



Cabinet minutes

Minutes of the meeting of the Cabinet held on Monday 25 March 2024 in The Oculus, Buckinghamshire Council, Gatehouse Road, Aylesbury HP19 8FF, commencing at 1.00 pm and concluding at 1.45 pm.

Members present

M Tett, S Broadbent, A Macpherson, T Broom, J Chilver, C Harriss, A Hussain and P Strachan

Others in attendance

J Baum, P Brazier and R Stuchbury

Apologies

A Cranmer and M Winn

Agenda Item

1 Apologies

Apologies for absence were received from Councillors A Cranmer and M Winn. Deputy Cabinet Member for Skills Councillor Joe Baum attended in Councillor Cranmer's place.

2 Minutes

RESOLVED –

That the Minutes of the Cabinet meeting held on 5 March 2024 be approved as a correct record.

3 Declarations of interest

There were none.

4 Hot Topics

The Leader referred to his recent resident newsletter which had provided an update on the state of the roads and recent flooding. Over 80,000 residents had now signed up for this newsletter and any residents who did not receive it could sign up via the following link:-

<https://www.buckinghamshire.gov.uk/your-council/press-and-media/sign-up-for-our-e-newsletter/>

The **Cabinet Member for Transport** reported that multiple gangs were working on the roads seven days a week to help repair them. He also referred to the consultation on Your Voice Bucks on having a say on where electric vehicle chargepoints should be installed across Buckinghamshire. In January 2024 the Council was successful in securing £1.9m from the UK Government's Local Electric Vehicle Infrastructure capital fund to install these charging points across the County.

<https://yourvoicebucks.citizenspace.com/>

The **Cabinet Member for Climate Change and Environment** reported that information was provided on the website on flooding and flood risk management. He and his Deputy Cabinet Member Jilly Jordan worked hard addressing flooding issues and liaising with organisations such as Thames Water to help address any issues where possible. Thames Water dealt with any foul water and sewage issues. An example was given of flooding issues in Chalfont St Peter but there were flooding issues all over the County.

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

The **Cabinet Member for Culture and Leisure** reported on the new accessible changing facility at Black Park. He also expressed concern that some people had broken into a construction site at The Rye in High Wycombe where they were building a new playground. He commented that they would make the site secure again and to warn people from entering the site until it was fully opened and safe to use.

<https://www.buckinghamshire.gov.uk/news/new-accessible-changing-places-toilet-facilities-now-open-at-black-park/>

5 **Question Time**

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

“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?

<https://files.ofsted.gov.uk/v1/file/50182612> “

**Response from
Councillor Baum, Deputy Cabinet Member for Education and Skills (for**

Councillor Cranmer)

“Thank you for your question Councillor Stuchbury and highlighting the importance of early identification and intervention in supporting children and young people with SEND.

For many children and young people with SEND their needs will be met without requiring an Education, Health and Care Plan (EHCP) through what is commonly known as SEN Support. SEN Support is the system by which schools assess the needs of children, and then provide appropriate support. This support is tailored to a child’s individual needs to ensure they receive the specific help they need to succeed in their education. This may or may not directly link to the child’s attendance.

This graduated approach of support will mitigate the need for an EHCP for some children and young people but not all. The priority, however, is meeting needs early and improving outcomes for children and young people by ensuring they receive the support at the level appropriate to their needs.

Identifying and meeting the needs of children and young people, at the earliest opportunity is crucial to achieving a strong SEND system and an important area of focus in the Local Area SEND Inspection framework.”

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 South East Aylesbury Link Road (SEALR) Phase 1

Cabinet received a report on the South East Aylesbury Link Road (SEALR) project, that involved the construction of approximately 1.1 miles of dual carriageway that would join the A413 Wendover Road with the B4443 Lower Road and the Stoke Mandeville Relief Road (SMRR). The project was being delivered as one project but in two phases. SEALR was part of the Aylesbury Orbital Link Road, which was a key infrastructure requirement to support the planned growth of Aylesbury and mitigate the impact of HS2.

The project had secured planning permission and external funding from various sources, including the Housing Infrastructure Fund (HIF), HS2, and the Department for Transport (DfT). The project had completed early works and started the construction of the roundabout junctions on Wendover Road (A413) and Lower Road (B4443). The main construction works were expected to commence in July 2024 and complete by Summer 2026.

The project costs for SEALR Phase 1 and Phase 2 had increased significantly due to inflation and other factors. The report proposed 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 recommended forward funding and underwriting the Department for Transport (DfT) contribution to mitigate the financial and programme risks of any delay in funding approval.

Approval was sought from Cabinet to adjust the capital budgets and release funding for SEALR Phase 1 and SEALR Phase 2. In addition, the report sought 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.

This would 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.

During discussion the following points were noted:-

- The Council was taking a lead role in delivering the link roads in Aylesbury to unlock housing delivery. Aylesbury was a key area of growth with just over 16,000 homes planned. The SEALR was a key development and land use requirement under policy D-AGT1 required to mitigate the impact of development. The supporting evidence for the Vale of Aylesbury Local Plan, in the form of the Aylesbury Transport Strategy (ATS), set out a comprehensive strategy to address current and future issues. The SEALR was 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 would 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 was a key infrastructure requirement in the AGT1 Supplementary Planning Document
- Land for SEALR Phase 1 was 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
- SEALR Phase 1 was predominantly funded through external funding from Homes England, HS2, Department for Transport (DfT) and S106 contributions from developments. One of the conditions of funding from the Department for Transport (DfT) was that a Full Business Case (FBC) must be produced and approved by the DfT. Design consultants were producing the FBC on behalf of the Council. This was expected to be submitted to the DfT for approval at the beginning of April 2024. If the approval from the Department for Transport was later than July 2024 this would delay commencement of the

main works in August 2024, which would impact on the overall construction programme and would add further inflationary costs to the scheme. The risk of a late approval was high due to the need for sign off by the Secretary of State for Transport and Treasury.

- The Council was in continuing negotiations with HS2 Ltd in relation to the Funding Agreement, which would allow the Council to claim actual costs associated with bridge structure at set milestones throughout the project.
- There were concerns about the cost of the project for a short piece of road. However this was due to the complexity of the project including the need to cross a railway line and relocating a water mains. There had been a delay due to the CPO Inquiry and the pandemic and since then there had been huge inflationary costs. There was therefore a funding gap of £12 million.
- The map on page 41 of the report provided a clear picture of the overall project. SEALR was outlined in yellow which showed that it was a short stretch of road. However it was essential to the whole development of Aylesbury.

As part of their deliberations, Cabinet also considered in confidential session the confidential information and appendices that were part of the agenda.

RESOLVED –

- (1) That the following increases in the SEALR budget be APPROVED, as set out in the 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) That the release of the revised budget for SEALR Phase 2 of £25.2m be APPROVED, as set out in Confidential Appendix B and Appendix D.**
- (3) That the release of the revised budget for SEALR Phase 1 of £122.7m be APPROVED, as set out in Confidential Appendix B and Appendix D, subject to Homes England approval and HS2 Funding Agreements.**
- (4) That the following reductions in the Woodlands/Eastern Link Road South budget be APPROVED, 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) That the previous decisions to acquire the land, rights, and interests for SEALR Phase 1 be RATIFIED, noting the increased risks set out in Confidential Appendix A and the revised budget in Confidential Appendix B.**
- (6) That authority be delegated to the Corporate Director for Communities and**

the 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.

8 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 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.

Confidential appendices - South East Aylesbury Link Road Phase 1

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).

9 Confidential Minutes
RESOLVED –

That the confidential Minutes of the Cabinet meeting held on 5 March 2024 be approved as a correct record.

10 Confidential appendices - South East Aylesbury Link Road Phase 1
The confidential appendices were discussed.

11 Date of next meeting
Tuesday 9 April 2024 at 10.00am