

## **1 : BUCKINGHAMSHIRE COUNTY COUNCIL**

### **MINUTES**

Minutes of the meeting of the Buckinghamshire County Council convened and held on Thursday, 26 April 2001 in the Council Chamber at County Hall, Aylesbury, commencing at 10.00 am and concluding at 4.00 pm when the following members of the Council were present

Mr K I Ross in the Chair;

Mr B G Allen, Mr M C Appleyard, Mrs C M Aston, Mrs M A M Aston, Mrs P M Bacon, Mrs A R Bainbridge, Mr I S Bates, Mr M E Brand, Mr N L Brown, Mr R H StG Carey, Mr J W Cartwright, Mr W J Y Chapple, Mrs M P Clayton, Mr P A Cochrane, Mrs P M Crawford, Mrs P M A Dewar, Mr T J Fowler, Mr C Graeff, Mr D C T Graves, Mr D A B Green, Mr M J Greenburgh, Mrs B H Jennings, Mr C Jones, Mr S Kennell, Mr P M Lawrence, Mr R Lingham-Wood, Mrs C C Martens, Mr M B Oram, Mr J H McB Page, Mr A J Plumridge, Mr R C Pushman, Mrs F D Roberts MBE, Mr C F Robinson OBE, Mr D J Rowlands, Mr R S Royston, Mr J S Ryman, Mr D A C Shakespeare, Dr B R Stenner, Mr F V J Sweatman, Mr M W Taylor, Julia D Wassell, Mrs C S Willetts and Mr R K Woollard

### **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Mrs M A Baldwin, Mrs S D Hodgkinson, Mrs E M Lay and Mr R J Worrall.

### **1 MINUTES**

The minutes of the meeting of the Council held on 22 March 2001, were confirmed subject to the name of Mr R K Woollard being added to the list of those who had submitted their apologies.

## **2 PETITIONS**

Mrs F D Roberts presented a petition on behalf of the residents of Whaddon Chase and Northern Road, Aylesbury regarding the need for speed restrictions.

## **3 COMMUNICATIONS**

It was with sadness that the Chairman of the Council reported the death of Lady Margaret Popplewell. Lady Popplewell had been a member of the County Council from 1977 to 1985 and during this time had played a significant part in its work, particularly in her role as Chairman of the Education Committee. She was also a former High Sheriff of Buckinghamshire, a Deputy Lieutenant and also Chairman of Buckinghamshire's County Probation Committee.

## **4 DECLARATIONS OF INTEREST**

There were no declarations of interest.

## **5 CABINET MEMBERS REPORTS**

The Leader of the Council, the Deputy Leader and the Cabinet Members for Schools, Children and Young People, Adult Social Care, Community Services, Planning and Transportation and Resources submitted reports on some of the major issues and events which had affected their individual portfolio area in this case up to the 31 March 2001. This reporting mechanism allowed Cabinet Members to explain the context of their work and to draw attention to issues in which the Council as a whole might be interested and on which Members might wish to ask questions or seek further information.

## **6 POLICY FRAMEWORK**

There was no report on this occasion.

## 7 REPORT OF LEADER OF THE COUNCIL

The Chairman of Council varied the order of business and the report of the Leader of the Council was taken before the reports of Select Committees. The Council then discussed the method of consideration of Select Committee reports and the Leader of Council tabled a recommendation which was agreed.

- RESOLVED:**
- 1 All reports from Select Committees will normally first be referred to the Cabinet for consideration and resource assessment before being considered by the Council. The Cabinet then has the opportunity to discuss the report and its recommendations with the Select Committee before reporting its views to the Council. Every effort would be made to avoid undue delay;**
  - 2 In view of the exceptional circumstances for this meeting of the Council where, for reasons of timescale, it has not been possible for the Cabinet to fully assess the Select Committees' recommendations:**
    - a The report of the Lifelong Learning Select Committee on Special Needs in Portfolio Structures be referred to the meeting of the Modernising Working Group on 3 May;**
    - b All of the other reports of Select Committees be referred to the Cabinet for further consideration and resource assessment before being reported back to an early meeting of the County Council;**
  - 3 In the light of these resolutions to ask the Chairmen of the Select Committees to introduce their reports at this meeting of the Council and to invite Members to make**

**any further comments that they would wish the Cabinet to take into account when considering the reports.**

## 8 REPORTS OF SELECT COMMITTEES

The Chairmen of the Buckinghamshire Environment, Lifelong Learning, Partnership and Personal Care Select Committees introduced their reports and Members of the Council commented on issues that they would wish the Cabinet to take into account when considering the reports.

## 9 NOTICES OF MOTION

There were no Notices of Motion on this occasion.

## 10 QUESTIONS

The following questions were asked and answered under Standing Order 7(1).

**By Mrs P M Crawford to Mr W J Y Chapple, Deputy Leader of the Council**

(Put and answered under 5 Cabinet Members' Reports)

As the Government is urging us to open as much of the countryside as is reasonably possible, that the risk of walkers spreading Foot and Mouth is officially described as minimal, and that there are many open spaces, woodlands, bridleways and footpaths that are nowhere near livestock will you speed up the opening of such areas by involving the Parish Councils who know exactly where livestock would be at risk and who would have the welfare of farmers and their animals at heart, thus helping our very overstretched Rights of Way department who did such a good job of closing everything down.

*Reply by Mr W J Y Chapple*

*The County Council's position in respect of the reopening of public rights of way and countryside sites is that it has no wish to do anything that might increase the*

risk of there being an outbreak of Foot and Mouth disease in the county, and that restricting access to countryside areas is a positive way of minimising that risk.

What the Council will do is to consider the reopening of some paths and sites on the basis of risk assessment, as governed by MAFF procedures. Risk assessment must be carried out on individual paths or sites and can, therefore, be time-consuming. No land is being opened up where there is a risk of the public coming into contact with livestock. The County Council has the strong support of the landowners and general public within the county whilst maintaining its cautious approach to the reopening of paths and countryside access sites.

With regard to the involvement of Parish Councils, we have written to them explaining our stance. There can be a role for them in that we are more than happy if they wish to make suggestions to us for paths that could be opened, and to help with the identification of landowners. However, we cannot involve them beyond the identification of paths as the removal and relocation of Notices is a matter for Animal Health Inspectors, or rights of way officers in consultation with them, and subject to risk assessment; so even if they were to come forward with additional paths to be opened these would still be the subject of individual scrutiny by Council Officers. It is also important from the point of view of uniformity that the Council's Officers undertake this task.

The risk assessment procedure includes:

- a desktop exercise to assess the extent to which a path might be opened.
- visiting the site to apply the criteria in respect of the proximity of any livestock, or grazing land with the potential to be stocked.
- Completion of Risk Assessment Form in accordance with guidelines.
- Consultations with farmers and landowners.
- If the path is to be re-opened, removal of "No Entry" Notices and replacement with "Restrictions Lifted" Notice.

- Relocation of "No Entry" Notices to locations beyond which the public must not continue.
- Description of re-opened path forwarded for inclusion on the County's Website.

Once a path has been reopened it cannot be closed without specific consent from MAFF.

Mrs Crawford asked a supplementary question. How is the risk to riders on roads being assessed against the risk of re-opening paths?

Mr Chapple replied that the risk assessment has to be taken up with the individual farmers.

**By Mr T J Fowler to Mr M C Appleyard, Cabinet Member for Schools**

What is the total number of Grammar School places offered to out of County Children this year and what percentage of the total number of places is this? What are the comparative figures for Grammar Schools in the Wycombe area and what effect does the Voluntary Controlled and Foundation status of three of the schools have on the situation?

Reply by Mr M C Appleyard

The allocation process for the year is not yet completed. Selection appeals are still to be heard and then subsequently transfer appeals will happen. In the interim, the situation is changing daily and will continue to do so.

In total **2,068** grammar school offers have so far been made, **337** of these are currently allocated to out county residents which represents 16.3% of offers.

The LEA is constrained by law from treating residents of other LEAs differently from Bucks residents (Greenwich Judgement).

In Wycombe District Area, out of 611 places allocated, 68 have gone to out of county pupils.

*There is little obvious effect this year in Voluntary Aided and Foundation status schools relating to out county numbers. However, the Royal Grammar School has a boarding facility which affect overall admissions.*

**By Julia Wassell and Mr I S Bates to Mr M C Appleyard, Cabinet Member for Schools**

Why have Wycombe and Marlow children who live within walking distance of local Grammar Schools been offered places in Aylesbury Schools? Is the Portfolio holder aware of the upset and concern that this has caused and does he accept that travelling such long distances will detrimentally affect the children's education?

*Reply by Mr M C Appleyard*

*In-area qualified children who put the Royal Grammar School, Wycombe High School and John Hampden Grammar School as their first preference have been offered places at their preference. However, children who put Sir William Borlase's Grammar School have found that not all in-area children have been given a place. More children have qualified than the school have capacity to take.*

*Unfortunately, some of the children who were not offered places at Sir William Borlase's could not be offered places at their second or third preference schools because these were full with children who had qualified as "first preferences".*

*Officers and headteachers have since held meetings to agree additional classes to reduce travel distance to the nearest available school. In the case of Sir William Borlase's Grammar School however, it has not been possible to expand provision further and alternatives to travel to Aylesbury are still being sought. The Independent Appeal process and parental confirmation accepting places is constantly adjusting the possibility to offer further more local alternatives. The county has so far honoured its commitment to offer a grammar school place to every qualified resident. Everyone is now working hard to make this provision as local as possible. We are all very concerned to allocate places in all secondary schools where parents want them, as local as possible to where children live.*

Julia Wassell, as a supplementary question, asked what the impediment was at Sir William Borlase's School to offering an extra class.

Mr Appleyard said that it was lack of space on site.

**By Mr M E Brand to Mr M C Appleyard, Cabinet Member for Schools**

What is the latest position on staff at Mandeville School and what support is the LEA providing to ensure that pupils there are not disadvantaged by a 4 day week?

*Reply by Mr M C Appleyard*

*The current position on teacher staffing at Mandeville School remains very fluid. As at 25 April the School had teacher vacancies in a number of curriculum areas but has managed to obtain supply cover, albeit sometimes on a short term basis for some of them.*

*Contact is being made with over 15 teacher supply agencies on a daily basis.*

*The Authority and indeed the Department for Education and Employment have been making what arrangements they can to ease and help the situation. This includes contacting nationally teacher supply agencies, advertising locally for new and returning teaching staff for Upper Schools in Aylesbury Vale and at the same time helping the School deal with the implications of this situation ranging from communications support for press coverage as well as support for the Headteacher, governors and senior staff of the school in dealing with an extremely difficult and fluid situation. In addition the Advisory Service is providing advice on teaching arrangements within the School to ensure the least disruption possible for pupils.*

*I am aware that the Headteacher of the School is hopeful of being able to move away from a four day week for some pupils as soon as is possible, but given the national difficulty on the teacher staffing situation we are already aware of the School having further vacancies in September 2001 which will need addressing throughout the summer term.*

**By Julia Wassell and Mr I S Bates to Mr M C Appleyard, Cabinet Member for Schools**

What is the estimated cost of transporting children to selective schools within the County and what is the estimated cost over the period of a child's secondary education of being transported from Wycombe to Aylesbury?

*Reply by Mr M C Appleyard*

*When the cost of transport was last investigated by an independent consultant this was estimated to be less than £1 million.*

*The average cost per annum for providing transport for a secondary age mainstream pupil is £499 per annum - grammar school costs are not identified separately to upper school costs.*

*Individual circumstances may vary this cost.*

**By Julia Wassell and Mr T J Fowler to Mr M W Taylor, Cabinet Member for Resources**

The Spring Gardens Arts Centre is shortly due to close. What security measures do you propose to put in place in view of serious vandalism that led to the destruction of buildings on the Lady Verney High School and Terriers First School sites? And how much do you expect the security to cost?

*Reply by Mr M W Taylor*

*With regard to security at Spring Gardens, it will be realised that it is difficult to protect buildings against determined vandal attacks but the windows and doors will be boarded up at an estimated cost of £12,000 and the Bruton Knowles' Security Officer will make regular inspections.*

**By Mr M E Brand to Mr R S Royston, Cabinet Member for Planning and Transportation**

(Put and answered at the time the relevant Cabinet Member's Report was under discussion)

When does he expect proposals on decriminalised parking with Chiltern District Council to take effect?

*Reply by Mr R S Royston*

*Discussions with Chiltern District Council about the possibility of introducing decriminalised parking, designating the District to be a Special Parking Area, are on-going. It is currently not possible to predict when these discussions will reach a mutually acceptable conclusion and, hence, when decriminalised parking will be introduced.*

**By Mr M E Brand to Mr R S Royston, Cabinet Member for Planning and Transportation**

In view of the enormous number of complaints over the quality of work, abusiveness of sub-contractors to residents and the high level of disruption to public services during the laying of cables in White Lion Road Amersham, will you agree to call (or invite the relevant Select Committee to call) the Chief Executive of Cable and Wireless to respond in person to complaints.

*Reply by Mr R S Royston*

*It is acknowledged that Cable and Wireless have not performed well in the Stanley Hill/White Lion Road area of Amersham and have been let down by their own operatives.*

*The Area Manager has personally approached Cable and Wireless some months ago, seeking an improvement in site management. He also informed me (ie, Rodney Royston) of this fact because of the nature of the complaints being received. The Local Member, Mr Brand, has been contacted about some of the problems and the issue was also raised at the recent Local Committee.*

*It is intended to walk the entire job with Cable and Wireless within the next few weeks to agree remedial works to be undertaken by the contractor.*

*Additional staff are currently being appointed to enable each Area Office to be better able to supervise Statutory Undertakers activities. It is also intended to implement the newly enacted Section 74 of the New Roads and Street Works Act, which will enable the Council to levy fines on Undertakers which occupy the highway for longer than the pre-set period.*

*This is not the only company or contractor which has performed badly over the winter period. However, in connection with cabling work, I will certainly write to the Chief Executive of Cable & Wireless concerning the issues raised and, if appropriate, I will invite him to visit the area to view the work of his company and to see the disruption caused.*

**By Mrs P M Crawford to Mr R S Royston, Cabinet Member for Planning and Transportation**

Can you tell me when Arriva made the decision to cut service 336 from Chartridge to Chesham, who was consulted, when were local members informed and why did Arriva deny earlier in the year that they were considering cutting this service. Have the county considered subsidising at least two buses a day on this route.

*Reply by Mr R S Royston*

*The decision to withdraw this commercial service is a commercial issue for Arriva to decide - 6 weeks notice has to be given to the County Council.*

*Arriva registered their intention to withdraw the Chartridge-Chesham section of Service 336 on 16 February; a copy of the company's registration document arrived in this office some 8 weeks before the intended revision date.*

*As with the majority of commercial bus service changes, the period of notice offers little opportunity to consult and inform individual Members, or indeed, the Parish Councils affected.*

*As a matter of priority, any proposal to withdraw a bus service will be investigated by the Passenger Transport Group. If it appears that the service in question would meet the Council's criteria for support, then tenders will be invited for the retention of an appropriate level of service. The Council's criteria requires, at least, five passengers to travel on each journey, in order to justify financial support.*

Mrs Crawford asked a supplementary question. Could he arrange for the local coordinators to inform local members of this type of change?

Mr Royston replied that it was not in their job descriptions but that he would investigate.

**CHAIRMAN**

**CONTACT OFFICER : CLIVE PARKER (01296) 382147**