

MEMBER'S WRITTEN QUESTION



Name of Member submitting the question: Councillor Robin Stuchbury

Date received by Democratic Services: 12 September 2016

To the Cabinet Member for: Growth Strategy (Councillor Mrs Paternoster)

Question:

In light of the changes in the way in which all new schools in the Vale must, under current legislation, be academies or free schools and the consequent evolution and diminishing of Buckinghamshire County Council's role as the Education Authority for planning new School buildings, retaining only the strategic aspects of siting and size:

- A. What is your concept of AVDC's role as the planning authority in ensuring school buildings, their access and surroundings are designed and built to a good standard?
- B. With all new schools all being academy or free schools will AVDC take a more active role in ensuring the school buildings are fit for purpose by including appropriate conditions when granting planning permission and that Building Control is fully engaged in the monitoring of the building process in the absence of any BCC remit?

Do you believe AVDC truly understands how changes in the above changes in the education system have transferred the responsibility once held by the County Council to AVDC, specifically:

- C. What time has been spent acquiring competent resources to guarantee delivery of the great number of schools needed through growth written into the Vale Plan?
- D. Will AVDC being working closely with the education authority on where schools are to be built within new estates for best access and least nuisance to residents (including adequate parent parking space) in light of the freedom of parental choice and lack of specified catchment areas?
- E. Do you believe AVDC have had a hands on approach in school new building in the period since the legislation was introduced?
- F. Has AVDC undertaken to visit any school constructed since the changes for information or training, or to inspect the quality of build and/or compliance with approval conditions?

Response:

"Bucks County Council are the education authority responsible for schools. Academies/Free Schools are independent, state-funded schools, which receive their funding directly from central government via the Education Funding Agency (which is an executive agency of the Department for Education), rather than through a local authority. The responsibility of an education authority for academy and free schools has not been passed to this council.

As the local planning authority we deal with planning applications for any school development where we are the responsible authority, including those for academy and free schools. We will deal with these within the relevant legislative framework , taking into account development plan policies, the NPPF, NPPG and material planning considerations. This will include the layout of the site, external appearance, landscaping, highway access and the impact of such development amongst other matters, however we cannot govern the internal arrangements and whether the buildings are built fit for education purposes as that goes beyond our powers as a planning authority.

We are engaging with Bucks County Council as the education authority in both decision taking and policy making to ensure the educational need of development are being satisfactorily addressed.

In terms of our responsibilities under building regulations there are national standards (Building Bulletins which are referred to in the Building Regulations) for school buildings as well as the Approved Documents and British Standards and Eurocodes that support the Building Regulations. Building Control whether Local Authority or Private sector ensures compliance with these standards both now and in the past and there are no changes proposed that we are aware of for the future. This council is only involved if we are engaged to carry out the Building Regulations role. Otherwise the private Approved Inspector is responsible and are supposed to be ensuring compliance with the same legislation. However Building Regulations are only minimum standards and if the school wishes to build to higher standards it is down to whoever is acting on behalf of the school to ensure those higher standards are met, not the council in its building control function”.

Signed: Councillor Mrs Paternoster

Date: 13/9/2016

Written questions:

- must be submitted to the Democratic Services Manager
- will be replied to within 10 working days
- will be published on the last Friday of each month