



Cabinet minutes

Minutes of the meeting of the Cabinet held on Tuesday 5 January 2021 in Via MS Teams Video Conference, available to the public at <https://buckinghamshire.public-i.tv/core/portal/home>, commencing at 10.00 am and concluding at 12.30 pm.

Members present

M Tett, A Macpherson, K Wood, S Bowles, B Chapple OBE, J Chilver, A Cranmer, I Darby, T Green, C Harriss, P Hogan, D Martin, N Naylor, W Whyte, G Williams and F Wilson

Apologies

M Shaw

Agenda Item

1 Apologies

Apologies for absence were received from Mark Shaw, Cabinet Member for Children Services.

Leader's Statement

Martin Tett, Leader of the Council, wished all members of the Cabinet, all members of the Council and everyone within Buckinghamshire a happy new year. With regards to the announcement of the lockdown which was made yesterday evening, the Leader explained that Cabinet would be meeting informally to discuss the implications for the Council as an organisation and the implications for the running of Council services. The Leader stated that following this, he would then update residents accordingly.

2 Minutes

RESOLVED: The minutes of the meeting held on 15 December 2020 be agreed as an accurate record.

3 Declarations of interest

There were no declarations of interest.

4 Hot Topics

Bill Chapple, Cabinet Member for Environment and Climate Change, explained that household waste recycling centres would remain open during the lockdown as they were included on the list of essential permitted businesses. However, he

encouraged residents to only use the centres when really necessary.

Isobel Darby, Cabinet Member for Housing and Homelessness, reiterated that any rough sleepers would be offered, as they have been throughout the pandemic, accommodation to keep them safe. She encouraged residents to contact the Council if they know of any rough sleepers so that the Outreach Team can provide support to them.

Warren Whyte, Cabinet Member for Planning and Enforcement, commented that the Burnham Beeches Special Area of Conservation Supplementary Planning Document had been approved and was now formal policy. This gives special protection and strict protocol to the Burnham Beeches area for up to a three and a half mile boundary. He also paid tribute to the Enforcement Team for securing compliance with a High Court injunction to restore land to open countryside in Great Horwood.

5 Question Time

Question from Councillor Robin Stuchbury to the Cabinet Member for Transport.

In light of recent flooding in Buckingham, I would like to ask if Buckinghamshire Council would consider investigating the proposals from the Environment Agency's feasibility study to consider improved flood defences in Buckingham (2003), in particular to provide a catchment basin to alleviate flooding within Buckingham? The proposals had not been taken forward following the completion of the study due to funding criteria changes in this period. There was now an obvious need to prevent flooding within the community of Buckingham, as global warming was likely to make such events occur frequently in the coming years.

Verbal reply given by Councillor Nick Naylor, Cabinet Member for Transport.

The responsibility for main river flooding such as the River Ouse lies with the Environment Agency. The flooding experienced in December 2020 to Buckingham, Milton Keynes, Bedfordshire and further downstream does highlight the risks that are faced from flooding and climate change. Buckinghamshire Council along with neighbouring authorities will be speaking with the Environment Agency to voice our concerns over the flood risk in the Upper Great Ouse catchment and encouraging the Environment Agency to relook at what can be done in the catchment to alleviate and manage flooding through Buckingham and the downstream communities.

Buckinghamshire Council are playing their part to investigate and implement flood management schemes in the very upper parts of the catchment such as on the River Leck Natural Flood Management project where the watercourse are ordinary watercourses and fall under the remit of the Local Authorities and Internal Drainage Boards. Buckinghamshire Council are also now managing the Buckingham Natural Flood Management project, which has recently begun appraising possible small-scale Natural Flood Management measures that could provide some limited reduction in flood risk to Buckingham Town Centre.

Question from Councillor Warren Whyte to the Cabinet Member for Transport.

Given the very late official Flood Warning from the Environment Agency for the River Great Ouse flood in Buckingham and North Bucks on 23 December, will Buckinghamshire Council ask the EA for an explanation as to what went wrong with the Floodline Service on that day, why reports to the EA flood incident line on that evening didn't get a timely response or trigger action, and what will be done to reassure residents and businesses that the Flood Warning System will be made fit for purpose?

Can I also be assured that the Council will promptly review the incident to see if a Section 19 report can be expedited and that any outcomes from that review may inform the many stakeholders on any improvements that need to be considered to the management of the river catchment.

Verbal reply given by Councillor Nick Naylor, Cabinet Member for Transport.

The Council are currently following up with the Environment Agency (EA) on the questions of the Flood warnings in Buckingham on 23rd and 24th December, the response by the EA to issues of flooding reported to their Floodline Service and their operational response to flooding in Buckingham. These questions will form part of the discussions with the EA to review the incident, starting this week.

The events of 23rd and 24th December were predominantly flooding from the main River Ouse which falls under the responsibility of the Environment Agency. Buckinghamshire Council, through Transport for Bucks, were responding on the ground to the flood incidents by closing roads and delivering sandbags where they were requested. Resources were stretched, as Transport for Bucks are staffed and responsible for responding to highways flooding and drainage issues, not main river flooding. Buckinghamshire Town Council also delivered sandbags and were involved in the follow up and clear up. Local Authorities are required and resourced to deal with strategic flood management issues, not operational flood incidents, although support was provided to the operational effort by the Strategic Flood Management team. The scale and extent of this sort of main river flooding requires Environment Agency co-ordination, expertise and leadership. The question of resourcing for responses to flood incidents is something which will be followed up with Central Government.

I assure you that the Strategic Flood Management Team will carry out Section 19 flood investigations into this dreadful flooding event wherever the criteria laid out in the Buckinghamshire Local Flood Risk Management Strategy are met.

There are currently around ten formal Section 19 Investigations that are likely to be required for the August and October events alone, and this workload is likely to increase substantially given this recent flooding. I will therefore review with the team how best to deploy the available resources to carry out both these existing

investigations and those that arise from the events in the Buckingham area just before Christmas.

A higher priority is given to incidents where the consequences were more severe (e.g. a high number of properties flooded, critical infrastructure affected) and where there are clear issues or actions that should be addressed as a priority by stakeholders. We can assure you that the key section of any Section 19 report, including any that are undertaken for the Buckingham area, will comprise a set of recommendations for the various authorities, landowners and residents to help move forward with management of the flood risk in the area in the future.

Timescales for publication of a Section 19 report are typically within 10 months of the flood event, though this is dependent on workload and the number of other investigations required. This criteria has been set and agreed in the Buckinghamshire Local Flood Risk Management Strategy (p.23) and by the Strategic Flood Management Committee chaired by the cabinet member and attended by other Council members from across the county.

[\[Buckinghamshire Council Local Flood Risk Management Strategy\]](#)

6 Forward Plan (28 Day Notice)

Angela Macpherson, Deputy Leader and Cabinet Member for Adult Social Care reported on a new public consultation on a potential new prison in Buckinghamshire. In line with the government's commitment to create four new prisons by the mid-2020s, the Ministry of Justice had been looking at potential new prison sites which have space available to develop and in locations where forecasted future demand for places would be the greatest. The MoJ believed that the land adjacent to the current HMP Grendon/Springhill may be an appropriate location for one of these new prisons. Because of the timescale an additional cabinet would need to be held at the end of January. The Leader reported that not only would a response need to be given by the Council on the public consultation, the Council would also need to consider a planning application for the potential new prison.

Bill Chapple, Cabinet Member for Environment and Climate Change reported that an item needed to be included on the agenda for 16 February on the Climate Change Strategy.

RESOLVED: Cabinet NOTED the Forward Plan.

7 Buckinghamshire Safeguarding Children Partnership Annual Report 2019/20

Cabinet received the Buckinghamshire Safeguarding Children Partnership Annual report 2019/2020. A review to consider new local safeguarding arrangements resulted in the implementation of the Buckinghamshire Multi-agency Safeguarding Arrangements which were agreed and signed off by the Statutory Partners in June 2019, changing the Safeguarding Children Board into the Safeguarding Children Partnership. One of the main significant changes was that the decision making for the Partnership was now under the three statutory partners; the Police, the Council and the Clinical Commissioning Group.

Sir Francis Habgood was introduced as the Independent Chair for Buckinghamshire Safeguarding Children Partnership. In August 2019 the business functions of the Safeguarding Adults Board merged with the Safeguarding Children Partnership to form one business unit and one Joint Independent Chair. This had not only streamlined processes but also had improved the focus on family. In terms of how the partnership functioned it was important that there was a clear business plan; there was a new style of Annual Report which was shorter, more focussed and accessible, a good quality assurance framework (embedding audit work) and learning and development. There were five sub-groups. Many of the actions in the Plan had already been carried out including a new website for adults and children which was more accessible.

As Independent Chair, Sir Francis Habgood provided leadership, vision, quality assurance, challenge and support and provided accountability for the work undertaken by the partnership by way of reports to relevant strategic committees such as Adults Board, Health and Wellbeing Board and Safer Stronger Bucks Board and the new Domestic Abuse Board. This ensured good co-ordination.

In terms of case reviews, there was a robust process in place to ensure that each review contained strong recommendations with a timeframe and an accountable person in order to make certain that this learning was embedded and monitored.

The Leader referred to the two different years 2019 and 2020 and the impact of the covid-19 pandemic, particular with an increase in child abuse incidences in the first lockdown. He asked about the learning from the first lockdown, which could be applied to the third lockdown, particularly looking at the partnership's priorities of domestic abuse, neglect and child sexual exploitation. The Independent Chair reported that when the first lockdown happened everyone had to work in a different way, in terms of the meeting structure and contact with young people. Using social media was very effective and there had been an improvement in attendance for case reviews which had been held digitally. The mental challenges for residents and not feeling in control was a concern e.g. domestic abuse could increase in a confined environment. The Corporate Director reported that during the lockdown, they had refreshed their practice standards and they were grateful to the social care staff who had gone the extra mile to ensure that children were safe. The strength of the partnership was impressive and they had been working closely with schools and health bodies and there was a clear understanding about the risks involved.

RESOLVED: That the progress made by the Buckinghamshire Safeguarding Children Partnership during the last year be noted.

8 Council Tax Base Setting 2021/22

Cabinet received a report on the Council Tax Base Setting 2021/22.

The Head of Finance reported that there was a requirement to set the Council Tax

Base which was the number of Band D properties which informs the number of receipts the Council and other major preceptors would receive such as police and fire. The numbers were based on the collection rate and the numbers involved in council tax support. The guidance informed that the rate should be based on the current year which was a collection rate of 98.1% which gave a Council tax base of 222,433.04. This was a reduction from last year of 0.7% which was due to the number of people on council tax support. A council tax increase of 3.99% would still generate additional receipts of £11.3 million compared to last year and this was included in the draft budget report.

The Cabinet Member for Regulatory Services asked whether the council tax base reduction of 0.7% was an average and if the reduction varied from parish to parish. He referred to the reduction for the Chiltern area, as set out on page 45 of the agenda pack, which was 1.12%, and questioned whether this was due to the fact that the collection rate in Chiltern has historically been one of the top three collection rates in the Country. The Head of Finance reported that this was an average and that the overall collection rate applied equally to all of the parishes, but the numbers differed slightly because of those residents on council tax support.

RESOLVED: That Buckinghamshire Council's tax base for the year 2021/22 is 222,433.04 and that the collection rate for the year 2020/21 is 98.1%.

9 Draft Revenue Budget and Capital Programme

Cabinet received a report on the draft revenue budget and capital programme. Given the levels of uncertainty around government funding levels beyond 2021/22 and the difficulties with accurately forecasting the longer-term implications arising as a result of the pandemic the revenue budget proposed within the report is for 2021/22 only. This ensures that the Council does not make decisions based on assumptions which are impossible to estimate at this stage given the international, national and local fiscal impact of the pandemic.

The Leader introduced the report and referred to the impact of the covid-19 pandemic which had heavily influenced the structure of the budget including income generation and expenditure. Therefore for the first time a one year revenue budget had been produced rather than three of four years because of the uncertainty. The government had also only produced a one year spending review. The Local Government Settlement was only received on 17 December 2020. The budget set out two categories of expenditure, revenue (day to day expenditure) and capital (invest in one off assets). On the revenue side this had been impacted by covid-19 with income generation (e.g. car parking, commercial property, leisure services and council tax and business rate income) and also the need to support residents and businesses in the County. There have been additional government grants to help with the budget. There has been a loss of rental income, parking income (£5.3 million less), reduction on council tax and business rates (£5 million each) and leisure (£2 million less). The costs have gone up quite significantly in areas such as home to school transport (£4.5 million) and adult social care. The Council were hoping to make significant savings as a result of becoming unitary. The proposal was

to have a normal council tax increase of 1.99% which covered the basic increase in costs but the government had also advised that the Council could raise an extra 3% for an adult social care precept to cover the increased costs; this needed a national solution. However, because of the recent pandemic Cabinet Members had considered that only a 2% increase should be proposed with a 1.99% basic increase. This left a small gap which would be covered by general reserves.

Finally on the capital programme the Leader thanked the Deputy Leader Katrina Wood for her work on this area and outlined the following highlights:-

- £161 million over the next four years for schools
- £128 million on highways including £17.4 on plane and patch
- £20 million on waste (new vehicles)
- £16 million on housing and homelessness
- £15 million on leisure services
- £39 million on economic recovery

The risks involved were outlined in the report. The Head of Finance added that this draft budget would be scrutinised by Budget Scrutiny from 11 January 2021 with a revised budget being considered by Cabinet on 16 February and Council 24 February 2021. The public were welcome to submit questions to budget scrutiny.

During discussion the following points were noted:-

- The Cabinet Member for Communities and Public Health emphasised the severe pressures on adult social care and that combined with childrens services the two areas accounted for 65-70% of the budget and the Council was constantly trying to find savings across the portfolios to help with this demand. The Leader reported on the £30 million savings which had been generated by becoming a unitary council and some of these saving would be redeployed to help with additional pressures.
- The Cabinet Member for Adult Social Care reported it was important to put residents first and the Council was seeing increasing demand and complexity of cases and commended the Adult Social Care Team for balancing the budget every year. She also mentioned the impact of provider failure on the Council which was a big risk for the Council.
- The Cabinet Member for Youth Provision reported on the new unitary council and the savings expected. Unfortunately, with the impact of Covid-19 these were uncertain times which would impact on the council longer term. On the consultation he commented that less than 900 people responded. Social media had reached 0.5 million people. In response to a question regarding the cost of consultation, the Cabinet Member for Communities and Public Health reported that it was a statutory requirement and he would check the total cost including staff time. The Leader referred back to previous years and the drive to increase the response rate e.g. by giving out paper copies at railway stations but even then the response rate was no more than 1500. Residents priorities usually were roads and pavements and the cost of

adult and childrens services should be emphasised.

- The Cabinet Member for Planning and Enforcement welcomed the one-year budget and referred to the capital programme which helped fund some of the main priorities for resident's such as roads, school places and local schemes such as the Winslow Centre. There was a four-year capital programme. The Leader hoped this would help support the local economy.
- The Deputy Leader and Cabinet Member for Resources reported that the team had worked hard on a robust capital programme. The Leader also referred to the work being undertaken on regenerating town centres across Buckinghamshire and to help support the reduction in the retail sector.
- The Cabinet Member for Environment and Climate Change referred to the capital programme and £20 million for waste. This was not just related to new vehicles. He referred to the need to purchase a new bulk shredder which cost £0.5 million and explained that vehicles tended to last seven years. The new vehicles would arrive in March 2021.
- The Cabinet Member for Housing and Homelessness explained that the budget for Housing and Homelessness was a smaller budget but was very important nonetheless. The Cabinet Member explained that there was no alternative to this budget and that it should be supported. The Leader reported that whilst quite a few councils were going for the full council tax increase, this Council was only going for 3.99% to help support the vulnerable and tackle the economic pressures faced.

RESOLVED: That the draft revenue budget and capital programme be approved and it be noted that a supplementary report, the formal Council Tax Resolution, will accompany the final Budget to Full Council.

10 Support to the Provider Market as a result of Covid-19

Covid-19 has created a number of challenges in the care market, including rising costs around staffing and PPE; a changing profile of clients for bed-based care, with clients presenting with more complexity; and disruption to the self-funder market. A specific request has been received to provide financial support during the covid-19 crisis. This decision seeks approval for short term financial support in order to come to a planned and sustainable solution in the longer term. The request was considered in confidential session as it contained information relating to financial or business affairs.

The Cabinet Member for Adult Social Care reported that one of the key corporate risks for adult social care was provider failure in the care market and covid-19 has impacted this considerably and it was very sad that clients had been lost to covid-19 and others had chosen not to come into the care setting. Care providers were operating below optimum capacity. The implications of provider failure were significant to the Council and under the Care Act 2014 the Council had to provide continuity of care to all clients in those settings which included self-funders of which there were a significant number in the market place. A provider was facing financial difficulties and had contacted the Council for short term help and officers were working hard to ensure that there were longer term sustainable options and a

further report would be brought back to Cabinet in March.

RESOLVED: That Cabinet agree a package of immediate short-term financial support and to commit to ongoing negotiations with a view to reaching an overall conclusion by March 2021.

11 Exclusion of the public

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

Minute 12 Support to the Provider Market as a result of Covid-19

Information relating to the financial or business affairs of any particular person (including the authority holding that information) (Paragraph 3, Part 1 of Schedule 12A, Local Government Act 1972)

(The need to maintain the exemption outweighs the public interest in disclosure, because disclosure could prejudice the Council's position in any future process or negotiations)

12 Support to the Provider Market as a result of Covid-19

This item was undertaken in confidential session as part of Minute item 10 and details of the public discussion and the decisions taken are included within Minute number 10.

13 Confidential Minutes from the Cabinet meeting held on 15 December 2020

RESOLVED: The confidential minutes from the meeting held on 15 December 2020 be agreed as an accurate record.

14 Date of next meeting

Tuesday 16 February 2021 at 10.00am (including the additional meeting at the end of January).