision in Amersham Library (within the Chilterns Lifestyle Centre across the road from KGV) with face-to-face support for more complex needs provided at the CAP+ offices in High Wycombe and Aylesbury

KGV CAP+ received 2501 recorded visits over the last 12 months (June 22-June 23). KGV is the least visited CAP+ with High Wycombe and Aylesbury CAP+ receiving more visits in that time, along with Aylesbury and High Wycombe library CAPs (High Wycombe being the most visited Library CAP, with 5048 recorded visits). From July to September 2023, there were 26 enquiries classified as homelessness presentations at KGV CAP+, 89 at Walton St and 166 in QVR

Relocation of the face-to-face service in Amersham from the KGV office to the library will ensure a continued presence to assist vulnerable or digitally unable in Amersham with general and signposting services. The new Amersham Library CAP will have an enclosed phone booth to enable customers to access specialist support from Customer Service Agents from a private space.

Customers will also be made aware through education before closure and a comms campaign that Chesham Library CAP will be able to assist with general and signposting services, the same as Amersham Library CAP.

In addition, it is proposed some services will utilise touchdown working spaces which may include meetings with partners and customers.

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

Please explain your answer:

If agreed, the proposed closure will impact on all staff who are contractually located at KGVH and those whose contractual base states Capswood but currently work out of KGVH. Those employees contractually located at KGVH may currently use this office as a touch down space or place to meet with partners or customers. Employees will be relocated as appropriate following consultation. Relocation policies will be followed, including additional travel mileage. Reasonable adjustments will be considered on an individual basis.

*Anticipated travel options and costs for public transport links from Amersham to Aylesbury, Wycombe and Chesham have been identified as below:*



# Equality Impact Assessment (EqIA)

Template reviewed June 2023

## Amersham to Aylesbury travel options

**Bus:** no routes

**Train:** one way ticket £10.70 (0 changes, 45mins) Few mins walk each way to the Council buildings.

**Taxi:** 30mins £40-£45

## Amersham to Wycombe Travel options:

**Bus:** 40 mins, £2

available from outside Chiltern Ave (opposite Lifestyle Centre) to Wycombe hospital (few mins walk from QVR) Other routes and bus stops available too. Bus no. 1 & 1A, Carousel Buses. Approx 3 per hour.

**Train:** one way ticket £16.50 (1 change, 1hr50mins) Few mins walk each way to the Council buildings.

**Taxi:** 20mins £20-25

## Amersham to Chesham travel options:

**Bus:** 15 mins, £2 (Train station to Broadway 1 min walk from library))

**Train:** 30 mins £3-4 (1 change, 3 mins walk each side to Council office/Chesham Library)

**Taxi :**15 mins £10-15

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

Please explain your answer: N/A

Has any engagement /consultation been carried out, or is planned in the future? ~~Yes~~/No

Please explain your answer:

A staff consultation is planned to start on 25<sup>th</sup> September 2023 and will close on 31<sup>st</sup> October 2023, with briefing sessions planned to be held with staff affected by these proposed changes. Agency workers affected by the proposal will also be briefed appropriately. Public consultation is not currently being considered, however, members have been consulted as representatives of their constituents.

## Section 2 - Impacts

Please highlight potential impacts (including unintended impacts or consequences) for each protected characteristic\*. Where there are negative or positive impacts please give more details of the impact. Where the impacts are unclear please explain why.

The project involves the proposed relocation of various teams. These may be teams who liaise directly with service users or are back office. Relocation options are being considered but where there is no requirement for a presence within Amersham itself the proposal is to



# Equality Impact Assessment (EqIA)

Template reviewed June 2023

relocate to High Wycombe, with touchdown areas for Social Services teams and Child Protection Conferencing proposed to move to Chesham Library.

It is proposed that the CAP+ will not be replaced, but there will be a CAP in Amersham Library, and there is already a CAP in Chesham library.

The main issues relating to closure of office and relocation are changes to travel for staff and access to CAP+ facility for residents within Amersham.

This is likely to have both positive and negative effects depending on exact travel requirements of individuals, road network and public transport facilities. As KGVH is currently under occupied as a result of changed work patterns since Covid, relocation is expected to affect up to 450 staff.

Relocation will offer better building accessibility than currently available at KGVH.

Unless otherwise set out below, the following has been completed in relation to both CAP+ closure and staff relocation. Staff/ individual consultation will be carried out as per council policies.

## Age\*

Positive	Negative	<u>Unclear</u>	None
----------	----------	----------------	------

### Details:

Elderly residents may prefer to visit offices rather than use internet. New Amersham Library CAP will mitigate issues for access to Council Services. Younger residents potentially more likely to use internet, however where work/ enquiry relates to social care still proposing to have access to touch down space for teams at Chesham.

## Disability\*

Positive	Negative	<u>Unclear</u>	None
----------	----------	----------------	------

### Details:

Resident/ Staff linked to disability and mobility – where location is further from home and therefore there is additional travel. Potential for impact on persons with disabilities. Persons with disabilities may find it difficult to travel on public transport. New Amersham Library CAP will mitigate issues for access to Council Services. For staff they may also incur a change associated with access to proposed workspace /office may be more difficult. Where possible, previously agreed reasonable adjustments will be followed, or reassessed with the staff member and HR if needed. Therefore, main issues still relate to travel to offices.

## Pregnancy & maternity\*

Positive	Negative	<u>Unclear</u>	None
----------	----------	----------------	------



# Equality Impact Assessment (EqIA)

Template reviewed June 2023

Details:

Pregnancy likely to affect ease of travel for staff and residents where longer journey times result from relocation. In case of staff, this can be dealt with under council policies. For residents, CAP services can still be accessed at New Amersham library CAP.

## Race & Ethnicity\*

Positive                      Negative                      **Unclear**                      None

Details:

Where English is not the first language of residents in the community, traditional communications regarding changes may be less affective resulting in residents not being as aware of changes to CAP location. This will be considered within comms to public. All Library CAPs have access to full translation services.

## Marriage & Civil Partnership\*

Positive                      Negative                      Unclear                      **None**

Details: None identified

## Religion & Belief\*

Positive                      Negative                      Unclear                      **None**

Details: None identified

## Sex\*

Positive                      Negative                      **Unclear**                      None

Details:

The proportion of female/male staff impacted is anticipated to be similar to that of the organisational make up of BC (70%/30%).

## Sexual Orientation\*

Positive                      Negative                      Unclear                      **None**

Details:

## Gender Reassignment\*

Positive                      Negative                      Unclear                      **None**

Do you anticipate any impacts on military families/veterans in relation to the Armed Forces Act 2021 requirements on local authorities to have due regard to the Armed forces Covenant? **No**



# Equality Impact Assessment (EqIA)

Template reviewed June 2023

Please explain your answer: N/A

Are there any other additional groups/impacts that the EqIA should evaluate in relation to the proposal? **Unclear**

Details:

Employees who will relocate may have carer's and/or childcare responsibilities that would be negatively impacted if their travel time is increased. They may need to be close to the person for whom they provide care in case of emergencies. These would need to be considered on an individual basis during consultation. More information is required with regards to the business needs of teams and potential relocation proposals. The impacts are to be regularly reviewed as proposals are considered and any matters that are identified will be included.

### **Section 3 – Is a full assessment required?**

**If you have answered yes to any of the initial assessment questions in section 1 of this EqIA, or have indicated a negative or unclear impact in section 2, it is likely you will need to complete part B of the EqIA form. Should you need guidance as to whether a full EqIA is needed at this time please contact Maria Damigos or Natalie Donhou Morley before continuing.**

Following completion of part A, is part B completion required?

Not required at this time

Explain your answer:

The proposals will have an impact on both staff and residents.

With regards to staff, it is not appropriate to indicate individual issues affecting staff and any negative issues that are identified will be part of ongoing consultation. It is also possible that some staff will find relocation is of benefit to their personal circumstances. The Council has various policies including relating to relocation, reasonable adjustments, homeworking, carers etc which will be relevant and will be taken into account. As there will be further consultation with both unions and staff we will ensure that equalities issues are incorporated to allow full consideration as the project progresses and impacts updated and escalated as required.

It is also recognised that the proposed reduction of office space within Amersham will have an effect on committee meetings and member meetings. This is expected to affect planning and licensing matters the most which are location specific. Further consideration will be given to this area although the use of virtual meetings, virtual access and webcasts is expected to minimise issues in this regard.



# Equality Impact Assessment (EqIA)

Template reviewed June 2023

It is anticipated that the proposed closing of the CAP+ at the KGVH building and opening a CAP at Amersham library, as well as the touchdown provisions for other services will mitigate any loss of service to members of the public/partners. Appropriate communications will be provided to ensure that the public are aware of where and how they can access council services.

## **Have you completed an DPIA for this project/change? Yes/No**

(As you are completing an EqIA, you may also require a DPIA - for more information please contact [dataprotection@buckinghamshire.gov.uk](mailto:dataprotection@buckinghamshire.gov.uk))

## **Section 4 – Sign off**

Officer completing this assessment: Gill Smith Date: 25/08/2023

Equality advice sought from: Natalie Donhou Morley / Maria Damigos) Date: 25/08/2023

HR advice sought from: Rachel Monastyrskij Date: 14/09/2023

Service Director sign off: John Reed Date: 15/09/2023

CMT sign off: sign off: Sarah Murphy-Brookman Date: 18/09/2023

Next review Date: 9 October 2023 (mid-consultation)

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