

5: BUCKINGHAMSHIRE COUNTY COUNCIL

MINUTES

Minutes of the meeting of the Buckinghamshire County Council convened and held on Thursday, 24 May 2001 in the Council Chamber at County Hall, Aylesbury, commencing at 10.00 am and concluding at 11.55 am 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, Mrs M A Baldwin, Mr R H StG Carey, Mr J W Cartwright, Mr W J Y Chapple, Mrs M P Clayton, Mrs P M Crawford, Mrs P M A Dewar, Mr T J Fowler, Mr D C T Graves, Mr D A B Green, Mr M J Greenburgh, Mrs B H Jennings, Mr C Jones, Mr P M Lawrence, Mrs E M Lay, 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 D A C Shakespeare, Dr B R Stenner, Mr F V J Sweatman, Mr M W Taylor, Mrs C S Willetts, Mr H G W Wilson, Mr R K Woollard, Mr R J Worrall

APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr I S Bates, Mr P A Cochrane, Mrs S D Hodgkinson, Mr S Kennell, Mrs S J Lee, Mr J S Ryman.

1 MINUTES

The minutes of the meeting of the Council held on 26 April 2001, were confirmed.

2 PETITIONS

There were no petitions on this occasion.

3 COMMUNICATIONS

The Chairman of the Council welcomed Mr Alexander Shephard the new High Sheriff of Buckinghamshire to the meeting of the County Council.

4 DAVID SHAKESPEARE

The Chairman was pleased to present David Shakespeare with a plaque commemorating his award as a Fellow of the Royal Society of Arts.

5 DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

6 SENIOR MANAGEMENT ARRANGEMENTS FOR THE COUNTY COUNCIL

The Chairman of the Council varied the agenda to take this item before the item on the Local Government Act 2000.

- RESOLVED:**
- 1 That the role of the Head of Paid Service is vested in the Chief Officer of the Council and that the Monitoring Officer and Chief Finance (Section 151) Officer are established at Head of Service level;**
 - 2 That the posts of Strategic Directors are replaced at 2nd tier level by Strategic Managers (currently termed 'General Managers') of which there should be one with responsibility for each portfolio area, on an interim basis until 31 March 2002;**
 - 3 That service divisions be confirmed as the primary building blocks of the new structure following a review of their composition;**
 - 4 That there should be an enhanced role for the Heads of Service;**

- 5 That further work be undertaken by Cabinet Members and General Managers to lead corporate projects and encourage cross-cutting behaviours;
- 6 That a further review be undertaken in November 2001 to assess the effectiveness of the senior management arrangements;
- 7 That the roles of Director of Social Services and Chief Education Officer should be undertaken by Strategic Managers in accordance with legislative requirements for these posts.

7 LOCAL GOVERNMENT ACT 2000

The Council considered revisions to the Interim Constitution.

Mr Shakespeare proposed an amendment to the revised version as circulated which was seconded by Mr W J Y Chapple. The amendment was to change the figure in 7.3(d) on page 21 of the document from 20 to 10. That paragraph would now read as follows:-

“(d) he/she is removed from office by resolution of the Council on receipt of a Notice of Motion signed by at least ten Councillors after having given at least ten days Notice of the same to the Head of Secretariat; or”

The Council agreed to suspend Standing Orders to allow the matter to be debated and resolved.

The amendment was then debated, put to the vote and agreed by the Council.

The substantive motion was then put to the vote and agreed with no Member voting against:-

RESOLVED: 1 To adopt, under the provisions of S29 of the Local Government Act 2000, the Council’s proposals for the operation of Executive arrangements under S25 of the

Local Government Act 2000 subject to:

- a 3 below;
 - b paragraph 7.3(d) on page 21 of the document being amended to now read:
 - “(d) he/she is removed from office by resolution of the Council on receipt of a Notice of Motion signed by at least ten Councillors after having given at least ten days Notice of the same to the Head of Secretariat.”
 - c any amendments resulting from comments received from Members at the meeting being delegated to the Chief Officer of the Council in consultation with the Leader;
- 2 To operate the Executive arrangements with effect from the Annual Meeting of the Council on 28 June 2001;
 - 3 Constitution
 - a To confirm the number (ie five) and name of the Overview and Scrutiny Committees;
 - b To delete reference to the appointment of sub-committees by the Overview and Scrutiny Committees;
 - c To incorporate within the Constitution the resolution of the County Council on 26 April 2001 concerning the presentation of reports from the Overview and Scrutiny Committees;

- d To incorporate with the Council's Standing Orders and/or rules of procedure provision for:
 - i reports from Cabinet Members and questions and comments on the matters therein;
 - ii opportunities for Members to ask written questions on other matters which are the responsibility of the Executive;
 - iii provision for Cabinet Members not to have to read out written answers to written questions, but allowing for a supplementary oral question and answer;
- e To incorporate within the rules of procedure that the Overview and Scrutiny Committees:
 - i should normally meet no more than once a month;
 - ii should, following joint discussion between the Cabinet and Overview and Scrutiny Chairmen, propose an annual work programme for agreement by the Council (recognising the right of the Overview and Scrutiny Committees to call in and investigate any action of the Executive);
- f Subject to the above changes being incorporated, to adopt as the formal constitution of Buckinghamshire County Council the Constitution as now submitted;
- g To approve the submission of the Constitution, Statement on Consultation, Timetable for implementation and transitional arrangements to the

Secretary of State;

- h To resolve that, until such time as the relevant Modification Orders are in force, so that the functions of the Adoptions Panels can be exercised by the Executive, the existing Adoption Panels continue as Panels of the County Council.
- 4 a To agree that further work be undertaken (to involve school governing bodies and other stakeholders) to clarify the division of policy responsibilities between the portfolios for Schools and Children and Young People, and the associated provision of services to schools;
- b To ask Cabinet Members to review the way in which Policy Advisory Groups are working and to reconfirm their informal status.

8 POLICY FRAMEWORK: STATUTORY PLANS – LOCAL AGENDA 21 STRATEGY

The Council considered a report on the Local Agenda 21 Strategy.

RESOLVED: 1 That the County Council:

- a Endorse the work carried out to date in developing the Local Agenda 21 Strategy which identifies the County Council's commitment to sustainability;
- b Adopt the Strategy with immediate effect;
- c Require that the Strategy be used to inform the preparation of the Council's Community Plan;

- d **Agree that the updating of major County Council policy documents will continue to take account of sustainability and wellbeing objectives;**
- e **Note that the actions set out in the Local Agenda 21 Strategy will be delivered from within existing budgets.**

- 2 **That an annual progress report be produced, including the consideration of further projects which would significantly enhance the Council's sustainability performance based on the principle of securing external match-funding.**

9 REPORTS OF SELECT COMMITTEES

There were no reports on this occasion.

10 OTHER REPORTS

There were no reports on this occasion.

11 NOTICE OF MOTION – MR M J GREENBURGH

The Council considered the following Notice of Motion from Mr M J Greenburgh:-

“In recognising the significant powers and financial responsibilities placed on the Learning and Skills Council for Milton Keynes, Oxfordshire and Buckinghamshire this Council regrets the exclusion of any elected representative of Buckinghamshire from the Learning and Skills Council. This Council considers this position unacceptable and a serious erosion of accountability and representative democracy.

Accordingly this Council resolves:

- 1 Through its Chairman and Leader, write to the Secretary of State for Education and Employment to protest in the strongest terms;
- 2 Request that Buckinghamshire's MPs lobby Ministers to ensure in future that a significant proportion of the LSC are elected representatives;
- 3 Request support from the Local Government Association and the South East of England Regional Assembly in this matter.”

The Notice was formally moved by Mr M J Greenburgh and seconded by Mr P M Lawrence.

It was proposed by Mr D A C Shakespeare and agreed by Mr Greenburgh, Mr Lawrence and the Council that the word “exclusion” on line 3 of the Notice of Motion should be changed to read “absence”.

The Notice of Motion, as amended, was put to the vote and agreed.

RESOLVED: That the Notice of Motion from Mr M J Greenburgh, as amended, be supported.

12 QUESTIONS

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

By Mrs P M Crawford to Mr M C Appleyard, Cabinet Member for Schools

Is Mr Appleyard aware that after some months of consideration, a final draft framework for the P R U management committees has now been presented to these management committees?

Who will be making the final decision on these terms of reference and when will it be made?

Is he further aware that under the final draft, the elected member has been removed from these committees and is this with his approval?

Reply by Mr M C Appleyard

Under the new portfolio responsibilities I share responsibility for the PRUs with Mrs M Aston, the Cabinet Member for Children and Young People. I have, therefore, discussed this answer with her.

The purpose of this is to have one P R U Management Committee covering all PRUs around the County so that this very successful resource can be deployed, to best effect, where it is most needed.

Because this will reduce the number of management committees from the current six, to one, the membership needs to be kept at a reasonable number.

PRU Management Committees are, actually, unofficial bodies. They do not have the status and responsibilities of governing bodies. There is a "constitutional" point about elected members on management committees being accountable to the "Chief Education Officer".

The current situation is that the draft terms of reference are out to consultation with the management committees.

The original management committee was established by Education Committee some six or so years ago. Any decision to change the present arrangement should properly be made by the appropriate Cabinet Member, on the basis of a report from the Strategic Manager.

A copy of the draft Terms of Reference are attached.

Mrs Crawford asked, as a supplementary question, whether Mr Appleyard would fight for PRUs locally and for elected representatives to serve on them? Mr Appleyard said the issue was still under consideration.

By Mr C Jones to Mr R S Royston, Cabinet Member for Planning and Transportation

Can you tell me what is the expected date of the transfer of responsibility from the Highways Agency to Bucks County Council of that part of the A41, Tring Road, affecting Bedgrove and Aylesbury Town? In view of the imminent transfer, and knowing the frustration that the residents of Bedgrove and the adjacent Grange Ward are having in getting their concerns dealt with, are there any plans in place to address the request in their petition for speed cameras on Tring Road, and a clearer sited pedestrian controlled crossing at the junction of Limes Avenue and Tring Road?

Reply by Mr R S Royston

The Orders, required to transfer responsibility for A41 through the County to this Council, rather than the Highways Agency, have been published. Representations are required by the end of June. Provided there are no over-riding objections to the Orders, including from this Council, transfer of responsibility can be expected in September/October 2001.

We do not believe that the Highways Agency are pursuing the possibility of introducing further safety (speed) cameras on A41. Assuming this Council takes responsibility for the road, we would consider requests for safety cameras, in accordance with adopted policy and in consultation with Thames Valley Police.

Despite the impending transfer of responsibility of A41, it is pleasing to report that the Highways Agency are considering the possibility of funding the installation of Toucan Crossings at three locations on Tring Road during 2001/02 including at the junction with Limes Avenue. These proposals are in keeping with the adopted Aylesbury Land Use and Transport Strategy.

Mr Jones asked a supplementary question which was answered by Mr Royston.

By Mr D J Rowlands to Mr M C Appleyard, Cabinet Member for School

i How many children travel daily from Winslow-Mursley-Stewkley-Great Horwood-Whaddon-Nash-Newton Longville-Stoke Hammond-Padbury-Adstock-Granborough-all the Claydons to:

Buckingham Upper School
Cottesloe School, Wing
Waddesdon C of E School
Royal Latin Grammar School
Grammar Schools in Aylesbury.

Please can I have total per village.

ii What is the total cost of tax payers money for this Home to School Transport?

Reply by Mr M C Appleyard

The number of children who travel daily to these schools is:-

Winslow	-	217
Mursley	-	29
Stewkley	-	64
Great Horwood	-	42
Whaddon	-	10
Nash	-	16
Newton Longville	-	94
Stoke Hammond	-	38
Padbury	-	No children are entitled to free travel
Adstock	-	13
Granborough	-	22
All The Claydons	-	215

TOTAL NUMBER OF CHILDREN - 760

The total cost of transporting them is £1,508.15 a day, £286,520 per annum.

These figures relate to children entitled to free travel. The cost is calculated on a pro-rata basis using existing prices.

By Mr D C T Graves To Mrs P M A Dewar, Cabinet Member for Community Services

Is she aware that in a joint statement on May 12 the NFU and the Ramblers Association asked for the lifting of all bans on the use of footpaths outside the affected areas by May 28? And will she now therefore give an assurance that all such restrictions throughout Buckinghamshire will be lifted forthwith?

Reply by Mrs P M A Dewar

The joint statement between the national NFU and the Ramblers' Association is known to me. As you are aware we have had close contact with local farmers and landowners including the NFU.

They have overwhelmingly been in support of our actions to date. I would remind Members that we are following MAFF guidelines and with the support of the Countryside Agency and volunteers are working very hard to reopen paths that do not have contact with livestock.

We anticipate 50% of our footpaths will be open by the end of May. We have already reopened four out of five country parks and it is hoped that Langley will be open for the Bank Holiday. In addition 50% of the Countryside Access Sites are open; these include woodland and downland.

We have taken a cautious approach and we believe that is, and has been, correct. We are accelerating the process and, in liaison with MAFF and the NFU, we intend to further accelerate the opening of the network during the first two weeks of June. This may only leave small sections of path closed where it is viewed that there exists an extreme risk, ie where a path goes through a farmyard.

As a supplementary question, Mr Graves asked whether Mrs Dewar would like to respond to the comment made by a local livestock farmer that the risk of opening all the footpaths is virtually non-existent. Mrs Dewar said that she would take on

board all comments but that the Council should proceed with caution.

By Mrs P M Crawford To Mr D A C Shakespeare, Leader of the Council

Will the Leader give us a breakdown of his engagements for the past six weeks and further, can he tell us how many full days he has spent in County Hall in that time?

Reply by Mr D A C Shakespeare

During the past six weeks my work has consisted of the normal mix of meetings with both Members and Officers. Also of representing Buckinghamshire within the County, Regionally and Nationally.

At a National level I have had meetings at the Department of the Environment, Transport and the Regions with the Minister, Hilary Armstrong MP and also with the Minister, Beverley Hughes MP. At a Regional level I have represented Bucks at a meeting in Kent with the other Leaders of the South East Counties and I have represented Bucks at the Executive Council of the Regional Assembly.

At County Hall I have had diariied meetings with Mrs Crawford herself, Mr Fowler, Mrs Dewar, Mr Taylor, Mr Royston, Mr Cartwright, Mr Carey, Mrs Aston, Mr Appleyard, the Chairman of the Council and informal meetings with many other Members.

I have had diariied meetings with a wide range of Officers including Mr Shefferd, Mr Beckerleg, Mr Whitter, Mr Jones, Mr Gaskell, Mr Mooney, Mrs Relfe, Mr McCabe, Mr Fane, Mr Batchelor, Mr Chambers, Mrs Davies and in excess of 15 informal meetings with the Chief Officer of the Council.

I have chaired the quarterly meeting of the Staff Superannuation Fund and attended meetings of the Modernising Group and the 'New Member' Mentoring Group; attended Members' seminars on Modernising and also Agenda 21. I have also attended a meeting with the County's Policy Support Team and a 'Best Value' meeting with the District Auditors. Also within Buckinghamshire I have attended a

Cabinet Policy seminar at Green Park, a meeting with the Chairman of Chiltern District at Amersham and a combined meeting with the Leaders of the four Bucks Districts at Wycombe.

During the last six weeks, I have spent 25 work days 'on duty' for Buckinghamshire and most of four Saturdays reading papers.

13 CHAIRMAN AND VICE-CHAIRMAN OF COUNCIL

Group Leaders thanked the Chairman of Council, Mr K I Ross, and his Vice-Chairman, Mrs A R Bainbridge, for their distinguished service to the Council over a number of years, and also paid tribute to Mrs Ross. They also paid tribute to their fellow members and thanked officers for all their efforts over the past four years.

In response, Mr Ross paid tribute to Mrs Ross, Mrs Bainbridge, fellow members and the officers.

CHAIRMAN

CONTACT OFFICER : CLIVE PARKER (01296) 382147