

1 : BUCKINGHAMSHIRE COUNTY COUNCIL

MINUTES

Minutes of the meeting of the Buckinghamshire County Council convened and held on Thursday, 22 November 2001 in the Council Chamber at County Hall, Aylesbury, commencing at 10.00 am and concluding at 3.55 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, 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 P M Lawrence, Mrs V 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 and Mr H G W Wilson.

APOLOGIES FOR ABSENCE

Mrs M A Baldwin, Mrs E M Lay, Mr S Kennell and Mrs F D Roberts MBE.

1 MINUTES

The minutes of the meeting of the Council held on 27 September 2001 were confirmed subject to the name of Mr S Kennell being deleted from the list of persons present.

2 PETITIONS

Mrs P M Crawford presented a petition from 54 residents of Pednor who were requesting the filling in of a ditch. Mrs V Letheren presented a petition on behalf of residents of Brands Hill Avenue and West Way, High Wycombe regarding a request for traffic calming. Both petitions were referred for consideration to the Cabinet Member for Planning and Transportation.

3 COMMUNICATIONS

It was with sadness that the Chairman of Council informed Members of the death of Mr Alf Woodcock who had been County Councillor for the St Mary's Division from 1989 to 1997. Members stood in silence as a mark of respect.

The Chairman gave a report on his recent engagements.

4 DECLARATIONS OF INTEREST

The following declarations of interest were received:-

Mr I S Bates – as his wife is an employee of the County Council.

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

Mr P Rogerson – as his wife is an employee of the County Council.

5 CABINET MEMBER REPORTS

The reports from the Leader and Deputy Leader and from the Cabinet Members were submitted, received and noted.

6 REPORT OF OVERVIEW AND SCRUTINY COMMITTEE ON THE ENVIRONMENT OF BUCKINGHAMSHIRE

The following Notice of Motion was presented to Council by Mrs P M Crawford on 19 July 2001, where it was agreed to refer the Motion to the Overview and Scrutiny Committee on the Environment of

Buckinghamshire for further consideration as part of the Committee's current review of flooding:-

"Flood Defence Officers were routinely appointed by Thames Water in each area. Since privatisation 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 suffer the most in Chesham and still have on-going problems such as The Vale, Pednornmead, where the Voluntary Water Bailiff has recently retired."

The Overview and Scrutiny Committee had made a number of proposals in response to the Notice of Motion and these had been implemented. Mrs Crawford indicated that she was satisfied with these actions.

RESOLVED: That the Notice of Motion in the name of Mrs P M Crawford be supported.

7 REPORT OF THE STANDARDS COMMITTEE

The Council considered the report of the Standards Committee. The Standards Committee had considered candidates to fulfil the role of independent members of the Committee.

RESOLVED: 1 That paragraph 9.2 of the Council's Constitution be amended to reflect the appointment of three, instead of two, independent members to the Standards Committee;

2 That the thanks of the Council be conveyed to all six applicants;

3 That the following residents of Buckinghamshire be appointed to fill the three independent member seats on the Standards Committee:

**Mr David Frost
Mr Michael Overall
Mr Zen Yaworsky;**

4 That the pool of independent members be completed by the appointment of:

Mr Peter Smith;

5 That the term of appointment be for one year in the first instance, ie 30 November 2002.

The Standards Committee also submitted a report to the Council on the requirements for a Local Code of Conduct. The report was noted.

The Standards Committee also submitted a report to the Council on the role of the Monitoring Officer. The Council noted that the Association of Council Secretaries had prepared a draft Protocol for local authorities to adopt and this had been considered by the Standards Committee.

RESOLVED: That the Protocol, as submitted to the Council, which sets out the functions and responsibilities of the Monitoring Officer, and how these may be discharged, be adopted.

8 NOTICES OF MOTION

The Council noted that no new Notices of Motion had been received for this meeting.

9 QUESTIONS

The following questions were put and answered:-

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

Is the Leader aware of the great concern and often embarrassment that members of all Parties feel when policy issues are discussed with the Press before the facts are available to Council Members?

Does he not agree that if this practice continues it will undermine the position of Council members in the public's eye?

Will he review this practice?

Reply by Mr D A C Shakespeare

Whenever possible I try to make sure that Council Members are fully aware of major issues before they appear in both local and national media. In certain circumstances however, I have to make a judgment especially if early media coverage would be beneficial to the Council and its particular cause.

For example, early coverage has definitely helped the County Council explain the current issues and difficulties of providing social care particularly against the backdrop of national underfunding by the government. As much as possible needed to be done before the Government's RSG announcement and I believe what we have achieved has been extremely helpful in that campaign. The feedback that the Council receives as a result of such media coverage is also a valuable contribution to policy discussions.

Rather than feeling undermined, I believe members see this as a positive move with a spirit of openness that a modernised Council is expected to display. I therefore do not see the need for any review of practice.

As a supplementary question, Mr Fowler asked whether Mr Shakespeare could give details of the feedback he had received that he had found useful.

Mr Shakespeare said that the use of any available organs of communication for discussion of possible solutions must be good for the public. He said that many Labour Ministers were embarrassed that the Government had put the County Council in this position. Mr Shakespeare also said he would welcome the Labour Group's support to make representations to the Government.

By Mrs P M Crawford to Mrs P M A Dewar, Cabinet Member for Community Services

In the council plan under Community Services, one policy only (d) relates to young people, it has flagship project 9 attached to it. I understand that this project has now been withdrawn despite the fact that all the training and organisation for 60 volunteers was in place in September and that adverts were about to be placed.

Can you confirm that this has been withdrawn ?

The reason why?

And if it has how much it cost in officer time and morale?

Reply by Mrs P M A Dewar

The Youth and Community Service has a flagship project for the provision of four staff to encourage and support up to 60 volunteers to work with young people in rural areas. Work was put in hand within the service to discuss the way in which these staff would work and the training and support needs for these volunteers.

This process took rather longer than anticipated, and this resulted in an amber warning in the last performance report submitted to Cabinet. At the point that adverts for the four staff had been prepared, it became apparent that the old Education Department budget was in a potential overspend situation. In the interest of sound and prudent financial management it was decided to delay the appointments until the budget situation became clear. It has now been clarified and the appointments have been authorised.

The effect on staff morale of an uncertain budget situation is always a problem, but no unproductive work has been undertaken and generally the morale of the Youth Service with the injection of more cash last year and the development of the opportunities offered by the Connexions Service, and the improved links with Community Safety activity as a result of modernisation, is high.

The flagship will move ahead and even during the delay discussion with the voluntary sector regarding rural youth work continued.

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

Street lighting – London Rd West/Chequers Hill, Amersham

The Town Clerk of Amersham Town Council wrote to the County Council on 2 October 2001. As background he explained that previously street lighting was located on the North side of London Rd West and was providing lighting for both London Rd West and also for Chequers Hill, which runs parallel and a couple of metres to the North. This previous arrangement provided adequate lighting for both London Road West and for the residents of Chequers Hill. The new lighting has been located on the South side of London Road West where there is no housing and which required relocation of the light columns from the North side of the road to the South. The Town Clerk asked three questions seeking an explanation of:

- The technical, environmental and financial justification for relocating the light columns from the North side of the road to the South.
- Why Amersham Town Council were not consulted prior to the changes especially in view of the promotion of joined up government and consultation
- Bucks County Council proposals to ensure public safety on Chequers Hill now that it is in darkness.

A reply was copied to the Town Clerk on 15 October 2001 to the effect that the letter had been forwarded to ‘...our lighting consultants for their formal comments and technical report...’

Will Mr Royston kindly answer the following questions:

- 1 What was the reasoning for changing the location of the lighting columns from the North side to the South, and did this recognise that there is no housing on the South side;
- 2 What was the additional cost of the South side decision compared with replacing the existing lights on the North side;
- 3 Was the decision made within the County or by our consultants;
- 4 Why was The Amersham Town Council not consulted;
- 5 Is he satisfied about the decision-making process and that the Council has adequate control over its consultants and contractors;
- 6 Is responsibility for consultation always retained within the County and if so why was the question about consultation sent to the consultants;
- 7 If responsibility for consultation is delegated to consultants is he satisfied that delegation is appropriate;
- 8 If the consultation obligation is a responsibility of an officer has he reviewed the relevant job description and enquired about the apparent omission;
- 9 Why was a full reply to three legitimate questions not sent to the Amersham Town Council in a period in excess of six weeks from the date of the initial letter?

Reply by Mr R S Royston

Councillor Lawrence’s question relates to a length of the A413 that was bypassed many years ago by a new alignment. Four of the 10 metre tall lighting units were located in the verge between the very old road and the newer alignment. They used SOX (deep yellow) lighting.

The County Council’s column testing programme identified this length of road as having the last remaining Cohen columns in the County. These columns

have turned out to be a persistent cause of failures due to fundamental design weaknesses. These have meant their wholesale replacement over a much shorter life, about half, of the normal lighting column life of around 25 years. Cohens went into liquidation long ago.

It was determined by the County Council's professional advisers Hyder Consulting that the lighting to current design standards on the realigned length could most economically be achieved by the scheme now implemented which would also be cheaper to operate than the old scheme. It uses 8 metre columns with SON (amber almost white light) lanterns which are the current standard light source. They give a better colour rendition than SOX and are cheaper to run.

The scheme now implemented meets all the current lighting standards including lighting of the footway on the housing frontage of Chequers Hill.

The answers to Councillor Lawrence's questions are

- 1 To ensure that the main route is correctly lit in the most economical way. The presence of housing is not normally taken into account in applying highway lighting standards*
- 2 It was more economical to undertake the work in the way executed than laying cable in the old surfaces of Chequers Hill. The total cost was £1605 less this way.*
- 3 The need to replace, and the consequent design, were recommended by Hyder acting in their professional capacity. The formal orders were signed by the County Council's client officer.*
- 4 It is not the practice to consult on safety related lighting replacement schemes under normal circumstances.*
- 5 I am satisfied that a correct decision making process is in place and that it operates cost effectively with adequate control over consultants and contractors.*

- 6 Responsibility for deciding when consultation should occur, where it is needed, remains with the County Council*
- 7 I am satisfied that, where our consultants are asked to undertake consultation on our behalf, delegation is appropriate given their professional capabilities.*
- 8 I see no need to review these matters, given the explanation above.*
- 9 On site observations of the new system, in response to the Town Council's letter, have been made. Some adjustments are being made to the lanterns but have not been completed yet. That work is expected to be complete by the 28 November after which a full report will be available from our consultants. Only at this stage will it be possible to give a full detailed response to the Town Council's letter.*

As a supplementary question, Mr Lawrence asked whether in hindsight Mr Royston would have consulted?

Mr Royston said "Yes".

10 COMMUNITY CARE PLAN

The Council considered the report of the Cabinet Member for Adult Social Care on the Buckinghamshire Community Care Plan 2001-2005.

RESOLVED: That the Council endorses the publication and distribution of the Buckinghamshire Community Care Plan 2001-2005.

11 ANNUAL LIBRARY PLAN 2001

The Council considered the report of the Cabinet Member for Community Services on the Annual Library Plan 2001.

RESOLVED: That the Annual Library Plan 2001 be endorsed.

12 DEBATE ON MODERNISING

The debate on Modernising was deferred.

CHAIRMAN