



## Cabinet agenda

Date: Monday 25 March 2024

Time: 1.00 pm

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

### Membership:

M Tett (Leader), S Broadbent (Deputy Leader and Cabinet Member for Transport), A Macpherson (Deputy Leader and Cabinet Member for Health and Wellbeing), T Broom (Cabinet Member for Climate Change and Environment), 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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### Agenda Item

### Page No

1 Apologies

<b>2</b>	<b>Minutes</b> To approve as a correct record the Minutes of the meeting held on 5 March 2024.	<b>5 - 18</b>
<b>3</b>	<b>Declarations of interest</b>	
<b>4</b>	<b>Hot Topics</b>	
<b>5</b>	<b>Question Time</b> <b>Question from Councillor Robin Stuchbury to Councillor Anita Cranmer, Cabinet Member for Children’s Services and Education</b>  As part of a discussion at the Children’s and Education Select Committee on 7 March 2024 on school attendance, Members heard about the increased emphasis on school attendance within inspections of local authorities’ children’s services and the importance of good attendance for our pupils with special educational needs and disabilities in particular. We were told that high levels of support can be provided for pupils with SEND whether or not they have an EHC plan through advice, specialist teacher involvement and where appropriate high needs funding to the school to support specific work.  Can the Cabinet Member comment on whether this support is sufficient to mitigate not having an EHCP and also whether it adequately addresses the issues set out in the OFSTED report on the Joint Area SEND Inspection in Buckinghamshire in 2022? <a href="https://files.ofsted.gov.uk/v1/file/50182612">https://files.ofsted.gov.uk/v1/file/50182612</a>	
<b>6</b>	<b>Forward Plan (28 Day Notice)</b>	<b>19 - 32</b>
<b>7</b>	<b>South East Aylesbury Link Road (SEALR) Phase 1</b>	<b>33 - 80</b>
<b>8</b>	<b>Exclusion of the public (if required)</b> 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 affairs of any particular person (including the authority holding that information)	
<b>9</b>	<b>Confidential Minutes</b>	<b>81 - 82</b>
<b>10</b>	<b>Confidential appendices - South East Aylesbury Link Road Phase 1</b>	<b>83 - 146</b>

**11 Date of next meeting**

9 April 2024 at 10am

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## Cabinet minutes

Minutes of the meeting of the Cabinet held on Tuesday 5 March 2024 in The Oculus, Buckinghamshire Council, Gatehouse Road, Aylesbury HP19 8FF, commencing at 10.00 am and concluding at 11.40 am.

### Members present

M Tett, S Broadbent, A Macpherson, T Broom, J Chilver, A Cranmer, C Harriss, A Hussain and M Winn

### Others in attendance

D Barnes, P Martin, R Stuchbury and R Matthews

### Apologies

P Strachan

### Agenda Item

#### 1 Apologies

Apologies for absence were received from Councillors Arif Hussain and Peter Strachan. Councillor Rachael Matthews, Deputy Cabinet Member for Town Centre Regeneration attended in Councillor Strachan's place.

#### 2 Minutes

**RESOLVED – That the Minutes of the Cabinet meeting held on 22 February 2024 be approved as a correct record subject to the following amendment on Minute 8 – The future of E-scooter and E-bike hire schemes in Buckinghamshire.**

- **E-scooters could be used in any designated area and shared walking and cycle ways. This was shown by a blue sign with a picture of a bike and a pedestrian.**

#### 3 Declarations of interest

Councillor Angela Macpherson declared a personal interest in item 8 (Housing Strategy) as a Board Member of Fairhive Housing Association.

#### 4 Hot Topics

The following hot topics were discussed:-

## Transport

The Cabinet Member referred to the adverse weather. He commented that 29 gangs were out in Buckinghamshire looking at road repairs. In October last year there were only 15 so there had been an increase in resources. In the wet weather a temporary repair was made to the roads whilst it was still wet with a more permanent repair when the roads had dried out. Gullies were also not able to cope when they became full and work was being undertaken to clear gullies where necessary. There were also overflows from sewage affecting water systems as well. It was the responsibility of water companies to address this issue. Another Cabinet Member commented that some manholes under pressure could pop out which could be dangerous if a car went over them.

## Education and Skills

The Cabinet Member referred to the success of the Councillor Shadowing Scheme for young people. Buckinghamshire's Councillor Shadowing Scheme provided young people and local councillors with skills, experience, and insight, by giving young people and councillors an opportunity to get to know each other.

This increased young people's knowledge of politics and the decision-making processes that they could be a part of and developed councillors' understanding of issues facing young people.

<https://www.youthvoicebucks.co.uk/opportunities/councillor-shadowing/>

## Climate Change and Environment

Sewage escaping into water courses had significant environmental impacts therefore he and his Deputy Cabinet Member were in close contact with Thames Water to ensure the required response was made and appropriate resources deployed. He had also emphasised the importance of updating residents on the situation.

<https://www.buckinghamshire.gov.uk/environment/flooding-and-flood-risk-management/>

## 5 Question Time

### **Question from Councillor Robin Stuchbury to Councillor Rachael Matthews, Deputy Cabinet Member for Town Centre Regeneration**

Buckinghamshire Council's Parish charter set out some broad ambitions around planning. It states that to enable Parish and Town Councils to contribute to the planning process the Council will:-

- adopt a statement of community involvement regarding consultations with Parish and Town Councils on planning issues.
- equip Parish and Town Councils with the knowledge and skills to enable them to share the views of the community they represent
- enable Parish and Town Councils to set up policies for their own local area by preparing neighbourhood plans
- ensure Parish and Town Councils have the right to question a call in of an application to a committee or request a Buckinghamshire councillor to do

that on their behalf and give them a dedicated speaking slot where they have made representations

- consult Parish and Town councils, when producing the Buckinghamshire Local plan that will replace the current adopted local plan including the mineral waste plan.

These were broad ambitions set out at the onset and formation of Buckinghamshire Council. How does the Council believe they are meeting these aspirations for partnership working and can specific examples be given on what has been achieved in relation to the bullet points above?

### **Response from Cllr Matthews**

Buckinghamshire Council are acutely aware of the need to engage with the 171 Town and Parish Councils. The Parish Charter sets out how the Council will engage with our Town and Parish Councils in order to enable them to contribute to the planning process.

The Council is proud of its relationship with Town and Parish Councils and considers that the Charter helps to ensure that the Town and Parish Council's voice can be heard as part of the overall planning process and considers the actions of the Parish Charter positively contributes to a mutually agreeable relationship.

The Council recognises that Town and Parish Councils play a critical role in planning matters through representing local views, being a statutory consultee in the planning process, raising areas of concern or support related to planning applications, engaging with ward Members working collaboratively to ensure effective communication channels.

In addition, the Town and Parish Forums ensure that officers can regularly provide updates and information on service performance, key planning matters, policy updates and an opportunity for a Q&A session. These sessions ensure the Town and Parish Councils are armed with the right level of knowledge to confidently engage in the planning process.

Alongside this on specific planning application matters, bi-weekly Town and Parish Councillor surgeries have been established and launched in August 2023 that aims to (amongst other things) promote positive engagement in the planning process.

The Buckinghamshire Council Constitution sets out the Scheme of Delegation which gives powers to officers to determine planning applications and related matters and which applications are to be referred to committee, known as exceptions.

From the 1<sup>st</sup> July 2021 "call in" powers were made available for Town and Parish Councils to request a "call in"; with material reasons and an undertaking to attend and speak at the meeting if referred to committee. The "call-in" process is set out in the constitution.

## **Local Plan for Buckinghamshire**

Our Statement of Community Involvement was adopted in December 2021 and sets out how anyone who lives, works, plays and carries out business in the Buckinghamshire Council area, including town and parish councils, can be involved in local planning decisions and the preparation of planning documents.

In the meantime, Buckinghamshire Council and its legacy district councils have assisted 38 town and parish councils and neighbourhood forums to put their neighbourhood development plans into place. Currently, we are helping a further 40 town and parish councils to prepare their draft neighbourhood plans or neighbourhood plan reviews.

Town and Parish Councils are afforded the status of a 'specific consultation body' in the secondary legislation which governs the preparation of local plans. This means that we must consult with them at the various stages of preparing the Local Plan for Buckinghamshire. To this end, all of the town and parish councils were individually invited to respond to the following Local Plan consultations:

- Early engagement questionnaire survey (November 2021 to February 2022)
- Two calls for sites for previously developed (brownfield) land (2021)
- Wider call for sites (June – September 2022)
- Vision and Objectives consultation for Development and Transport for Buckinghamshire (April – June 2023)

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

The Leader introduced the Forward Plan and commended it to all Members of the Council and the public, as 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 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. The Deputy Leader and Cabinet Member for Health and Wellbeing thanked the Health and Adult Social Care Committee for their scrutiny work of the Adult Social Care Transformation Programme. She also mentioned that other Select Committees could look at outside bodies as well and one area they might want to review was the performance of water companies in cleaning up waterways and systems.

**RESOLVED –**

**That the Select Committee Work Programme be noted.**

### **8 Buckinghamshire Housing Strategy 2024 to 2029**

Development of the Buckinghamshire Housing Strategy took place in Spring and Summer of 2023. A public and stakeholder consultation on the housing strategy took place between 8 November 2023 and 18 January 2024. This public consultation



included an all member briefing and discussion at the 14 December 2023 Growth Infrastructure and Housing Select Committee meeting as well as other targeted engagement.

The responses to the consultation indicated that there is broad agreement of the vision, the three priorities, and the critical success factors. One theme, from the comments to the consultation, raised queries around delivery and action plans. These plans were under development and would align to the final strategy once adopted. Changes to the housing strategy (detailed in Appendix 2 of the report) had been incorporated in the final version for agreement at Cabinet and later at full Council for adoption.

The Buckinghamshire Housing Strategy had been devised for the five-year period 2024 to 2029. The vision for the housing strategy was:

A strong housing offer that provides affordable, accessible, sustainable and suitable choices at all life stages.

The three strategic priorities for the housing strategy were:

- Priority One - Understanding the housing needs of our diverse population.
- Priority Two - Better Homes: good quality, sustainable and matched to need.
- Priority Three - New Homes: affordable, accessible and appropriate.

The final housing strategy was scheduled to be presented to Full Council on 17 April 2024 for proposed adoption.

The Cabinet Member for Homelessness and Regulatory Services introduced the report. He reported that this was the first County wide Housing Strategy for Buckinghamshire. The strategy had been developed with the input and support of a wide range of partners and would be delivered through continuing partnership working. Buckinghamshire Council had clear corporate priorities: to strengthen communities, protect the vulnerable, improve the environment, and increase prosperity. Housing was vital to delivering these. A secure and affordable place to live provided a foundation for a resident's ability to take part in society – to work, to learn, to be healthy and to develop a sense of community. The strategy set out how all the partners involved in delivering housing in Buckinghamshire would work together to ensure that the housing offer delivered the housing residents need.

The main issue for Buckinghamshire was the limited availability of affordable housing. In September 2023, the average house price in the market overall was £420,500 and the average cost of a home within the cheapest 25 per cent of the housing market was £330,000. The affordability issue also extended to the rental market and right move statistics showed the increase in rent in High Wycombe of 22% in 2023 which was the highest increase in the whole of England. The Strategy highlighted the cost disparity across the County with Amersham house prices exceeding the lowest price housing area by 20% for all property sizes. The affordable housing crisis along with the cost of living crisis had disproportionately affected

those with limited resources. This was evident in the rise of temporary accommodation use currently housing 395 households as of January 2024. This had significant cost implications for the Council who sought alternative temporary accommodation solutions rather than an over reliance on bed and breakfast. The Strategy sought to provide a framework to overcome these challenges and increase the number of affordable homes available to residents which catered for diverse needs, it provided a foundation for the emergency Local Plan, helped provide solutions for reducing cost pressures in adult and children's social care and enhanced economic growth.

The Cabinet Member welcomed the feedback from the public consultation which had been analysed carefully. One of the responses suggested having an affordability criteria. However this was not feasible as it would conflict with national definitions and could potentially jeopardise grant funding. A suggestion was also made to increase the number of social housing units. Registered Social Landlords had expressed concern that stricter housing regulations such as Better Homes Standards and reducing the risk of damp and mould and the drive to net zero targets already make achieving the 500 affordable homes target challenging. It was important to set a realistic and achievable target. The Strategy also recognised gaps in the number of one bedroom and larger properties and addressing these gaps would be more beneficial than reaching a numerical target. Exploring options such as looking at preferred developer status and signing registered providers to a charter agreement could significantly impact the housing situation. This agreement could mean faster void filling, providing sheltered housing options for older residents and those with disabilities or learning difficulties and provide greater support for care leavers seeking independent living.

The final suggestion was for Buckinghamshire to become its own housing authority. It was crucial to weigh the potential benefits to the risks with land acquisition, funding and large scale specialised recruitment within tight budgetary constraints. The Strategy left this option open for further consideration.

During discussion the following points were noted:

- Part of the capital programme funding would be spent on new temporary accommodation units which were directly relevant to the Housing Strategy. This funding also included contributions to Disabled Facilities Grant's and s106 contributions to affordable housing. There was also £30 million in revenue which was attributed to the Housing service.
- Page 45 paragraph 2.4 to rephrase "which have the protected parts of Buckinghamshire from significant housing and economic growth" to provide further clarity. The rephrasing still required further work as some words could be missing.
- There were minor typos.
- The Leader emphasised there was no Council housing – the Council now had registered social landlords with nominated rights. As new houses were built as part of a housing development a proportion of those would

- be allocated for affordable housing.
- A Cabinet Member referred to budget scrutiny and discussions around housing for vulnerable adults and the importance of both portfolios working together on this issue and supported housing. As for older people their care costs were a big element for this Council and good quality housing could play a big part in reducing demand on council services. It was also important to design a home for life so people could live there longer. There was immense scope for different types of housing as people grow older and different housing providers who specialised in this area. It was important to look at all segments of the market to cater for different needs including understanding local communities.
  - With regard to the EQIA there was a response that this did not impact employees. However this might need to be revised to refer to key workers.
  - 300 houses had already been delivered so far and a comment was made 500 was a realistic target to meet all requirements. One of the critical success factors of the Housing Strategy was the delivery of affordable housing with a current target of 500 new affordable homes per year. Cabinet Members noted that this number would be reviewed every year. Voided homes could help to increase the numbers. Preferred developer status could also help bring forward schemes quicker and working with registered providers.
  - A query was raised about the consultation report and the response to the priority for affordable housing was a slightly lower percentage of agreement than the other two priorities at 66% and whether any analysis of the consultation responses had been undertaken to see what the issues were. The report suggested that the comments were still being reviewed for final analysis. The Cabinet Member reported that these responses might have been influenced by the fact that residents did not want anything built on greenfield sites and were also worried about infrastructure. This could have accounted for the lower score on priority 3. Local Plan and site policies for residential development prioritised Section 106 affordable housing requirements and the use of brownfield sites before any development on greenfield sites were another critical success factor.
  - 36 care leavers had been put into apartments.
  - A comment was made that it would be great to have more sheltered housing in the County so people could remain at home longer and also it would help wellbeing in terms of reducing social isolation. The Cabinet Member reported that they were looking at developing a sheltered housing strategy. Care homes did not produce the best outcomes for residents.
  - In the Strategy there was reference to an increase in asylum and refugee households. A question was asked whether any refugees came with income or whether there was a time limit on the provision of accommodation for these groups. In response the Cabinet Member reported that the Council had made widespread use of government grants

which could be used for the purchase of property. There were different schemes for Ukrainian refugees. There were a handful that were in temporary accommodation. Cabinet Members noted that five bedroom homes were very hard to find in Buckinghamshire at a reasonable price.

**RESOLVED that Cabinet note the response to the recent public consultation and recommend the proposed amendments (in Appendix 2) to the draft Buckinghamshire Housing Strategy 2024-2029 to Full Council.**

## **9 Buckinghamshire Healthy Ageing Strategy 2023-29**

In response to the Joint Health and Wellbeing Strategy commitment of ‘improving places and helping communities to support healthy ageing’ a Healthy Ageing Strategy had been developed. The strategy set out the Council’s commitment to become an ‘age friendly community’ by undertaking improvement actions across the 8 interconnected areas identified by the World Health Organization (WHO) to support older people to live healthy, active and independent lives:-

1. Outdoor spaces and buildings
2. Transport
3. Housing
4. Participating in society
5. Volunteering and employment
6. Communication and information
7. Community support for health and wellbeing
8. Respect and social inclusion [which in Buckinghamshire would run throughout the Council’s work rather than being a standalone area]

The strategy was supported by a multi-agency Age Friendly Bucks Partnership, chaired by the Deputy Leader and Cabinet Member for Health and Wellbeing, and a network of partners and residents who oversaw, informed and helped create the strategy and underpinning action plan. It had been informed by resident engagement, and engagement would continue with communities throughout the duration of the strategy. The members were senior representatives from partners including the Council, NHS and voluntary sector.

The Deputy Leader and Cabinet Member for Health and Wellbeing made the following points:-

- Population projections suggested that over the next 20 years (2022 to 2042) the population aged 65 years and over in Buckinghamshire would increase by one third (34,944 more people) and the population aged 85 years and older increase by two thirds (10,884 more people). The increase in the older population brought economic and societal opportunities, but these were most likely to be realised if older adults remained well and independent. However, the average number of years of ill health had risen for both men and women in Buckinghamshire and stood at over 15 years.
- The Strategy started at 40 years of age so that it was prevention focussed

and healthy behaviour could be developed. NHS Health checks also started at 40.

- Due to the breadth of the eight WHO themes the Partnership had agreed to prioritise two themes in the first year. Social inclusion and Outdoor spaces and buildings.
- The actions taken to progress against these priorities would be recorded, monitored and reviewed via the accompanying action plan and associated metrics. As new priorities were agreed in future additional projects would be added to the action plan.

During discussion the following points were made:-

- A question was asked about the action plan and how often it would be reviewed. The Cabinet Member reported that there were annual targets and the Partnership would meet quarterly to review them. The Annual Surveys would focus on two specific themes. However, the actions would be sustainable and would be embedded in all aspects of service delivery.
- Members noted the importance of employment and that a drop in employment for the older population was likely to impact health and wellbeing. Older People could help with the National Skills Shortage, and they should not be discriminated against. Representatives of Bucks Business First sat on the Partnership and could provide support in this area. The Cabinet Member for Education and Children's Services referred to the Skills Strategy which included residents over 60.
- The pandemic had impacted older people with poorer health and lower employment; some residents had chosen to take a different direction and reappraise their life. Life expectancy increased the longer people worked.
- The Healthy Ageing Strategy would be promoted through Community Boards particularly as many Boards undertook initiatives in this area such as preventing social isolation. This Strategy impacted all portfolios and services areas in the Council. Reference was made to the importance of transport infrastructure in providing connections and active travel schemes.
- There had been a reduction in physical activity since the pandemic. The Physical Activity Strategy was already working to improve healthy ageing in Buckinghamshire. It was important for residents to be proactive about engaging in a healthy lifestyle and also monitoring their own health through blood pressure and diabetes checks.
- It was important to look after unpaid carers some of whom were looking after older parents and their own children. Mental health was equally as important as physical health.
- There was a separate group under the Healthy Ageing Partnership who would be working with the voluntary and community sector such as Carers Bucks, Age UK Bucks which would co-develop projects and generate ideas to improve healthy ageing.
- Reference was made to the metrics on page 125 of the agenda pack and how success would be defined. The measures of success could include people living longer, reducing health inequalities, reducing smoking and

alcohol consumption. It was important to look at quality and quantity and Buckinghamshire being a good place to age well.

**RESOLVED that Cabinet note the contents of the new Buckinghamshire Healthy Ageing Strategy and endorse the actions within it.**

#### **10 Area of Outstanding Natural Beauty Update**

This report provided an update on a number of matters relating to the Chilterns Area of Outstanding Natural Beauty (AONB), including a national name change to all AONB's, the Chiltern AONB Boundary review, Chiltern Conservation Board's decision regarding its Protected Area Management Plan, an increased duty on Local Authorities in light of the Levelling Up and Regeneration Bill, the government's recommitment to designating a new National Park in the UK and the Chiltern Conservation Boards intention to engage with the Local Authority regarding their next steps and Management Plan review.

The Cabinet Member for Climate Change and Environment reported that In November 2023, the government announced that all designated Areas of Outstanding Natural Beauty in England and Wales were becoming National Landscapes. Natural England was leading the process of assessing land around the Chilterns with a view to potentially extending the designated AONB. The project was part of Natural England's wider Designations Programme which was announced by the Government in June 2021. The boundary review process involved answering three broad technical questions:

- 1) Does the landscape have sufficient natural beauty to be considered outstanding?
- 2) Is it desirable to designate this landscape as AONB to conserve and enhance its natural beauty?
- 3) Where should the boundary be drawn?

A statutory and public consultation on the draft candidate areas, was currently scheduled for spring/summer 2024. Following the public consultation, a draft legal Order would be submitted by Natural England to the Secretary of State. The current project programme indicated that this was likely to be undertaken by the end of 2024. The Secretary of State could decide to hold a Public Inquiry. The Secretary of State could then decide to confirm the Order with or without modification or might choose not to confirm.

As a result of these changes, DEFRA had therefore decided to allow an option for Management Plans reviews to be delayed by up to 1 year from the initial review date.

During discussion the following points were noted:-

- On 26th October 2023, the Levelling Up and Regeneration Bill achieved royal assent and made extensive changes to the planning system and other matters affecting the functions and responsibilities of Local Authorities. With

specific reference to the Chilterns AONB and other National Landscapes, Section 245(6) of the Act had the effect of elevating the existing duty of regard that all public bodies must have to the purposes of AONB designation in exercising their functions (section 85 of the Countryside and Rights of Way Act 2000) to a duty “to seek to further the purpose of conserving and enhancing the natural beauty of the area”. This duty applied to all functions undertaken by all public bodies, including local authorities, relating to, or affecting land in an AONB, and came into effect on 26th December 2023. Reference to this would be made in the Local Plan. A Member commented that whilst there could be planning restrictions it was important for homes in the area to be able to be habitable.

- At the end of November, the government announced a package of measures to further support protected landscapes’ resilience for nature and for people. The measures included a £10m funding boost for National Landscapes and National Parks and a recommitment to designate a new National Park. Following the government announcement, it was anticipated that the Chilterns remained amongst the top 3 likely locations to be explored as a possible contender to become the new National Park. The designation of a new National Park in the Chiltern AONB would have significant impacts and would likely create a new planning authority although other hybrid models did now exist where planning functions could remain with the local authority.
- It was important to keep relevant Members up to date on this area.
- A question was asked whether part of the AONB would be removed. The Cabinet Member reported that during the Boundary Review submissions would be made and a consultation carried out but he would be surprised if any areas would be removed. The focus was likely to be on increasing the area especially with lobbying from local organisations. Reference was particularly made to managing woodland.

**RESOLVED that the contents of the update report be noted including comments from Members regarding Chiltern Conservation Boards decision to undertake a ‘lighttouch’ review of their management plan and delay their full review until early 2025.**

## **11 Future High Street Fund Scheme**

This paper sought approval of a new Future High Street ‘Retail Repurposing Scheme’. It was being brought forward to ensure the Council maximised the full benefit of the allocated FHS monies. This project would enable a current high street tenant to downsize from their multi-level store in Wycombe town centre, by newly fitting out the ground floor. The Council owned the freehold of the building. The tenant would pay to surrender their long leasehold and would enter into a new occupational lease. This would release the first and part second floors for alternative use. The large floorplates were suited to storage use, with one third of the first floor and half of the part second floor capable of being converted to offices. The proposal was to relocate Buckinghamshire Archives from Aylesbury into part of the first floor and, possibly, the relocation of the Discover Bucks Museum’s collections storage from Halton. The potential offices being either for operational use or developed

speculatively for letting.

The Cabinet Member for Accessible Housing and Resources reported that this scheme was part of the Future High Street Fund programme which supported the Regeneration Framework and was consistently referred to throughout the High Wycombe Regeneration Strategy. Any opportunity to activate, animate and celebrate the culture of High Wycombe through the proposed scheme would be a distinct benefit to the town centre. Improving the quality of buildings was recognised in the Regeneration Strategy as important to the town centre. Improving a building in such a prominent location was an effective way to demonstrate positive change within the town.

The scheme would provide an active frontage in the heart of town which could encourage greater footfall, positive outcomes for businesses in the immediate area and offers shoppers an improved experience. High quality office space could help to support growing businesses with a lack of suitable space currently available. These outcomes aligned to the Corporate Plan priority to 'Increase Prosperity' in Buckinghamshire. In addition, the scheme would secure long-term suitable accommodation for the Buckinghamshire Archives. This was required to ensure continued accreditation of the archives; was identified within the Culture & Leisure Portfolio Priorities; and was a recommendation from the budget scrutiny inquiry group in 2023 that was agreed by Cabinet. Members agreed that the Leader should be added to the fourth recommendation obtaining his agreement alongside other relevant Cabinet Members.

**RESOLVED that Cabinet:-**

**1 agree to implement the High Wycombe Future High Street Fund Retail Repurposing Scheme, as set out in the Confidential Annex, involving entering into a 'surrender & renewal' Agreement with the tenant, subject to proven structural integrity of the building and conditional upon planning consent for the proposed uses/alterations, enabling the downsizing of the tenant into the ground floor, releasing space to be converted to accommodate the relocation of the Buckinghamshire Archives, and potentially, Discover Bucks Museum's collections storage currently located at Halton, and create office space for existing Council services.**

**2. agree to supplementary budget changes set out in the Confidential Annex of the report, increasing the Capital Budget for the Future High Street Scheme from the current budget of £6m to £11.26m, funded from Future High Street Fund Grant, Council match funding, the Capital Receipt from the Tenant Surrender Premium, and new Capital Receipts.**

**3. agree to release £8.27m of this amended Capital budget (which excludes the new Capital Receipts), to proceed with the Tenant lease surrender and the creation of the shell unit, to ensure we meet DLUHC's deadlines for spending the grant funding.**



4. delegate to the Service Director of Property & Assets and the Service Director of Culture, Sport & Leisure, in agreement with the Leader and their respective Cabinet Members and the Section 151 Officer, authority to conclude detailed terms for the Agreement with the tenant; to negotiate detailed terms with Discover Bucks Museum linked to their museum storage (if it is agreed that this will be part of the scheme); to appoint a full project planning and design team and solicitors; submit a planning application and enter into appropriate contracts for the proposed conversion works and relocations. This will be up to the value of released budget as set out in the Confidential Annex of the report.

**12 Exclusion of the public (if required)**

RESOLVED -

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 affairs of any particular person (including the authority holding that information)

**13 Confidential Minutes**

The confidential Minutes of the Meeting held on 22 February 2024 were agreed as a correct record.

**14 Confidential appendix for Future High Street Fund Scheme**

The confidential appendix was discussed.

**15 Date of next meeting**

25 March 2024 at 1pm.

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## 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 25 March 2024</b>				
<b>South East Aylesbury Link Road (SEALR) Phase 1</b> Delivery of Phase 1 of the South East Aylesbury Link Road (SEALR)	Aston Clinton & Bierton; Wendover, Halton & Stoke Mandeville	Councillor Steve Broadbent  Steve Bambrick	Part exempt ( <i>para 3</i> )	12/1/24

Item and description	Wards affected	Councillor(s) / contact officer	Private report? (relevant para)	Date notified
<b>Cabinet 9 April 2024</b>				
<b>Buckinghamshire Devolution Deal</b> To endorse the Devolution Framework Agreement and progress negotiations with government.		Councillor Martin Tett Steve Bambrick		7/3/24
<b>Old County Offices, Aylesbury – Disposal</b> Options for the future of the building known as Old County Offices	Aylesbury North	Councillor John Chilver John Reed	Part exempt (para 3)	10/11/23
<b>Planning for future primary healthcare in Buckinghamshire - Joint Rapid Review</b> For Cabinet to discuss the recommendations from the rapid review into planning for future primary healthcare, undertaken jointly between the Health & Adult Social Care Select Committee and the Growth, Infrastructure & Housing Select Committee.		Councillor Chris Poll, Councillor Isobel Darby  Tom Fowler, Liz Wheaton		28/2/24
<b>Sale of Long Leasehold Interest in Wycombe (2)</b> Proposal to sell a long leasehold interest in the Wycombe Area	Chiltern Villages	Councillor John Chilver John Reed	Part exempt (para 3)	12/1/24
<b>Cabinet 7 May 2024</b>				
<b>Buckinghamshire Libraries - service development</b> To explore the scope for increasing access and delivering efficiencies through greater community involvement and increased use of new technologies.		Councillor Clive Harriss Sophie Payne		14/3/24

Item and description	Wards affected	Councillor(s) / contact officer	Private report? (relevant para)	Date notified
<p><b>Buckinghamshire Shareholder Committee Annual Report 2023-24</b> To consider and note the Buckinghamshire Shareholder Committee's annual report for the period 2023/24.</p>		<p>Councillor John Chilver Richard Ambrose</p>		23/2/24
<p><b>Domestic Abuse and Violence Against Women and Girls Strategy 2024-27</b> A 3 year strategy to support partners to tackle domestic abuse and violence against women and girls in Buckinghamshire; continuing a focus on supporting victims and survivors, tackling perpetrators through early intervention &amp; prevention</p>		<p>Councillor Arif Hussain Gideon Springer</p>		31/1/24
<p><b>Leisure Strategy</b> To provide an assessment of indoor sports and leisure facilities, considering future opportunities and demand around this provision.</p>		<p>Councillor Clive Harriss Sophie Payne</p>		26/1/23
<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 18 June 2024</b>				
<p><b>Littering Enforcement Strategy - Options</b> Strategy on how to take litter enforcement forward - options paper.</p>		<p>Councillor Thomas Broom Martin Dickman</p>	Part exempt (para 3)	7/9/23

Item and description	Wards affected	Councillor(s) / contact officer	Private report? (relevant para)	Date notified
<b>March 2024 Leader Decisions</b>				
<b>Archive Service Policies</b> All encompassing overview statement to include sub-policies that cover all aspects of service delivery for the Archives Service.		Councillor Clive Harriss  Sophie Payne		27/11/23
<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
<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.	Aston Clinton & Bierton	Councillor Steve Broadbent  John Pateman		27/11/23
<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.		Councillor Angela Macpherson  Dr Jane O'Grady		6/7/23

Item and description	Wards affected	Councillor(s) / contact officer	Private report? (relevant para)	Date notified
<p><b>Capital Gateway – adjustments to the Capital Programme</b> Paper for Decision to release 2 Schools Programme capital budgets via the Capital Gateway process, to enable projects to proceed to delivery. Also to add a new project into the Capital Programme</p>	Abbey; Buckingham East; Buckingham West	Councillor John Chilver  Dave Skinner		13/2/24
<p><b>Castlefield Traffic Calming Measures</b> To enable the implementation of the Castlefield Traffic Calming scheme, High Wycombe.</p>	Booker, Cressex & Castlefield	Councillor Steve Broadbent  Kevin Goad		4/1/24
<p><b>Fleet Trading Account Budget (2024/25)</b> To confirm details of the 2024/25 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>		Councillor Steve Broadbent  Lindsey Vallis		31/1/24
<p><b>Hackney carriage fare review</b> Review of current maximum hackney carriage fares.</p>		Councillor Mark Winn  Lindsey Vallis		17/10/23
<p><b>Harmonisation of Pest Control Fees</b> The harmonisation of policy and fees regarding which residents are able to access subsidised pest control treatment.</p>		Councillor Mark Winn  Jacqui Bromilow		30/8/22

Item and description	Wards affected	Councillor(s) / contact officer	Private report? (relevant para)	Date notified
<p><b>Improvement works Market Square, Cambridge Street, Kingsbury Aylesbury</b> Improvement works</p>	Aylesbury North	<p>Councillor Peter Strachan Richard Ambrose</p>		2/2/24
<p><b>Junction Improvement A41 Aylesbury</b> Early investigation works to improve the A41 / King Edwards Avenue junction, funded by the Housing Infrastructure Fund.</p>	Aylesbury East; Aylesbury South East	<p>Councillor Steve Broadbent Rebecca Dengler-Jones, Robin Smith</p>		11/10/23
<p><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.</p>		<p>Councillor Angela Macpherson Dr Jane O'Grady</p>		19/4/23
<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	<p>Councillor Steve Broadbent Simon Glover</p>		17/10/23



Item and description	Wards affected	Councillor(s) / contact officer	Private report? (relevant para)	Date notified
<p><b>Reapportionment of Aylesbury Housing Infrastructure Fund (HIF) Project savings</b> Options for the use of savings following re-apportionment of the Aylesbury Housing Infrastructure Fund</p>	<p>Aylesbury East; Aylesbury North; Aylesbury North West; Aylesbury South East; Aylesbury South West; Aylesbury West</p>	<p>Councillor Martin Tett  Steve Bambrick</p>	<p>Part exempt (<i>para 3</i>)</p>	<p>13/12/23</p>
<p><b>Review of the Council's Highway Safety Inspection Policy</b> To recommend approval of Buckinghamshire Councils Highways Safety Inspection Policy, updated to improve the efficiency, quantity and quality of highways works and general safety on the highways network</p>		<p>Councillor Steve Broadbent  Richard Barker</p>		<p>13/2/24</p>
<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>	<p>Buckingham West; Great Brickhill; Grendon Underwood; Stone &amp; Waddesdon; Wing; Winslow</p>	<p>Councillor Peter Strachan  Christine Urry</p>		<p>11/10/23</p>

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

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></p> <p>This Supplementary Planning Document provides affordable housing guidance to the Vale of Aylesbury Local Plan Policies H1, H2, H6a, H6c, BE2.</p>	<p>Aston Clinton &amp; 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 &amp; Waddesdon;  Wendover,  Halton &amp; Stoke Mandeville;  Wing;  Winslow</p>	<p>Councillor Peter Strachan   Charlotte Morris</p>		<p>15/2/23</p>

Item and description	Wards affected	Councillor(s) / contact officer	Private report? (relevant para)	Date notified
<b>April 2024 Leader Decisions</b>				
<p><b>Appropriation of Land to Facilitate the Relocation of Furze Down Sixth Form to the Short Breaks Day Service Building in Buckingham</b></p> <p>Appropriation of Land to Facilitate the Relocation of Furze Down Sixth Form to the Short Breaks Day Service Building in Buckingham</p>	Buckingham East	Councillor Anita Cranmer Paula Campbell-Balcombe		7/3/24
<p><b>Blue Badge Policy</b></p> <p>A new Policy to document the procedures and processes to ensure fair and consistent administration for the issue of Blue Badges to Buckinghamshire residents.</p>		Councillor Steve Broadbent Lloyd Jeffries		7/3/24
<p><b>Buckinghamshire Local Cycling and Walking Infrastructure Plan (LCWIP)</b></p> <p>Request for agreement to conduct public consultation on the draft Buckinghamshire Local Cycling and Walking Infrastructure Plan (LCWIP).</p>	All Wards	Councillor Steve Broadbent Jonathan Fuller		14/3/24
<p><b>Former Tilehouse Day Opportunity Centre - disposal</b></p> <p>Disposal of the former Day Opps Centre in Denham which was declared surplus by Adult Social Care in 2015.</p>	Denham	Councillor John Chilver Jo West	Part exempt ( <i>para 3</i> )	14/3/24
<p><b>Local Flood Risk Management Strategy</b></p> <p>An update to the local flood risk management strategy.</p>		Councillor Thomas Broom Colin Walker		27/11/23

Item and description	Wards affected	Councillor(s) / contact officer	Private report? (relevant para)	Date notified
<p><b>On-street &amp; Off-street parking in Buckinghamshire 2024</b>  Review of the hours of control, charges and conditions for parking across all council public car parks and four location on-street (Whielden Street, Old Amersham, King George V Road, Amersham, Station Approach, Little Chalfont and Quoting Square, Marlow).</p>	Abbey; Amersham & Chesham Bois; Aylesbury North; Aylesbury North West; Beaconsfield; Booker, Cressex & Castlefield; Buckingham East; Buckingham West; Chalfont St Giles; Chalfont St Peter; Chess Valley; Chiltern Villages; Cliveden; Denham; Downley; Farnham Common & Burnham Beeches; Gerrards Cross; Great Missenden; Hazlemere; Little Chalfont & Amersham Common; Marlow; Penn Wood & Old Amersham; Stoke Poges & Wexham; Terriers & Amersham Hill; The Risboroughs; The Wooburns, Bourne End & Hedsor; Tylers Green & Loudwater; Wendover, Halton & Stoke Mandeville; West Wycombe; Winslow	Councillor Steve Broadbent  Ian Thomas		14/3/24

Item and description	Wards affected	Councillor(s) / contact officer	Private report? (relevant para)	Date notified
<b>May 2024 Leader Decisions</b>				
<b>School Transport Policy - consultation findings and recommendations 2024/2025</b> Post-consultation findings and recommendations on proposed changes to: - Home to School Transport Policy, and - Post-16 Transport Policy Statement 2024/25 for adoption from 2024/25		Councillor Steve Broadbent  Lindsey Vallis		2/2/24
<b>July 2024 Leader Decisions</b>				
<b>Thornborough Infant School</b> Decision required to approve the lowering of the age range at Thornborough Infant School such that the school can open a nursery class.	Buckingham East	Councillor Anita Cranmer  Paula Campbell-Balcombe		7/3/24

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)





## Report to Cabinet

<b>Date:</b>	25 March 2024
<b>Title:</b>	<b>South East Aylesbury Link Road Phase 1</b>
<b>Cabinet Member(s):</b>	Councillor Martin Tett- Leader of the Council, Councillor Steven Broadbent - Cabinet Member for Transport, Councillor John Chilver – Cabinet Member for Accessible Housing and Resources
<b>Contact officer:</b>	Steve Bambrick, Corporate Director for Planning Growth and Sustainability and Richard Barker, Corporate Director for Communities
<b>Ward(s) affected:</b>	Halton and Stoke Mandeville, Aylesbury South-East, Aston Clinton & Bierton

### Recommendations:

1. To approve the following increases in the SEALR budget, as set out in Confidential Appendix B and Appendix D:
  - a) SEALR Phase 1 from £97,933,819 to £122,715,890
  - b) SEALR Phase 2 from £16,788,869 to £25,225,052
2. To approve the release of the revised budget for SEALR Phase 2 of £25.2m, as set out in Confidential Appendix B and Appendix D.
3. To approve the release of the revised budget for SEALR Phase 1 of £122.7m, as set out in Confidential Appendix B and Appendix D, subject to Homes England approval and HS2 Funding Agreements.
4. To approve the following reductions in the Woodlands/Eastern Link Road South budget, as set out in Confidential Appendix B and subject to Homes England approval:
  - a) the permanent reduction of £11,727,127 of the available HIF funding

- b) the reduction of £13,472,000 of the available HIF funding to forward fund and underwrite SEALR Phase 1, pending the final approval of the business case by the Department for Transport.**
- 5. To ratify the previous decisions to acquire the land, rights, and interests for SEALR Phase 1, noting the increased risks set out in Confidential Appendix A and revised budget in Confidential Appendix B.**
- 6. To delegate to the Corporate Director for Communities and Corporate Director for Planning Growth and Sustainability, in consultation with the Leader:**
  - a) to proceed with the delivery of the main works for SEALR Phase 1, noting the risks set out in the Confidential Appendix B.**
  - b) To take all necessary steps including to enter into any associated agreements, contracts or licenses required associated with the delivery and funding of SEALR Phase 1.**

**Reason for recommendation:** To enable the phased delivery of the South East Aylesbury Link Road, within required timeframes and funding provisions, to achieve the intended programme and to give effect to the Previous Council Decisions. It should be noted that:

- The approval of 2 continues to give effect to the delegations given by Cabinet on the 4 January 2024.
- Any recoverable funds from 4b will be reallocated to the Woodlands and Eastern Link Road South budget, subject to a formal decision.
- The approval of 4 continues to facilitate the marketing of Woodlands to give effect to the delegations given by Cabinet on the 4 January 2024.

## **1. Executive summary**

- 1.1** The South East Aylesbury Link Road (SEALR) project is the construction of approximately 1.1 miles of dual carriageway that will join the A413 Wendover Road with the B4443 Lower Road and the Stoke Mandeville Relief Road (SMRR). The project is being delivered as one project but in two phases. SEALR is part of the Aylesbury Orbital Link Road, which is a key infrastructure requirement to support the planned growth of Aylesbury and mitigate the impact of HS2.
- 1.2** The project has secured planning permission and external funding from various sources, including the Housing Infrastructure Fund (HIF), HS2, and the Department for Transport (DfT). The project has completed early works and started the construction of the roundabout junctions on Wendover Road (A413) and Lower Road (B4443). The main construction works are expected to commence in July 2024 and complete by Summer 2026.

- 1.3 The project costs for SEALR Phase 1 and Phase 2 have increased significantly due to inflation and other factors. The report proposes to address the funding gap by reallocating savings from the Housing Infrastructure Fund (HIF) Aylesbury Grid Reinforcements project and reducing the available HIF funding for the Woodlands development and the Eastern Link Road South. The report also recommends forward funding and underwriting the Department for Transport (DfT) contribution to mitigate the financial and programme risks of any delay in funding approval.
- 1.4 This report seeks approval from Cabinet to adjust the capital budgets and release funding for SEALR Phase 1 and SEALR Phase 2. In addition, this report seeks the necessary delegations to enable the Corporate Director for Communities and the Corporate Director for Planning Growth and Sustainability, in consultation with the Leader to proceed with the delivery of the main works for SEALR Phase 1.
- 1.5 This will enable the phased delivery of the South East Aylesbury Link Road, within required timeframes to achieve the intended programme and to give effect to the Previous Council Decisions.

## 2. Background

- 2.1 The South East Aylesbury Link Road (SEALR) project is the construction of approximately 1.1 miles of dual carriageway including 3 new roundabout junctions. The project is being delivered as one project but in two phases. This new road will join the A413 Wendover Road with the B4443 Lower Road (SEALR Phase 1) and the B4443 Lower Road to a new roundabout junction (Phase 2) with both the Stoke Mandeville Relief Road (SMRR) and the South West Aylesbury Link Road (SWALR). This is shown in the plan below (figure.1).



**Figure 1: Approximate SEALR route**

- 2.2 Both phases of the SEALR form part of the Aylesbury Orbital Link Road as identified in the Aylesbury Transport Strategy and the Vale of Aylesbury Local Plan. The delivery of SEALR in its entirety will complete a significant section of the Aylesbury Orbital Link Road.
- 2.3 Planning permission was granted on 13 July 2021 for SEALR Phase 1 and on the 23 June 2023 for SEALR Phase 2. Early works have taken place and been completed already on SEALR Phase 1 including archaeological investigations, vegetation clearance, construction of site accesses, utilities, and cabling.

### **3. Previous Council Decisions**

- 3.1 There have been several previous decisions pertaining to the delivery of SEALR, which is summarised below:
- 3.2 In **July 2016**, the Cabinet Member for Resources and Cabinet Member for Transportation authorised officers to commence negotiations with landowners to acquire the land for SEALR by mutual agreement and if necessary to exercise the Council's statutory powers as Highway Authority to acquire the same land by means of Compulsory Purchase as appropriate.
- 3.3 In **July 2017**, the Cabinet Member for Transportation approved progression of the South East Aylesbury Link Road project, including further business case work, preliminary design and preparation of a planning application following successful award of £13.5m of Local Growth Funding.
- 3.4 In **November 2017**, Cabinet authorised the making of a CPO for the purpose of assembling and acquiring the land necessary to deliver the SEALR in the event that negotiations to acquire the land and interests by agreement are unsuccessful.
- 3.5 In **July 2019**, the Leader resolved to authorise entering into NEC4 contracts through the Midlands Highway Alliance Framework for the South East Aylesbury Link Road and to approve progression from early contract involvement into full contract, subject to performance of the contractor.
- 3.6 In **December 2019**, Shadow Cabinet resolved to:
- (1) The making of a Side Roads Order(s) ("SRO") under sections 14 and 125 of the Highways Act 1980 and all other necessary powers to:*
    - (a) improve, raise, lower, stop up, divert or otherwise alter existing highways which cross or enter the route of the SEALR or will otherwise be affected by the construction of the SEALR or as required to deliver the SEALR;*
    - (b) construct new lengths of highways for purposes connected with the alterations referred to in (a) above and delivery of the SEALR; and*

*(c) stop up private means of access and provide replacement or new means of access.*

*(2) The submission of an application to the Secretary of State for a certificate under section 19 of the Acquisition of Land Act 1981.*

*(3) The Director of Property and Assets (or such other appropriate officer) to:*

*(a) Make and issue the SRO and the section 19 application including the service and publication of all requisite notices and press notices;*

*(b) take all necessary steps to settle any objections made to the SRO, the section 19 application and the compulsory purchase order ("CPO) to be made to secure delivery of the SEALR including amendments to the SRO, the section 19 application;*

*(c) negotiate and enter into agreements or undertakings with persons with any legal interest in the land relating to the SRO and/or the CPO;*

*(d) make any amendments necessary to the SRO and/or the CPO arising as a result of negotiations with affected persons, further design work, section 19 application or for any connected reasons to enable delivery of the SEALR;*

*(e) take all necessary steps to secure settlement of compensation arising from implementation of the SRO and/or the CPO including referral to the Upper Tribunal (Lands Chamber ); and,*

*(f) take any further or other action necessary to secure the making, confirmation and implementation of the SRO and/or the CPO, and or/ the section 19 application.*

3.7 In **March 2021**, the Leader resolved to delegate authority to proceed with the South East Aylesbury Link Road Phase 2, including preparing and submitting a planning application and progressing land negotiations.

3.8 In **November 2021**, Cabinet resolved to accept the funding and delivery agreement from HS2 Ltd for SEALR Phase 1 project and the SEALR Phase 1 Lower Road Roundabout.

3.9 In **December 2022**, Cabinet resolved to:

*1. Note and endorse the approach the Council is taking to negotiate with Homes England, HS2 and the Department for Transport to use external funding to help deliver the Aylesbury link roads. This includes negotiating extra flexibility of the £172m Housing Infrastructure Fund (HIF) to ensure delivery continues.*

*2. Delegate authority to the Corporate Director, Planning Growth & Sustainability in consultation with the Leader and s151 officer to:*

*a. finalise the budget for the project (and HIF programme), following further target cost considerations, and subsequently varying HIF financial contributions in conjunction with Homes England.*

*b. agree the HS2 funding contract for the Bridge Assurance in Phase 1 of works.*

*c. subject to a and b above, award contracts in 2023 for the phased construction of works, subject to the target cost and all other project related forecast costs being within the budget. This would commence with work on new junctions on Wendover Road and Lower Road. These contracts include detailed design fees, utilities costs, main construction contracts and land acquisition costs.*

*3. Approve the draft budget and release of funding for the delivery of Phase 1 and Phase 2 of SEALR to a combined value of £112.8m. This is subject to the final budgets (which may increase or decrease as detailed in recommendation 2a.), agreements of request to vary HIF funding, and external funding. Details are set out in confidential Appendix B & C.*

3.10 The delegations provided in December 2022 were conditional and time limited, based on predicted triggers being met, however these have been unobtainable.

3.11 In **October 2023**, the Leader resolved to:

*To amend the Cabinet delegation in December 2022 and delegate authority jointly to the Corporate Director of Communities and Planning Growth and Sustainability to:*

*a. Acquire the land required for the Lower Road (B4443) roundabout and SEALR Phase 2*

*b. Proceed with the delivery of the roundabout junctions on Wendover Road (A413) and Lower Road (B443)*

*c. To take all necessary steps including to enter into any associated agreements, contracts or licenses required associated with the delivery of the works in relation to a. and b. above.*

*d. To draw down £9.4m of Housing Infrastructure Fund in accordance with the HIF funding agreement and/or express approval with Homes England and utilise the funding under The Stoke Mandeville Relief Road HS2 Funding Agreement*

3.12 This provided authority and flexibility to give effect to the Cabinet decisions of November 2021 and December 2022. Works started on the Wendover Road

roundabout on the 11 December 2023, and works commenced on the Lower Road roundabout on 9 January 2024.

3.13 In **January 2024**, Cabinet resolved:

*1. To amend the Cabinet delegation in December 2022 and delegate authority to the Corporate Director of Communities and Planning Growth and Sustainability, in consultation with the Leader of the Council, to:*

*a) Proceed with the delivery of Phase 2 of the South East Aylesbury Link Road*

*b) To take all necessary steps including to enter into any associated agreements, contracts or licenses required associated with the delivery and funding of the works in relation to a. above.*

*2. To approve and release an increase to the budget in the Capital Programme for SEALR 2 as set out in the Confidential Appendix B, funded from reappropriated HIF grant subject to Homes England approval, HS2 Funding Agreement and S106 contributions.*

3.14 This provided authority and flexibility to give effect to the Cabinet decisions of November 2021 and December 2022 to enable the phased delivery of SEALR, within required timeframes to achieve the intended programme.

3.15 Since the previous Cabinet decisions of October 2020 and December 2022 the cost and risks associated with the delivery of SEALR Phase 1 has changed. Therefore, to give effect to the intention of the Previous Council's Decisions, a revised delegation is now being sought to proceed with the scheme.

3.16 This report seeks the necessary delegations to deliver SEALR Phase 1, within the intended programme, to allow for the road to be opened by Summer 2026.

#### **4. South East Aylesbury Link Road Phase 1**

4.1 The Council is taking a lead role in delivering the link roads in Aylesbury to unlock housing delivery:

a) Co-ordinating and requiring the provision of relevant new roads by developers in its role as local planning authority.

b) Delivering new roads to mitigate HS2 and accommodate increased traffic in the future.

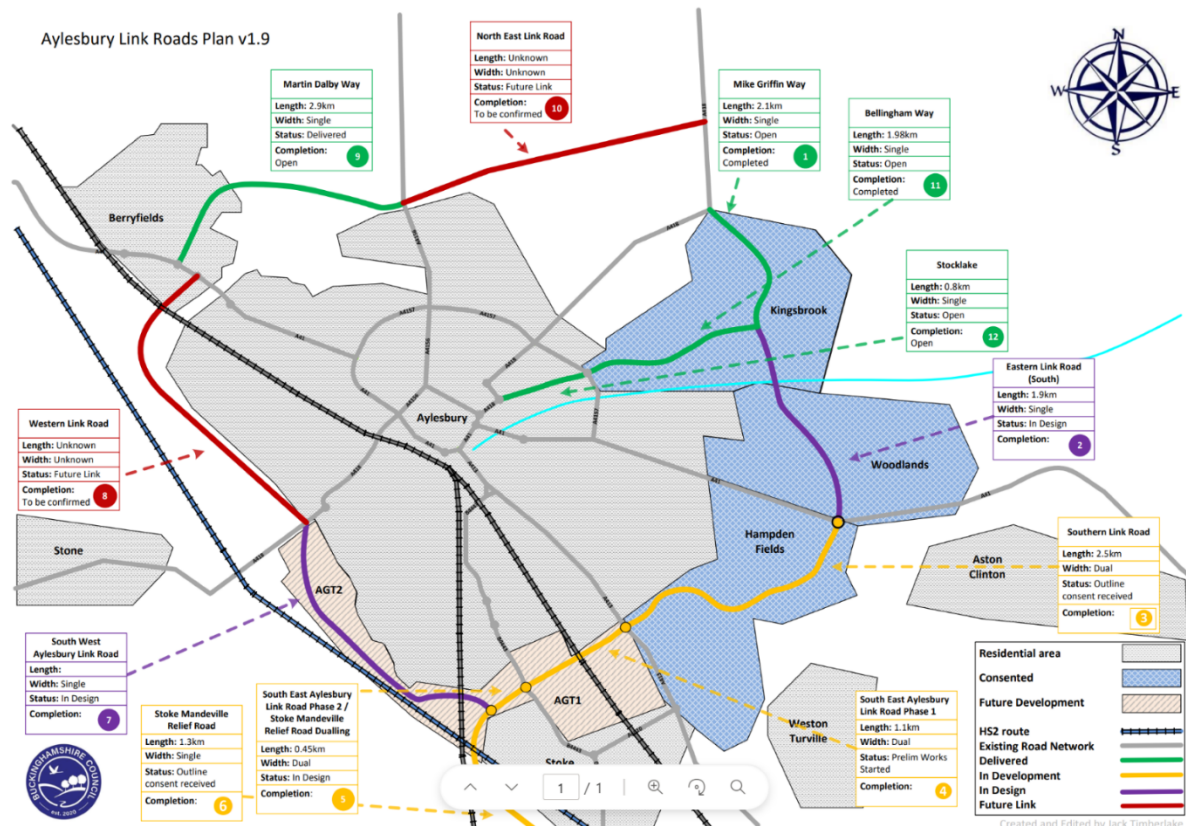


**Figure 2: Site Allocations in the Vale of Aylesbury Local Plan**

- 4.2 Aylesbury is a key area of growth in the UK with just over 16,000 homes planned and in 2017 Aylesbury obtained Garden Town designation.
- 4.3 The VALP policies set out the strategy for growth at Aylesbury. Policy D-AGT1 (South Aylesbury) allocates the AGT1 site for 1,000 homes and includes safeguarding the land required for the delivery of a dual carriageway distributor road between B4443 Lower Road and A413 Wendover Road to cross the railway line (the SEALR), with sufficient land for associated works including but not limited to earthworks, drainage, and structures.
- 4.4 The SEALR is a key development and land use requirement under policy D-AGT1 required to mitigate the impact of development. The supporting evidence for the VALP, in the form of the Aylesbury Transport Strategy (ATS), sets out a comprehensive strategy to address current and future issues. The SEALR is a fundamental part of this long-term vision to deliver a partial orbital route around Aylesbury to deliver growth as well as removing traffic and congestion from key arterial routes and mitigating the impact of the HS2 Stoke Mandeville Relief Road. This will not only improve connectivity around Aylesbury, but also mitigate the impact associated with the realignment of the A4010 by HS2Ltd under the Hybrid Act. The SEALR link road is a key infrastructure requirement in the AGT1 Supplementary Planning Document (adopted 10 October 2023).
- 4.5 The delivery of AGT1 is essential in terms of the Council's future housing land supply, noting that the Council is required to demonstrate a rolling 5-year housing land supply.



4.6 Figure Two below shows the progress to date in delivering the link roads, and current estimated completion dates. These are subject to a combination of planning consent, securing funding and or developer delivery.



**Figure 3: Link Road Delivery Plan**

### SEALR Phase 1 Construction Programme

- 4.7 SEALR is being delivered in a phased approach, taking into account the funding availability. Early works have taken place and been completed already on SEALR Phase 1 including archaeological investigations, vegetation clearance, construction of site accesses, utilities, and cabling.
- 4.8 Works started on the construction of the Wendover Road roundabout on the 11 December 2023 and Lower Road roundabout on 9 January 2024.
- 4.9 Based on the current construction programme Phase 2 would be delivered by December 2024 and Phase 1 would be delivered in Summer 2026, as set out in Table 1 below.

<b>Activity</b>	<b>SEALR Phase 1</b>
Preliminary design completed	July 2018
Main planning application submission	March 2020
Main planning application approval	July 2021
Detailed design completed	December 2021
CPO/SRO/POS inquiry	November 2021
Full entry onto land	August 2022
Wendover Road Roundabout works commenced	December 2023
Lower Road Roundabout works commenced	January 2024
Full Business Case submission	April 2024
Full Business Case approval	July 2024
Notice to Proceed	5 July 2024
Main construction commencement	5 August 2024
Rail possessions to install bridge structure	September 2025
<b>Main construction completion</b>	<b>Summer 2026</b>

**Table 1: Indicative Programme for SEALR Phase 1**

- 4.10 The programme for SEALR Phase 1 currently shows the main bridge lift works taking place in September 2025, with a fallback of Christmas 2025. Delays to delivery of the bridge lift will increase preliminary costs and inflationary rises.
- 4.11 There are several significant risks to the construction programme for SEALR including Network Rail embankments, rail possession, Thames Water diversions, ground conditions, land acquisitions and access arrangements. Please refer to Confidential Appendix A and B.

### ***Land***

- 4.12 In November 2017 Cabinet delegated authority to the Director of Growth and Development Strategy and Highways to make a Compulsory Purchase Order for the land required for SEALR Phase 1.

- 4.13 In accordance with the delegation granted by Cabinet in November 2017 and subsequent decision by Shadow Cabinet in December 2020, the Council has progressed the acquisition of the land to facilitate the delivery of SEALR Phase 1.
- 4.14 The Council was granted Compulsory Purchase Order, Side Road Orders and s19 public open space powers by the Secretaries of State for the Department for Transport (DfT) and Department for Levelling up Housing and Communities (DLUHC) on 31 March 2022, following a Public Inquiry held in November 2021.
- 4.15 Land for SEALR Phase 1 is being secured through permanent land acquisition, both by negotiation and compulsory powers, as well as temporary access to land parcels via licences/leases, where necessary.
- 4.16 In some cases, land has already been acquired, under the Previous Council Decisions, as set out in Confidential Appendix A.

### ***Funding***

SEALR Phase 1 is predominantly funded through external funding from Homes England, HS2, Department for Transport (DfT) and S106 contributions from developments.

#### **Housing Infrastructure Fund (HIF)**

- 4.17 The Cabinet decision of the 6 December 2022 endorsed the use of the £172m Housing Infrastructure Fund to provide more flexibility and ensure delivery continues, including the South East Aylesbury Link Road. This recognised that due to cost inflation, energy prices, and unforeseen issues there was insufficient funding to meet all the infrastructure requirements originally forming part of the HIF business case.
- 4.18 The Council has therefore been engaged in negotiations with Homes England regarding reallocation and reprofiling of the HIF funding with Homes England, DfT, DLUHC and the Treasury. Due to the complexities of the negotiations, the determination of these proposals has taken longer than originally expected.
- 4.19 The Council has however received confirmation from Homes England that the draft budget presented to Cabinet on the 6 December 2022 has been agreed. The Council is currently in the process of formally varying the funding agreement with Homes England to reflect this position.
- 4.20 The terms of the HIF agreements set out by Homes England state that the HIF funding is provided to the Council as a recoverable fund to allow the early delivery of necessary new physical infrastructure with the purpose of unlocking high quality housing development. The Council must clearly demonstrate that the funding is not being used for the purposes of subsidising private development. The HIF funds therefore must be recoverable, with the expectation that recovered funds will then

be useable for other capital schemes that support housing growth across the County.

- 4.21 This means that any development which is reliant on the SEALR to facilitate their development must contribute towards the cost of its delivery.

#### **Department for Transport**

- 4.22 One of the conditions of funding from the Department for Transport (DfT) is that a Full Business Case (FBC) must be produced and approved by the DfT. Design consultants AECOM are producing the FBC on behalf of the Council. This is expected to be submitted to the DfT for approval at the beginning of April 2024, post Cabinet.
- 4.23 If the approval from the Department for Transport is later than July 2024 this would delay commencement of the main works in August 2024, which will impact on the overall construction programme and will add further inflationary costs to the scheme. This risk of a late approval is high due to the need for sign off by the Secretary of State for Transport and Treasury, with uncertainty over timings of a potential general election.

#### **HS2 Ltd**

- 4.24 Buckinghamshire Council has an assurance from HS2 Ltd. to provide the funding for *'the reasonable cost of the tender (as accepted) for the crossing of the Aylesbury to Marylebone railway line, including construction costs, Network Rail fees and possession costs, bridge agreement costs and fees and charges'*.
- 4.25 The assurance, to fund the Council's actual costs in delivering the bridge structure, was secured as part of HS2 Hybrid Act due to the reassignment of traffic on the local highway network arising from the closure and realignment of the A4010 (Stoke Mandeville Relief Road).
- 4.26 The Council is in continuing negotiations with HS2 Ltd in relation to the Funding Agreement, which will allow the Council to claim actual costs associated with bridge structure at set milestones throughout the project.

### **5. SEALR Project Costs**

- 5.1 The Cabinet Decision of 6 December 2022 approved the release of funding for the delivery of Phase 1 and Phase 2 of SEALR to a combined value of £112.8m. It was noted that this would be subject to finalisation of budgets for the project and HIF programme, following further target cost consideration.

#### **SEALR Phase 2**

- 5.2 The Cabinet Decision of 4 January 2024 approved the release of funding of Phase 2 of SEALR to a value of £16,788,869. It was noted that this was subject to the receipt and review of the final target costs from the contractor and if the final target cost

exceeds the updated budget envelope for SEALR Phase 2 a further decision will be needed.

- 5.3 The Council received the final target costs for SEALR Phase 2 on the 24 January 2024. These have been reviewed and have undergone external due diligence. The total cost for SEALR Phase 2 is £25,225,052.
- 5.4 As such, this report is seeking to approve and release an increase in the budget for SEALR Phase 2, as set out in Confidential Appendix B and Appendix D. This is to be funded from the capital virement of HIF grant associated with Aylesbury Grid Reinforcements (please refer to paragraph 6 of this report).
- 5.5 Please refer to Cabinet Papers dated 4 January 2024, which sets out the background to SEALR Phase 2. It should be noted that this recommendation continues to give effect to the delegations given by Cabinet on the 4 January 2024.

### ***SEALR Phase 1***

- 5.6 The Council received the final target costs for SEALR Phase 1 on the 7 March 2024. These have been reviewed and are subject of an external due diligence exercise to ensure that the submitted costs are in accordance with the stated contract rates. The total cost for SEALR Phase 1 is £122,715,890.

## **6. HIF Aylesbury Grid Reinforcements (AGR)**

- 6.1 The Council has also been working with UK Power Networks (UKPN) to deliver increased electricity capacity in Aylesbury. Changes in legislation have led to a change in delivery approach such that UKPN will now be delivering the majority of the necessary upgrades using their own financial resources. This was set out in a Leader decision on the Aylesbury New Primary Grid Connection - revised delivery contract and capacity allocation, which was taken on the 4 January 2024.
- 6.2 This has enabled approximately £14.96m of additional HIF funding to be reallocated within the existing HIF programme to SEALR.
- 6.3 Taking into account the cost escalations in relation to SEALR, it is recommended that the AGR is apportioned between both phases, as a capital virement:
- £10,360,247 of reallocated AGR funding be used to offset the cost increase associated with SEALR Phase 2.
  - £4,601,350 of reallocated AGR funding be used to offset the cost increase associated with SEALR Phase 1.
- 6.4 As a result, SEALR Phase 2 is fully funded and can proceed in accordance with the Cabinet resolution of the 4 January 2024, subject to the approval and release of the changes to the budget as set out in Confidential Appendix B and Appendix D.

## 7. Shortfall in Funding

- 7.1 Due to inflation and other cost increases, the funding available for SEALR is now insufficient for the Council to deliver the road within existing budgets.
- 7.2 Taking into account the HIF AGR capital virement, there remains a funding gap of **£11,727,127** within SEALR Phase 1 as set out in Table 2.

<b>SEALR Phase 1</b>	
Current Budget January 2024	£97,933,819
Project Cost March 2024	£122,715,890
Project Funding *	£110,988,763
<i>Funding Gap</i>	<b>£11,727,127</b>
<b>SEALR Phase 2</b>	
Current Budget January 2024	£16,788,869
Project Cost	£25,225,052
Project Funding *	£25,225,052
<i>Funding Gap</i>	£0
<b>SEALR</b>	
Project Cost	£147,940,942
Project Funding *	£136,213,815
<i>Funding Gap</i>	<b>£11,727,127</b>

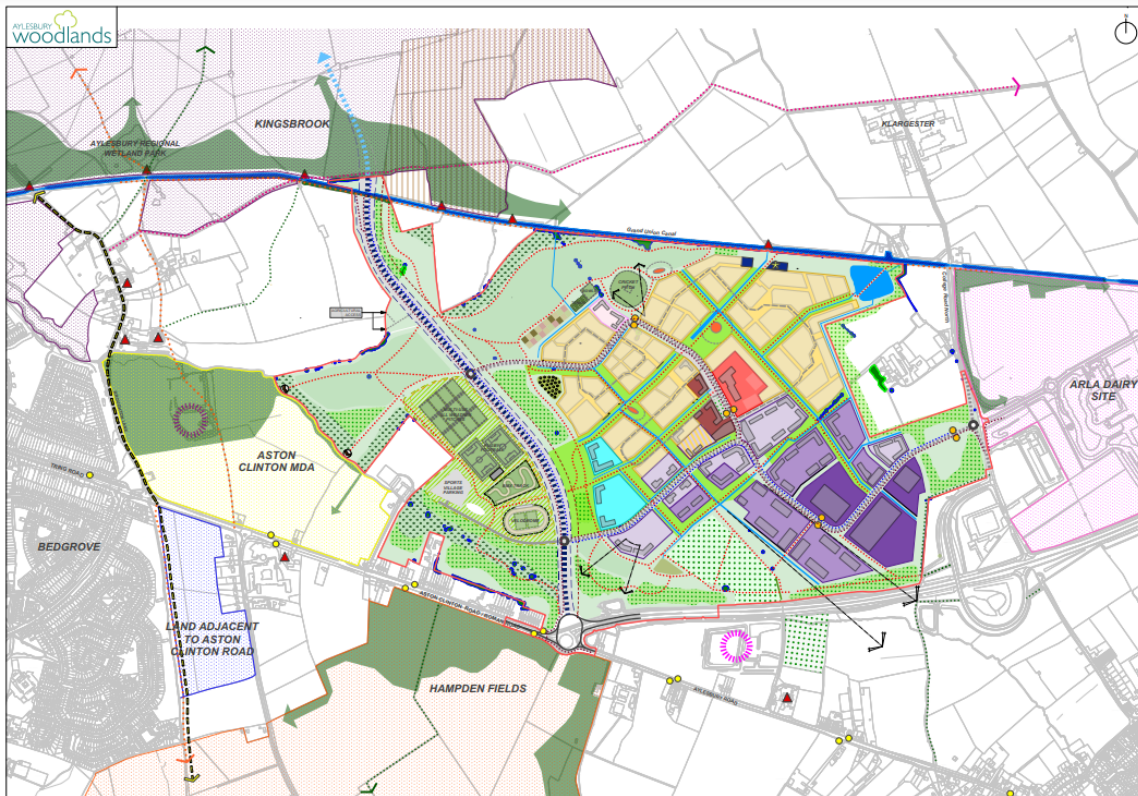
*\*including HIF AGR capital virement as set out in paragraph 6.2*

**Table 2: SEALR funding gap**

## 8. Options to Address the Funding Gap

### ***HIF Woodlands/Eastern Link Road South***

- 8.0 Woodlands is a major mixed-use development site on the east side of Aylesbury. It has outline planning consent (16/01040/AOP) to provide up to 102,800 m<sup>2</sup> of employment (B1/B2/B8), up to 1,100 dwellings (C3), 60 residential extra care units (C2), mixed-use local centre of up to 4,000 m<sup>2</sup> (A1/A2/A5/D1), up to 5,700 m<sup>2</sup> hotel and conference centre (C1), up to 3,500 m<sup>2</sup> leisure facilities (A1/A3/A4), up to 16 ha for sports village and pitches, athletes accommodation (10 x 8-bed apartments), and up to 2 ha for a primary school (D1), with a strategic link road connecting with the Eastern Link Road (North) and the A41 Aston Clinton Road. Please refer to the illustrative masterplan in Figure 2.



**Figure 2: Woodlands Illustrative Masterplan**

- 8.1 The site is allocated for development in the Vale of Aylesbury Local Plan. Aylesbury is a key area of growth in the UK with over 16,000 homes planned to be delivered in the VALP and in 2017 Aylesbury obtained Garden Town designation. A significant part of the site falls within the Aylesbury Woodlands/Arla Enterprise Zone, which was designated by Central Government in 2015.
- 8.2 Woodlands is a fundamental part of a long-term strategy to deliver an orbital traffic route around Aylesbury, delivering the ELRS. The ELRS will connect to the Eastern Link Road (North) that has already been substantially delivered as part of the Kingsbrook development and the Southern Link Road to be delivered by Hampden Fields by December 2025. Please refer to the Aylesbury Link Road plan in Figure 3.
- 8.3 As part of the Woodlands outline planning permission, the ELRS is to be delivered as a single carriageway with land reserved for widening and junctions delivered capable of accommodating a future dual carriageway.
- 8.4 The S106 agreement for the Woodlands planning application states that the ELRS must be completed and open to the public before any of the employment or residential accommodations can be occupied. The ELRS needs to be delivered by December 2024 unless an extension is agreed by the Local Planning Authority, and no approach has been made to date in this regard. There is however no possibility of delivering the road by December 2024.

- 8.5 The S106 Agreement also specifies that no development beyond Phase 1C (74% employment, made up of 3,070 sqm floor space for uses falling within Class B1 of the Use Classes Order and up to 39,850 sqm floorspace for uses falling within Class B2 of the Use Classes Order and up to 32,800 sqm floorspace for uses falling with Class B8 of the Use Classes Order) can be occupied unless the Southern Link Road is constructed and opened to the public.
- 8.6 The Southern Link Road is to be provided by Taylor Wimpey as part of the Hampden Fields Development. Taylor Wimpey has agreed with the Local Planning Authority an extension to the timescales for delivering the Southern Link Road to September 2025. This extension takes into account delays that arose to their programme arising from the unsuccessful Judicial Review challenge.
- 8.7 A planning application has recently been submitted to the Council as Local Planning Authority for the design of the A41 Aston Clinton roundabout improvements (the Southern junction of the ELRS).
- 8.8 The Council has secured funding towards the delivery of the ELRS through the Housing Infrastructure Fund (HIF) and Local Growth Funds (LGF). The estimated costs of the ELRS have however escalated beyond the funding awarded to the Council for delivery. Due to inflation and other cost increases, the HIF funding is now insufficient for the Council to deliver the ELRS as a single or dual carriageway within existing budgets.
- 8.9 As such, it has been agreed that the best way to bring forward the delivery of the ELRS and the Woodlands development is through the marketing of the site and a possible Joint Venture/Special Purchase Vehicle Partnership, including the Council, or a site sale facilitated by the Council.
- 8.10 On the 4 January 2024 Cabinet resolved:
1. *That the preferred delivery option for the Eastern Link Road South be APPROVED.*
  2. *That authority be delegated to the Service Director for Property and Assets, in consultation with the Cabinet Member for Accessible Housing and Resources:*
    - i. *To market through a Council procurement process the Woodlands development site to include the Eastern Link Road South as a single carriageway road with passive provision for dualling.*
    - ii. *To negotiate revised Heads of Terms with Landowners and Buckinghamshire Advantage to enable the marketing of the site to developers.*
    - iii. *To explore opportunities for a Joint Venture / Special Purchase Vehicle Partnership and/or sale to bring forward the Woodlands development to include the Eastern Link Road South as a single carriageway road with passive provision for dualling (developer-led approach).*
  3. *That £800,000 be released from the existing Eastern Link Road South Budget, funded from Housing Infrastructure Fund, agreed by Homes England to cover establishing and negotiating the Heads of Terms, the marketing of the Woodlands site, creating the supporting*



*documentation for the revised Woodlands approach to Homes England, and project management costs.*

4. *That it be NOTED that a subsequent report for Cabinet will be prepared once marketing has been concluded for the Council to complete negotiations with a selected Developer, Landowners and Buckinghamshire Advantage and enter a Joint Venture/Special Purchase Vehicle Partnership and/or Sale with a development partner once marketing has been concluded and terms from the Selected Developer have been clarified through the marketing and procurement process.*

8.11 Since the Cabinet decision in January, the Council has been working on preparing the Woodlands site for marketing and the project remains on course to go to market in April 2024.

***Option 1: Reprioritisation of HIF funding for Woodlands/ELRs***

- 8.12 To address the shortfall in funding of **£11,727,127** in SEALR Phase 1, it is recommended that HIF is reprioritised from Woodlands/ELRs. This will result in a reduction in the funding available to invest in the delivery of the ELRS through the marketing of Woodlands.
- 8.13 This recommendation continues to facilitate the marketing of Woodlands, to give effect to the delegations given by Cabinet on the 4 January 2024. The reduction in available funding is however likely to influence the outcome of the marketing of the site.
- 8.14 It should be noted that the Council will not formally enter into any agreements ahead of seeking a Cabinet decision to proceed with a Joint Venture/ Special Purchase Vehicles Partnership and/or sale of the Woodlands development following the outcome of the marketing process.
- 8.15 If the marketing was to fail, this would effectively leave the delivery of both Woodlands and the ELRS to market forces, with BA continuing to promote the site under the Promotion Agreement.
- 8.16 The delivery of the ELRS is controlled by the obligations within the S106 for outline planning permission for the Woodlands Development.
- 8.17 Please refer to Confidential Appendix B and Confidential Appendix C.

***Option 2: Reprioritisation of HIF funding for Woodlands/ELRs and underwrite the DfT contribution.***

- 8.18 To address the shortfall in funding of **£11,727,127** in SEALR Phase 1, it is recommended that HIF is reprioritised from Woodlands/ELRS.

- 8.19 In addition, it is recommended that HIF funding from Woodlands/ELRS is used to forward fund and underwrite **£13,472,000** of SEALR Phase 1, pending the final approval of the business case by the DfT.
- 8.20 This will result in a further reduction in funding available to invest in the delivery of the ELRS through the marketing of Woodlands.
- 8.21 The timing of the decision for the release of funding from the DfT is a significant risk to the programme for SEALR Phase 1. One of the conditions of funding is that a Full Business Case (FBC) must be produced and approved by the DfT. Design consultants AECOM are producing the FBC on behalf of the Council. This will be submitted to the DfT for approval at the beginning of April 2024, post Cabinet.
- 8.22 If the Council does not obtain approval by July 2024 from the DfT to release the funding in time for the commencement of the main works in August 2024, this could impact on the overall construction programme and will add further inflationary costs to the scheme. This risk is high due to the need for sign off by the Secretary of State for Transport and Treasury, with uncertainty over timings of a potential general election.
- 8.23 It is therefore recommended that the Council forward funds and underwrites the DfT contribution, utilising HIF funding for Woodlands/ELRS, to enable SEALR Phase 1 to commence subject to Homes England approval and finalisation of the HS2 Ltd Funding Agreement.
- 8.24 This recommendation continues to facilitate the marketing of Woodlands, to give effect to the delegations given by Cabinet on the 4 January 2024. The further reduction in funding is however likely to influence the outcome of the marketing of the site.
- 8.25 It should be noted that the Council will not formally enter into any agreements ahead of seeking a Cabinet decision to proceed with a Joint Venture/ Special Purchase Vehicles Partnership and/or sale of the Woodlands development following the outcome of the marketing process.
- 8.26 The delivery of the ELRS is controlled by the obligations within the S106 for outline planning permission for the Woodlands Development.
- 8.27 Please refer to Confidential Appendix B and Confidential Appendix C.
- 8.28 This report therefore recommends proceeding with Option 2, to enable SEALR Phase 1 to commence subject to Homes England approval and finalisation of the HS2 Funding Agreement. This is particularly important due to the timescales for rail possession in September 2025 to allow for the construction of the bridge.

## **9. Other options considered.**

9.1 The Council has considered a number of alternative options to deliver SEALR Phase 1, as summarised below:

### **A. Do Nothing**

#### **Growth Implications**

9.2 The cost of delivering SEALR Phase 1 is being met through HIF, HS2 funding, DfT funding and S106 obligations. The Council would seek to recover HIF funding through S106 planning obligations from AGT1. The amount of recoverable HIF would be dependent upon the viability of the AGT1 site achieved through any future planning consent. If recovered then this would be available by the Council for subsequent projects to support housing growth, as per the HIF Grant Delivery Agreement.

9.3 If SEALR Phase 1 was not delivered by the Council, this would affect the funding streams outlined above, the purpose of which is to unlock high quality housing development (see later). SEALR was identified in the adopted SPD as a key infrastructure requirement for AGT1 to be delivered by the council, rather than developer led. The transport modelling undertaken to date in relation to the AGT1 applications reinforces this and demonstrates that AGT1 housing allocation cannot come forward without the SEALR infrastructure in place to mitigate the impact on the highway. The developers involved in AGT1 have been advised of the need for proportionate contributions towards SEALR as part of the work currently being undertaken on the Infrastructure Delivery Framework for AGT1. All transport modelling undertaken for current planning applications has been on the basis of SEALR Phase (1 and 2) being a committed scheme to be delivered by the Council, if this position changes (SEALR Phase 1 is not delivered) it will lead to additional significant work being required and would inevitably delay determination of pending planning applications for allocated sites in the Vale of Aylesbury Local Plan, which would be likely to impact significantly on the Council's future 5-year housing land supply.

9.4 Other allocated AGT sites which already benefit from planning permission, including Hampden Fields and Woodlands, were subject to S106 agreements which have secured funding towards the delivery of SEALR with the aim of removing traffic and congestion from key arterial routes to mitigate those developments, as well as mitigating the impact of the HS2 Stoke Mandeville Relief Road. There would be severe traffic impacts on these roads and town centre gyratory if this remained unmitigated through the non-implementation of SEALR.

#### **HIF and Financial Implications**

9.5 If the scheme were not to proceed then HIF, HS2 and DfT funding allocated for SEALR Phase 1 would very likely be withdrawn. The withdrawal of external funding would

make the delivery of SEALR by any single developer almost impossible due to financial constraints.

- 9.6 Negotiation with Homes England would take place to allow for HIF funding secured for SEALR Phase 1 to be reprofiled to the delivery of the South Western Link Road (forward funding developer delivery).

### **HS2 Implications**

- 9.7 Transport modelling has shown that the HS2 realignment of the A4010, required under the HS2 Hybrid Act, will cause increased congestion at the Aylesbury gyratory because of traffic reassignment. A failure to deliver SEALR Phase 1 will result in increased congestion and delay for road users. It is very likely that the majority of HS2 funding being provided to SEALR Phase 1 would be withdrawn by HS2 Ltd.

- 9.8 Please refer to Confidential Appendix A and Confidential Appendix B.

### ***B. Delay Land Acquisition for SEALR Phase 1***

- 9.9 If a decision is taken to delay land acquisition until such time as confirmation that DfT funding is secured, then this would impact on existing contractual obligations and the overall construction programme. This would lead to further cost inflation, delay, and almost certain loss of time critical funding. Please refer to Confidential Appendix A and Confidential Appendix B.

### ***C. Delay Delivery of SEALR Phase 1***

- 9.10 To meet the construction programme, particularly the possession of the railway line, the Council is required to issue notice under the existing contract for works to proceed in July 2024, to allow works to start on site.
- 9.11 Delaying a decision to proceed will result in loss of time that cannot be accommodated within the Construction Programme, which is already carrying significant risks associated with ground conditions, and particularly Thames Water.
- 9.12 Any postponement of the project would further increase the overall cost of the scheme due to inflationary effects, and almost certain loss of time critical funding. Please refer to Confidential Appendix A and Confidential Appendix B.

### ***D. Alternative Sources of Funding***

- 9.13 The Council has considered alternative funding sources that could be utilised for the purposes of SEALR. For the reasons set out here and in the confidential appendices, the funding is time critical for the delivery of SEALR. No alternative available funding has been identified that could meet the shortfall and arrest any escalation in costs due to delay. Due to the overall value and funding period, there are very limited options available for the Council to meet this shortfall without significantly impacting on the Council's capital programme and statutory duties. The reprioritisation of

available appropriate infrastructure funding is a prudent and legitimate approach to utilising HIF funding, subject to Homes England Agreement.

- 9.14 A review of all remaining HIF projects has been undertaken to assess the opportunities and risk associated with the re-prioritisation funds to address the identified shortfall in SEALR Phase 1. The value of the remaining HIF schemes would not address the overall funding shortfall for SEALR Phase 1.
- 9.15 Please refer to Confidential Appendix B and Confidential Appendix C.

## **10. Legal and financial implications**

### ***Financial***

- 10.1 This project continues to be primarily funded by external funding from Homes England, HS2 Ltd, DfT and S106 developer contributions.
- 10.2 Changes to the Capital Programme:
- The Capital Programme currently includes a released budget of £97,933,819 for SEALR Phase 1, £16,788,869 for SEALR Phase 2 and £800,000 for Woodlands.
  - The budget envelope for SEALR Phase 1 and SEALR Phase 2 will need to increase and be released in line with the amendments as set out in Confidential Appendix B and in Appendix D.

### ***Financial Risk***

- 10.3 There are a number of risks to the overall project cost including Part 1 Land Compensation Claims and the possibility that inflation could increase further beyond the identified budget. The breakdown of costs, including risk, as contained in Confidential Appendix B.
- 10.4 The reprioritisation of HIF funds will be subject to a separate agreement with Homes England, which may impact on the ability to accelerate SEALR Phase 1. There is also a risk that Homes England will not agree to the reprioritisation of funding.
- 10.5 The Council is in continuing negotiations with HS2 Ltd in relation to the Funding Agreement, which will allow the Council to claim actual costs associated with bridge structure at set milestones throughout the project. Securing the necessary funding agreement may impact on Council's ability to accelerate SEALR Phase 1.

### ***Legal***

- 10.6 Since the previous Cabinet decisions of October 2020 and December 2022 the cost and risks associated with the delivery of SEALR Phase 1 has changed. Therefore, to give effect to the intention of the Previous Council's Decisions, a revised delegation is now being sought to proceed with the scheme.

- 10.7 Homes England have provided written agreement to the variation in HIF funding to support the SEALR project in line with the submission requested in June 2022, followed by the Cabinet resolution in December 2022.
- 10.8 The terms of the HIF agreements set out by Homes England state that the HIF funding is provided to the Council as a recoverable fund to allow the early delivery of necessary new physical infrastructure (with the purpose of unlocking high quality housing development). The Council must clearly demonstrate that the funding is not being used for the purposes of subsidising private development. The HIF funds therefore must be recoverable, with the expectation that recovered funds will then be useable for other capital schemes that support housing growth across the County.
- 10.9 The principle of reprioritising HIF funding to eligible projects has previously been established and agreed with Homes England. A separate agreement will still be required with Homes England to cover the re-prioritisation, as set out in this paper.

## **11. Comments from Legal and Section 151 Officer**

### **11a Director of Legal & Democratic Services comment**

The Service Director of Legal and Democratic Services has been consulted on this report and has nothing else to add.

### **11b Section 151 Officer comment**

The S151 Officer has read and noted the report. The Delivery of the relevant infrastructure has a number of inherent risks that are being managed. The use of funding allocated to the Woodlands development/Eastern Link Road to support the Delivery of SEALR phases 1 and 2 will enable the initial delivery of these schemes.

## **12. Corporate implications**

- 12.1 Agreeing to the recommendations of this report will allow Buckinghamshire Council to commence delivery of SEALR Phase 1 to give effect to the intention of the Previous Council's Decisions.
- 12.2 The Corporate Plan identifies 'Increasing Prosperity' as a key priority. Agreeing to the recommendations of this report would support the following aims:

*"Continuing to deliver the infrastructure that Buckinghamshire needs where possible ahead of planned growth, including improving connectivity and strategic transport links, increasing sustainability, attracting investment in the economic prosperity of the county and tackling congestion,"*

12.3 In addition, the following corporate implications have been identified:

- a) **Property** - the works would be undertaken on existing highways land or on land the Council is assembling for the purpose of delivering SEALR Phase 1 and Phase 2. All property implications have been set out in confidential Appendix A.
- b) **Maintenance** - Once constructed the road will be adopted as publicly maintained highway. The Council has a signed Basic Asset Protection Agreement (BAPA) with Network Rail for the bridge maintenance. Maintenance arrangements will be agreed with all relevant parties prior to completion.
- c) **HR** - there are no direct anticipated HR implications resulting from agreeing to these recommendations.
- d) **Climate Change** - Agreeing to the recommendations of this report will enable the SEALR project to progress. The principal aim of the SEALR, and of the Aylesbury Orbital Link Road, is to draw traffic away from the town centre which supports the Aylesbury Transport Strategy. The SEALR Phase 1 project will plant a significant number of trees (over 5,000) which will help to mitigate carbon dioxide that is produced from vehicles using the road. Galliford Try have additionally produced the Construction Environmental Management Plan (CEMP) which sets out how the contractor will consider and manage environmental implications of the construction.
- e) **Sustainability** - Both phases of the SEALR will achieve at least 10% biodiversity net gain; Phase 1 is expected to achieve 14%. For information, Phase 2 is currently expected to deliver over 40% biodiversity net gain. Agreeing to the recommendations of this report will facilitate the SEALR project, enabling improvements to the ecological character of the area.
- f) **Equality** - All public sector acquiring authorities are bound by the Public Sector Equality Duty as set out in section 149 of the Equality Act 2010. In exercising their compulsory purchase and Side Roads (and related) powers (e.g. powers of entry) acquiring authorities must have regard to the effect of any differential impacts on groups with protected characteristics. An equalities impact assessment was undertaken as part of the Cabinet Decision dated 10th December 2022 and has been updated as part of this report. Please refer to Appendix C. In implementing this scheme and exercising the powers necessary for delivery it is not considered that any group with protected characteristics are adversely affected under the Equality Duty.

- g) **Data** - There are no anticipated data implications resulting from agreeing to these recommendations.
- h) **Value for money** - The Council is in contract with the contractor Galliford Try and consultant AECOM under the Midlands Highways Alliance Plus Framework for Medium Schemes and Professional Services. The NEC4 Option C contract being utilised is a collaborative contract which seeks to share risks and pain/gain thereby engendering a collaborative ethos on the project. SEALR was a model project as part of the tendering process for the 3<sup>rd</sup> iteration of the Medium Schemes Framework within the MHA, which secured 4 contractors to work across the MHA area via a competitive process. Within that process, Galliford Try was successful in achieving regional contractor status in Buckinghamshire and Oxfordshire. Galliford Try have undertaken competitive tendering to sub-contractors during the Early contractor Involvement process in recent years. These have been and continue to be evaluated on a price:quality basis to ensure that the Council takes forward the most economically advantageous bid.
- i) **Health & Safety** - The design and construction works have been and will continue to be undertaken taking due care of Health and Safety matters. The project is being taken forward following the Construction Design and Management Regulations (CDM) 2017 and all other appropriate health safety legislation and guidance.

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

- 13.1 The SEALR project team has met with local elected members on a number of occasions, including the chair of the Aylesbury Community Board. Prior to the main site works commencing, local members will be briefed on the programme and traffic management, as well as providing key points of contact for escalation of issues.
- 13.2 A meeting was held on 3 January with local ward members ahead of the Cabinet Decision for SEALR 2 on 4 January to provide an update on the project. The SEALR project team will continue to liaise with local members as the project progresses.

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

- 14.1 SEALR Phase 1 held 2 public consultation events in 2017 and 2018 with Phase 2 holding an online public event in early 2021. The public were also consulted as part of the statutory planning process for Phase 1 and Phase 2.
- 14.2 E-bulletins for the project are produced and distributed to a mailing list. These e-bulletins inform on project progression and key events. These e-bulletins started in



2018 and 48 bulletins have been distributed to date. There are over 600 subscribers to the e-bulletins and links to the project website are included.

- 14.3 The project has a dedicated webpage that is updated regularly:  
<https://www.buckinghamshire.gov.uk/parking-roads-and-transport/road-and-infrastructure-projects/view-road-projects-in-development/new-road-south-east-aylesbury-link-road-sealr/> .
- 14.4 A recent project bulletin and press release have taken place in relation to the start of works on the A413 Wendover Road and B4443 Lower Road Roundabouts.
- 14.5 The communications plan will be enhanced through the construction period, to ensure that residents and the travelling public are aware of any impacts arising. The main form of communication is the use of e-bulletins which members of the public can sign up to receive via the project website.. The use of electronic signs on site also informs road users of up-to-date information that may affect their journey.

## **15. Next Steps and Review**

- 15.1 The budget for SEALR phase 2 will be increased and released in accordance with Appendix D. This will give effect to the delegations given by Cabinet on the 4 January 2024 and allow for works to proceed.
- 15.2 The budget for SEALR Phase 1, will be increased and released in accordance with Appendix D, subject to Homes England approval and finalisation of the HS2 Funding Agreement. The Council will engage with Homes England and HS2Ltd to expedite these matters.
- 15.3 The budget for Woodlands/ELRS will be reduced, as set out in recommendation 4 and Confidential Appendix B. The approval continues to facilitate the marketing of Woodlands, to give effect to the delegations given by Cabinet on the 4 January. Any recoverable funds will be reallocated to the Woodlands/ELRS budget.
- 15.4 A separate Cabinet decision will come forward to proceed with a Joint Venture/ Special Purchase Vehicles Partnership and/or sale of the Woodlands development following the outcome of the marketing process.
- 15.5 Cabinet is asked to delegate to the Corporate Director for Communities and the Corporate Director for Planning Growth and Sustainability, in consultation with the Leader proceeding with the delivery of the main works for SEALR Phase 1.
- 15.6 This will enable the phased delivery of the South East Aylesbury Link Road, within required timeframes to achieve the intended programme and to give effect to the Previous Council Decisions.

## 16. Background papers

- 16.1 There are confidential appendices to this report, which are exempt by virtue of paragraph 3 of Schedule 12A of Part 1 of Schedule 12a of the Local Government Act 1972 because they contain information relating to the financial or business affairs of any particular person (including the authority holding that information).

**Confidential Appendix A - Land Acquisition**

**Confidential Appendix B - Project Finances and Risks**

**Confidential Appendix C - Woodlands and ELRS**

**Appendix D - Financial Summary**

**Appendix E - EQIA**

- **Cabinet Member Decision 15 July 2016**  
<https://buckinghamshire.moderngov.co.uk/CeListDocuments.aspx?Committeed=543&MeetingId=5386&DF=15%2f07%2f2016&Ver=2>
- **Cabinet Member Decision 24 July 2017**  
<https://buckinghamshire.moderngov.co.uk/CeListDocuments.aspx?Committeed=543&MeetingId=5453&DF=24%2f07%2f2017&Ver=2>
- **Cabinet Decision 13 November 2017**  
[https://buckinghamshire.moderngov.co.uk/celistdocuments.aspx?MID=4742&DF=13%2f11%2f2017&A=1&R=0&F=embed\\$View%20the%20decision%20for%20item%2011.\\$htm](https://buckinghamshire.moderngov.co.uk/celistdocuments.aspx?MID=4742&DF=13%2f11%2f2017&A=1&R=0&F=embed$View%20the%20decision%20for%20item%2011.$htm)
- **Cabinet Member Decision 9 July 2019**  
<https://buckinghamshire.moderngov.co.uk/ceListDocuments.aspx?MeetingId=5573&DF=09%2f07%2f2019>
- **Cabinet Decision 9 December 2019**  
[https://buckinghamshire.moderngov.co.uk/celistdocuments.aspx?MID=4776&DF=09%2f12%2f2019&A=1&R=0&F=embed\\$View%20the%20decision%20for%20item%2011.\\$htm](https://buckinghamshire.moderngov.co.uk/celistdocuments.aspx?MID=4776&DF=09%2f12%2f2019&A=1&R=0&F=embed$View%20the%20decision%20for%20item%2011.$htm)
- **Shadow Executive decision 7 January 2020**  
<https://buckinghamshire.moderngov.co.uk/ieDecisionDetails.aspx?ID=161>
- **Strategic Sites Committee 11 February 2021**  
<https://buckinghamshire.moderngov.co.uk/ieListDocuments.aspx?Cid=362&MID=532>

- **Leader Decision 19 March 2021**  
<https://buckinghamshire.moderngov.co.uk/ieDecisionDetails.aspx?ID=468>
- **Cabinet Decision 9 November 2021**  
<https://buckinghamshire.moderngov.co.uk/ieIssueDetails.aspx?IId=27285&PlanId=0&Opt=3#AI10008>
- **Cabinet Decision 6 December 2022**  
<https://buckinghamshire.moderngov.co.uk/ieListDocuments.aspx?CId=337&MeetingId=17464>
- **Leader Decision 30 October 2023**  
<https://buckinghamshire.moderngov.co.uk/ieDecisionDetails.aspx?ID=1166>
- **Cabinet Decision 4 January 2024**  
[Report for South East Aylesbury Link Road SEALR Project.pdf \(moderngov.co.uk\)](#)
- **Cabinet Decision 4 January 2024**  
[Decision - Woodlands and Delivery of the Eastern Link Road South - Modern Council \(moderngov.co.uk\)](#)
- **Leader Decision 4 January 2024**  
<https://buckinghamshireintranet.moderngov.co.uk/ieDecisionDetails.aspx?ID=1239>

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

- 17.1 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 by 5pm on 21 March 2024. This can be done by email to [democracy@buckinghamshire.gov.uk](mailto:democracy@buckinghamshire.gov.uk).

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# **South East Aylesbury Link Road (SEALR)**

## **Appendix D: Financial Summary**

**Revised SEALR Budget:**

<b>SEALR Phase 1</b>	
Current Budget (January 2024)	£97,933,819
<b>Project Cost March 2024</b>	<b>£122,715,890</b>
<b>Revised Budget</b>	<b>£122,715,890</b>

<b>SEALR Phase 2</b>	
Current Budget (January 2024)	£16,788,869
<b>Project cost March 2024</b>	<b>£25,225,052</b>
<b>Revised Budget</b>	<b>£25,225,052</b>

<b>SEALR Phase 1 and Phase 2</b>	
Current Budget	£114,722,688
<b>Project Cost March 2024</b>	<b>£147,940,942</b>
<b>Revised Budget</b>	<b>£147,940,942</b>

\*Please refer to Confidential Appendix B

**SEALR Budget Release:**

**Phase 1 SEALR Budget Release Request – subject to Homes England approval and finalisation of HS2 Funding**

<b>Agreement</b>	
<b>Amended Budget</b>	£122,715,890
<b>Spend to Date</b>	£20,251,453.86
<b>Remaining Budget – to be released</b>	<b>£102,464,436.14</b>

<b>Phase 2 SEALR Budget Release Request</b>	
<b>Amended Budget</b>	£25,225,051.70
<b>Spend to Date</b>	£3,822,093.95
<b>Remaining Budget – to be released</b>	<b>£21,402,957.75</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: South East Aylesbury Link Road (SEALR) Phase 1 and 2.

OneDrive link to report/policy:

Related policies:

Date: 4<sup>th</sup> Dec.

Type of strategy, policy, project or service: Transport, Infrastructure and Delivery

Please tick one of the following:

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

This assessment was created by:

Name: Taofeek Oyeyemi

Job Title: Assistant Project Manager

Email address: [Taofeek.oyeyemi@buckinghamshire.gov.uk](mailto:Taofeek.oyeyemi@buckinghamshire.gov.uk)

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

The South East Aylesbury Link Road (SEALR) is a 2 phase project that will respond to:

- The realignment of the A4010 as the single carriageway Stoke Mandeville Relief Road
- Aylesbury's future development plans

SEALR is a 1.1miles of dual carriageway which will be delivered in 2 phases.

Phase 1 aims to reduce the effects of the Stoke Mandeville Relief Road by providing a link between the A413 Wendover Road and the B4443 Lower Road. It will form a critical part of the Aylesbury Orbital Link Road.

The project will also provide a dual carriageway link to connect the B4443 Lower Road, the South West Aylesbury Link Road and the Stoke Mandeville Relief Road.

Phase 1 will:

- connect to the proposed Southern Link Road through the Hampden Fields development
- build 2 new roundabouts on the B4443 Lower Road and A413 Wendover Road
- build a road bridge crossing the Aylesbury to Marylebone railway line



# Equality Impact Assessment (EqIA)

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- provide a replacement public open space for the Stoke Grange and Wendover Park estates
- underground the existing overhead electricity cables to the north of the proposed road

Phase 2 will:

- build a new roundabout connecting the Stoke Mandeville Relief Road and the future South West Aylesbury Link Road (SWALR)

SEALR forms part of the broader Aylesbury Transport Strategy

The design of the project has taken into account equalities issues via design standards and requirements. This EqIA is a follow on from the EqIA in relation to Phase 2 alone and should be read in conjunction with it.

What outcomes do we want to achieve?

The primary objectives of the Scheme are outlined in other papers but in summary are to –

- Provide improved levels of network performance and reduce congestion;
- Enable delivery of the Aylesbury Garden Town 1 Development Site;
- Support development opportunities and create conditions for growth of existing and new businesses in Aylesbury and the surrounding area;
- Secure good local connectivity for all road users for movements to, from, within and around Aylesbury;
- Relieve pressure on a key blue light route (access to Stoke Mandeville Hospital); and
- Increase provision for walking and cycling in the town to encourage active travel and, in turn, reduce car use and congestion.

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

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

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

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

The scheme will provide job opportunities for employees, as well as other external organisations.

The scheme will affect service users using the public transport (bus) user on the Wendover road.

Does this proposal affect employees? **Yes**/No



# Equality Impact Assessment (EqIA)

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

Has any engagement /consultation been carried out, or is planned in the future? **Yes**/No

Consultation with the public in relation to phase 1 and 2

## 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

### Negative

- Research shows that children are more vulnerable to the effects of increased noise than the population overall and exposure at home may result in more adverse impacts than exposure at school. Children spend more time at home than at school and night-time exposure can be associated with sleep disturbance, with regard to both quality and quantity. In children sleep disturbance and sleep problems may affect behaviour.
- Research has also shown that older people may also be more vulnerable to noise exposure due to spending more time at home than the population overall.
- Temporary diversions to footways/cycleways and PROWs could have a differential effect on those groups with mobility issues or for those who are more vulnerable to road safety issues including children and older people.
- Temporary diversions to footways/cycleways and PROWs may also have a differential effect on travel times. This will include those groups travelling to local schools and public facilities such as doctors and or hospitals.
- Emissions from construction Non-Road Mobile Machinery (NRMM) have the potential to increase Nitrogen Dioxide (NO<sub>2</sub>) and Particulate Matter (PM<sub>10</sub>) concentrations locally. This will be detrimental for children who are particularly vulnerable to poor air quality, as well as older people and people with respiratory diseases who are also more likely to be affected by changes in air quality.

### Positive

- Increased opportunity for active travel and associated benefits for physical health that can be shared by groups with protected characteristics including children, young people, and older people following completion.

Disability\*

### Negative



# Equality Impact Assessment (EqIA)

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- Due to design updates (including as a result of consultation/negotiation) phase 2 will now include dualling of carriageway and roundabout connecting to SWALR. Dualling will affect road crossings however the standards required for road crossing will be implemented in the design to ensure those groups with mobility issues or for those who are more vulnerable to road safety issues including people with disabilities have appropriate crossings.

## Positive

### **Pregnancy & maternity\***

**Positive**

**Negative**

Unclear

None

Details:

### Evidence for this

- Temporary diversions to footways/cycleways and PROWs could have a greater impact on those groups with mobility issues or for those who are more vulnerable to road safety issues including parents or carers with pushchairs.
- The relocation of the bus stop will have a potentially adverse impact on people with mobility issues including pregnant women and parents or carers with pushchairs. This will however only be temporary during construction phases and will be reinstated as soon as possible.
- Due to design updates (including as a result of consultation/negotiation) phase 2 will now include dualling of carriageway and roundabout connecting to SWALR. Dualling will affect road crossings however the standards required for road crossing will be implemented in the design to ensure those who are more vulnerable to road safety issues including parents or carers with pushchairs have appropriate crossings.

### **Race & Ethnicity\***

**Positive**

**Negative**

Unclear

None

Details:

### Evidence for this

- It was originally highlighted that the purchasing of agricultural land may potentially affect leaseholders with protected characteristics that influence their ability to move out of the area. These include ethnic minority groups, who may have formed formal and informal social and community ties and support. It is now believed that relevant owners/occupiers are not from ethnic minorities and appropriate compensation is being negotiated/awarded.

•



# Equality Impact Assessment (EqIA)

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## Marriage & Civil Partnership\*

Positive Negative Unclear **None**

Details:

## Religion & Belief\*

Positive Negative Unclear **None**

Details:

## Sex\*

Positive Negative **Unclear** None

Details:

There is a possibility of road/walking safety issues occurring in relation to the public within this group, however no issues were raised during consultation and all appropriate design and construction management plans will be used to ensure safety of pedestrians in line with industry standards.

## Sexual Orientation\*

Positive Negative **Unclear** None

Details:

There is a possibility of road/walking safety issues occurring in relation to the public within this group, however no issues were raised during consultation and all appropriate design and construction management plans will be used to ensure safety of pedestrians in line with industry standards.

## 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](#)? Yes/**No**

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



# Equality Impact Assessment (EqIA)

Template reviewed June 2023

## 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 measures have been identified and implemented above and previously, it is considered part B should be completed to ensure an action plan is available. At all times appropriate construction management plans are to be implemented and construction requirements are to be complied with.

**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)

Not applicable

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

## Part B (Full assessment) - Section 5 – Further information

Will there be an impact on any other functions, services or policies? If so, please provide more detail:

As a part of the EqIA, a policy and legislation review has been undertaken to ensure that the scheme aligns with the relevant national, regional, and local policies. The following policies have been reviewed:

National legislation and policy:

- Equality Act 2010 and the Public Sector Equality Duty
- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

Regional Policy



# Equality Impact Assessment (EqIA)

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- Buckinghamshire's Local Transport Plan 4
- Buckinghamshire Equality Policy and Objectives Local Policy
- Vale of Aylesbury Local Plan

## Stakeholders affected -

- Stoke Mandeville Hospital
- Florence Nightingale Hospice
- Booker Park Primary School
- William Harding Combined School
- Stoke Mandeville Combined School
- Emergency Services
- Belmore Centre
- The Bungalow Stoke Leys School
- HS2
- East West Rail
- Network Rail
- Public Transport Companies and Users
- Other stakeholder as identified in the Communication Management Strategy.

## Section 6 - Information gathering – what do you need to know about your customers and making a judgement about potential impacts on them?

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 protected characteristics\* and equality groups (non-statutory)?

### *Phase 1*

Consultation on the scheme was held from 1 November to 8 December 2017; providing just over a month of time for the public to comment on the scheme. A consultation drop-in session was held on Wednesday 1<sup>st</sup> November 2017, approx. 200 people attended this drop-in session. It was held from 2 pm to 8 pm in the afternoon at the Stoke Mandeville Stadium.

- We received a total of 268 responses from our online questionnaires (209) and written responses completed at the consultation exhibition (59) or returned at a later date.  
The majority of the respondents (79%) stated that they normally travel around Aylesbury by car. 18% and 17% of respondents stated that they normally walk and cycle around Aylesbury respectively. Only 11% were found to use the bus as their normal mode of transport.





# Equality Impact Assessment (EqIA)

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The most common source by which respondents heard about the consultation was a letter through the post, followed by a local newspaper advert and word of mouth

- From the total 268 responses to the SEALR consultation
  - 218 (81%) expressed their opinion on whether they supported the scheme
  - Over half (51%) of the respondents supported (stating agree or strongly agree) the proposal
  - less than a third (32%) of the respondents disagreed or strongly disagreed with the scheme
  - 17% were undecided
- The majority (85%) of respondents agreed that congestion is a problem on the road network in vicinity of the SEALR
- The majority (60%) of respondents supported the provision of a shared use cycleway alongside the SEALR

## Phase 2

The South East Aylesbury Link Road (SEALR) Phase 2 consultation began on 1 February 2021 and ended on 26 February 2021. The project team hosted the consultation through the [SEALR webpage](#) and a separate SEALR Phase 2 page on [Your Voice Bucks](#).

To summarise, the feedback form produced the following key findings:

- There were 39 respondents in total to the online feedback form.
- The most frequent mode of travel around Aylesbury used by participants is either car or motorcycle, with walking being the second most popular mode.
- Nearly one third of respondents travel along Lower Road daily.
- 64% of respondents view traffic congestion in this part of southern Aylesbury as a huge problem.
- 72% of respondents either strongly agree or agree that an Aylesbury Orbital Link Road would improve traffic congestion in this part of Aylesbury.
- 69% of respondents either strongly support or support the construction of SEALR Phase 2.
- 64% of respondents support the construction of the second cycleway behind the grass embankment.



# Equality Impact Assessment (EqIA)

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Feedback and comment from stakeholders has been sought in preparing the planning application, with amendments being incorporated where appropriate. Now that the planning application has been submitted, the Council will continue its engagement with local stakeholders and build upon existing relationships within the community.

Do you need any further information broken down by protected characteristic or equality group to inform this EqIA?

- Yes  
 No

If yes, list here to help you gather data for the action plan in Section 11

## Section 7 – Negative effects, impacts or consequences

Is there any potential for or actual direct or indirect discrimination or a disproportionate effect on a protected group or equality group?

- Yes  
 No  
 Not sure at this time

**What are the potential negative effects, impacts or consequences and how have, or may, they arise:**

Construction:

- There is expected to be some land take of agricultural land that is required for the Proposed Scheme. This was originally anticipated to potentially affect leaseholders with protected characteristics as suggested in Part 1, Section 2 however it is believed this is no longer the case.
- Construction of the scheme will result in increased noise levels at residential properties. Noise effects resulting from construction works may potentially have a differential impact on children and older residents living near the proposed scheme. Management plans for construction using industry standards and requirements will be used to minimise this.
- There is likely to be an increase in dust during the construction phase affecting air quality, particularly affecting the residential properties (between 10 and 100 units) on Ravel Lane, Beethoven Drive, Mozart End, Brahms Lane and Handel Drive, north of the proposed scheme. The dust produced during Phase 2 may also have an affect on Hall End Farm. This may cause children, older people and those with respiratory diseases to be more greatly



# Equality Impact Assessment (EqIA)

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affected by changes in air quality. Management plans for construction using industry standards and requirements will be used to minimise this

- Construction of the Proposed Scheme may result in safety, security and accessibility issues for residents, particularly those living at Bloor Home Development North on Lower Road. Safety and accessibility issues are more prevalent amongst those for who mobility is an issue including older people, disabled people and pregnant women. Children may also be potentially subject to safety issues with regards to construction sites and vehicles. Management plans for construction using industry standards and requirements will be used to minimise this.

- Construction of the Proposed Scheme may result in safety, security and accessibility issues for those visiting the small industrial estate, East of Lower Road. Safety and accessibility issues are more prevalent amongst those for who mobility is an issue including older people, disabled people and pregnant women. Children may also be potentially subject to safety issues with regards to construction sites and vehicles. Management plans for construction using industry standards and requirements will be used to minimise this.

- Disruption to Public Rights of Way (PRoWs) will be minimised where possible during construction. Temporary diversions will be put in place. The construction contractor will liaise with the BC PRoW Officer. Temporary diversion of the PRoW could have differential effects on those groups with mobility issues or for those who are more vulnerable to road safety issues, this includes children, older people, people with disabilities and parents or carers with pushchairs. Minimum diversions will be implemented to ensure this is reduced as much as possible.

## Operation:

- Post construction of Phase 2, there is a predicted increase in noise pollution due to the increase in traffic from the dualling link between the SWALR roundabout and Lower Road roundabout. Noise effects resulting from the operation of the scheme may have differential impact on children and older residents living on the affected roads. Acoustic noise barriers will therefore be included in the project to reduce the impact to below noise threshold. Noise levels will be monitored.

- During the operational phase, dualling of the Stoke Mandeville Relief Road (SMRR) between the roundabout junction for the future South West Aylesbury Link Road (SWALR) and a new roundabout provided by SEALR Phase 1 at the B4443 Lower Road Roundabout. Any new road layout may have a greater impact on those groups with mobility issues or for those who are more vulnerable to road safety issues including children, older people, people with disabilities and parents or carers with pushchairs, females or those who are more vulnerable. The design complied with Active Travel England requirements and appropriate crossings and footways etc were included in the design to minimise this



# Equality Impact Assessment (EqIA)

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- The Proposed Scheme will deliver two shared cycle/footways adjacent to the new carriageway. One of these would be adjacent to the carriageway and the other would be north of the noise bund with a link to the Bloor Homes Development and the potential to link to the Mandeville Park estate. Pedestrians and cyclists may use this new infrastructure to access open spaces, community assets or recreational facilities in the Aylesbury area. This may potentially have an adverse impact on people with mobility issues including people with disabilities, older people, pregnant women and parent or carers with pushchairs due to the extension of the relevant travel time. Whilst the travel time may be longer, better footways and cycle/pedestrian travel is possible as dedicated pathways are included.

## **Section 8 – Proposals to remove or minimise negative effects, impacts or consequences**

How is it proposed to mitigate or minimise the negative effects, impacts or consequences identified in Section 7?

- Continued engagement with leaseholders to ensure that they are provided with the most appropriate compensation and support.
- Contact with the local access forum to confirm the diversion routes and signposting should be undertaken at the appropriate point in the project.
- People currently living and working in the area should be given priority over construction jobs and training through a Skills, Employment and Education Plan or Policy including young people. A local employment and procurement policy should be produced to include a requirement for contractors to adhere to national or local schemes to promote employment amongst under-represented equality groups, e.g., Disability Confident Employer.
- Noise reduction measures implemented, monitoring of noise levels, Noise Insulation Regulations will be followed
- Ensure that best practice/guidelines are met when Public Right of Ways or closures are put in place. E.g., Suitable diversions and advanced notice to users.
- Ensure that best practice/guidelines are followed in regard to air quality and noise, and local people are kept up to date regarding any works during night hours wherever possible.
- Key walking routes and crossing points in the area should be maintained or appropriately diverted where possible and appropriate security provided where natural surveillance has been limited.

## **Section 9 - Other factors to take into consideration:**

SEALR forms part of the Orbital Route Strategy for Aylesbury, which is a key infrastructure project required to support the planned growth in Aylesbury. Phase 2 will not only link to



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Phase 1 but help to reduce congestion, as well as being a facilitator to development in the Stoke Mandeville Area.

## Section 10 - Conclusion:

Overall, the construction of SEALR will help to Increase opportunity for active travel through the provision of shared footways/cycleways, walking routes and implementation of safety measures. The increased opportunity for active travel and associated benefits can be shared by groups with protected characteristics including children, young people, and the elderly. Help to Improved safety, accessibility, and journey time savings for drivers. As well as Increasing connectivity around Aylesbury and the surrounding network and to future housing developments and this is expected to have an overall positive impact in relation to noise and air quality as well as community and economic benefits. It is therefore anticipated that any impacts on protected groups/individuals will be temporary and minimised via management plans and individual liaison where appropriate with, as stated, an overall positive impact.

## Section 11 - Action Planning

*As well as measures identified above specific actions as follows:*

Actions to be taken to address negative effects, impacts or consequences and maximise positive impacts	Potential Outcomes	Lead	Timescales
A planning condition will ensure that a Construction Environmental Management Plan (CEMP) will be developed including a Construction Traffic Management Plan (CTMP) to ensure that the appropriate diversions are implemented. Temporary and permanent diversions should be well positioned to ensure a similar level of access for users. This would help to maintain current levels of accessibility and any associated health and wellbeing benefits of active travel.	<i>Minimise impacts identified during construction</i>	<i>TBC</i>	<i>Before construction</i>
Construction of the Proposed Scheme (Phase 1) will require the CPO of land from four different landowners. It is recommended that there is continued engagement with leaseholders to ensure that they are provided with the most appropriate compensation and		<i>TBC</i>	<i>Before construction</i>



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support. This includes making necessary reasonable adjustments if required as part of the engagement process, but also to consider any appropriate mitigation of equality effects as a result of the loss of land.			
A Communication Strategy will be put in place so that information can be effectively shared with the local community.	Transparency and to allow specific issues to be raised including any specific problems relating to access or journeys. Consideration is to be given to ensuring targeted communication with householders and allowing appropriate feedback to allow reasonable adjustments/specific measures to be implemented if appropriate	TBC	<i>Throughout the project lifecycle.</i>
A local employment and procurement policy should be produced to include a requirement for contractors to adhere to national or local schemes to promote employment amongst under-represented equality groups, e.g., Disability Confident Employer.		TBC	<i>Throughout the lifecycle</i>
People currently living and working in the area to be given priority over construction jobs and training through a Skills, Employment and Education Plan or Policy including those from ethnic minority groups.		TBC	<i>Throughout the lifecycle</i>

## Section 12 - Monitoring Arrangements

The EQIA should be monitored on a regular basis by the Project Manager. The Project Manager should review this at the fortnightly meetings to ensure that any changes to scope have been highlighted in the EQIA. A final review relating to construction matters should be carried on before the construction phase commences however the EqIA should still be reviewed at regular intervals during construction to review effectiveness and implementation



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## **Section 13 - Part A and B Sign off – (If Part B has not been completed please complete Section 4)**

Officer completing Part A and B assessment: (Taofeek Oyeyemi). Date: (04/12/23)

Equality advice sought from: Maria Damigos 4 December 2023

Service Director sign off:

CMT sign off:

Cabinet/Leader sign off:

Next review date:

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