

## **SHADOW EXECUTIVE**

**TUESDAY, 18TH FEBRUARY, 2020**

**Present:** Councillor Martin Tett in the Chair

Councillors K Wood (Vice-Chairman), S Bowles, B Chapple OBE, J Chilver, A Cranmer, I Darby, T Green, C Harriss, P Hogan, A Macpherson, D Martin, N Naylor, W Whyte, F Wilson, T Butcher and W Mallen

**Also in Attendance:**

Councillors Robin Stuchbury, Chris Whitehead and Alex Collingwood.

### **1 Apologies**

Apologies had been received from G Williams with T Butcher in attendance as his deputy and M Shaw with W Mallen in attendance as his deputy.

### **2 Minutes**

**RESOLVED:** The minutes of the meeting held on 28 January were agreed as an accurate record and signed by the Chairman.

### **3 Declarations of interest**

The following declarations were made under item 13; VCS (Voluntary and Community Sector) Continuing Grants:

1. Steve Bowles- Trustee of Green Park, Trustee of Wendover Memorial Hall
2. David Martin- Board member for Colne Valley Park Community Interest Company, Trustee of Chalfont St Peter Community Library
3. Katrina Wood- Lives close to Ashwells but not close enough to have a prejudicial interest.
4. Isobel Darby- Treasurer of Chalfont St Peter Village Action Group, Governor of Robertswood School and Governor of Dr Challoner's Grammar School.
5. Fred Wilson- Wife is governor of Chesham Grammar School and Chesham Bois C of E. Member of Chesham Vitalisation for Chesham Connect.
6. Bill Chapple- Son works for County Council, Chairman of Buckinghamshire's Best Kept Village.
7. Nick Naylor- Director of Colne Valley Park Community Interest Company.

Tony Green- Governor of Holmer Green Senior School, Chairman of High Wycombe Twinning Association.

### **4 Question Time**

#### **Question by Robin Stuchbury**

In response to questions asked at the meeting on 28 January 2020 on planned savings in Children's Services and Education, Cllr Whyte clarified that the proposed savings listed in Appendix 4 of the draft budget are cumulative and not on a year-by-year basis. Cllr Whyte also stated that the total £6.7M savings target in SEND and Early Help were provisional estimates and that a new £7.5M grant from central Government has now

removed the pressure on these budgets. Could Cllr Whyte please now confirm that the final budget plans will pursue no savings in SEND and Early Help over the next three years?

### **Response**

The proposed MTFP does not include any planned savings against Early Help budgets.

In relation to SEND, the proposed budget includes additional investment of £500k in staffing within the Integrated SEND service to increase capacity within the service to meet demand for Education, Health and Care Plans. This investment is funded in part by savings from elsewhere within the Education Service giving a net increase to the Education portfolio budget of £220k.

Buckinghamshire has received an additional allocation of £7.5 million within the High Needs Block of the Dedicated Schools Grant (DSG) to support pupils with SEND in 2020-21. Whilst this additional funding is welcome, Buckinghamshire, like all other Councils, is experiencing significant pressures against its High Needs Block. The Council will be working closely with schools and Schools Forum to ensure that increasing demands for support can be met in the most efficient and effective way within the overall levels of grant.

### **Question by Alex Collingwood**

In relation to the decision being taken today by the Shadow Executive on Westhorpe Globe Park it was asked if Highways England would ensure there would be good cycleway and pedestrian access as part of the scheme.

### **Responses**

The new slip road was predominately designed for motor access but would take into consideration pedestrian and cycle access. This would be discussed further under item 14a.

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

**RESOLVED: The Shadow Executive NOTED the forward plan.**

## **6 Budget Scrutiny 2020 Report**

C Whitehead, Vice Chairman of the Budget Task and Finish Group and A Collingwood, Chairman of the Shadow Overview and Scrutiny Committee attended the meeting to present their findings and recommendations following the intensive budget scrutiny process that had taken place over 4 days in January 2020.

A Collingwood highlighted that the scrutiny process looked at each portfolio area in detail and their recommendations were put forward in order for the budget to meet the key aims of delivery better services and better outcomes for residents. The recommendations were summarised and a copy would be published after the meeting and also appended to the minutes. The Executive, Portfolio Holders and officers were thanked for their input and work over the scrutiny process.

C Whitehead clarified that although it was a three year budget, Yrs1 and 2 had been reviewed by existing councils, however Yr 3 was harder to predict and scrutinise and there was still work to do in particular in relation to capital expenditure and the savings proposed under the Transformation programme. It was highlighted that climate change was a high priority for the council and residents.

The Executive raised the following points in discussion:

- Members of the Budget Task and Finish group were commended for their work and the final budget presented would be improved due to their work.
- The Executive were not the ongoing Cabinet of the new authority and therefore could not dictate policies for the new council. However, the Corporate Plan had been

shaped in some areas e.g. Climate Change and a £5m special initiatives budget had been proposed to help address the topic.

- The concerns related to Year 3 assumptions were echoed and it was an area the new authorities' executive would want to address. It was stated that the Fair Funding Review committed to by Central Government had been put on hold and the impact of that review was not known so broad assumptions had to be made to form the budget.
- The business case in 2016 highlighted the initial savings target and some of these had already been achieved. The new authority would want to review savings and decide on policies on how those savings are used.
- Climate Change was discussed in more detail and scrutiny's recommendation for the Corporate Plan for Buckinghamshire Council to include a stronger commitment to Climate Change, with the aim of the Council being net Carbon Neutral by 2035 and the County generally by 2050. A Collingwood stated that a closer date was needed in order for there to be a real focus and push to deliver on the target. B Chapple highlighted that Buckinghamshire County Council was already 53% carbon neutral and exceeding targets. Members recognised that the new authority would need to have a strong focus on Climate Change as it was also a high priority for residents and required large scale culture change.
- There were some areas of recommendations where it was felt that the targets were less specific and it was stated that this meant officers were given some level of flexibility in order to be able to deliver against the massive transformation and change programme required.
- Best practice from each of the existing authorities could be used in particular areas where great work was already happening, e.g. homelessness and rough sleeping.
- Although there was a desire to reduce agency staff it was understood that there would always be a need for some element of agency staff in order to deliver services in high risk areas.

In summary the Budget Task and Finish Group believed that following their recommendations, the budget was lean, robust and deliverable and thanked officers and the Shadow Executive for their work. The Leader also thanked the committee for the work and subsequent recommendations and thanked all supporting officers.

**RESOLVED:**

**All recommendations with the exception of 2, 4, 13, 19 and 22 were agreed in full. A complete breakdown of the recommendations with their responses can be found [here](#).**

**7 Final Budget 2020/ 2021**

M Tett introduced the final budget report which had previously been discussed and amended to incorporate recommendations made by the budget task and finish scrutiny committee and changes in the governments finance settlement. M Tett highlighted the following keys areas of change:

- An additional amount from the New Homes Bonus.
- Release of contingencies in some areas.
- Additional £1m for plane and patch works which would start once the weather improved.
- Increased funding for the Social Worker Academy to reduce workload on existing social work staff.
- £5m special priorities fund had been allocated to climate change in response to scrutiny recommendations.

The investment in Children's Services was welcomed by the Portfolio Holder and it was stated that this investment was on top of the money already invested by the county council over recent years.

**RESOLVED:**

1. To approve the revenue budget and capital programme (Appendices 1-3).
2. To approve the updated Schedule of Fees and Charges (Appendix 4).
3. To delegate any further required changes to the Schedule of Fees and Charges to the S151 Officer, in consultation with the Leader, during the period post final budget up to 31st March 2020.
4. To agree the delegation of decisions to add up to £100m to the Capital programme, to be funded by Prudential Borrowing, to the Cabinet (see section 9.10).
5. To agree the delegation of decisions to add projects relating to the current HIF bids to the capital programme to the Cabinet (see section 9.11).

To approve the 'Special Expenses' budgets and precept for Aylesbury Town, High Wycombe Town and West Wycombe Church Yard (Appendix 5 & 6).

## **8 Corporate Plan**

M Tett introduced the report which asked the Shadow Executive to agree the final version of the Corporate Plan which had been discussed previously by the Shadow Executive and recommend to the Shadow Authority for a decision on 27 February. It was highlighted that the plan would guide the early days of Buckinghamshire Council and would be modified as appropriate by the new leadership.

### **RESOLVED:**

To note the final draft of the Corporate Plan and agree to recommend this to the Shadow Authority for approval.

## **9 Dedicated Schools Grant and Schools Funding 2020-21**

T Green introduced the report that asked the Shadow Executive to approve the proposed local schools funding formula, and agreement to other Dedicated Schools Grant (DSG) funded budgets as recommended by the Schools Forum. It was stated that it was a requirement from the Department for Education (DfE) for political ratification of the local schools funding formula prior to the allocation of budgets to individual schools. T Green highlighted the pressure within the High Needs Block, with a deficit that would be carried forward in to the new financial year with plans in place to reduce this.

It was highlighted that half of the council's gross expenditure was on the schools budget and this was an area of high priority for the council and residents. There were a number of financial challenges being faced and this was reflected nationally. There were increased numbers of pupils being supported by the high needs block budget and the additional funding of £7.5m within HNB for 2020/21 was a good investment.

### **RESOLVED:**

1. To agree that the overall Dedicated Schools Budget should be set at the level of the allocated Dedicated Schools Grant (DSG) £472.25 million.
2. To agree the proposed local funding formula for schools recommended by Schools Forum on 21<sup>st</sup> January 2020 as follows:
  - a. Funding factors are 100% in line with National Funding Formula (NFF) values, including the national minimum per pupil funding level.
  - b. Minimum Funding Guarantee (MFG) set at +0.5%, with a cost of £186k for the funding protection in 5 schools, without the requirement for capping of gains in other schools.
  - c. No funding to be transferred to the High Needs Block
3. To note the Central Schools Services budget proposed for 2020-21 with further savings required in future years in line with DfE funding reductions.

**4. To agree the High Needs budget proposed, including savings proposals, and agree that initial proposals for a recovery plan for the High Needs budget in future years be considered at the March meeting of Schools Forum**

**5. To agree the Early Years budget proposed**

**To agree the actions to reduce the deficit in the DSG reserve by £1.264m in 2020-21, with further proposals for recovery of earmarked reserves to be considered and agreed at future meetings of Schools Forum.**

## **10 Pay Policy Statement**

K Wood introduced the Pay Policy Statement report, which was a statutory requirement for the authority to produce, update and publish annually. The policy set out Buckinghamshire Council's policies relating to the pay of its corporate service workforce (excludes Schools employees) for the year 1 April 2020-31 March 2021. It was highlighted that it included those employees being TUPE'd over to the new authority.

### **RESOLVED:**

- 1. Approve the Pay Policy Statement.**
- 2. Approve the delegation of decisions on all employee remuneration and severance packages over £100,000 to the Pay Committee.**

## **11 Final Draft Constitution**

M Tett introduced the report which included the final draft constitution for the Shadow Executive to agree and recommend the constitution to the Shadow Authority for agreement.

S Ashmead, Monitoring Officer, also asked for the Executive to give delegated authority to her to make any final minor changes and additions that needed to be made prior to the final decision being made by the Shadow Authority on 27 February 2020. It was highlighted that it would be a live document which would be updated as required and it was suggested it would be reviewed in April 2021.

### **RESOLVED:**

- 1. That the Shadow Executive approve the Scheme of Delegation (subject to any required amendments) in relation to delegations of executive functions.**
- 2. That the Shadow Executive recommends the draft Constitution (subject to any recommended amendments) to the Shadow Authority for adoption as the Constitution of Buckinghamshire Council.**
- 3. That delegated authority is given to the Monitoring Officer, in consultation with the Leader, to make any minor changes, including clarifications, and necessary textual revisions to the draft Constitution to ensure that the separate sections of the Constitution are consistent, work together as a whole and reflect any changes to legislation.**
- 4. That the Shadow Executive recommends that Shadow Authority give delegated authority to the Monitoring Officer in consultation with the Leader as per 3 above in relation to the approved Constitution up to and including 31 March 2020.**
- 5. That the operation of the Constitution is reviewed in April 2021.**

## **12 Members Allowances**

S Ashmead, Monitoring Officer, presented the report that set out the Scheme of Members Allowances for the new council following elections in May and also covered the interim period from 1 April 2020. The allowances had been set following recommendations from the

Independent Remuneration Panel (IRP) following their research and review. It was noted that the basic allowance would apply to all members from 11 May 2020 and the special responsibility allowances would change to reflect the roles within the new council as it became clearer what those would entail.

The report set out a number of recommendations from the IRP; those included in the report to agree and those not taken forward. S Ashmead made reference to the recommendation to include a 'clawback' of allowances if required, however the recommendation was not taken forward as advice had been given that it was not legal to enforce.

Members highlighted they were pleased to see the importance placed on the position of Chairman for the new Community Boards, but also mentioned the heavy workload on Members who currently served on the county council and a district council (twin hatters) in the interim period that was not reflected in the scheme.

F Wilson highlighted that the scheme did not encourage the cultural change that was needed due to its hierarchal structure.

In response to questions from Members, S Ashmead stated the following:

- Role profiles for Members were included in the report and would also be part of the member induction programme.
- The current Chairman and Vice Chairman could claim expenses in the interim period. This had reflected the model used in Dorset but an SRA for them could be added in prior to the scheme being agreed by the Shadow Authority. The Shadow Executive agreed that the decisions on the amount would be delegated to the Leader and Monitoring Officer to include.
- The scheme would be reviewed periodically.
- Legally all members were to be paid the same regardless of being a twin hatter.

**RESOLVED:**

**That having regard to the recommendations of the Independent Remuneration Panel (IRP) the Shadow Executive agree to recommend to the Shadow Authority meeting on 27 February 2020 to adopt the Scheme of Members' Allowances for the Interim Period and for the period from 11 May 2020 to 31 March 2021 as attached as Appendix 2.**

The decision was agreed by majority with F Wilson not in support of the recommendation.

**13 VCS (Voluntary and Community Sector) Continuing Grants**

Declarations of interest for the item had already been declared under item 3.

I Darby introduced the report that detailed the commitments for 2020/21 and 2021/22 that had been made by the four district councils in the form of grants to voluntary and community sector organisations (VCSOs). I Darby highlighted the importance of maintaining key relationships with partners and in particular the VCSO sector who gave a wealth of knowledge and support freely. There had been a recent Chairman's event which celebrated just some of those within the sector and it was clear that the areas they support stretched far and wide. It was stressed that a lot of the work they did would not be possible without an element of financial support from the council and these organisations needed financial security going forward.

Members of the Shadow Executive echoed comments made and paid tribute to those in the sector for the valuable support they provided. All members fully supported the recommendations in the report.

I Darby put on record her thanks to all paid and unpaid volunteers in the county and looked forward to working with them in the future.

**RESOLVED:**

1. To Note the importance of the VCSO sector as a core partner and, in consultation, continue to develop the VCSO / Not for Profit Sector Strategy for Buckinghamshire for consideration by the Cabinet in July 2020.
2. Recognise the VCSO's need for assurance specifically during the transition phase and support the continuation of the predecessor councils' multi-year funding arrangements at a revised cost of £1,392,709 in 2020/21 and of £1,168,758 in 2021/22 as per the spending protocol.
3. Conduct a review of Buckinghamshire Council's financial support for the VCSO to ensure a planned and sustainable approach; report to the Cabinet funding streams which would include grants to VCS in Autumn 2020 with proposed terms of reference for the review and a detailed plan which includes any proposed grant extensions where appropriate.

#### 14 **Spending Protocol**

There were four items to be discussed under Spending Protocol, three of which had confidential appendices for the Executive to consider. Members were reminded that reference to detailed information contained in the confidential appendices was not to be discussed as part of the open meeting.

MT proposed that the meeting would move into private session for those items and would then provide a summary of the papers and recommendations in public once these private discussions had concluded.

##### a) Westhorpe Globe Park (Spending Protocol)

M Tett introduced the report that set out the background to the Westhorpe Junction Improvements/Access to Globe Park project and the reasons why it was recommended to approve the project and progress the preliminary design and ground investigation works.

I McGowan, Head of Highways Infrastructure Projects noted that the project was in the process of gaining greater cost and programme certainty and would report back to new authority with further cost information with a formal decision to be taken in the summer. It was hoped that construction work would start on site in the new year.

The Executive welcomed the report as it had been an ongoing issue for residents and commuters in the area. Following a request for clarification, I McGowan stated that the focus was on the works northbound but further improvements had not been ruled out with further design work needed.

#### **RESOLVED:**

1. **That the Shadow Executive approves the commission of the preliminary design phase of the project including ground investigation works (value £375,000 – using secured and released s106/CIL funding)**
2. **That the Shadow Executive notes the risks associated with the scheme.**

##### b) Use of S106 Accrued Funds for Affordable Housing in Wycombe (Spending Protocol)

A Macpherson left the meeting for item 14b as she had declared an interest in one housing providers.

Discussions took place in a private session in order for the Executive to consider confidential and commercially sensitive information.

#### **RESOLVED:**

- 1. That the Shadow Executive endorses the November 2019 decision of Wycombe District Council's Cabinet to award funding of £800,000 to Paradigm Housing Association on the terms set out in paragraph 7 of the report.**

c) HQube/Bellfield/Ashwells (Spending Protocol)

Discussions took place in a private session in order for the Executive to consider confidential and commercially sensitive information.

**RESOLVED:**

**To ratify WDC Cabinet's approval of three linked projects:**

- 1. Construction of infrastructure for Ashwells and its subsequent disposal as serviced residential development sites**
- 2. Disposal of Bellfield for affordable housing**
- 3. Development of HQube small workspace**

**Including delegated authority to Officers to complete detailed terms of the contractual commitments involved.**

d) Cressex Island (Spending Protocol)

Discussions took place in a private session in order for the Executive to consider confidential and commercially sensitive information.

**RESOLVED:**

**To ratify WDC Cabinet's approval of:**

- 1. Direct development of part of Cressex Island**
- 2. Freehold disposal of the remainder of the site**
- 3. Implementation of Crest Road signalisation works**

**Including delegated authority to officers to complete the detailed terms of the contractual commitments involved.**

15 **Waste collections arrangements for the South of the county**

B Chapple introduced the public report which updated Members on the procurement project to deliver a new waste collection, recycling and street cleaning contract, covering the current Council areas of Chiltern, South Bucks and Wycombe and sought approval to the necessary financial commitment to enable the award of the contract.

The following points were highlighted:

- Existing contracts expired on 6 Sept 20 (Chiltern and WDC) and 30 Oct 20 (South Bucks).
- Procurement had been managed by district officers with external support and a lead officer representative from the Shadow Executive
- Contract duration would be 10 years with a possible 10 year extension.
- Greater rigour in contract around performance standards with operational software aligned with the councils systems.
- The branding of vehicles and clothing would promote the new council.

**RESOLVED:**

- 1. To note the background and progress on the waste, recycling and street cleansing contract procurement project.**
- 2. To approve the financial commitment for a new waste collection, recycling and street cleansing contract for the Chiltern, South Bucks and Wycombe areas, having regard to the procurement and financial information contained within this report and the confidential Appendix, which is in line with the approved budget.**
- 3. To note that the award of this contract is also being reported to Chiltern, South Bucks and Wycombe Council Cabinets for approval.**



**16 Exclusion of Press and Public**

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).

**17 Use of S106 Accrued Funds for Affordable Housing in Wycombe (Spending Protocol)**

**18 HQube/Bellfield/Ashwells (Spending Protocol)**

**19 Cressex Island (Spending Protocol)**

**20 Waste collections arrangements for the South of the county – Evaluation of tenders**

**21 Date of next meeting**

10 March 2020.