

1 : BUCKINGHAMSHIRE COUNTY COUNCIL

MINUTES

Minutes of the meeting of the Buckinghamshire County Council convened and held on Thursday, 19 July 2001 in the Council Chamber at County Hall, Aylesbury, commencing at 10.00 am and concluding at 3.45 pm.

PRESENT

Mr R Lingham-Wood 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 M A Baldwin, Mr I S Bates, Mr R H StG Carey, Mr J W Cartwright, Mr W J Y Chapple, Mrs L M Clarke, Mrs M P Clayton, Mr M R Colston, Mrs P M Crawford, Mrs A C Davies, Mrs P M A Dewar, Mr F Downes, Mr T J Fowler, Mr D C T Graves, Mr D A B Green, Miss L K Hazell, Mr A Huxley, Mrs B H Jennings, Mrs G A Jones, Mr C Jones, Mr S Kennell, Mr P M Lawrence, Mrs V A Letheren, Mr W G Lidgate, Mrs P R Lindsley, Mr K Liverseidge, Mrs C C Martens, Mr D G Meacock, Mr M B Oram, Mr R C Pushman, Mr P J Roberts, Mr C F Robinson OBE, Mr P Rogerson, Mr D J Rowlands, Mr R S Royston, Mr J S Ryman, Mr D A C Shakespeare OBE, Dr B R Stenner, Mr F V J Sweatman, Mr M W Taylor, Julia Wassell, Kathie Webber, Mrs P R Wilkinson, Mrs C S Willetts, Mr H G W Wilson and Mr R K Woollard.

APOLOGIES FOR ABSENCE

Mrs E M Lay and Mrs F D Roberts MBE.

1 MINUTES

The minutes of the Annual Meeting of the Council held on 28 June 2001 were confirmed.

2 PETITIONS

Mrs V A Letheren presented a petition on behalf of residents of Lucas Road, High Wycombe regarding a request for traffic calming measures. The petition was referred for consideration to the Cabinet Member for Planning and Transportation.

3 COMMUNICATIONS

The Chairman of Council gave a report on his recent engagements.

The Chairman also informed Members about the receipt of a European Global Grant.

4 DECLARATIONS OF INTEREST

The following declarations of interest were made:-

Mr P Rogerson – as his wife works for the County Council and his son is on a temporary contract with the Council.

Mrs A C Davies – as Chairman of the Vale of Aylesbury Primary Care Trust.

Mrs M A Baldwin – as a friend of the County Museum.

Mrs M A M Aston – as a member of the Abbeyfield Society.

Julia Wassell – as Chairman of Highcrest Community School.

Mr I S Bates – as Vice-Chairman of Highcrest Community School and his wife is an employee of the County Council.

Mrs P M Bacon – as a friend of the County Museum.

5 CABINET MEMBER REPORTS

The reports from individual Cabinet Members were submitted, received and noted.

6 POLICY FRAMEWORK – LOCAL TRANSPORT PLAN ANNUAL PROGRESS REPORT 2001

The Cabinet presented a report on the Local Transport Plan Annual Progress Report 2001.

- RESOLVED**
- 1 That the Annual Progress Report and its financial bids, prior to its submission to the Government Office for the South East in August 2001, be supported;**
 - 2 That authority for final amendments to be delegated to the Cabinet Member for Planning and Transportation and the Head of Spatial Planning be agreed.**

7 REPORTS OF OVERVIEW AND SCRUTINY COMMITTEES

There were no reports on this occasion.

8 OTHER REPORTS

There were no items on this occasion.

9 NOTICE OF MOTION

Mrs P M Crawford presented the following Notice of Motion which was seconded by Mrs A C Davies:-

“Flood Defence Officers were routinely appointed by Thames Water in each area. Since privatization this no longer happens, therefore this Council resolves to give urgent consideration to the appointment of a Flood Defence Officer whose responsibility will be to keep the water flowing in all those areas which are not under the jurisdiction of the Environment Agency; this would include amongst other areas of the County, most of Chesham and in particular those areas which suffered the most in Chesham and still have on-going problems such as The Vale and Pednormead, where the voluntary water bailiff has recently retired.”

The Chairman of Council directed that this matter should be referred to the Overview and Scrutiny Committee on the Environment of Buckinghamshire for consideration and report back to the Council through the Cabinet.

10 QUESTIONS

The following questions were put and answered:-

By Mrs P M Crawford to Mrs M P Clayton, Cabinet Member for Schools

All schools should have submitted budget plans by May 31. How many have submitted agreed deficit budgets in

- a The Grammar sector
- b The Upper sector
- c The Primary sector

And where a school has not yet submitted an agreed plan, is this because the Officers have not yet agreed the deficit?

Reply by Mrs M P Clayton, Cabinet Member for Schools

Firstly to confirm to Mrs Crawford that it is a part of our Local Management Scheme that governing bodies should submit financial plans to the Authority by 31 May in each financial year. Not all schools are able to keep to this deadline.

Officers are indeed in the process of talking to individual schools about their financial plans where a deficit is likely to be requested in the current financial year. Many schools are still in the second or third year of a recovery plan which has previously been agreed and in order to be helpful to Mrs Crawford and to give the most useful information to the County Council, I set out below the total of schools in each sector where it is considered by officers that schools will have a deficit financial plan in the current financial year:

- a Grammar Schools - 3
- b Upper Schools - 12
- c Primary Schools - 9
- d Special Schools - 1

This makes a total of 25 and is less than in previous years given the real term increases in school budgets over the last two or three years.

Within the Upper School total is the situation for Hatters Lane School which will close on 31 August 2001 with a deficit budget which will be written off from funds already provided for within the Authority's accounts.

Mrs Crawford asked, as a supplementary questions, whether the number of Upper School deficits indicated a chronic under-funding of Upper Schools over the past four to five years and what plans are there to support Upper Schools funding so that improvement targets (GCSEs and SATs) can be raised above the slight 1% and 0.5% that are currently set.

In reply, Mrs Clayton said that she would arrange for a written response.

By Mr P M Lawrence to Mr R S Royston, Cabinet Member for Planning and Transportation

Given that we have completed 14 STPs in a year (or so) it will take 17 years to cover all schools. If the benefits of STPs are all that they are cracked up to be can you please:

- 1 Indicate what would be the approximate cost of completing an STP for all the remaining schools in the County in the lifetime of this Council assuming some realistic economies of scale.
- 2 Give some realistic estimate of the number of people who may be affected and influenced by such action
- 3 Estimate the lower traffic volumes that may result therefrom
- 4 Also estimate the extent of congestion reduction that would result .
- 5 If the saving in wasted travel time (arising from reduced congestion) is quantified and priced at say the average hourly earnings rate what annual savings to the Bucks economy would result .

- 6 Say what savings might arise from lower traffic volumes in either improved road surfaces or lower road maintenance costs
- 7 Put all these numbers together and allow a reasonable amount for the environmental improvement and anything else.
- 8 If this analysis supports action on STPs throughout the County GO FOR IT for every school by the end of this Council.

Reply by Mr R S Royston, Cabinet Member for Planning and Transportation

- 1 *To achieve School Travel Plans for the remaining schools in the County within the lifetime of this Council would mean working with a minimum of 50 schools each year. This would not be possible with the resources currently, or likely to be, available.*

The current planned target of 2010 is more realistic and reduces the number of schools per year to a more manageable figure of 25.

Taking staff costs, existing revenue budget and Local Transport Plan allocations into account, the total resources likely to be available between now and 2010 amount to £5.1 million (existing costs).

With 250 schools in the County (including independent schools) this equates to a cost per school of £20,400.

- 2 *The schools' population is currently approximately 70,000. Therefore a conservative estimate (assuming an "average" family) would suggest that as many as 250,000 people would be affected and influenced by the proposed actions.*
- 3 *The targets proposed within the Local Transport Plan (and which the Safer Routes team is working to achieve) propose an increase in walking to schools from 37% to 55% and a reduction in car use from 40% to 32% up to 2006.*

The "school-run" accounts for 20% of peak time traffic on the roads and therefore such a reduction in car use will lead to a 4% reduction in peak time

traffic.

This figure does not allow for the enhanced benefits that are likely to be derived from working with Officers developing Travel Plans with Buckinghamshire businesses.

- 4 *The extent of congestion reduction would be similar (ie 4% reduction) although this could be greater in areas immediately around schools.*
- 5 *In the time available it has not been possible to price congestion savings with great confidence, but based on a series of assumptions, it has been assessed that an average annual saving of between £3 million and £5 million would accrue to the local economy.*
- 6 *Savings from reduced road maintenance costs would be very small.*
- 7 *It is not possible to better the estimate given in 5. above.*
- 8 *In summary; the current programme of addressing 25 schools per year is already ambitious and it is not reasonable to propose that this can be improved upon at the present time.*

As a supplementary question, Mr Lawrence asked whether the 25 schools per year target would be met.

Mr Royston said he hoped it would.

By Mrs F D Roberts to Mr R H StG Carey, Cabinet Member for Adult Social Care

At the last meeting of the Select Committee on Personal Care, I tried to ask Mr Carey a question, but he was not in a position to answer it at the time and I will therefore try again.

What arrangements are made for parents of mentally handicapped offspring to have a break? Have we appropriate places available for their offspring so that parents can go for a holiday with peace of mind?

Reply by Mr R H StG Carey, Cabinet Member for Adult Social Care

We currently provide respite care services for adults in three ways.

By offering beds in three establishments – Seeley’s House in Beaconsfield a 12 bed purpose built respite unit; 2 beds at Oaklands in Aylesbury; 2 beds at Mill House in Wycombe.

From the carers grant to pay for short breaks.

As part of a package of care.

The Seeley’s services is the most popular as the other services are beds in a residential unit. People in Aylesbury are concerned that they do not have a purpose built unit locally and would want this. We know that some people in Aylesbury do use Seeley’s, though it was part-funded by charitable donation to serve the needs of the South of the County.

The new funding for carers is not available to develop buildings and we do not have revenue to staff any building that could be provided.

This financial year £99,787 (20% of the grant as required by guidance) has been allocated to disabled children and young carers through the Carers Grant.

The bulk of this money is being spent to provide out of school activities for disabled children to give their parents a break. Days out, short holidays and support groups are also available for young carers, and this year money was additionally made available to provide emergency breaks for parents with disabled children.

Under the terms of the grant the money has to be used to provide direct short break services rather than provide the premises from which such services can then be provided.

We are in the process of reviewing all the short break grant activity to ensure that maximum use is being made of it. Any money that can be re-allocated more usefully, will be to provide more carers – parents or young – with a regular break

from their caring role.

The services provided for respite/short breaks are greatly valued. Unfortunately increasing expectations are not being matched by additional resources so we are constrained in meeting the needs and wishes of clients and their parents.

By Mrs F D Roberts to Mr R S Royston, Cabinet Member for Planning and Transportation

The initial Oxford Road traffic light system caused a lot of problems when it was first installed. I am pleased to say that the new arrangement is now much better, now the lights are working properly.

However, the contractors have left a lot of rubbish at the site. When will it be cleared, please? My concern is that this is a hazard and could potentially cause an accident.

Reply by Mr R S Royston, Cabinet Member for Planning and Transportation

I thank Mrs Roberts for her complimentary remarks about the current operation of the traffic signals.

The most recent modification to the signals layout was carried out by Nuttalls as part of the adjacent railway bridge reconstruction works.

There were certain adjacent areas that Transco had excavated to lay their mains which had not reinstated satisfactorily. This, together with unfinished footway work by Nuttalls, gives the impression that the site is untidy.

This unsatisfactory situation has been brought to the contractor's and Transco's attention several times. We have now been informed by Nuttalls that this area of the site will be completed during August when they expect to have the surfacing contractor on site.

Reinstatement by Transco will be completed prior to the resurfacing work.

By Mrs F D Roberts to Mr R S Royston, Cabinet Member for Planning and Transportation

Could I please be told why nothing has been done to make Oak Green, in my Division, a one-way road?

Oak Green School is now a combined school and sits in the middle of Oak Green. There are many more children coming to the school now because of its change of status. I am very concerned that there will be an accident here and I trust that action will be taken, as I have been making this point for a long time.

Since I wrote this question, I have heard that there has been an accident outside school and the Police agree with me that a one-way system should be implemented.

Reply by Mr R S Royston, Cabinet Member for Planning and Transportation

The County Council is aware of the recent concern about traffic conditions in Oak Green and recognises that these concerns are likely to be exacerbated by the school amalgamation.

The County Council has included in the current Local Safety & Area Strategy Schemes Programme 2001/02 (scheme ref A/AS/01/5) a scheme to assist in the development of a School Travel Plan (in conjunction with Education) for this school. This will fully consider not only the request for a one way system but will also look at what other measures or initiatives may be necessary or possible to assist travel to and from school.

It is planned to commence this work in the Autumn term and the school, as well as the local member and local residents, will need to be fully involved to ensure that any proposals developed are successful.

By Mr T J Fowler to Mr D A C Shakespeare, Leader of the Council

What progress has been made by the Cabinet in their consideration of the Select Committee Reports which were referred to them from the April meeting of the

Council? Can the Leader also inform the Council when he expects the appropriate Cabinet Members to be in a position to give a detailed response?

Reply by Mr D A C Shakespeare, Leader of the Council

I am grateful to you for your question, because it gives me the opportunity to bring the Council, including those new Members who will be unaware of the history, up to date on progress.

The Cabinet has to date only met once in this Council, when it had a substantial agenda of items that had accumulated over the election period. However, the Cabinet is anxious to give full and serious consideration to the issues raised by several select committees at the end of the last Council, and has commissioned reports on these issues. These will be placed on the Cabinet's Forward Plan, and brought to Cabinet at its September meeting or earlier if possible, so that a report can be made to the Council in September.

In the meantime I would be happy for any of the Select Committee Chairmen to be briefed by officers on work in progress, so that Chairmen can inform their Committees as necessary.

In addition, I can report that those matters that required immediate attention have already been dealt with. Most importantly perhaps the Lifelong Learning Select Committee's comments on portfolio structures and responsibilities for children with special needs and their schools, which were reported to the Modernising Working Group at the end of the last Council.

As a supplementary question, Mr Fowler asked whether Mr Shakespeare felt that leaving consideration of Select Committee reports until September was not undue delay?

Mr Shakespeare said that he understood some of these reports were being considered at the meeting of the Cabinet on 30 July 2001.

By Mr P M Lawrence to Mr D A C Shakespeare, Leader of the Council

In Cabinet on 11 July the proposal was made to charge possible management restructuring costs to Reserves. This is a change in our former practice when

committees had to manage their redundancies within their revenue budgets. In our new Cabinet/Leader structure Council has delegated the revenue budget of £365m to Cabinet. However I do not believe it has authorised any use of general reserves. Additionally no members other than the Cabinet would necessarily have knowledge of this use of reserves. (I fully acknowledge that their use was disclosed in Cabinet)

I expect (and hope) in this case that the amounts may be small. However I believe that this may be a precedent. I also understand that the action is within the new financial regulations.

However I put the question that, in the interests of good financial discipline for which we have a very good track record, and, in the modernised Council, it would be appropriate for Council as a whole to retain to itself control of the general reserves.

Do you agree and will you initiate action (without the need to be retrospective) to establish this principle?

Reply by Mr D A C Shakespeare, Leader of the Council

Firstly can I thank Mr Lawrence for his question. I would like to deal with both the principle and the specific he cites.

As far as the principle is concerned, financial regulations are silent on the issue. I do believe, however, that the Council has an implicit policy of holding general reserves of at least 3% of its net budget requirement.

The options available to the Council are either to require any in-year use of reserves to require a decision of the full Council or to allow the Cabinet some headroom, for example to use reserves in-year provided that the 3% policy is maintained. I will bring a specific recommendation to the Council next February. In the meantime, if any exceptional calls need to be made on the reserves, I believe it only right and proper that any requests should be brought to the full council for approval.

On the specific, Mr Lawrence is correct in stating that the Council's past practice has normally been for redundancy costs to be met out of committee cash limits.

However at local government reorganisation redundancy costs were funded corporately and I believe our current situation is akin to that. There is also the practical issue that any senior managers unfortunately made redundant will not form part of any portfolio budget.

Until the appointment process for Heads of Service is complete, we will not know how many redundancies will result, and thus the cost. I have asked for the actual cost to be reported to the Cabinet when known.

By Mr T J Fowler to Mrs P M A Dewar, Cabinet Member for Community Services

Could the Cabinet Member for Community Services say what effect the collapse of financing the Wycombe Western Sector Development is likely to have on the Council's plans for the new library in Wycombe?

Reply by Mrs P M A Dewar, Cabinet Member for Community Services

The Western Sector development was being financed by Great Portland Estates, who earlier this year indicated their wish to withdraw from the scheme. Following several months of negotiation, MAB (the developer) and GPE have now reached an out of court settlement, which will allow GPE to withdraw. MAB has told Wycombe District Council that provisional arrangements have been made with an alternative financier and that they are confident that the development will proceed. MAB and Wycombe District Council are meeting on 19 July when it is hoped that details of the new financial backers and their commitment to the scheme will be announced.

Although MAB state that they expect work on the site to commence in September 2002 they face extremely tight deadlines to keep the development on track. I understand that Wycombe District Council will consider a report on the situation in September and a full Council decision on the future of the development will be made on 22 October.

It would be a great disappointment if the scheme were not to proceed as the present library building, which was built in 1932, is operationally unsuitable for delivering the range of modern library services required by the catchment population. Significant improvements would need to be made by 2004 to meet the

requirements of the Disability Discrimination Act 1995.

Although Officers and MAB agreed the design brief for the new library in March, there is no guarantee that significant changes might not be required under revised funding arrangements.

With this uncertainty I have asked officers to identify and cost a range of alternative schemes to improve library services within the High Wycombe Area

As a supplementary question, Mr Fowler asked whether there was a "Plan B".

In reply Mrs Dewar said that there had to be a "Plan B" but she hoped that it would not be necessary as "Plan A" is still "on the table".

By Mr P M Lawrence to Mr D A C Shakespeare, Leader of the Council

The Chief Officer's paper to the Cabinet acknowledged that his proposals dealt with management responsibilities and not political reporting lines. Given that the Council has delegated substantial responsibility to the Leader and Cabinet and that they in turn are accountable to Council it appears that absolute clarity of reporting lines is fundamental to accountability. Therefore where senior management and political reporting lines are different will you please list these relationships position by position. Can you also please provide in writing an example of the wording included in one political job description and one management job description of one relationship previously listed so that a clear understanding of accountability be seen?

Reply By Mr D A C Shakespeare, Leader Of The Council

I absolutely agree with Mr Lawrence about the importance of having clear lines of accountability in the new structures. That has been one of the guiding principles that we have embedded in the process since the early days of the modernising working group.

The constitution sets out very clearly the roles and responsibilities of all parts of the new political structure and I am absolutely confident that Cabinet members are

clear about their own accountabilities.

However, it is true that in order to get the best out of the new management arrangements a degree of matrix working is implicit in the proposals that have already been approved by the Cabinet. Let me be clear, however, that in all cases the following principles have been adopted:

- Cabinet Members are responsible for setting the policy direction within the overall framework agreed by the County Council*
- Strategic Managers are primarily responsible for translating those policies into action.*
- Heads of Service will be line managed by a Strategic Manager in terms of their performance. They may, however, work across more than one portfolio in terms of the policy advice they give and the services for which they are responsible.*
- It is the Cabinet Member that has responsibility for that service who will be accountable for its policy direction irrespective of how the head of service performance is managed.*

This approach is essential if we are to bring to life the whole council approach which we have all said is essential for Buckinghamshire as a modernised, top performing authority. The appointment process is providing an excellent opportunity for these issues to be discussed in more detail with all the candidates and as a result of that I am fully confident that clarity about reporting lines is being achieved.

If, however, Mr Lawrence is not satisfied with this answer and wants a detailed list, that can of course be prepared and sent to him separately.

As a supplementary question, Mr Lawrence asked whether job descriptions were under way for each Cabinet Member and, if so, when they are in place will they aid clarity?

Mr Shakespeare said that job descriptions are being prepared which he is sure will aid clarity.

By Mr P M Lawrence to Mr R S Royston, Cabinet Member for Planning and Transportation

Can you please make a statement on the present state of negotiations with the Chiltern District Council with regard to responsibility for managing on-street parking in the District. Additionally can you indicate when these may be concluded, and what the financial consequences may be? Please also indicate the current extent of the BCC responsibilities for on-street parking and whether or not we are behind in meeting our obligations in this District.

Reply by Mr R S Royston, Cabinet Member for Planning and Transportation

The responsibility for managing on-street parking within the County, including Chiltern District, rests, and will remain with, the County Council.

Officers and Members, including myself and the Leader, have been in discussion with Chiltern District Council regarding the possible collaborative promotion of a Special Parking Area, SPA, covering the whole of Chiltern District. A SPA would normally bring the management of both on- and off-street parking within a co-ordinated decriminalised system. Under such a system, responsibility for the enforcement of on-street parking would fall to the County Council rather than the Police.

The discussions with the District Council have been challenging, with the District wishing to get any income ring fenced for further use in Chiltern. This is not the policy of the County Council. The District Council are also unhappy about the County Council's intention to tender the work in the usual way, even though the County Council has made it clear that it is happy to consider the District Council's tender in this process. More discussions are planned shortly. I cannot say when they will be concluded. The major financial principles sought by this Council are that the on-street management arrangement should be self-funding long term and any deficit or surplus should fall to the County Council. Discussions have also been held with Aylesbury Vale District Council in which the principles of joint tendering and management have been agreed and it is hoped to progress this soon.

Currently the County Council promotes the Traffic Regulation Orders

underpinning on-street waiting restrictions, while enforcement is the responsibility of Thames Valley Police.

The County Council has no obligation to Chiltern District Council in relation to on-street parking. However, from the outset of our discussions with that Council about the institution of a SPA, we have sought to reach a partnership based agreement as quickly as possible whilst protecting the financial and legal responsibilities of this Council. It has proved difficult to convince the District Councils of their role in the wider remit of the County Council's obligation to ensure countywide consistency in the application of this legislation.

As a supplementary question, Mr Lawrence asked whether Mr Royston agreed that a pro-rata proportion of the income should go back to the people of Chiltern?

Mr Royston said that the County Council was not prepared to hypothesise and that it would not "ring fence". The money would be disposed of as the County Council thinks fit.

By Mrs P M Crawford to Mrs M A M Aston, Cabinet Member for Children and Young People

Have all our excluded children been given a personal Support Plan (as in the Behaviour Support Plan, p. 9) and are these being satisfactorily fulfilled, or are there some children that have fallen through the net?

Reply by Mrs M A M Aston, Cabinet Member for Children and Young People

Since September 2000 there have been 84 permanent exclusions.

Pastoral Support Programmes (PSPs) should be prepared by individual schools where it is felt a child is 'at risk' of exclusion. These plans are drawn up involving both the child concerned and the parents. If these children are excluded they should, therefore, already have a plan in place.

Where the circumstances are such that exclusion from a mainstream school

happens suddenly (following the meeting of the school's disciplinary committee ratifying the headteacher's decision), then the Council's re-integration officer will become involved. In these cases the aim will be to re-integrate pupils back into school or to provide support via a Pupil Referral Unit (PRU). Where re-integration into a mainstream school takes place, the school will prepare the PSP with the support of the re-integration officer and other appropriate agencies. (The DfES guidance 10/99 is that the PSP is essentially a school based document). There can therefore be a small delay before the PSP is prepared and so there will be some children who are excluded and do not yet have a PSP. Pupils who are attending a PRU will be supported with a re-integration plan but this is not a PSP.

Implementing the PSPs is undertaken by the school. Services and agencies such as the Education Welfare Service, Pupil Referral Units and Education Psychological Service may also be involved. Given the period of notice of the question it has not been possible to survey all schools to assess the existence of PSPs and the extent to which they have been achieved. However the quality of the PSPs being prepared, whilst not always perfect, is continuing to improve in line with the guidance distributed to all schools in April 2001.

If Mrs Crawford has any particular examples where she feels a plan is needed but is not being drawn up or where the prepared plan is not being satisfactorily fulfilled then I would welcome details privately so that I can follow it up for her.

As a supplementary question, Mrs Crawford asked whether the Group has monitored since April that 100% of the pupils had Plans.

Mrs Aston undertook to look into the matter and to write to Mrs Crawford with the answer.

CHAIRMAN