

BUCKINGHAMSHIRE COUNTY COUNCIL

MINUTES

Minutes of the meeting of the Buckinghamshire County Council convened and held on Thursday 28 April 2016 in The Council Chamber, Crown Court Building, Market Square, Aylesbury, commencing at 9.30 am and concluding at 1.05 pm.

PRESENT

Mr W Chapple OBE in the Chair;

Mr B Adams, Mr C Adams, Mr M Appleyard, Mrs M Aston, Mr W Bendyshe-Brown, Mrs P Birchley, Ms J Blake, Mr A Busby, Mr T Butcher, Mr D Carroll, Mr J Chilver, Mrs L Clarke OBE, Mrs A Davies, Mr D Dhillon, Mr C Ditta, Mr C Etholen, Ms N Glover, Mr P Gomm, Lin Hazell, Mr A Huxley, Mr P Irwin, Mr R Khan, Mrs V Letheren, Ms A Macpherson, Mr D Martin, Mr Z Mohammed, Mr M Phillips, Mr R Reed, Mr B Roberts, Mr D Schofield, Mr R Scott, Mr D Shakespeare OBE, Mr M Shaw, Mr A Stevens, Mr R Stuchbury, Mrs J Teesdale, Mr M Tett, Ms R Vigor-Hedderly, Julia Wassell, Mr D Watson, Mr W Whyte and Ms K Wood

DIGNITARIES AND OTHERS PRESENT

Mrs M Clayton, Mr M Colston, Mr P Lawrence, Mrs G Miscampbell OBE DL, Mr D Polhill, Mr R Pushman and Ms F Gosling-Thomas

APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr N Brown, Mr T Egleton, Mr P Hardy, Mr D Hayday, Mr S Lambert, Mrs W Mallen, Mrs M Soames DL, Sir H Aubrey-Fletcher, Mr B Allen, Mrs C Aston and Mr K Ross MBE DL

1 MINUTES

The Minutes of the meeting on 18 February 2016 were agreed as a correct record, subject to the inclusion of Mrs Clarke's apologies.

2 PETITIONS

No petitions were presented.

3 COMMUNICATIONS

Apologies were received from Mr N Brown, Mr T Egleton, Mr P Hardy, Mr D Hayday, Mr S Lambert, Mrs W Mallen, Sir H Aubrey-Fletcher, Mrs M Soames, Mr B Allen, Mrs C Aston and Mr K Ross.

A minute's silence was held for the recent death of Dr J Preece, former County Councillor for Green Hill and Totteridge from 1993-1997.

The Chairman informed Council of recent royal visits and his Civic Service held on Saturday 23 April.

4 DECLARATIONS OF INTEREST

Mrs L Clarke declared an interest in relation to her daughter's partner now working for Clece, a new domiciliary care provider for the Council.

5 ANNUAL REPORT OF THE SELECT COMMITTEES

Mrs V Letheren, Chairman of the Children's Social Care and Learning Select Committee (CSC&L) summarised key work undertaken in 2015/16 and commented on the value of joint work being undertaken with the Health and Adult Social Care Select Committee. Members of CSC&L were thanked for their hard work and the Cabinet Member for her support.

In response to questions, Mrs Letheren made the following points:

- The Council was leading regional work on recruitment of social workers
- The Council had a number of initiatives in place to attract new social workers including a 'golden hello' and as a result had fewer vacancies and agency staff

Mr D Carroll, Chairman of the Transport, Environment and Communities Select Committee, highlighted Inquiry work on flooding and on economic development and thanked Members of the Committee.

In response to questions, Mr Carroll made the following points:

- Local flooding issues should be brought to the attention of Ms K Fisher in the Council's flooding team
- The Transport for Bucks contract was scrutinised on an ongoing basis, with regular attendance by the Cabinet Member to answer questions

Mr B Roberts highlighted the budget scrutiny process and thanked Members of the Committee and support staff.

In response to questions, Mr Roberts made the following points:

- That although he was not in a position to comment on the disposal of gypsy and traveller sites, the Committee was starting an inquiry into income generation
- That the budget scrutiny inquiry secured transitional funding for an element of children's services although as a result of financial challenges facing the Council, all options for savings would need to be considered in future

Mrs A Macpherson, Chairman of the Health and Adult Social Care Select Committee (HASC), summarised the work of the Committee during 2015/16 highlighting the inquiries into 15-minute domiciliary care visits and learning disabilities services. Mrs Macpherson thanked Mr R Reed, Mrs M Aston and Members of the Committee, the Cabinet Member and health partners.

In response to questions, Mrs Macpherson made the following points:

- The Committee would be considering the reconfiguration of health services affecting the north of the County, at its meeting in June

- The Committee would be receiving an update in relation to payment of travel time for domiciliary care workers at its next meeting

A Member commented on the improvement in implementation of recommendations and openness of officers dealing with Select Committees.

RESOLVED

Council NOTED the Select Committee Annual Report.

6 REPORT OF THE BUCKINGHAMSHIRE SAFEGUARDING BOARDS

Mr T Boyd and Ms F Gosling-Thomas presented a joint report from the Buckinghamshire Safeguarding Boards which covered developments since 2014, the focus of work, key achievements and plans for the coming year (slides attached).

Ms Gosling-Thomas highlighted changes to the Buckinghamshire Safeguarding Children Board (BSCB) and the focus over the past year on strengthening governance & reporting arrangements. Members were informed about the Board's Improvement Plan; continuing work on communications, evidencing outcomes, embedding learning; and focus on children placed out of county.

Mr Boyd reported the recent appointment of Ms M Seaton as the Chair of the Buckinghamshire Safeguarding Adults Board (BSAB). Mr Boyd highlighted the duties placed upon the Board by the Care Act 2014; the focus on Making Safeguarding Personal and domestic abuse; and the approach to Safeguarding Adult Reviews (SARs) and the Peer Review findings. Council was told about the Board's assurance dashboard, action plan and areas for development.

Ms Gosling-Thomas informed Council about the joint working protocol which aimed to improve working between key partnership boards and provided examples of joint working to date.

Mr Boyd emphasised the importance of the role of Members in the safeguarding agenda.

Ms L Hazell, Cabinet Member for Children's Services, expressed her concern about inaccurate comments made in a recent newspaper article regarding safeguarding training for Members. Ms Hazell explained that there was a rolling programme of events in place for Members to receive briefings and training.

In discussion, Members raised the following points:

- A rolling programme of safeguarding training opportunities was available to Members
- The 'Chelsea's Choice' production was recommended for all Members
- The increase in caseload in relation to concerns regarding residential and nursing homes
- The value of the expertise brought by Ms Gosling-Thomas to the BSCB

In response to questions raised, Mr Boyd and Ms Gosling-Thomas provided the following clarification:

- That there was confidence that the BSAB would improve under new chairmanship
- The issue of transitions was worked on jointly and the results of a multi-agency audit had been included in the BSCB plans for 2016/17
- The Boards would continue working with the Select Committees to consider issues of concern
- There was a challenge in securing agreement from partners to undertake actions from Board meetings
- A current review on historic child abuse in Buckinghamshire would report in the autumn, although the Board's focus was on seeking assurance of a minimal risk of recurrence

The Chairman thanked the presenters.

RESOLVED

Council NOTED the report of the Buckinghamshire Safeguarding Boards.

7 ANNUAL REPORT OF THE CORPORATE PARENTING PANEL

Ms Hazell thanked Members of the Corporate Parenting Panel and recommended the report to Council.

RESOLVED

Council NOTED the Annual Report of the Corporate Parenting Panel.

8 LOCAL TRANSPORT PLAN 4 (LTP4)

Mr M Shaw, Cabinet Member for Transportation, presented the Local Transport Plan 4 (LTP4) highlighting that the Plan had been developed with the help of residents through two successful public consultations. Mr Shaw explained that the adoption of the Plan would enable the Council to bid for additional Government funding and would support District Councils in the development of their local plans. Council was told that LTP4 would be a 'living' document, added to as issues arose over the next 20 years and that it provided a co-ordinated strategy for growth across the County.

In debate, the quality of the report was commended and the following issues were raised:

- The importance of ensuring LTP4 was used by the service and it's content delivered
- Additional content should include topography, lorry parking
- An effective approach to parking across the County was needed
- Timelines would be included as issues developed
- North-south connectivity had not been included and remained a concern for residents and in relation to the growth agenda, particularly the A4010 and A413. Mr Shaw confirmed that the issue was being investigated
- The County had a bigger voice through the Strategic Alliance, which was proving beneficial in engaging with national agencies
- The north south rail line should be a double line
- That local Councillors have valuable knowledge and ideas about local

improvements but are not always involved

- The ongoing issue regarding connection of crossing lights in East Wycombe
- The appetite for more community transport. Mr Shaw reported on strategic options appraisal work taking place with client transport services
- Concerns about the impact of rail company parking policies on local areas. Mr Shaw explained that a meeting with Chiltern Rail was being arranged
- A potential High Wycombe-M Maidenhead rail link. Mr Shaw explained that LTP4 was a strategic overview document
- The importance of communicating and working closely with District Councils
- The improved development management team and policy were welcomed
- Funding for delivery of the Plan
- The need for Aylesbury to have a bypass. Mr Shaw explained that the eastern link road would include land banks to develop should funding become available.
- The issue of traffic around schools. Mr Shaw reported that schools were encouraged to develop school travel plans and for children to walk to school
- The role of the Council in minimising disruption from roadworks undertaken by utilities companies

Mr N Gibson, Interim Chief Executive, was thanked for his work on East-West Rail and Mr R Bunce and Mrs J Hancox for their work on LTP4.

A vote was held on the recommendations: 41 for; 0 against; 1 abstention.

RESOLVED

The Council AGREED:

- 1. That Buckinghamshire's Local Transport Plan 4 (the Plan) is adopted as the Council's Local Transport Plan for the period to 2036.**
- 2. That the approval of any minor amendments to the Plan required based on experience with its application is delegated to the Director of Growth & Strategy, in consultation with the Cabinet Member for Transportation.**
- 3. That any decision to review the Plan before 2036 is delegated to the Cabinet Member for Transportation.**

9 SHARED LEGAL SERVICES WITH THE LONDON BOROUGH HARROW

Mr J Chilver, Cabinet Member for Resources, presented the report and explained that the decision to fully share legal services with the London Borough of Harrow had been taken by Cabinet on 25 April. Mr Chilver assured Council that the Inter Authority Agreement would be overseen by a joint governance board including Service Directors and Cabinet Members from each authority.

An amendment to the wording of the second recommendation, 'on behalf of Buckinghamshire County Council', was proposed by Mrs Clarke and agreed.

Responding to a question, Mr Chilver confirmed that the arrangement would contribute £600k savings over the period of the Council's Medium Term Plan and assured Members of the intention to deliver a smooth transition.

Council voted on the recommendations as follows:

Recommendation 1: 38 for; 0 against; 5 abstentions

Recommendation 2: 38 for; 0 against; 5 abstentions

RESOLVED

Council AGREED the following delegations:

- 1. Delete the role of Head of Legal Services Buckinghamshire County Council in the Constitution and delegate to the London Borough of Harrow the discharge of the Council's function in respect of the delivery of legal services in accordance with s101 and s113 of the Local Government Act 1972 and the Local Government (Arrangements for the Discharge of Functions) (England) Regulations 2000, such discharge of function to include the duties set out in Recommendations 2 below.**
- 2. Authorise the Head of Legal, London Borough of Harrow, to institute, defend or participate in any legal proceedings in accordance with s222 and s223 of the Local Government Act 1972 and sign documents on behalf of Buckinghamshire County Council.**

10 APPOINTMENT OF CHIEF EXECUTIVE OFFICER

Mr M Tett as Chairman of the Senior Appointments and Bucks Pay Awards Committee, presented the report, highlighting the extensive recruitment process undertaken.

In responding to a question, Mr Tett explained that personal contracts were being negotiated for senior posts with salaries relating to market conditions rather than the Council's pay structure.

Council unanimously agreed the recommendation.

RESOLVED

Council AGREED the appointment of Rachael Shimmin OBE to the post of Chief Executive and Head of Paid Service.

11 CABINET MEMBERS' REPORTS

11a. Report of the Leader of the Council

Mr Tett informed Council that as a result of representations regarding disabilities, Council would return to the Oculus, Aylesbury Vale District Council, for future meetings.

In response to Member's questions, Mr Tett made the following points:

- Holding Council meetings around the County would be welcome however the limitations on webcasting facilities currently mean that the Oculus is the best venue option
- Apprenticeships within the Council were strongly supported and Mr Huxley

- would receive a response on numbers and levy impact
- Integration of health and social care from a client's perspective would be championed through the Health and Wellbeing Board
- All young people should have the opportunity to follow education and career paths best suited to their attributes
- Work was taking place with District Council colleagues, BDUK and the Local Enterprise Partnership to drive broadband penetration to 99% of the County's premises, with a choice of supplier for residents
- That the error in postcode allocation for Contract 2 of the Broadband roll-out had been corrected
- Local Members would be involved in deciding HS2 mitigation spend

The Leader, Council, particularly Ms S Widdows and Mrs J Copcutt, were thanked for work undertaken in relation to HS2 issues particularly affecting Great Missenden residents.

11b. Cabinet Member for Health and Wellbeing

Mr M Appleyard brought Council's attention to the Adult Social Care Local Account publication.

In discussion, the following points were made:

- The Heights was one of 24 care homes across the country given an 'outstanding' rating by the Care Commission. Congratulations were given to the staff and management team who had celebrated success in the recent Dignity and Respect Awards, chaired by the Vice Chairman
- That the Council endeavoured to keep service users informed in a timely manner about their services, and local Members about issues in their divisions
- That when provider contracts are changed, every effort was made to minimise disruption to service users
- In relation to the challenge of providing services for an ageing population, work was taking place to stabilise costs and reduce demand
- TUPE requirements for new contractors were written into contracts
- Mr Appleyard would visit the Princes Centre in Princes Risborough to discuss issues of concern
- The compassion and caring of staff at all levels within Adult Social Care services was acknowledged
- Early engagement of care home developers with local communities and priority access for local people was welcomed

11c. Cabinet Member for Children's Services

Ms L Hazell, Cabinet Member for Children's Services, highlighted the Care Leaver's Protocol and work taking place with District Councils on a housing protocol.

In relation to questions raised by Members, Ms Hazell made the following points:

- A response would be made to Mrs J Blake regarding a fostering communications issue
- Further discussion, including Mr M Phillips and Mr

Z Mohammed, would take place with Mr Stuchbury regarding the response to his written question

- The Prevent agenda was being looked at through the work of the portfolio holder, Mr Phillips
- Mr D Martin would received any available information in relation to the numbers of adoptions and special guardianship orders completed in the past 3 years

Ms Hazell was congratulated for improvements to the Children's Services 'front door'.

11d. Cabinet Member for Community Engagement and Public Health

Mr M Phillips informed Council of the summer exhibition at the County Museum on the art of Islam.

In discussion, the following points were made:

- The exhibition at the Museum was recommended
- The Council's responsibility for sexual health and reproductive services was statutory and the Council was not able to set policy in this area
- Work on Under-5s public health and on school nursing would be reported to Council in due course

11e. Cabinet Member for Education and Skills

Mr Mohammed made the following points in response to Members' questions:

- The review of Children's Centres was part of a wider review and was not yet complete
- There was sufficient capacity in the Buckingham area for secondary school places and officers regularly reviewed planning assumptions
- All schools, including Free Schools, would need to be included in relation to the 'nearest appropriate school' criterion. Mr Mohammed agreed to discuss any specific issues in relation to Stoke Poges with Mr Dhillon
- The attainment gap in relation to Looked After children was a challenge as numbers were small and specific information may be included in the Education Standards Report
- The success of, and support for, the Model United Nations conference
- Specific information about child behaviour problems at Academies should be sought from the Chairman of Governors
- Penn School had been purchased to secure additional school places within the area

11f. Cabinet Member for Transportation

Mr M Shaw, Cabinet Member for Transportation, thanked fellow Members, Mr W Whyte, Mrs L Clarke, Mr R Reed, Julia Wassell and Mr C Ditta for hosting visits to local areas. Mr Shaw reported on the winter maintenance programme and confirmed that the Soulbury Stone would not be relocated.

In response to questions, Mr Shaw made the following points:

- Many of the plane and patch schemes had already been confirmed with local

Members and the additional £550k secured from Government would be added to the programme

- During 2015/16 £28m had been spent on the road network and investment in rural roads would be made where possible
- Performance indicators for responding to planning applications with statutory timeframes had increased significantly and with increased staffing, further improvements were expected
- The Buckingham roundabout was due to be resurfaced and relined
- Any potential park and ride option for Aylesbury would depend on availability of finances
- Work was being undertaken with a number of voluntary groups in relation to maintenance of Rights of Way
- The refilling of a salt bin in Mr Huxley's division would be reported
- Riding of bicycles on pavements was not acceptable
- The reorganisation of Local Area Technicians should result in each being responsible for a smaller geographical area

11g. Cabinet Member for Planning and Environment

Mr W Whyte, Cabinet Member for Planning and Environment highlighted the continued success of the flytipping team and its appearance on the BBC's Caught Red Handed programme. Mr Whyte confirmed that s19 reviews were being undertaken in relation to recent flooding of the Great Ouse in the north of the County.

In response to questions, Mr Whyte made the following points:

- The Energy from Waste plant should be operational by the end of May and information about the plant was available on the Council's website
- After attending meetings with the Environment Agency and the Anglia Region had provided assurance that the growth agenda was recognised as a significant part of flood management and mitigation

11h. Cabinet Member for Resources

Mr Chilver confirmed that information on innovation at the Council would be sent to Members.

Mr Chilver provided the following information in response to Members' questions:

- A property survey of the agricultural estate had been completed, with results from the remainder of the property survey due in June
- Current arrangements for the management of the Bucks Sports and Social Club would remain in place for the time being and legal action was being taken in relation to financial irregularities
- Plans for a new school on the site of the Quarrendon Academy were being drawn up

12 NOTICES OF MOTION

Mrs A Davies, Leader of the Liberal Democrat, East Wycombe Independent and Buckingham Labour Group, presented the Notice of Motion highlighting concerns about the potentially negative impact on children as schools focus on transitioning to

academies and the benefit of strong leadership from the Council.

Mrs Davies confirmed that she and the seconder accepted the proposed amendment.

The Notice of Motion was seconded by Mr R Stuchbury who voiced his opposition to forced academisation.

Mr Mohammed moved the amendment highlighting support in the past by all parties for the academy programme; the change of date for full academisation; the success of multi-academy trusts already in place in Buckinghamshire; and the leading role undertaken by the Council in recent months.

The amendment was seconded by Mr Tett who highlighted concerns regarding the lack of consultation by the Government; the move away from democratically elected members; and the challenges facing local authorities in relation to discharging its statutory duties.

Mr R Reed declared an interest as Chairman of Governors of an Academy and confirmed the strength of leadership within many such schools.

Mrs Davies expressed satisfaction with the issues raised.

The Council voted unanimously in favour of the amended resolution.

RESOLVED

Council RESOLVED to further explore, via the Cabinet Member and supporting officer team, the options of creating vehicles such as multi-academy trusts so that all schools in Buckinghamshire are able to work together to provide the best and widest choice of education for our residents.

Council further RESOLVED that the Leader writes to the Secretary of State for Education expressing the Council's view and hope, alongside any views already expressed by the Cabinet Member for Education and Skills, that following the Government's decision to require all schools regardless of size or performance to become Academies by 2022, she will engage and work with the Council, the LGA and others to ensure that issues such as rurality, parental involvement, school place planning and availability, and home to school transport are adequately considered and resolved before any decisions are taken, so that we can continue to see an increase in educational standards and not lose focus on giving our children the best possible life chances.

13 CABINET MEMBER DECISIONS TAKEN - INFORMATION ONLY

CHAIRMAN