



Cabinet minutes

Minutes of the meeting of the Cabinet held on Tuesday 30 March 2021 in Via MS Teams, commencing at 10.00 am and concluding at 11.10 am.

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, M Shaw, W Whyte, G Williams and F Wilson

Agenda Item

1 Apologies

There were none.

2 Minutes

RESOLVED –

That the Minutes of the meeting held on 18 March, 2021, be approved as a correct record.

3 Declarations of interest

There were no declarations of interest.

4 Hot Topics

Martin Tett, Leader of the Council informed Members that the Council had launched the ADDITIONAL RESTRICTIONS GRANTS Scheme, that was targeted to help local businesses that during February- March 2021 had experienced a downturn in turnover of more than 30%. Details of the grant had been released and were available on the Council's website. The Government had also announced a BUSINESS RE-START GRANT today, details of which would be available on the Council's website.

Warren Whyte, Cabinet Member for Planning and Enforcement informed the meeting that two planning consultations **1.** Planning Statement of Community Involvement and **2.** Call for Brownfield sites, had been extended. The deadline for responses to both consultations was now 6 April 2021.

Clive Harriss, Cabinet Member for Sports and Leisure, welcomed the news that England had reached Step One in its roadmap out of the latest Covid-19 lockdown

which meant that from 29 March people were allowed to meeting in groups of up to six people outdoors.

Gareth Williams, Cabinet Member for Communities and Public Health, informed Members that the Helping Hand Scheme would run over the Easter period, which included topping up the Government scheme with £40 digital food vouchers to help those families entitled to free school meals. Physical activity was also being encouraged through £10 vouchers for play schemes, and holiday clubs being held for children aged 5-11 years. Information on these was available on the Council's website.

5 Question Time

Question from Councillor Robin Stuchbury to the Leader of the Council

Could Cabinet inform me as to the current position of the Cambridge to Oxford Arc proposals and specifically (following the announcement on 18 March 2021 by the Transport Secretary that the expressway project had been cancelled) will full Council be given an indicative vote on the remaining issues, i.e. on the environmental challenge and threat from the Cambridge to Oxford arc, and on how the unsustainable and extensive development in Buckinghamshire – with no highway infrastructure – will be managed without leaving the Council open to financial challenge?

Councillor Martin Tett, Leader of the Council, responded to the question as follows:

The Council is delighted that there has been a clear decision to cancel the Expressway proposals. As Robin Stuchbury is aware, beyond the Expressway issue, the Council has always had concerns about the way in which the so called 'Arc' developed and its preoccupation with large scale housing growth. The Council also raised concerns about its governance arrangements. Decisions taken on a majority vote basis, on key issues such as spatial planning and housing numbers, when Buckinghamshire would have only one vote put Buckinghamshire at a significant democratic disadvantage. Because of these issues, the Council took the decision to exit the Arc.

On 18 February 2021, new government policy concerning the Arc was published which referred to a new Spatial Planning Framework and an intention to create a new 'Growth Body' to lead the Arc's development. In response Buckinghamshire has made clear to MHCLG that it believes the correct approach to economic development is a business led one, with its Recovery Proposition at the centre. This would provide both the pace and local democratic mandate needed to help the economy recover strongly from the current Covid recession.

We would urge the Government not to adopt a centrally decided, 'top down' approach similar to that which has failed in the past. This is already council policy and a copy of the Recovery Proposal is on the council's website.

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 exactly what Cabinet would be discussing at forthcoming meetings.

RESOLVED –

That the Cabinet Forward Plan be noted.

7 Home to School Transport Policy including the associated Post-16 Transport Policy Statement Review and Consultation - Outcome

Anita Cranmer, Cabinet Member for Education and Skills, and David Martin, Cabinet Member for Logistics, introduced the report and informed Members that the Council was required to have a published Home to School Transport Policy and an associated Post-16 Transport Policy Statement.

The Home to School Transport Policy set out the Council's approach to providing transport to educational settings for 0 – 19 year olds (and up to 25 years for those with SEND). The Policy aimed to ensure that pupils arrived at their education setting ready to learn. The Post-16 Transport Policy Statement specified the arrangements for transport that the Council considered were necessary to facilitate the attendance of sixth form students receiving education or training. The Statement was published in line with the statutory duties under the Education Act 1996.

The Policy and the Statement had both been reviewed and consulted on in 2018/2019. Changes had included the introduction of charging for transport for 16-18 year olds with SEND. This took effect in the academic year 2019/20. Charges had been paused for the academic year 2020/21 due to the impact of Coronavirus, but under the current policy were set to continue from academic year 2021/22. The Council had a statutory duty to consult annually on the Statement and publish it by 31 May each year.

A Policy Review had been initiated in Summer 2020 with the aim of improving information for parents and carers, taking into account feedback from families received over the last 12 months; and to seek views on options for transport arrangements for students aged 16-19 with SEND who were eligible for transport assistance.

A formal public consultation had been undertaken over eight weeks (12 October – 7 December 2020), using a best practice approach and methods. The communications plan which supported the consultation had been extensive, robust and effective at raising awareness. Having listened to feedback from families, the approach to how transport for 16-19 year olds with SEND was arranged and paid for was a key element of the consultation.

3 potential options had been set out in full in the consultation, and that would

impact on approximately 250 young people in the 16 – 19 age group:

- **Option 1:** Distance banded charging model (Current Model).
- **Option 2:** Choice of a Personal Transport Budget or Council organised transport for an annual fee.
- **Option 3:** Personal Transport Budgets only (Council organised transport by exception). Council organised transport for an annual fee only available by exception.

Cabinet was informed of the key themes arising from the consultation responses:

- A clear preference had been expressed for Option 2, and by the majority of overall respondents.
- Overall, the majority of respondents expressed that the proposed Home to School Transport Policy and proposed Post-16 Transport Policy Statement were felt to be partly or fully clear and easy to understand.
- Some sections of the proposed Policy and Statement were felt to be less clear and as a result, those highlighted areas have been reviewed carefully and amended appropriately with the aim of further improving clarity.
- Parents and carers had shown a preference towards wanting to have more choice and freedom to organise their own transport, although 28% of overall respondents were unsure of this, and 42% of overall respondents agreed on this.

The formal Consultation Evaluation Report was provided at Appendix 1.

Following the consultation, the proposed Policy and Statement had been updated and some clarifications made to both, to take account of feedback from families and to take into account the consultation feedback where possible. This aimed to make the Policy and Statement easier for families to understand. This had included clarification on the Spare Seats Scheme and the way that spare seat allocations were prioritised, to include key vulnerable groups as well as siblings.

The draft Post-16 Transport Policy Statement had been revised to incorporate the preferred recommendation from the consultation, Option 2 - Choice of an annual fee or Personal Transport Budget, for arrangement and payment of transport for eligible 16-19 year old students with SEND. Option 2 provided choice and flexibility for families who wished to take up a Personal Transport Budget, whilst retaining Council organised transport for an annual fee as an alternative. This option also met the consultation objectives of providing a better experience for families using home to school transport through providing more choice and flexibility in terms of transport arrangements; and also to support and promote increased independence for young people with SEND as they become young adults.

The revised and recommended Home to School Transport Policy and associated Post-16 Transport Policy Statement were attached as Appendices 2 and 3 respectively to the Cabinet report.

Members commented on the Policy and Policy Statement as follows:

- That this policy would fit well with the Special Educational Needs and Disabilities (SEND) and Inclusion Strategy 2021-23, that had been approved by Cabinet on 2 March 2021.
- That the Cabinet Members and Service should be congratulated on the thorough consultations that had taken place.
- That it would be very important for the Policy to be communicated to parents, and in clear language that they understood.

Members were informed that should be Policy be agreed, that all parents would be directly contacted. Full information would also be included on the Council's website.

RESOLVED –

- (1) That the Consultation Evaluation Report, draft Home to School Transport Policy and associated draft Post-16 Transport Policy Statement be agreed.

(Note: In particular, this includes the recommendation for Option 2 (Choice of a Personal Transport Budget or Council organised transport) as the proposed option for how transport for 16-19 year olds with Special Educational Needs and Disabilities (SEND) is arranged and paid for.)

- (2) That the recommended annual fee for the Council organised transport element of Option 2 for post-16 SEND students be set at £900 for the 2021-22 academic year. Further, the reduced fee for demonstrated financial hardship be set at £600 for the 2021-22 academic year; both to be applied on a pro-rata basis according to the number of days travelled.

8 Vale Retail Park – Capital Works and New Lease

John Chilver, Cabinet Member for Property and Assets, introduced the report and informed Members that the Vale Retail Park had been acquired by the County Council in 2015. The property had suffered from the recession in retail and the move to online shopping, along with other retail assets. This has resulted in several tenants not renewing leases or entering administration and ultimately leading to a loss of income and increase in voids.

With the onset of the recession in retail, work had been ongoing on potential lettings to replace the retailers lost on the retail park as well as considering other options for the site. A suitable long term tenant had been identified but the terms of the deal would require enabling works to achieve a full market rent. This would include undertaking capital works to the property to reconfigure the existing retail space, providing a shell-and-core unit ready for the tenant to take occupation and undertake their fit-out. Outline details of the enabling work, their cost and anticipated levels of return were included in the confidential appendices.

The proposed works and letting would deliver a high-quality covenant, reduce existing budget pressure by creating a secure income stream and raise the profile of

the Retail Park, improving the prospects of further lettings of the remaining units to high-quality covenants at a full market rent.

At the same time, consideration had been given to the opportunity to bring forward the site for residential development. Such a development could create approximately 148 market flat units and 49 affordable flat units. However, for reasons provided in the confidential appendices it was recommended not to pursue this course at this time.

As the residual value of the site was likely to increase in the future, with an appropriate planning consent for residential, the site would then likely be viable for residential development. The longer-term aspiration for the site was to bring it forward for residential development as part of the evolution of the Aylesbury Town Centre to support the provision of affordable housing and the support of businesses within the town centre. Alternatively, other uses could be considered for the site such as offices or leisure which might release other sites in the town centre for market and affordable housing. Work had been done on the residential development viability and comparisons were set out in the appraisals considered in the confidential appendices.

The meeting then agreed item 10 and went into private session to discuss the confidential appendices set out in item 11. Following a comprehensive confidential discussion, the meeting returned to public session and the recommendations were agreed as follows:

RESOLVED –

- (1) That the Service Director for Property and Assets be authorised, in consultation with the Cabinet Member for Property and Assets and S151 Officer, to finalise and agree the emerging Heads of Terms with the retailer set out in the confidential appendices of this report and subsequently to finalise, agree, exchange and complete the lease documentation.
- (2) That the Service Director for Property and Assets be authorised, in consultation with the Cabinet Member for Property and Assets and S151 Officer, to arrange a loan from the Public Works Loan Board to deliver the enabling works in accordance with the report considered in the confidential appendices and the heads of terms set out there.
- (3) That the longer term strategic option to bring the site forward for residential development as part of the emerging plans for Aylesbury Town Centre be noted.

(Note: More housing would improve the housing mix with more affordable and bring residents into the town centre to support local businesses. Consideration will be given to include the site in the new Local Buckinghamshire Plan. The site could also be considered for other uses for

example leisure or offices to potentially release other sites for residential development in the town centre.)

9 Support to provider market as a result of Covid 19

Angela Macpherson, Deputy Leader and Cabinet Member for Adult Social Care, introduced the report and informed Members that in January 2021 a report relating to this matter had been presented and approved by Cabinet. This had resulted in a package of immediate, short-term financial support and a commitment to ongoing negotiations with a view to reaching an overall conclusion by March 2021 regarding longer term sustainable options.

Through those ongoing negotiations a thorough review of the options had been undertaken and resulted in a recommendation that a further package of support, details of which were outlined within the confidential appendices, was offered for a transition period to stabilise the market during the Covid-19 pandemic.

The implementation of this transition period would allow for some stabilisation within the care market and minimise the risk of provider failure. This would also provide the Local Authority with time to analyse the longer-term impact of Covid-19 on demand for care and support services and will enable the Council to prepare for a comprehensive commissioning exercise.

The proposed option provided the best foundation for service continuity as well as achieving value for money whilst enabling the Council to meet its obligations under the Care Act 2014 in relation to support for providers:

- To promote the efficient and effective operation of a market in services for meeting care and support needs;
- Ensuring the sustainability of the market (in circumstances where it is operating effectively as well as in circumstances where it is not); and
- In the event of provider failure, to ensure continuity of care and support so that all clients (including self-funders) continue to receive services that keep them safe and well

The meeting had previously agreed item 10 and went into private session to discuss the confidential appendices set out in item 12. Following a comprehensive confidential discussion, the meeting returned to public session and the recommendations were agreed as follows:

RESOLVED –

- (1) That a package of support for a transition period, as outlined within the confidential appendices, be agreed to stabilise the provider market during the Covid-19 pandemic.
- (2) That authority be delegated to the Corporate Director for Adults and Health and the Section 151 Officer to finalise the details of the support package.

10 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 Minutes No 11 and 12, on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Act as defined as follows:

Minute 11: Vale Retail Park – Capital Works and New Lease

Minute 12: Support to 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)

11 Vale Retail Park - Capital Works and New Lease - Confidential Appendices

This item was undertaken in confidential session as part of Minute item 8 and details of the public discussion and the decisions taken are included within Minute number 8.

12 Support to provider market as a result of Covid 19 - Confidential appendices

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

13 Date of next meeting

RESOLVED –

That the next meeting scheduled to be held at 10am on Tuesday 27 April 2021, be cancelled due to a lack of substantive business.