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SOUTH BUCKS
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Overview and Scrutiny Committee

Tuesday, 28 January 2020 at 6.00 pm

Room 6, Capswood, Oxford Road, Denham

A G E N D A

Item

1. Evacuation Procedure
2. Apologies for Absence
3. Minutes (*Pages 5 - 10*)

To approve the minutes of the Overview and Scrutiny Committee held on 1 October 2019.

4. Declarations of Interest
5. SBDC Performance Report Quarter 2 2019/2020 (*Pages 11 - 14*)

Appendix A - Priority Pls Q2 2019/20 (Pages 15 - 16)

Appendix B - Corporate Pls Q2 2019/20 (Pages 17 - 18)

6. Tree Preservation Orders (TPOs) Statistics and Enforcement (*Pages 19 - 24*)

Appendix 1 (Pages 25 - 30)

7. Bucks Health and Adult Social Care Select Committee

To receive:

Minutes of the 19 September 2019 (Pages 31 - 46)

8. Bucks Children's Select Committee

To receive:

Minutes of the 6 September 2019 (Pages 47 - 56)

9. Members Questions and Answers

An opportunity for Members to raise questions about items:

- during the meeting
- written questions submitted previously
- raised by information items

10. Exclusion of the Public (if required)

The Chairman to move the following resolution:-

“that under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in part 1 of Schedule 12A to the Act.”

Note: All reports will be updated orally at the meeting if appropriate and may be supplemented by additional reports at the Chairman’s discretion.

Membership: Overview and Scrutiny Committee

Councillors: M Bradford (Chairman)
P Bastiman (Vice-Chairman)
M Bezzant
D Dhillon
T Egleton
P Kelly
M Lewis
D Saunders

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OVERVIEW AND SCRUTINY COMMITTEE

Meeting - 1 October 2019

Present: P Bastiman (Vice-Chairman - In the chair), M Bezzant, D Dhillon, T Egleton and P Kelly

Apologies for M Bradford, M Lewis and D Saunders
absence:

16. MINUTES

The minutes of the Overview and Scrutiny Committee held on 19 June 2019 were approved and signed by the Chairman of the Committee as a correct record subject to an amendment to Minute No. 5 – Homelessness in South Bucks – Update, in relation to the discussion which took place on performance indicators for homelessness, it was agreed that it should read that performance indicator targets for homelessness should be reduced.

17. DECLARATIONS OF INTEREST

There were no declarations of interest.

18. SOUTH CENTRAL AMBULANCE SERVICE PRESENTATION

The Committee was provided with a presentation from Andrew Battye, Head of Operations at South Central Ambulance Service NHS Foundation Trust.

The Ambulance Response Program (ARP) was the largest change to Ambulance response since the late 70's. It identified the most appropriate resource that needed to be measured; this resulted in different time parameters. It is no longer a percentage of achievement, but now looks at the average (mean, to improve response to more patients.

The system benefits were that life threatening categories were measured by response and conveyance, conveying resource was measured for all calls and a review of the response model. Risks included the possibility of skewed numbers as a result of low numbers in some categories. There is a risk of false negatives in the data due to measurement.

Responses were sorted into 4 categories. Category 1 were the highest priority patients; unconscious, not breathing and drowning. These had 7 minutes initial response on average. Category 2 were the higher priority patients; chest pain, stroke and breathing difficulties. These had a 17 minutes average conveying resource time.

Overview and Scrutiny Committee - 1 October 2019

Category 3 were lower acuity patients; abdominal pain, fall with injury and minor with and road traffic incident. This had an average 2 hours conveying resource time. Category 4 patients were the lowest acuity patients; fall without injury and generally unwell. These had an average 3 hours average conveying resource time.

Demand was growing for the ambulance service. In response to questions from members, Andrew Battye explained that this was in part due to an ageing population. Despite the growing demand, performance had remained similar with minor shifts in the response times. For 2019/20, at the 50th percentile, there had been a 3 second increase, at the 75th percentile, a 7 second decrease and at the 90th percentile a 2 second decrease. The performances for 2019/20 at the 50th, 75th and 90th percentile were 6:31, 9:55 and 17:17 respectively.

South Bucks contains sections of both the M40 and the M25 motorways. It was reported that since 1st April 2019, there had been 55 incidents on the M25 and 102 incidents on the M40.

Hospital handover times were reported to have improved significantly. At Wexham Park Hospital, the introduction of a new Emergency department had drastically reduced handover excesses. At Stoke Mandeville hospital, there had been a modest reduction in handover excesses.

Delays can cause a knock-on effect where patients could need greater care. For example if a patient was on the ground due to a fall, they can be treated on the spot if the response time is within a certain timeframe. However, if they are on the ground for an extended period, there is a need for further care. This causes extra delays for the ambulance service.

It was reported that there is a significant challenge in recruiting and retaining ambulance staff. GPs were now recruiting paramedics with better working conditions. Paramedics had a greater suicide rate than the rest of the population. Team leaders within the ambulance service helped manage staff and ensure their wellbeing. Cost of housing was an issue and staff regularly left for more affordable areas. In response to questions from Members, it was reported there was currently no London weighting available for ambulance staff in the area. Andrew Battye informed Members he was looking to contact the South Bucks MP to express his concerns about this.

Reference was made to negotiations which had taken place with a mortgage lender about getting preferential rates for ambulance staff. The lack of affordable and key worker housing in the region was a problem.

The ambulance fleet vehicles are currently maintained and run for up to 10 years. There were 52 new vehicles ordered and roll out will start in November.

RESOLVED – That the South Central Ambulance Service be thanked for their presentation.

19. **PRESENTATION ON FLOODING ISSUES AND PREVENTION MEASURES IN SOUTH BUCKS DISTRICT**

The Committee was provided with a presentation from Huw Thomas (Thames Water), Grace Harland (Affinity) and a verbal update from Alex Back (Bucks County Council).

Thames Water

Huw Thomas from Thames Water gave an overview of the Thames Valley Network, it was explained that groundwater can cause sewers to become permanently full. This results in further rain causing sewers to surface. It was reported that Thames Water had become more pro-active with sewer maintenance since 2015. There were depth monitors in place in sewers.

Members were informed that Thames Water identified risks by using several resources. They analysed proposed growth through Local Plans. A Pre-planning enquiry process was free and developers were being encouraged to contact them in advance of the submission of planning applications. Their customer relationship managers were proactively seeking out site developers and working to meet developers, promoters and agents for large development sites at an early stage of the planning process.

In response to questions from Members, it was confirmed that the conversion of offices to flats is unlikely to be picked up by Thames Water and Members were informed that the Local Authority should communicate this to the Water Authorities. However, flow monitors in sewers allow them to be aware of altered activity.

Drainage and Wastewater management plans had been developed by Water and wastewater Companies, Defra Environment Agency, Ofwat, Consumer Council for Water and the National Infrastructure Commission. This framework was published in 2018 to provide a basis for more collaborative and integrated long term planning.

It was reported that £150,000 is to be made available to all districts in the region for the installation of surface water management schemes. Alex Back from Bucks County Council confirmed that the new unitary council will receive the amounts intended for all local authorities to be merged.

Members were informed that generally South Bucks was reasonably well looked after, with no major flooded areas, although there were isolated small areas which encountered the occasional flooding. Reference was made to Chalfont St Peter and Chesham where there were issues with the drainage. Thames Water was asked to investigate Lakes Lane, Beaconsfield where there were potential drainage problems which resulted in flooding.

Affinity

Grace Harland from Affinity gave an overview of the River Restoration projects on the River Misbourne. The presentation focused on 3 projects, Barn Meadow, Amersham to Q Mill and the Isle of Wight Farm.

The Isle of Wight Farm Project at Gerrards Cross was completed December 2018. Its aim was to build a bund that diverts river flow into the main channel. To narrow and add flow diversity to the channel and to narrow and to increase the amount of light into the channel through tree works.

Members were shown a portion of tree works completed. Gravels were exposed on the bed and monitoring was in place at the site. This was to spot gauging and macroinvertebrate sampling.

The Amersham to Quarrendon Mill project was aimed at improving habitat and flows in the existing channel (mill leat) through in-channel enhancements, including tree works. Also to better connect the channel to groundwater by re-meandering the channel through the grazing field at the bottom of the valley just below Amersham Bypass.

The Outline designs were produced in April 2019, with a detailed design to be completed later in the year. Tree works were due to be completed in November 2019 and the re-meander in 2020.

County Council

Alex Back, Senior Strategic Flood Management Officer from Bucks County Council (BCC) gave a verbal update on the role of the County Council with regards to flooding.

Bucks County Council is responsible for all rivers within the County. Should a landowner wish to alter a river, they must obtain the Council's consent. If they fail to obtain this, they shall be fined for the corrective works.

Awareness of flooding issues relies on local authority reporting, it was reported there was a severe lack of information about highway drainage assets and their state of maintenance. Members were informed that the County Council tended to be reactive rather than pro-active in dealing with drainage matters, and it tended to be matters raised by members and parishes that received attention in the absence of a formal planned maintenance programme.

Members were invited to contribute with any information they had, and email it to strategicfloodmanagement@buckscc.gov.uk.

BCC communication with Parish Councils took place via local area forums. When a flood incident took place, team members aimed to go out to the affected area. Members suggested it would be useful for Parish Councils to receive the minutes of the Strategic Flood Management Committee.

Reference was made to drainage issues at Farnham Lane, North Burnham and the officer said he would look at this.

Helen Harding, Principal Planner for South Bucks explained to Members that officers worked together with the water authorities at the Local Plan stage.

RESOLVED – That Thames Water, Affinity and Buckinghamshire County Council be thanked for their presentations.

20. **PERFORMANCE REPORT - Q1 2019/20**

The Committee received a report which outlined the annual performance of Council services against pre-agreed performance indicators and service objectives for Quarter 1 of 2019-20. The Performance and Policy Officer informed the committee that the performance indicator being referred to in 4.2.3 was the Percentage of food premises improving their Food Hygiene Rating from 0-2 rating to achieve rating of 3 and above.

RESOLVED that the report be noted.

21. **STATISTICS ON TPO COMPLAINTS AND PROSECUTIONS**

Members requested that the item be deferred pending further detail on the report. Members asked for details regarding current Tree Protection Order (TPO) Policy, the total number of TPO's and current enforcement policy. Members expressed concern that there had been no enforcement prosecutions for 5 years and wished to know why no action had been taken.

RESOLVED that the report be deferred to the next meeting pending further details.

22. **BUCKS HEALTH AND ADULT SOCIAL CARE SELECT COMMITTEE**

Members received the Minutes of the meeting of the Buckinghamshire County Council Health and Adult Social Care Select Committee held on 2 July 2019.

It was **RESOLVED** that the Minutes of the Buckinghamshire County Council Health and Adult Social Care Select Committee be noted.

23. **BUCKS CHILDREN'S SOCIAL CARE AND LEARNING SELECT COMMITTEE**

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Members were informed that the Minutes of the 6 September 2019 Bucks Children's Social Care and Learning Select Committee would be submitted to the next meeting.

It was **RESOLVED** that the Minutes of the Buckinghamshire County Council Children's Social Care and Learning Select Committee be submitted to the next meeting.

24. MEMBERS QUESTIONS AND ANSWERS

There were no questions from Members.

The meeting terminated at 7.43 pm

REPORT SUBJECT:	<i>South Bucks District Council Performance Report Quarter 2 2019-20</i>
REPORT OF:	<i>Leader of the Council – Councillor Nick Naylor</i>
RESPONSIBLE OFFICER	<i>Director of Resources – Jim Burness</i>
REPORT AUTHOR	<i>Ani Sultan (01494 586 800)</i>
WARD(S) AFFECTED	<i>Report applies to whole district</i>

1. Purpose of Report

This report outlines the annual performance of Council services against pre-agreed performance indicators and service objectives for Quarter 2 of 2019-20.

RECOMMENDATION

Cabinet is asked to note the performance reports.

2. Executive Summary

Overview of Quarter 2 of 2019-20 performance indicators (PIs) against targets across the Council:

Portfolio	No of PIs	PI on target □	PI slightly below target □	PI off target □	Not reported this quarter/ not used	Awaiting data	Data Only
Leader's	3	3	0	0	0	0	0
Resources	4	4	0	0	0	0	0
Healthy communities	18	6	0	1	3	0	8
Planning & Economic development	18	12	1	0	1	0	4
Environment	4	3	0	0	1	0	0
Customer & Business Support	9	3	2	1	2	0	1
Total PIs	56	31	3	3	7	0	12

3. Reasons for Recommendations

3.1. This report details factual performance against pre-agreed targets.

3.2. Management Team, Cabinet and Overview & Scrutiny Committee receive regular updates detailing progress towards service plan objectives, performance targets and strategic risks, in line with our Performance and Improvement Framework.

3.3. Two detailed performance tables accompany this report:

- **Appendix A – Priority PIs** Quarter 2 of 2019-20
- **Appendix B – Corporate PIs** Quarter 2 of 2019-20

4. Key points to note:

4.1. There are no PIs marked as awaiting data.

4.2. All priority PIs are on target.

4.2.1. **Leaders:** All PIs within the Leader's portfolio are on target.

4.2.2. **Resources:** All PIs are on target.

4.2.3. **Healthy Communities:** SbEH2 (Percentage of food premises improving their Food Hygiene rating from 0-2 to 3 or above) is under the target of 25% at 12.5%. There are a multitude of external factors that affect this PI. As a re-inspection is not mandatory, the cost, lack of time, and the fact that some premises attract customers despite their rating, means they often will not reapply for inspection. It is important to note that the Environmental Health team do revisit to ensure compliance so there is no public safety risk.

4.2.4. **Planning & Economic Development:** JtBC1 (Applications checked within 10 working days) is just under the target of 95% at 93.5%. This is due to changes in the team, which means that staff training needs to be undertaken.

4.2.5. **Environment:** All PIs for this portfolio are on target.

4.2.6. **Customer & Business Support:** SbBS3 is under target of 90% at 79.3% for August as business as usual is currently under strain. Both JtBS1 and JtBS2 are slightly under target – this is due to issues with the network storage causing systems to be unavailable for all users, and the secondment of infrastructure staff to both unitary and Windows 10, as well as staff turnover having an effect on the PIs.

5. Consultation

Not applicable.

6. Options

Not applicable.

7. Corporate Implications

7.1 Financial - Performance Management assists in identifying value for money.

7.2 Legal – None specific to this report.

7.3 Crime and Disorder, Environmental Issues, ICT, Partnership, Procurement, Social Inclusion, Sustainability – reports on aspects of performance in these areas.

8. Links to Council Policy Objectives

Performance management helps to ensure that performance targets set through the service planning process are met, and that any dips in performance are identified and resolved in a timely manner.

This report links to all three of the Council's objectives, listed below:

Objective 1 - Efficient and effective customer focused services

Objective 2 - Safe, healthy and cohesive communities

Objective 3 - Conserve the environment and promote sustainability

9. Next Step

Once approved, this report and appendices will be published on the website.

Background Papers:	N/A
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Appendix A - Priority PIs 2019-20 - SBDC

Code	Title	Target 2018/19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	2019/20	Traffic Light	Target 2019/20	Comments	
Leader's portfolio																			
JtHR1	Working days lost due to sickness absence	10	10.7	9.4	7.4	6.7	6.1	6.0								✓	10	134 working days lost for September + 763.50 (working days lost for April - August) = 897.50 897.50 / 299.88 (average FTE figure) = 2.99 / 6 x 12 = 5.98 average working days lost to sickness absence (cumulative). <i>These figures relate to absence days from 33 employees</i>	
JtHR12	Working days lost due to short term sickness absence (up to 20 working days)	5	5.5	4.3	3.3	2.9	2.6	2.7								✓	5	79 working days lost for September + 323.50 (working days lost for April - August) = 402.50 402.50 / 299.88 (average FTE figure) = 1.34 / 6 x 12 = 2.68 average working days lost to short term sickness absence (cumulative). <i>The figures related to absence from 30 employees</i>	
JtHR13	Working days lost due to long term sickness absence (more than 20 working days)	5	4.9	5.2	4.1	3.7	3.5	3.3								✓	5	55 working days lost in September + 440 (working days lost for April - August) = 495 495 / 299.88 (average FTE figure) = 1.65 / 6 x 12 = 3.30 average working days lost to long term sickness absence (cumulative). <i>This absence relates to 3 employees</i>	
Resources																			
SbRB1	Speed of processing - new HB/CTB claims (cumulative)	18	25.3	21.9	20.4	19.5	19.0	19.0								✓	19	Target achieved.	
SbRB2	Speed of processing - changes of circumstances for HB/CTB claims (cumulative)	8	9.2	9.3	8.8	8.3	7.8	7.6								✓	8	Performance is back on target.	
SbRB3	Percentage of Council Tax collected (cumulative)	98.0%	11.1%	20.0%	29.2%	38.3%	47.2%	56.2%								✓	98.5%	Target achieved.	
SbRB4	Percentage of non-domestic rates collected (cumulative)	98.8%	11.8%	20.3%	29.0%	38.2%	46.4%	55.4%								✓	98.9%	Target achieved.	
Healthy Communities																			
SbHS1	Number of applicants with/expecting children who have been in B & B accommodation for longer than 6 weeks (snapshot figure at end of month)	18	1.0	3.0	1.0	3.0	3.0	2.0								✓	18	1 of these households has subsequently moved on. The other household is a large family with limited move-on options.	
SbHS7	Number of households living in temporary accommodation (snapshot at the end of the month)	68	50.0	53.0	48.0	35.0	38.0	47.0								✓	68	Total comprises (i) Walters Court and 801 Bath Road = 11 (ii) Private Sector Leasing = 17 (iii) B&B = 10 (iv) Other nightly booked = 3 (v) Bucks HA units = 3 (vi) other RP units = 3 - Upturn in clients requiring TA f=during September but impact mitigated by new Walters Court/1=801 Bath Road units coming on-stream	
Planning and Economic Development																			
SbPED9	Processing of planning applications: major applications processed within 13 weeks (cumulative)	90%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%								✓	90%	26 of 26 determined within target - cumulative figure 4 of 4 determined within target - this month's figure	
SbPED10	Processing of planning applications: minor applications processed within 8 weeks (cumulative)	85%	93.3%	94.1%	95.9%	94.5%	95.9%	96.8%								✓	85%	121 of 125 determined within target - cumulative figure 28 of 28 determined within target - this month's figure	
SbPED11	Processing of planning applications: other applications processed within 8 weeks (cumulative)	85%	95.5%	96.5%	95.5%	95.9%	96.6%	96.0%								✓	85%	357 of 372 determined within target - cumulative figure 46 of 50 determined within target - this month's figure	
Environment																			
SbWR2	Percentage of household waste sent for reuse, recycling and composting (cumulative)	53%	54.5%	55.0%	56.0%	56.5%	56.2%	55.8%								✓	53%	Estimate, waiting for data from BCC.	

Appendix

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Appendix B - Corporate PIs 2019-20 - SBDC

Code	Title	Target 2018/19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	2019/20	Traffic Light	Target 2019/20	Comments	
Leader's Portfolio																			
Customer and Business Support																			
JtBS1 (C)	Availability of ICT systems to staff from 8am to 6pm (by period)	99.5%			98.9%			97.9%								🟡	99.5%	Issues with the SAN caused a repeat of the problems we had last year meaning the network was unavailable for all users	
JtBS2 (C)	Percentage of calls to ICT helpdesk resolved within agreed timescales (by period)	95%			94.9%			90%								🟡	95%	Infrastructure staff seconded to unitary and Windows 10 projects. Staff turnover also had an impact on this PI	
SbBS3	Percentage of responses to FOI requests sent within 20 working days (by month)	90%	100.0%	91.4%	89.1%	87.3%	79.3%									🔴	90%	BAU is currently under strain across all departments/service areas which is having a knock on effect.	
SbCS1	Number of complaints received (cumulative, quarterly)	80			NA			87								NA	Data Only	Data Only	
SbCS2	New measure for compliments - t.b.a.	TBA	NA	NA	NA	NA	NA	NA								NA	TBA	Currently working out how to report this.	
JtLD1 (C)	Client satisfaction with the shared service. Percentage satisfied or very satisfied.	98%			NA			100%								🟢	98%	Target achieved.	
SbLD1	Percentage of canvass forms returned	94%														NA	94%	Not reported this quarter	
SbLD2	Standard searches carried out within 5 working days (cumulative)	100%	100%	100%	100%	100%	100%	100%								🟢	100%	Target achieved.	
SbLD3	Standard searches carried out within 10 working days (cumulative)	100%	100%	100%	100%	100%	100%	100%								🟢	100%	Target achieved.	
Healthy communities																			
SbCL1a	Customer satisfaction rating at the Beacon Centre.	84%														NA	85%	Annual indicator	
SbCL1b	Customer satisfaction rating at the Evreham Centre.	82%														NA	82%	Annual indicator	
JtLI1 (C)	Percentages of licences received and issued/renewed within statutory or policy deadlines (cumulative).	97%			99.1%			98.8%								🟢	97%	Target achieved.	
SbEH1	Percentage of food hygiene inspections of category A – D food businesses achieved against the inspections due by quarter	91%			100%			100%								🟢	96%	Target achieved.	
NEW PI SbEH2	Percentage of food premises improving their Food Hygiene Rating from 0-2 rating to achieve rating of 3 and above	NEW PI			5.3%			12.5%								🔴	50% annual target / 12.5% per quarter	There are a multitude of external factors that affect this PI. As a re-inspection is not mandatory, the cost, lack of time, and the fact that some premises attract customers despite of their rating, means they often will not reapply for inspection. It is important to note that the Environmental Health team do revisit to ensure compliance so there is no public safety risk.	
SbHS2	Number of affordable homes delivered by (i) new build (ii) vacancies generated by local authority scheme (iii) acquisition of existing properties for social housing (cumulative)	22 5.5/qtr			30			90								🟢	22 5.5/qtr	Total comprises (i) 90 new L&Q units at Denham site (63 x rent and 27 x shared ownership) (ii) 0 vacancies and (iii) 0 acquisitions	
SbHS3	Average Length of stay in B & B temporary accommodation for all households (snapshot at end of period)	22			12			6								🟢	22 weeks	11 B&B placements ended during Quarter 2 with an average stay of 6 weeks per placement	
SbHS4	Number of private sector dwellings vacant for more than 6 months and returned to occupation following local authority intervention	15														NA	15	Annual indicator	
SbHS9	Total Number of homelessness case decisions (monthly)	DATA ONLY	4	9	1	12	2	6								Data only	DATA ONLY	6 applications determined following end of homelessness relief duty	
SbHS10	Number of homelessness cases accepted for main housing duty (monthly)	DATA ONLY	4	7	1	10	2	3								Data only	DATA ONLY	3 of the 6 cases receiving a final duty decision were accepted for the main housing duty	
SbHS11	Average time to issue decision on all homelessness applications (monthly)	DATA ONLY	22	4	2	5	5	11								Data only	DATA ONLY	Average time to issues main duty decision following end of relief duty was 11 working days	
SbHS12	% of applications decided within 33 working days (monthly)	DATA ONLY	75%	100%	100%	91%	100%	100%								Data only	DATA ONLY	All applications had the final duty decision determined within 33 working days of relief duty ending	
SbHS13	% of Homelessness Applicants who had a local connection to South Bucks (monthly)	DATA ONLY	75%	100%	100%	84%	100%	100%								Data only	DATA ONLY	All applicants had a local connection to South Bucks	
SbHS14	% of Homelessness Applicants who had rent arrears on former tenancy (monthly)	DATA ONLY	0%	0%	0%	8%	0%	16%								Data only	DATA ONLY	1 applicant had rent arrears on a former tenancy	
SbHS15	% of Homelessness Applicants with multi-agency involvement (monthly)	DATA ONLY	75%	44%	0%	16%	50%	33%								Data only	DATA ONLY	2 out of 6 applicants had multi agency involvement	
SbHS16	Average length of stay in temporary accommodation (monthly)	DATA ONLY	7	14	14	5	6	15								Data only	DATA ONLY (weeks)	4 x nightly booked placements ended during September with an average stay of 15 weeks per placement.	
Planning and Economic Development																			
JtBC1 (C)	Applications checked within 10 working days (cumulative)	92%	100%	95.3%	98.2%	97.4%	97.6%	93.5%								🟡	95%	Target achieved.	
JtBC2 (C)	Customer satisfaction with the building control service. (cumulative)	92%	100%	100%	100%	100%	100%	95.7%								🟢	92%	Target achieved.	
JtENF1(C)	Number of new enforcement cases received (monthly)	DATA ONLY	52	62	65	50	56	58								DATA ONLY	DATA ONLY	DATA ONLY	
JtENF2 (C)	Number of closed cases (monthly)	DATA ONLY	53	64	66	37	62	82								DATA ONLY	DATA ONLY	DATA ONLY	
JtENF3 (C)	Number of PCNs (or S330s) issued (monthly)	DATA ONLY	0	0	0	0	0	0								DATA ONLY	DATA ONLY	DATA ONLY	

Appendix

Code	Title	Target 2018/19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	2019/20	Traffic Light	Target 2019/20	Comments	
JENF4 (C)	Number of notices served (monthly)	DATA ONLY	0	1	1	0	0	0								DATA ONLY	DATA ONLY	DATA ONLY	
SbPED1	Percentage of planning applicants who are satisfied or very satisfied with the planning service	85%	NA	NA	NA	NA	NA	NA								NA	85%	Service looking into how to carry these surveys out.	
SbPED2	Planning appeals allowed (cumulative)	35%			9.1%			19.2%								☑	35%	5 of 26 allowed or part allowed appeals (cumulative total) 4 of 15 allowed or part allowed appeals (quarter total) Note: How this indicator is calculated has been revised. This includes, all appeal types. Appeals against -Refusal of planning permission, -Imposition of conditions -Non-determination -Enforcement notices All applications that have development types that are reported to the Government on the PS2 return and PS1, questions 6 and 7 and all appeals against enforcement	
SbPED45	2020 Majors speed of planning decisions – special measures 2 year assessment period ending Sep 19 (cumulative, monthly)	60.00%	93.9%	94.4%	94.6%	95.2%	95.5%	95.8%								☑	60.00%	68 of 71 speed Applications determined: Major Decision period: Oct 2017 - Sep 2019 SPEED Target: 60% or more	
SbPED46	2020 Non-Majors speed of planning decisions – special measures 2 year assessment ending September 2019 (cumulative, monthly)	70.00%	88.6%	89.0%	89.2%	89.6%	89.9%	90.1%								☑	70.00%	1923 of 2234 Applications determined: Non-Major Decision period: Oct 2017 - Sep 2019 SPEED Target: 70% or more	
SbPED47	2020 Majors quality of planning decisions – special measures 2 year and 9 month assessment period ending December 2019 (cumulative, monthly)	9.99%	5.6%	5.6%	5.6%	5.6%	5.6%	5.6%								☑	9.99%	3 of 54 Application allowed/part allowed on appeal: Major Decision period: Apr 2017 – Mar 2019 Appeal period: Apr 2017 – Dec 2019 QUALITY Target: less than 10%	
SbPED48	2020 Non-Majors quality of planning decisions – special measures 2 year and 9 month assessment period ending December 2019 (cumulative, monthly)	9.99%	0.6%	0.7%	0.7%	0.7%	0.7%	0.7%								☑	9.99%	16 of 2283 Application allowed/part allowed on appeal: Non-Major Decision period: Apr 2017 – Mar 2019 Appeal period: Apr 2017 – Dec 2019 QUALITY Target: less than 10%	
SbPED49	2021 Majors speed of planning decisions - special measures 2 year assessment period ending Sep 2020 (cumulative monthly)	60%	96.2%	96.8%	97.0%	97.4%	97.7%	97.9%								☑	60%	47 of 48 speed Applications determined: Major Decision period: Oct 2018 - Sep 2020 SPEED Target: 60% or more	
SbPED50	2021 Non-Majors speed of planning decisions - special measures 2 year assessment period ending Sep 2020 (cumulative monthly)	70%	93.3%	93.8%	93.8%	94.0%	94.5%	94.6%								☑	70%	954 of 1009 speed Applications determined: Non-Major Decision period: Oct 2018 - Sep 2020 SPEED Target: 70% or more	
SbPED51	2021 Majors quality of planning decisions - special measures 2 year & 9 month assessment period ending Dec 2020 (cumulative monthly)	9.99%	0.00%	0.00%	0.00%	0.00%	1.89%	1.75%								☑	9.99%	1 of 57 Application allowed/part allowed on appeal: Major Decision period: Apr 2018 – Mar 2020 Appeal period: Apr 2018 – Dec 2020	
Environment																			
SbWR1	Number of household collections missed per month (calculated by P&C team on weekly basis)	100	97	94	94	69	68	99								☑	100	Target achieved	
SbWR4	No of missed assisted collections (monthly)	35	25	24	26	24	26	12								☑	35	Target achieved	
SbSE1	Cumulative CO2 reduction from local authority operations from base year of 2008/09	12%														NA	12%	Reported annually	

REPORT SUBJECT:	<i>South Bucks District Council – TPO Statistics and enforcement</i>
REPORT OF:	<i>Cllr John Read - Portfolio holder for Planning and Economic Development</i>
RESPONSIBLE OFFICER	<i>Cathy Gallagher – Interim Head of Planning and Economic Development</i>
REPORT AUTHOR	<i>Darran Eggleton – Planning Enforcement Manager</i>
WARD(S) AFFECTED	<i>Report applies to whole district</i>

1. Purpose of Report

This report sets out how alleged unauthorised tree work is investigated, the volume of cases investigated and the expediency of appropriate enforcement action is duly considered. All cases involve the Councils tree officer in providing arboricultural advice on the works undertaken. The report also sets out the current number of TPO's in the district as well as the determining factor when deciding whether or not to take formal enforcement action.

RECOMMENDATION

That the Committee note the volume, process and outcome of cases investigated.

2. Executive Summary

Due to the manner in which planning enforcement cases have been historically logged on the team database, specific case information and precise case numbers over a number of years is difficult to extract. The content of this report therefore predominantly refers to data over the past 5 years unless it states otherwise.

Within that 5-year period, South Bucks District Council received and investigated 180 allegations of unauthorised works to trees. These cases included all alleged works to trees including TPO trees, trees in Conservations Areas, Protected Woodlands, Hedgerows, non-compliance with tree conditions etc.

The team has analysed the data over that 5 year period and identified that 55 of those 180 cases related to allegations of unlawful works to TPO tree or trees in a conservation area.

3. Case review and analysis

A review of the 55 cases has been undertaken and a summary of which can be found at appendix 1.

Having reviewed the reasons for closure in the 55 relevant cases it is apparent that the majority of cases investigated turned out to be where no breach of planning control is occurring. In fact, over 55% were not a breach of planning control. The reasons cited vary but most relate to planning permission already being granted for the works or the trees in questions not covered by TPO.

Members will note from table 1 below that 19 cases of the 55 were closed due to the matter not being expedient to pursue. The reasons cited appear in column 8 of the table in appendix 1 and vary considerably. Further commentary on expediency follows further in this report.

Table 1

	2015-16	2016-17	2017-18	2018-19	2019-20	Total
No Breach	5	2	4	8	11	30
Not expedient	9	4	2	2	2	19
Breach Resolved	0	2	0	1	1	4
No Further Action	0	0	1	0	0	1
Still being investigated	0	0	0	0	1	1
Total	14	8	7	11	15	55

4. Investigation Process

Upon receipt of an allegation of unlawful work to a protected tree, the planning enforcement team log details of the allegation on the council's database. All cases involving the alleged unauthorised works to a protected tree are given top priority and, once a desktop triage has taken place, the site is visited the same day. In most cases the site will be visited jointly by a Planning Enforcement Officer and a Tree Officer and the visit will be undertaken as a matter of urgency.

Upon arrival at the site, officers assess the work that has been undertaken and begin a "who, why what, where and when" investigation to establish if the work being carried out is unlawful. If officers consider that a criminal offence is likely to have been committed, Officers will caution those responsible at the site and gather evidence, of the offence. If no one is on site officers will ascertain land owner information from the Land Registry and contact the land owner. Any information gathered from the site visit including written statements and photography are appropriately recorded as part of the site investigation.

At this point the tree officer will consider whether the trees are actually protected by a Tree Preservation Order or whether the works undertaken are exempt/exception as outlined under the Town and Country Planning Regulations 2012. The Officers will start to form an opinion as to the best next steps as part of the investigation. Notwithstanding any offences being committed, the main point for consideration is whether, had an application been submitted prior to the works taking place, that application would have been refused. This assessment forms an integral element to consider in the investigation and it helps inform Officers with regards to next steps of this investigation as part of expediency tests.

In most cases, officers will instruct that all works will be ceased until the matter can be concluded.

The next steps may be one or more of a number of different options. These are:

- No further action (no breach or not expedient to pursue)
- Warning letter (not expedient to pursue)
- Replacement tree planting agreement (or notice)
- Formal legal action (prosecution)

Officers will investigate the circumstances around the tree works and will try to identify the persons responsible. In some cases, officers will carry out a recorded interview with the tree surgeons and/or the land owner.

The officers will then move to pursuing one or more of the above next steps.

Conservation Area Trees

Trees with a diameter of over 75mm measured at 1.5m from the ground are protected by the conservation area in so far as any works require a six weeks written notice to the Council to consider whether a new Tree Preservation Order should be made prior to any tree work is undertaken. There are a number of exceptions to this requirement as outlined in the Town and Country Planning Regulations 2012.

In order to fell or carry out works to a tree situated within a Conservation Area, the owner should submit a six weeks written notice (application) to the Council. It is worth noting at this point that the Council only have 2 options upon determining such an application. Those options are to either raise no objection or to impose a Tree Preservation Order. In order to impose a Tree Preservation Order, the tree must have appropriate amenity value. In many cases trees may not be deemed to be of high amenity value.

Blanket TPO's

South Bucks District Council has 1075 Tree Preservation Orders. Many of these Orders are known as Area (blanket) designated Orders covering large areas of land. In such areas, prior consent is required to fell any tree. However, it should be noted that when assessing the impact of a felled or pruned tree, the officers must consider the amenity value of that felled tree and effect on the surrounding area. The other point for members to note is that trees which were not present at the time of the Order being served by the council are not covered within the protection of the Order so not all trees within large sites are legally protected.

Reaction to a felled tree and formal legal action

Once the Council is aware of an unlawful felling/pruning of a protected tree and there is sufficient evidence to meet the evidential and public interest tests formal legal action must be commenced within the statutory time period set out in the legislation.

Of the 55 cases TPO or Conservation Area allegations logged and investigated over the past 5 years, 14 were founded allegations where officers established that unauthorised tree works had taken place. Of those 14 cases, legal advice was sought on 4 cases but none were pursued to formal action. A breakdown and analysis of those forwarded to the legal department can be found at Table 2 below.

Table 2

Case reference	Date case received	Date case Closed	Alleged breach reported	Case status	Reason for closure	Legal consulted	Notes
EN/18/2290	11/12/2018	20/02/2019	without planning permission, the reduction in height of a tree within a conservation area	CLOSED	Not expedient	Y - high potential for legal challenge which Council would likely lose	Planning permission granted for 50% reduction contrary to Tree officer recommendation of 30%.
17/10082/ENTPO	04/04/2017	14/02/2018	Without Consent, unauthorised works to trees inside a Conservation Area.	CLOSED	No further action	Y - TPO prosecution pack requested, no formal instructions were then given	Prosecution became time barred and the case therefore closed
15/10110/ENTPO	02/07/2015	20/10/2016	Alleged felled protected cedar tree.	CLOSED	Not expedient	Y - advised not to prosecute	PACE interview undertaken, replanting works agree to be carried out
15/10195/ENTPO	12/11/2015	21/12/2017	Alleged removal of Douglas Fir (SBDC TPO No 12, 2002)	CLOSED	Not expedient	Y - advised not to prosecute	insufficient evidence to pursue and the case is now time barred from prosecution, In the meantime a replanting agreed

Whilst there have been no legal actions pursued in relation to unlawful felling of trees in at least the last 5 years, members should note that formal legal action does not necessarily go hand in hand with the unlawful felling of a protected tree. Ultimately, the investigation and amenity value of the tree is duly considered to determine the appropriate action.

Replacement Tree

Notwithstanding any offences committed, if a protected tree is removed uprooted or destroyed, the owner of the land has a legal duty to replace the tree under s206 and s213 of the Act. If satisfactory replacement is not carried out, the Council can serve a formal Replanting Notice under Section 207 requiring the replacement to be carried out in a specified timeframe. Failure to comply with the Notice will give the Council the powers to carry out the works under s209 of the Act and recover the costs.

Going forward.

Any allegations of tree works will continue to be given the highest priority and investigated within 24 hours of receipt. This investigation will continue to be jointly undertaken by the planning enforcement and tree officers, with the tree officers providing expert arboricultural advice.

Members can be assured that where unacceptable works to a tree(s) have taken place, and it is expedient to pursue action, and it is in the public interest to do so, then the Council will pursue offenders in the strongest possible terms and will seek to recover any financial costs incurred in doing so.

Request for TPO

As trees grow, they gain amenity value in their locality and despite their value and appreciated aesthetics, they may not have protection from felling. However, the Council must still justify imposing a Tree Preservation Order. The Council will only make a Tree Preservation Order if it can be demonstrated that the tree is 'at risk' and that the tree is worthy of protection. The tree must be able to be seen from a public place and that its removal or pruning would significantly harm the appearance of the area. Any trees subject to a request for a new Tree Preservation Order will be inspected by the tree officer and an amenity value assessment (size, form, condition, suitability) will be undertaken. If a new TPO is recommended by the tree officer this assessment/recommendation is passed to a delegated officer to determine decision accordingly.

5. Options

Not applicable.

6. Corporate Implications

Not applicable

8. Links to Council Policy Objectives

Not applicable

9. Next Step

Once approved, this report and appendices will be published on the website.

Background Papers:	N/A
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Case reference	Date rec'd	Date closed	Alleged Breach	Status	Reason closed	Legal Referral	Notes
April 2015 - Mar 2016							
15/10065/ENTPO	22/04/2015	08/01/2018	Alleged unauthorised felling of protected oak tree.	CLOSED	Not expedient - lack of evidence		Lack of evidence
15/10080/ENTPO	01/06/2015	15/06/2015	Alleged cutting trees protected under a TPO.	CLOSED	Not expedient - minor works		minor works
15/10104/ENTPO	01/07/2015	23/07/2015	Alleged fire damage to protected trees.	CLOSED	No breach established		no evidence of harm
15/10110/ENTPO	02/07/2015	20/10/2016	Alleged felled protected cedar tree.	CLOSED	Not expedient	Y - advised not to prosecute	PACE interview, replanting works agreed to be carried out
15/10111/ENTPO	10/07/2015	20/07/2015	Alleged felling of protected oak tree	CLOSED	No breach established		removal agreed under planning permission
15/10112/ENTPO	13/07/2015	20/07/2015	Alleged pruning of regenerating Sycamore (Area TPO 01, 1955).	CLOSED	Not expedient		minor works would have been consented to
15/10120/ENTPO	23/07/2015	27/07/2015	Alleged damage to roots of a protected tree	CLOSED	No breach established		
15/10121/ENTPO	23/07/2015	09/03/2017	Alleged removal of protected Maple trees.	CLOSED	Not expedient		diseased
15/10137/ENTPO	25/08/2015	26/10/2015	Alleged damage to protected Cherry Tree	CLOSED	Not expedient - poor condition		Warning issued
15/10168/ENTPO	27/10/2015	26/11/2015	Alleged unauthorised works to protected trees under TPO 07, 1989.	CLOSED	Not expedient		Warning issued
15/10195/ENTPO	12/11/2015	21/12/2017	Alleged removal of Douglas Fir (SBDC TPO No 12, 2002)	CLOSED	Not expedient	Y - advised not to prosecute	too old, insufficient evidence. Replanting agreed
15/10210/ENTPO	16/12/2015	26/10/2017	Alleged felled protected trees	CLOSED	Not expedient		too old, insufficient evidence
16/10037/ENTPO	29/02/2016	30/08/2017	Alleged unauthorised removal of protected trees	CLOSED	No breach established		removed trees agreed under PP
16/10039/ENTPO	03/03/2016	26/10/2017	Alleged removal of TPO.	CLOSED			

April 2016 - Mar 2017							
16/10069/ENTPO	18/04/2016	16/04/2018	Alleged removal of protected trees and extension of residential curtilage.	CLOSED			Duplicate case
16/10152/ENTPO	22/08/2016	26/06/2017	Alleged removal of a protected tree.	CLOSED	Breach Rectified		Diseased tree marked for retention being replaced
16/10184/ENTPO	22/09/2016	28/10/2016	Alleged unauthorised works to a protected tree.	CLOSED	Not expedient		no damage evident, tree protection condition complied with
16/10185/ENTPO	07/09/2016	21/11/2016	Alleged unauthorised removal of Protected Trees	CLOSED	Not expedient		agreed replacement trees to be planted
16/10190/ENTPO	14/10/2016	02/11/2016	Alleged unauthorised works to protected trees	CLOSED	Not expedient		Works would have rec's consent, warning letters sent
16/10198/ENTPO	18/10/2016	19/10/2016	Alleged works to protected trees	CLOSED	No breach established		tree not subject of TPO
16/10207/ENTPO	18/10/2016	19/01/2018	Alleged unauthorised removal of trees in a Conservation Area	CLOSED	Not Expedient		Trees to be removed under PP and replanting (Condition)
16/10209/ENTPO	24/10/2016	30/01/2017	Alleged unauthorised removal of protected trees.	CLOSED	Breach Rectified		Trees replaced
April 2017 - Mar 2018							
17/10082/ENTPO	04/04/2017	14/02/2018	Without Consent, unauthorised works to trees inside a Conservation Area.	CLOSED	No further action	Y - TPO prosecution pack requested, no formal instructions were then given	
17/10083/ENTPO	04/04/2017	08/06/2018	Without Consent, unauthorised works to protected trees	CLOSED	Not expedient		Warning letter to be sent

17/10148/ENTPO	13/06/2017	16/08/2017	without Consent the unauthorised removal of trees protected by an Area TPO. Also, a further allegation that Conditions related to PP ref: 14/01492/FUL are being breached	CLOSED	No breach established		scrub clearance only
17/10149/ENTPO	13/06/2017	13/06/2017	Evaluate unlawful work to protected beech trees	CLOSED	Not expedient		works exempt
17/10228/ENTPO	04/09/2017		Without Consent the removal of 50+ trees from the railway embankment within the Conservation Area.	REC	No breach established		Network rail had powers under Railway Act and as statutory undertaker
17/10273/ENTPO	18/10/2017		Alleged unauthorised removal of a Protected tree.	PCO			Replanting agreed, site visit required to see if undertaken
17/10312/ENTPO	28/12/2017	18/01/2018	Without TPO consent works to a protected tree	CLOSED	No Breach Established		no TPO on site
18/10017/ENTPO	26/01/2018	30/04/2019	Without TPO consent works to a protected tree	CLOSED	Other		no details of any works being undertaken to trees
April 2018 - Mar 2019							
18/10123/ENTPO	10/05/2018	18/07/2018	Without consent, TPO works	CLOSED	No breach established		consent granted under 17/01948/TPO
EN/18/2035	19/06/2018	28/05/2019	Without tree consent, works to TPO trees	CLOSED	No Breach Established		
EN/18/2087	18/07/2018	04/04/2019	Without consent, works to trees and excavation and alteration of grounds levels	CLOSED	No breach established		Subject trees not in CA or covered by TPO
EN/18/2141	23/08/2018	21/09/2018	Alleged unauthorised works to trees covered by a TPO	CLOSED	No breach established		
EN/18/2222	18/10/2018	05/11/2018	Without planning permission, the removal of a Lombardy Poplar tree covered by a TPO	CLOSED	Not expedient		Tree had split (damaged)

EN/18/2290	11/12/2018	20/02/2019	without planning permission, the reduction in height of a tree within a conservation area	CLOSED	Not expedient	Y - high potential for legal challenge which Council would likely lose	procedural issues
EN/19/0037	30/01/2019	27/06/2019	Non compliance of conditions TPO PP's PL/17/01401/FUL PL/18/4131/CONDA PL/18/4395/VRC TPO's on file.	CLOSED	Breach rectified		Tree protection installed
EN/19/0038	01/02/2019	20/02/2019	Developer removed trees between Compainant and developement causing bedroom and other rooms to be overlooked	CLOSED	No breach established		Area replanted in accordance with PP
EN/19/0070	27/02/2019	01/03/2019	Alleged disturbance of soil exposing roots of a tree subject to a TPO in planning permissions PL/18/3940/FA and PL/18/4156/CONDA .	CLOSED	No breach established		No breach of control
EN/19/0104	12/03/2019	14/03/2019	Alleged work to trees within green belt where trees are covered by TPO's	CLOSED	No Breach Established		no works to TPO trees
EN/19/0122	19/03/2019		Alleged damage to trees as a result of significant earth moving.	PCO	No Breach Established		No breach of control
April 2019 - Mar 2020							
EN/19/0167	04/04/2019	04/04/2019	Alleged unauthorised works to TPO trees.	CLOSED	No breach established		Not TPO or CA trees
EN/19/0169	09/04/2019	23/04/2019	Without written notification, alleged removal of trees in rear garden (within conservation area)	CLOSED	No breach established		Works to hedge
EN/19/0171	10/04/2019	12/04/2019	Alleged works to trees with TPO's without planning permission.	CLOSED	No breach established		All TPO trees intact, no recent works
EN/19/0172	10/04/2019	25/04/2019	Alleged damage to tree roots covered by TPO's.	CLOSED	No breach established		works outside tree protection area, in proximity to Laural hedge but this is not subject of protection

Appendix

EN/19/0206	29/04/2019	29/04/2019	Alleged removal of trees and laying of hardstanding without planning permission in a Conservation area.	CLOSED	Not expedient - some duplication of EN/19/0193 re. removal of hedge		Tree is CA but not worthy of TPO
EN/19/0222	07/05/2019	07/05/2019	Works to protected pine tree T47 with lower branches being removed.	CLOSED	Not expedient		Unlikely that consent would have been refused
EN/19/0228	09/05/2016	28/11/2019	Alleged breach of planning permission 13/01546/FUL relating to the tree retentions and draft protection plan not being adhered to.	CLOSED	Breach rectified		Soil around TPO tree removed
EN/19/0278	06/06/2019	07/06/2019	Alleged breach of planning permission 17/00869/FUL condition 8.	CLOSED	Not expedient		Some trees not TPO others are to be replaced
EN/19/0291	11/06/2019	11/06/2019	Alleged unauthorised tree felling in a conservation area.	CLOSED	No breach established		Recorded as ENQ
EN/19/0311	19/06/2019	25/09/2019	Alleged works to trees not following planning permission PL/18/4691/KA	CLOSED	No breach established		Duplicate of EN/19/0291
EN/19/0312	19/06/2019	19/12/2019	Alleged removal of trees subject to a TPO.	CLOSED	Not expedient		Replanting undertaken
EN/19/0324	24/06/2019	24/06/2019	Alleged breach of planning permission 15/2395/REM removing an Elder tree.	CLOSED	No breach established		Approved under PP
EN/19/0356	11/07/2019	11/07/2019	Alleged breach of planning permission 18/00663/FUL alleging removing large limbs from a large oak tree.	CLOSED	No breach established		Accords with PP 18/00663/FUL and PL/18/3849/C ONDA Hedge
EN/19/0448	02/09/2019	02/09/2019	Possible removal of TPO tree, not included in application PL/19/2677/FA.	CLOSED	No breach established		removed only, not TPO trees
EN/19/0451	04/09/2019	13/09/2019	Alleged removal of Oak tree without planning permission.	CLOSED	No breach established		No breach of control
EN/19/0484	17/09/2019	17/09/2019	Alleged breach of planning permission 15/01268/FUL via GXPC consultation that a tree had been felled not according to plan.	CLOSED	Not expedient		Condition not enforceable

Appendix

EN/19/0485	17/09/2019	02/10/2019	Alleged breach of planning permission PL/18/2854/KA removing a maple tree not on the plan at the rear of the property.	CLOSED	Not expedient		Accords with PP - replacement trees to be planted
EN/19/0525	03/10/2019		Alleged works to trees without planning permission where a blanket TPO SBDC/8909 is confirmed.	PCO			Still under investigation
EN/19/0563	25/10/2019	28/10/2019	Alleged works to trees covered by Blanket TPO without the benefit of planning permission.	CLOSED	No breach established		Subject trees not covered by TPO
EN/19/0567	28/10/2019	15/11/2019	Alleged breach of planning permission PL/19/3467/TP not yet decided.	CLOSED	Not expedient		Trees replaced, no harm to amenity



Buckinghamshire County Council
Select Committee
 Health and Adult Social Care

Minutes

HEALTH AND ADULT SOCIAL CARE SELECT COMMITTEE

Minutes from the meeting held on Thursday 19 September 2019, in Mezzanine Room 1, County Hall, Aylesbury, commencing at 10.02 am and concluding at 12.45 pm.

This meeting was webcast. To review the detailed discussions that took place, please see the webcast which can be found at <http://www.buckscc.public-i.tv/>
 The webcasts are retained on this website for 6 months. Recordings of any previous meetings beyond this can be requested (contact: democracy@buckscc.gov.uk)

MEMBERS PRESENT

Buckinghamshire County Council

Mr M Appleyard (In the Chair)
 Mr R Bagge, Mr S Lambert, Mr D Martin and Julia Wassell

District Councils

Ms T Jervis	Healthwatch Bucks
Mr A Green	Wycombe District Council
Ms J MacBean	Chiltern District Council

Members in Attendance

Ms L Hazell, Buckinghamshire County Council
 Mr G Williams, Buckinghamshire County Council

Others in Attendance

Mrs E Wheaton, Committee and Governance Adviser
 Ms J Bowie, Director of Integrated Commissioning
 Dr J O'Grady, Director of Public Health
 Ms L Spencer, Lead Transformation Officer

1 APOLOGIES FOR ABSENCE / CHANGES IN MEMBERSHIP

Apologies were received from Mr W Bendyshe-Brown, Mrs P Birchley, Mrs L Clarke OBE, Mr C Etholen, Mr B Roberts, Ms S Jenkins, Dr W Matthews and Mr N Shepherd.

Ms J MacBean substituted for Mr N Shepherd.



South Bucks
 District Council



2 DECLARATIONS OF INTEREST

Julia Wassell declared an interest in item 7 as she worked for Mind, mental health services in Wycombe.

Mr R Bagge declared an interest in item 8 as he was Chairman of a Public Health Advisory Committee at NICE which was investigating alcohol and the use of digital interventions.

Mr T Green declared an interest in item 8 as he was a designated supervisor for two licensed, charitable premises in Buckinghamshire.

3 MINUTES

The minutes of the meeting held on Tuesday 2nd July 2019 were agreed as a correct record.

Julia Wassell reported that a resident had further questions regarding ear operations and grommets and would send these to the Committee & Governance Adviser.

4 PUBLIC QUESTIONS

There were no public questions.

5 CHAIRMAN'S UPDATE

The Chairman updated the Committee on the following.

- Buckinghamshire Healthcare NHS Trust's Open Day and AGM would take place on Saturday 21st September between 11am-3pm at Stoke Mandeville Hospital;
- The Child Obesity RAG status would be attached to the minutes;
- An informal Scrutiny Chairman meeting was being arranged for the Buckinghamshire, Oxfordshire and Berkshire West (BOB) Integrated Care System.

6 COMMITTEE UPDATE

Ms T Jervis, Chief Executive, Healthwatch Bucks provided the following update.

- Two Healthwatch Bucks reports had been published – Outpatient services (feedback from Stoke Mandeville, Amersham and Wycombe Hospitals) and Live Well, Stay Well;
- Healthwatch Bucks had been shortlisted for a national award in recognition for their work around readability;
- Recruitment was underway for a new chief executive.

7 ADULT SOCIAL CARE TRANSFORMATION - TIER 3

The Chairman welcomed Lin Hazell, Cabinet Member for Health & Wellbeing, Ms J Bowie, Service Director, Integrated Commissioning and Ms L Spencer, Lead for Transformation.

The following main points were made during the discussion.

- The transformation programme was organised into three tiers:
 - Living Independently (Tier 1);
 - Regaining Independence (Tier 2);
 - Living with Support (Tier 3).
- There were 9 workstreams within Tier 3, as follows:
 - Prevention Commissioning;
 - Mental Health services;

- Direct Care and Support;
 - Housing and Equipment;
 - Planned reviews of existing care packages;
 - Transport;
 - Direct Payments;
 - New Learning Disability service model;
 - Continuing Health Care – create a single point of access for providers and reduce duplication.
- A Member commented that the use of acronyms and structure of the report made it difficult to understand how many clients were affected by the proposed changes in services, what the actual spend was in each area and the impact of the service improvements on the clients. Ms Bowie agreed to look into this and come back with the number of clients and the actual spend in each area.

ACTION: Ms Bowie

- The Better Lives Strategy was about making sure individual service users had better experiences.
- A Member sought assurance that the transformation work being undertaken was delivering the right level of care deemed acceptable by service users and families. The Member commented that it was not just about delivering financial savings, the Committee needed to know that the quality of services had not been adversely affected.
- Ms Bowie confirmed that the Transformation Board had requested evidence on the impact of the service changes, to include feedback from users and carers as well as measuring the impact via key performance indicators.

ACTION: Ms Bowie

- A Member expressed concern about delivering the savings in this tier and asked particularly about the living with dementia financial savings in light of an increase in demand on services and the complexity of peoples' needs. Ms Bowie explained that the £285k savings sat within the mental health project overview and the savings would come from reviewing existing service users plans and looking at alternative provision. The savings would be made from offering more independent tenancies to service users who are currently in residential homes and other types of support. There would also be a review of s117 after care packages to ensure these were aligned with current policies and procedures.
- A Member commented that it was difficult to see how the Better Lives Strategy was being delivered across all the tiers and suggested that future presentations needed to include action plans for each tier with deliverables and timeframes, as well as budget savings. Ms Bowie confirmed that there should be consistent approach to reporting on the transformation programme.
- It was agreed that representatives from the HASC Select Committee would meet with Adult Social Care Officers to help shape and structure future reports on Transformation.

ACTION: Chairman/Committee & Governance Adviser/Jane Bowie

- A Member commented that “cuckooing” (where drug dealers take over the home of a vulnerable person) was a real concern and having a consistent team of social workers was important so that signs of this criminal activity could potentially be spotted more easily. The Member asked what was being done to address vacancies in the team. Ms Bowie responded by saying that there were challenges around this and the service was working hard with the HR team to fill the vacancies. Within the occupational therapy team, there was a “try before you buy” initiative in place and 6 OTs had been recruited as a result.

- It was acknowledged that getting the workforce mix right was important and there were training programmes in place for social workers and OTs.
- Ms Bowie confirmed that all the work streams involved partnership working and cited, by way of example, the s75 agreement with Oxford Health in delivering the mental health work stream.
- In response to a question about gaining feedback from service users and carers, Ms Bowie explained that both qualitative and quantitative feedback was obtained via a number of different routes, including Healthwatch Bucks and complaints and compliments directly to the service – the results of all feedback was triangulated. Ms Spencer added that frontline staff were also being asked for their feedback to help shape the service redesign.
- In response to a question about the s117 after care packages, Ms Bowie confirmed that the Council was reviewing their arrangements against best practice elsewhere to better understand and improve the effectiveness of care packages.
- A Member asked whether there were any particular areas of concern/challenges within the work streams. Ms Bowie highlighted the work around prevention and the challenges around some of the smaller, less connected communities that exist across the County. She went on to stress the importance of having strong transport links and work to find solutions around community transport was on the agenda.
- The virtual wallet for Direct Payments (DP) provision was being decommissioned and a new system called iCares was being rolled-out. The savings in this area would be made by reviewing users of DPs to see who had not used their allocated funding. Reviews of DPs should take place annually and work was underway to prioritise clients requiring a review.

The Chairman thanked the presenters.

8 PRE-DECISION SCRUTINY - RE-PROVISIONING OF RESIDENTIAL SHORT BREAKS (RESPITE) FOR OLDER PEOPLE

A Task & Finish Group was set-up to undertake pre-decision scrutiny on the proposals for the re-provisioning of residential short breaks (respite) for older people and adults with a learning, mental, sensory or physical disability.

Mr S Lambert, Chairman of the Task & Finish Group, updated the Committee on the key findings of the Group which were outlined in a letter to the Cabinet Member for Health & Wellbeing. The Cabinet Member responded by letter, both were attached to the papers for the meeting.

Committee Members thanked the Task & Finish Group for the work they had undertaken on this issue. Mrs Wheaton, Committee & Governance Advisor, was also thanked for her work in supporting the Task & Finish Group.

A Member asked for clarification around the recent decision to temporarily close Seeleys House and asked whether it included the Day Opportunities Centre. Ms Bowie confirmed that it was only the residential respite care service that was temporarily closed.

In response to a question about the level of involvement of the voluntary sector in the proposed changes, Ms Bowie confirmed that the key stakeholder groups had engaged in the process and had made a good contribution throughout the consultation. The service users and carers were thanked for providing valuable feedback during the initial consultation period. It was acknowledged that beneficial feedback had been gained as a result of extending the consultation for a further 6 weeks and focussing on the Aylesbury Opportunities Centre.

The proposal would be presented to Cabinet on Monday 30th September 2019 for a decision.

9 DIRECTOR OF PUBLIC HEALTH ANNUAL REPORT

The Chairman welcomed Mr G Williams, Cabinet Member for Community Engagement & Public Health and Dr J O'Grady, Director of Public Health.

The following main points were made during the discussion.

- 1 in 4 of Buckinghamshire residents were drinking at levels that could be harming their health. Most of the people drinking over the Chief Medical Officer's recommended weekly intake (14 units) were not dependent on alcohol.
- The proportion of people drinking over 14 units a week was highest in highest income households, older people (women 55 to 64 years and men 65-74 years) and men.
- The annual report provided an overview of alcohol in Buckinghamshire and the harms it can cause. It included stories from residents and frontline staff about the impact of alcohol on them.
- The report contained a number of recommendations to stimulate conversation and action across partners and communities in Buckinghamshire. The main aim was to increase awareness of safer drinking levels and what could be done to help reduce the harms from alcohol. There was a role for all partners in this, but particularly for frontline staff in health and social care to routinely ask the simple questions that might result in someone getting the help they need and changing their life for the better.
- In response to a question, Dr O'Grady confirmed that the Director for Public Health chose the topic for the annual report but used the priorities identified in the Joint Strategic Needs Analysis to highlight specific issues.
- A Member suggested "Nutrition and the effects of too much processed food" as a topic for a future annual report.
- Members discussed the benefits of lobbying Government and when the Government introduced policies around smoking, it had had an immediate effect.
- In response to a question around the social side of drinking, Dr O'Grady explained that her annual report was about helping people to make informed choices and to raise awareness around the safe levels of drinking alcohol.
- A Member suggested that leaflets should be sent to all households in Bucks informing people about the number of units and safe levels of alcohol.
- Concerns were raised around the effects of "hidden drinking" and it was acknowledged that this was a problem.
- Dr O'Grady explained that the annual report had been discussed and agreed at the recent Health & Wellbeing Board meeting so key partners were signed up to the recommendations. The report would also be discussed at the next Safer, Stronger Bucks meeting.
- The Cabinet Member said that partner workshops had been set-up to review the recommendations and develop specific delivery plans with timescales.
- A Member asked about the metrics being used to measure the success of the campaign. Dr O'Grady explained that data links were being developed, including capturing alcohol related admissions to A&E, deaths from cirrhosis of the liver and referrals to specialist services.
- In response to a question about the sustainability of funding for specialist services, Dr O'Grady clarified that the Government had committed to no cuts in Public Health funding and alcohol and substance misuse services were part of this funding.
- A Member commented that Buckinghamshire receives less funding than other areas due to its perceived affluence but there were still health inequalities across the County. The Member suggested lobbying Government for more funding to help address the inequalities.
- Dr O'Grady agreed to send the infographics to health partners to help publicise the key messages and provide signposting to specialist services.

ACTION: Dr O'Grady

The Chairman thanked the presenters.

10 COMMITTEE WORK PROGRAMME

The Committee noted the items for the November meeting:

- Temporary closure of Chartridge Ward, Amersham Hospital;
- Support for Carers Inquiry – 6 month recommendation implementation monitoring.

Members discussed possible items for the February meeting (date to be agreed) as this would be the last formal meeting before the Unitary council comes into being on 1 April 2020.

- A composite report on ASC Transformation, which tells a story of the success of the transformation programme across the tiers, from a service user viewpoint;
- An update on the Primary Care Networks, including evidence of progress to date and patient improvements;
- Buckinghamshire, Oxfordshire and Berkshire West (BOB) Integrated Care System and the alignment of priorities within the long term plan;
- Community hubs – plans for further roll-out across the county;
- Digital strategy – how the improvement plans impact on Bucks residents.

11 DATE AND TIME OF NEXT MEETING

The next meeting is due to take place on Thursday 14th November 2019 at 10am in Mezzanine Room 1, County Hall, Aylesbury.

CHAIRMAN

**Scrutiny Inquiry Progress Update on Recommendations made in the Child Obesity Inquiry report
Interim Progress Report (9 months)**

Select Committee Inquiry Report Completion Date: October 2018

Date of this update: July 2019


Lead Officer responsible for this response: Lucie Smith (Rec 1, 2, 5, 6, 7, 10, 11a, 11b, 11c) , Nathan Whitley (Rec 3), Richard Nash (Rec 4), Sarah Callaghan (Rec 8, 9, 11a)




Cabinet Member that has signed-off this update:



Gareth Williams (Cabinet Member for Community Engagement and Public Health) (seen at CHASC BU Board 30th May)



Anita Cranmer (Cabinet Member for Education & Skills)



Warren Whyte (Cabinet Member for Children’s Services)


Accepted Recommendations	Original Response and Actions	Progress Update	Committee Assessment of Progress (RAG status)
<p>1: That the Council develops a vision for tackling child obesity – “Everyone’s Responsibility” to include:</p> <p>Setting-up a Healthy Communities Partnership sub-group to develop a co-ordinated “Child Healthy Eating Action Plan” with a 1-2 year delivery plan which aligns with the Government targets to reduce child obesity.</p>	<p>The Council will request that partners on the Health and Wellbeing Board commit to developing a multiagency action plan via the Healthy Communities Partnership (HCP). However this will also need to involve schools and early year’s settings.</p> <p>The development of a plan depends on the capacity of partners and internal stakeholders to support it. Any plan will take account of available resources to ensure the action plan is realistic and achievable.</p>	<p>The Healthy Communities Partnership (HCP) agreed to develop a Child Healthy Eating Action Plan at their meeting on the 14th March 2019.</p> <p>Work is currently underway to develop a draft plan. Meetings are taking place with partners outside of the HCP to ensure their contribution to this agenda is captured.</p> <p>The action plan will take a whole system approach in line with latest guidance, and will be an opportunity to identify gaps and areas for development taking account of available resources. The final action plan will be completed July 2019.</p>	<p align="center"></p> <p>(need to see evidence of a timeline for the action plan)</p>


Accepted Recommendations	Original Response and Actions	Progress Update	Committee Assessment of Progress (RAG status)
2: That progress on delivery of the action plan be reported to the Health & Wellbeing Board on an annual basis.	This depends on whether partners agree to develop a children and young people healthy eating action plan.	Once the action plan has been developed progress will be reported to the Health and Wellbeing Board.	 (depends on the action plan)
3: (As Corporate Parents) To develop a healthy eating/cooking section in the induction pack for all Fostering and Adoption Families and signpost to support services.	Information on healthy eating, cooking and local services will be distributed to existing carers, parents and special guardians and included in the induction material for people newly approved. This information will be drawn from existing sources to ensure messages are clear and concise.	Information on healthy eating, cooking and local services is included in each edition of the biannual newsletter for foster carers. In addition, the fostering team are currently working with public health to agree the information to be included in induction packs. <i>NB:</i> <ul style="list-style-type: none"> • All foster carers and adoptive parents undergo thorough assessment and preparation training which includes reference to healthy lifestyles. • All BCC residential care homes are Ofsted inspected which includes assessment of how a healthy lifestyle is encouraged and supported. The first of our new children's home was inspected in May 2019 and inspectors reported that: <ul style="list-style-type: none"> ○ 'Children's health and well-being are promoted successfully and planned for well.' ○ 'Healthy eating is promoted.' 	
4: (As Corporate Parents) To introduce a dashboard metric to show the proportion of children in care who are obese and overweight with regular reporting to the	The Corporate Parenting Panel reviews the health of its children annually and will include a healthy weight as part of this.	All children and young people who are in care are weighed and measured as part of their regular health assessment, either six monthly (under the age of 5) or annually (between 5 and 18 years old). This is to ensure their height and weight progress as expected. Children Services and LAC Health will collect all data about	 (need to see evidence)


Accepted Recommendations	Original Response and Actions	Progress Update	Committee Assessment of Progress (RAG status)
Corporate Parenting Panel on progress on specific action plans.		the weight of our children and provide the Corporate Parenting Panel with a yearly report on this subject. This will include information and actions regarding children who are overweight or obese.	
5: To ensure that the work of the Prevention at Scale pilot be used to shape and inform the work of the Healthy Communities Partnership.	The existing Prevention at Scale pilot is adult focused; therefore whilst not specific to children the key learning of Prevention at Scale may take families into account. Depending on the outcome of recommendation 1, any relevant outcomes will be shared with the Healthy Communities Partnership.	The experience and learning from the Prevention at Scale work demonstrates the importance of understanding the behavioural science and evidence of behaviour change related to obesity / healthy eating. By fully understanding this it will ensure the action plan can make a real difference. Desktop research is underway to gather insight from other regions to inform development of the action plan.	 (depends on an action plan being developed and agreed)
6: To explore other innovative approaches to the National Child Measurement Programme (NCMP), including Manchester's approach and consider the feasibility and benefits of such approaches for Bucks, whilst continuing to deliver the NCMP in accordance with national protocol.	<p>The existing NCMP programme in Buckinghamshire meets the national operating guidance and data quality indicators as stipulated by Public Health England.</p> <p>Understanding innovative approaches to the NCMP is part of Public Health's horizon scanning remit. Public Health proactively searches for examples of good practice, including through participation in national and regional networks. Manchester's programme (where all primary aged children are measured and parents receive annual growth updates through an online feedback system) will be considered as part of this. All approaches will be reviewed in terms of the benefits to be gained and the resource implications of any new approach.</p>	<p>BCC continues to commission the NCMP programme within Bucks. The 2017-18 survey participation rates were 95.4% for reception children and 93.6% for year 6 children, which continue to be better than the national quality measures.</p> <p>Public Health participated in a Public Health England skype conference call on 20th March 2019 to further understand the NCMP Obesity Child Profiles and case studies of using the NCMP data in innovative ways.</p> <p>This has resulted in a number of actions being included within the HCP healthy eating action plan to review how the Bucks NCMP data is used and shared with partners to maximum effect.</p>	

Accepted Recommendations	Original Response and Actions	Progress Update	Committee Assessment of Progress (RAG status)
<p>7: To develop a “suite of projects with costs” which can be used by the Local Area Forums as part of their Local Priorities Funding discussions. The project list could include a series of cooking workshops for most deprived children to providing gardening tools and seeds for a community allotment.</p>	<p>Public health will develop a project list based on national best practice with indicative costs. The project list will be developed in consultation with stakeholders and across BCC business units. This will be done within existing resources.</p>	<p>A list of projects with costs is being finalised and will be available by the end of May 2019.</p>	
<p>8: To act as the co-ordinator/facilitator of the Healthy Pupils Capital Programme to ensure the money is allocated and used to make a difference. Provide guidance to schools on how the money can be used, based on the Government’s guidance.</p>	<p>The decision on the use of Healthy Pupil Capital Fund (HCPF) will be a Cabinet Member decision (Cabinet Member for Education and Cabinet Member for Resources) as it is an un-ringfenced capital grant. Initial options have been presented to Members and were considered by Asset Strategy Board in July but no final decision was made on a preferred option for the use of this grant. Until such time as Cabinet Members have agreed a preferred option and taken a formal decision the proposed use of the grant cannot be confirmed.</p>	<p>The monies for the Healthy Pupil Capital Programme have been allocated against major projects to support schools with improving outcomes for pupil activity. Projects have included, but are not limited to, playground refurbishment. The majority of works will take place during school holidays as they are very disruptive activities.</p>	

Accepted Recommendations	Original Response and Actions	Progress Update	Committee Assessment of Progress (RAG status)
<p>9: To write a letter to the Department for Education in support of introducing the new voluntary healthy rating scheme for primary schools as soon as possible and for it to be used by Ofsted as part of the inspection criteria.</p>	<p>In Buckinghamshire we are committed to supporting schools to make the most of their vital role in supporting healthy eating and physical activity. Children's Services will produce a letter in support of the introduction of the new voluntary healthy rating scheme, which was a commitment from the Government's first instalment of the Childhood Obesity Plan in 2016. Shaping healthy habits from an early age and the expedient implementation of these proposals will greatly support us in our endeavours.</p>	<p>The letter was agreed by Sarah Callaghan and sent as discussed.</p>	
<p>10: To support schools to deliver the PSHE curriculum in a consistent and coherent way across Buckinghamshire.</p>	<p>Health Education will become compulsory in all maintained schools from September 2020. This statutory requirement will provide the foundation for consistent and coherent delivery. Public health is already supporting this with a PSHE Lead in post. The PSHE Lead has developed school PSHE networks and forums. These will be used to support schools to develop and implement the new Health Education subject by September 2020.</p>	<p>The Public Health PSHE Programme Manager has established schools PSHE Forums as a means of engagement, communication and a development network for PSHE leads. Through these forums topical discussions/updates are held which will be useful for developing Healthy Eating work. Promotion of the PSHE Association's Programme of Study and other quality assured materials are shared to support PSHE curriculum development; schools are being well prepared for statutory status. Public Health and PSHE initiatives are promoted via the forums, half termly PSHE newsletter, and articles placed on the school bulletin and cascaded to head teachers through school liaison groups. The Schoolsweb PSHE page and Public Health in Schools webpages contain advice, guidance and links to resources to support healthy eating and healthy lifestyles. Further work with schools to support engagement with parents is planned for the Spring term (2020). See also Recommendation 11c below regarding</p>	 (need to see evidence)





Accepted Recommendations	Original Response and Actions	Progress Update	Committee Assessment of Progress (RAG status)
	<p>The school nurse team will provide the opportunity to support a consistent and coherent approach to signposting and referring families to appropriate support.</p> <p>Responsibility to implement and deliver the Health Education curriculum sits with schools, whilst public health can support schools, they cannot take responsibility for the delivery.</p>	<p>PSHE training</p> <p>School Nurses have a comprehensive follow up pathway linked to the National Child Measurement Programme (NCMP). This involves supporting families and referring or signposting to available support including the child weight management programme – Spark. During 2018-2019, 96% of all referrals to Spark came from school nurses, demonstrating that the pathway to support families, and refer to appropriate support, is working well.</p>	
<p>11:</p> <p>a) To create “Child Healthy Eating” ambassadors within the Early Years setting and in schools (with the help of the Early Years Providers and School Liaison Officers) who can drive the key messages around the health benefits of providing healthy food to their local communities</p>	<p>11 (a) Partially agreed</p> <p>The Education Service will champion healthy lifestyles to mitigate against obesity but cannot directly provide ambassadors. The withdrawal of the Education Support Grant has created considerable funding pressures within the Education Service and in response, we have created Side By Side, a schools led model for school improvement. In keeping with the principles of Side by Side, we will facilitate and support schools to help each other drawing from the expertise across our family of schools so that where good practice exists in all areas (including healthy lifestyles) we will build capacity.</p>	<p>Up until this point, the Side by Side initiative has focussed on academic support within schools. The plan for the academic year 2019-20 will include developing capacity around a variety of non-academic areas including the promotion of healthy lifestyles within enhanced profile Personal Social Health and Citizenship Education (PSHCE) leads in schools to support each other.</p>	

Accepted Recommendations	Original Response and Actions	Progress Update	Committee Assessment of Progress (RAG status)
	<p>In addition to this, the creation of school 'child healthy eating' ambassadors should utilise the existing network of PSHE leads within schools, which complements the Side by Side model, in order to avoid duplication of information and to ensure integration within a whole school approach.</p> <p>The Early Years' Service will encourage Early Years' settings to promote healthy eating to children attending these settings and their families</p> <p>The specific role and function of the ambassadors will depend on the successful development of a multi-agency Healthy Communities Partnership healthy eating action plan. The school ambassador's role will be further informed by the involvement and engagement of the PSHE network.</p>	<p>The network of PSHE leads continues to grow and the promotion of the school 'child healthy eating' ambassadors' role and key messages around healthy eating and healthy lifestyles can be effectively communicated to schools via PSHE leads.</p> <p>The Early Years service has engaged with settings in both the maintained and private, voluntary and independent (PVI) sectors and supported them in promoting healthy eating messages to parents that they support.</p> <p>The specific role will be picked up during the development of the multi-agency Healthy Communities Partnership healthy eating action plan. Discussions are currently underway with partners to shape and form this.</p>	
<p>b) To develop strong messages for specific communities, for example, Mosques, Churches, GP surgeries, Hospitals (pre-natal and antenatal</p>	<p>11 (b) – Yes</p> <p>Through the existing Prevention at Scale programme research is underway to understand the behaviour and insight of adults from key priority groups for two lifestyle areas including healthy weight. This will then be used to develop targeted communication campaigns. Whilst not specifically aimed at children, it will help to</p>	<p>In January 2019, Public Health delivered a Better you! Campaign which focused on adults losing weight. Whilst this was not focused on children, it did raise awareness of weight amongst adults in areas with high levels of obesity and overweight, as seen by an increase in referrals.</p> <p>These communications were available in GP surgeries and pharmacies. Generic <i>Live Well Stay Well</i> marketing materials are also being distributed amongst specific communities, but also through targeted events such as</p>	<p style="text-align: center;"></p>

Accepted Recommendations	Original Response and Actions	Progress Update	Committee Assessment of Progress (RAG status)
<p>clinics and maternity wards), Libraries, Parish and Town Councils;</p>	<p>support strong messages for the whole of these specific communities.</p> <p>Through the current Live Well Stay Well service specific communication messages for pre-natal and antenatal services, are being co-designed via the multi-agency Healthy Pregnancy Steering Group.</p>	<p>Health Checks at Mosques. The insight undertaken by Prevention at Scale shows that messages must also come from key influencers including community leaders and health professionals and these were targeted via the Better You! campaign and by the <i>Live Well Stay Well</i> outreach work.</p> <p>Health information is available within the maternity wards promoting the importance of healthy weight, alongside other lifestyle areas such as smoking.</p>	
<p>c) Work with the PSHE Leads in schools to devise a training module for Head teachers and School Governors around the importance of healthy eating/cooking and healthy choices in schools in conjunction with those who can deliver this.</p>	<p>11 (c) – Partially agreed</p> <p>Public health is already exploring the training needs of the PSHE network particularly with the introduction of compulsory Health Education.</p> <p>The feasibility of training head teachers and school governors, and the benefits of doing so will be considered as part of this work. Any training developed will link with the wider Health Education agenda and take a whole school approach, which will be sustainable and have a greater impact for the whole school community. This will be dependent on the resources available.</p>	<p>Two half day CPD sessions delivered by the PSHE Association have taken place for both primary and secondary PSHE leads.</p> <p>The first session (March 2018) focused on raising the quality of leadership and management of PSHE - 30 primary and 20 secondary PSHE leads were trained. The second CPD session (March 2019) focused on 'Preparing for statutory relationships education / Relationships and Sex Education' - 56 primary and 26 secondary PSHE leads were trained.</p> <p>The PSHE Association will deliver a half day CPD session for PSHE leads 'Preparing for statutory Health Education' on 5th and 6th June 2019 (60 spaces for primary, 30 spaces for secondary). A whole school approach to healthy eating and making healthy lifestyle choices will be promoted alongside relevant Public Health initiatives and resources. School leaders will be informed about this offer.</p> <p>For the summer term there is a focus on Health Education in both the PSHE forum meetings and the newsletters.</p>	

Accepted Recommendations	Original Response and Actions	Progress Update	Committee Assessment of Progress (RAG status)
		Requests from schools for further training and development in this area are anticipated, and will be explored following these events.	

RAG Status Guidance (For the Select Committee's Assessment)

	<i>Recommendation implemented to the satisfaction of the committee.</i>		<i>Committee have concerns the recommendation may not be fully delivered to its satisfaction</i>
	<i>Recommendation on track to be completed to the satisfaction of the committee.</i>		<i>Committee consider the recommendation to have not been delivered/implemented</i>



Buckinghamshire County Council
Select Committee
 Children's Social Care and Learning

Minutes

CHILDREN'S SELECT COMMITTEE

Minutes from the meeting held on Friday 6 September 2019, in Mezzanine Room 1, County Hall, Aylesbury, commencing at 9.30 am and concluding at 11.45 am.

This meeting was webcast. To review the detailed discussions that took place, please see the webcast which can be found at <http://www.buckscc.public-i.tv/>. The webcasts are retained on this website for 6 months. Recordings of any previous meetings beyond this can be requested (contact: democracy@buckscc.gov.uk)

MEMBERS PRESENT

Mrs P Birchley, Mrs I Darby, Mr D Dhillon (Chairman), Ms N Glover, Mr A Hussain, Mr M Hussain, Mr N Hussain, Mrs W Mallen, Mr B Roberts and Ms J Ward (Vice-Chairman)

CO-OPTED MEMBERS PRESENT

Mrs C Pease and Mr M Skoyles

GUESTS PRESENT

OFFICERS PRESENT

Mrs K Collier, Mr G Drawmer, Mr G Morgan, Mr R Nash, Mr P Robson and Ms P Thompson-Omenka

1 ELECTION OF CHAIRMAN

Mr Dhillon was elected as Chairman for the ensuing year.

2 APPOINTMENT OF VICE-CHAIRMAN

Miss Ward was elected as Vice-Chairman for the ensuing year.



3 DECLARATIONS OF INTEREST

There were none.

4 APOLOGIES FOR ABSENCE/ CHANGES TO MEMBERSHIP

Apologies were received from Mr Brown, Miss Wood and Mr Collingwood. There had been two changes of Membership; Mr Hussain had replaced Mr Lambert and Mr Brown had replaced Mrs Sullivan. Mr Skoyles had joined the Committee as the new Parent Governor Representative, representing Buckinghamshire Primary Schools.

5 MINUTES

The minutes of the last meeting were agreed and signed.

6 PUBLIC QUESTIONS

Four questions had been received from Mr Miller (member of the public) in relation to Special Educational Needs and Disability (SEND) placements across Buckinghamshire and the council's projections of changes in placement demand. Additionally the feasibility of the use of the Penn School site for specialist SEND placements was also questioned. In response to questioning Mr Drawmer, Head of Achievement and Learning, responded:

- It had not been a simple task to predict the changes in requirements for SEND placements, as although SEND prevalence had risen within the population, the nature of children's needs hadn't been easy to predict.
- The service area had been working on the sufficiency strategy which would benchmark and predict future SEND needs within the Buckinghamshire population. The strategy would be completed by February 2020.
- The data from the sufficiency strategy would become available to interested parties, upon request, to justify why the service area had formed particular conclusions from the data
- The potential re-designation of schools might be a possibility following the completion of the sufficiency strategy and depending on findings. The service area would work closely with any individuals affected and any data which had led to decision-making would be shared with any interested parties
- Any decisions to create additional school sites would only be made after sufficiency strategy completion. The Penn School site would only be considered if it was economically viable, if it was in the correct location and if it was available at the time that it was needed.

The Chairman thanked Mr Drawmer and requested that Mr Miller contact the service area again if he required further information.

7 CHAIRMAN'S REPORT

The Chairman thanked Miss Callaghan, Service Director Education, for her time at Buckinghamshire County Council and wished her well in her new role. He also welcomed Ms Thompson-Omenka as Acting Service Director Education.

The Chairman gave updates about the Committee's informal meetings with Buckinghamshire Social Workers which had taken place over the summer period and said that feedback would be provided to assist the Service Director. A fostering and adoption briefing had also taken place and the Chairman commended officers within the service area, who had been working hard to improve the fostering and adoption service.

Committee Members requested that an outstanding social worker visit to the High Wycombe office was rearranged and that the Service Area made information about the latest Buckinghamshire A-level and GCSE results publicly available. Representatives from the Service Area explained later on during the meeting that the High Wycombe office had been part of a refurbishment project, so access had been restricted, and that results for A-levels and GCSE's had not yet been verified, so therefore could not be released.

ACTION – Committee and Governance Advisor to liaise with service area

The Chairman expressed that he had received a number of concerned and disgruntled communications from local parents, about home to school transport, and for this purpose he had invited Mr Robson, Head of Integrated Transport, who discussed issues with the Committee Members.

Mr Robson updated the Committee with the key issues that had negatively affected the home to school service over the summer break. There had been ICT and call system issues, plus additional problems with the payment system. At times, parents hadn't been able to speak with customer service representatives or leave messages at the call centre. The service had been fully operational since 3rd September and they had dealt with most issues through contingency measures, but equally they acknowledged the undue stress and disruption which this had caused parents and children across Buckinghamshire. Passes had been hand-delivered to the Schools to ensure children could travel on the first day of term and all 4000 young people who had qualified for free transport had managed to get into school on the first day of term. The service area had learned from the incident and would be introducing a new system for pass distribution and telephony processes. The main concern had been around paid-for-transport. Mr Robson stressed that it had been clearly stated within the council's terms and conditions that paid-for-transport is not available for every child and only if there is an available seat. There would be a significant impact on budget if all children were to be offered a paid-for-place, as it is subsidised by the council and any changes to use during the academic year had created risks to the budget.

A Member of the Committee suggested that places for more vulnerable year 7 students should be prioritised and that places could be taken away from students who were in year 11 or older, as they were more experienced and more able to be independent. Mr Robson agreed that this could be a direction which the service area could explore.

In response to a Committee Member's concerns about SEND provision, Mr Robson reassured them that there hadn't been many issues with SEND provision and that he would be happy to look into any reported incidences after the meeting.

The Chairman questioned the service area as to whether children who had no safe walking route to their school placement were still able to access a form of public transport to be able to attend their school placement. Mr Robson told the Committee that he had actively been working with the commercial transport sector to create new services for this purpose. He expected a further 30 services to be commissioned by November, but stressed that the council no longer had any governance over these commercial services, due to the decommissioning of public services to the private sector. In general the commercial sector had been very cooperative when ensuring safeguarding procedures had been in place for school children using their services and had signed a contractual agreement to ensure these remained in place.

The Chairman thanked Mr Robson for attending and delivering his update.

8 CABINET MEMBERS' QUESTION TIME

The Chairman welcomed Mr Hussain, Deputy Cabinet Member for Education and Skills, who had substituted for Mrs Cranmer.

The Committee requested that Educational Psychology updates and EHCP reports continued to come to Select Committee meetings on a quarterly basis so that Members were kept aware of a current picture from within the service. Mr Hussain agreed to the report being presented at the proposed frequency and stated that the reason the service area had thought that it would be unnecessary to bring the report had been due to the fact that the backlog of EHCP (Education, Health and Care Plan) completion had been cleared and the service area were now on top of the situation. Members of the Children's Select Committee requested that they continued to receive reports so that they had oversight of staffing issues, completion dates for EHCP's and so that they could monitor performance. The next update would be brought to the November meeting.

The Chairman thanked Mr Hussain for his contribution and moved to Mr Whyte's update.

Mr Whyte, Cabinet Member for Children's Services, thanked the Children's Services staff who had assisted with the recent event which celebrated the success of some of Buckinghamshire's looked after children. He told the committee that the event had been very impressive and that he had been moved by many of the care-leaver's speeches. He also thanked businesses across Buckinghamshire who had sponsored the event.

Early help had been launched during the first week of September 2019 and the service area had been delivering clear communications to all stakeholders so that they would understand how the new service operated. Certain actions had been delayed over the summer period, while the legal challenge had been in progress, but they would now be able to progress with

those actions and ensure that all sites would be utilised for child-related purposes. The service area had been making good progress with the children's home site in High Wycombe which was at the stage of awaiting planning permission.

The Chairman thanked Mr Whyte and moved on to the next item.

9 OFSTED MONITORING VISIT UPDATE

Mr Whyte introduced the item as the third monitoring visit from Ofsted, which provided an update on Buckinghamshire County Council's improvement journey and a review of the progress they had made. He told the Committee that the visit had taken place a few months ago, so further improvements had progressed within the service area and he welcomed Mr Nash, Service Director Children's Social Care, who provided an operational update.

Mr Nash told Members that Ofsted had deemed the service area's self-assessment to be accurate and said that there had been steady improvement progress. There had been some staffing issues and high turnover in some departments which had affected workforce stability, but this situation had been improving. Despite challenges with caseloads, the staff who had given feedback to Ofsted said they enjoyed working at Buckinghamshire County Council. Mr Nash praised the hard work of front-line Social Workers and had been happy with staff morale levels. He had worked hard to ensure all staff felt supported and he remained committed to ensuring that the right people were coming into the service. Overall the service area had been pleased with Ofsted's last review.

In response to questioning from Committee Members, Mr Whyte, Mr Hussain and Mr Nash said:

- They would be establishing useful key performance indicators (KPI's) to measure and report back on the success of the new early help model. It would be a challenge to measure how they had diverted families away from social care. This update would come to the January CSC meeting
- Mr Whyte would monitor early help and ensure all aspects of the model work, including partnership working
- Councillors could refer families who needed help directly into the family support service using the more proactive and flexible online service
- Complaints had reduced over the last 14-15 months and new data says that visiting regimes were improving.
- They had a good system to manage all eventualities and put contingencies in place to ensure visits to families were timely.
- Gaining access to families had sometimes been problematic when families hadn't wanted social care involvement or help
- Schools would all receive a designated early help contact to assist with partnership working and improve the chances of referral through schools
- The service area had been taking action to improve staff morale where it had been low. The High Wycombe office was due to be refurbished to improve the working environment for staff based there

- The service area had been creating good avenues for communication between professionals and for improving working relationships, such as through monthly open days which they had hosted
- Heads of Service had prioritised the management of worker's caseloads along with Managers, to ensure all caseloads were achievable
- Children who go missing from care are always offered a return home interview and this doesn't form a one-off event. In all instances, social workers and partner agencies had tried to establish why a child had gone missing with the aim to stop it happening again and reduce the risk of exploitation. Some children had refused these interviews or would only speak to certain people and this had been reflected in the latest Ofsted monitoring visit.
- All visit recordings had been digital. Heads of Service continued to work with individual Social Workers on the quality of their recording as it continued to be variable. There had been an upward trend of improvements within the service and they would continue to eradicate poor quality recording practices
- The Senior Management Team tended to use more imaginative and less formal classroom-based training with Social Workers. This had included talks on focussed topics, such as domestic violence, and the use of good training resources
- Recruitment of good Social workers continued to be a challenge, both at local and national level. The service area continued to find it hard to attract the right people into the organisation, while in competition with other local authorities.
- There was a focus on growing and developing Buckinghamshire County Council's own staff and they had ten staff in the development pipeline.
- Mr Whyte was unsure when Ofsted would be visiting to reassess the grading, but he estimated that there would be 6 monitoring visits prior to the reassessment. As the 4th visit had been scheduled for October, Mr Whyte said that the full re-inspection could be around April 2020.
- Particular teams within the social care service had experienced ongoing retention problems. These tended to be within teams which required a lot of support within the roles, such as the help and protection teams, where children had been subject to child protection plans
- When monitoring the causes of staff leaving, the service area had ensured they had triangulated a range of data sources to find non-biased reasoning. Common reasons had included performance issues and the nature, intensity and difficulty of the role.
- There had been a large focus on the wellbeing of all staff within the service using proactive conversations and visits from Heads of Service. Some staff members within the service were now trained as Mental Health First Aiders, to be able to support their colleagues.

The Chairman thanked Mr Nash, Mr Hussain and Mr Whyte for their contributions.

10 EDUCATION STANDARDS

Mr Hussain, Deputy Cabinet Member for Education & Skills, introduced the item by informing Members that the data within the report was from the previous year as results for this year hadn't been validated. He gave an overview of the report and invited questioning.

A Member raised concerns about underperforming pupils, the progress 8 report and issues within non-selective School ratings, as these had consistently underperformed during the Member's term in office. He was assured by Mr Hussain that particular measures had been put in place to enable these issues to be remedied.

Ms Omenka-Thompson, Acting Service Director Education, informed the Committee that GCSE and A-level final results would not be validated until much later in the year and that a lot of improvement work had been taking place through the side by side project which had been led by Mr Drawmer, Head of Achievement & Learning.

Mr Drawmer gave an update on side by side project actions and achievements. He stated that progress 8 measures had been favourable and that disadvantaged pupil scores had been above national average for attainment 8. The gap between disadvantaged pupils and their peers had been narrower than across other authorities in the UK. Several side by side project strands had been put in motion within schools, to improve this situation. This had included delivery of the specialist teaching service and 18 locality liaison groups, who had been provided with seed money to look at areas of under-performance. The locality liaison groups would be working on 2 year research projects which had the aim of improving outcomes for pupil groups who had been underperforming by providing best practice guidance which would be shared by professionals across Buckinghamshire.

A Member stated that they would like to receive data which pertained only to students within Buckinghamshire, as the data provided referred to Buckinghamshire Schools, and had contained a high percentage of students from out-of-area. Another Member questioned the basis for comparison which had been used in the report, voiced concerns that the reduction in EHCP's may have meant that students who needed them, weren't getting the assistance they needed and questioned whether the service area had made good use of existing excellence which had been available.

Mr Drawmer informed the Committee that the side by side project had been delivered at no cost to the receiving school and by releasing teachers from other schools, while using transition and brokerage grants to fund any costs that had arisen. Mr Drawmer had worked closely with the Buckinghamshire Teaching Alliance to ensure the maintenance and strengthening of links with local schools.

Members questioned the reasons why girls had outperformed boys and asked whether the curriculum had been slanted towards girl's abilities. Mr Drawmer said that there had been no clear reason for this but that potential causes could be found in developmental differences, social conditioning and differing expectations in particular settings. Side by side would be exploring girl's and boy's attainment in detail. Inclusion had also been a primary goal within the

Education and Skills Strategy as Buckinghamshire County Council wanted to remove all barriers to achievement, for disadvantaged pupils.

A Parent Governor Representative (PGR) asked about what the Council had done to address school selection and placement shortage issues, as there had been issues with children gaining placements at local schools, if a school had a good reputation and Ofsted rating. Mr Drawmer said that they gave Schools three classifications when they had been identified as needing assistance - intervention, prevention or enhancement. Schools received support based on their identified needs. There had been issues with assisting Academy trusts, as these were not overseen by the council, but trusts had continued to work with them in most instances. Where a school had a large catchment and had been classed as a good school, BCC had focused on creating additional capacity and new placements by planning and executing building work. A lot of focused work had taken place on schools that had not yet been classed as good and the service area expected changes to their grading during the next inspection cycle, which is usually within 4 years.

A Member stated that based on the secondary school applications received in 2019, there had been the potential that 1 in 5 children attending Buckinghamshire schools didn't live in the county. Mr Drawmer told the Committee that criteria is based on distance, so it is incredibly unlikely that applicants who lived a long way out of the county would be successful, but that he would look into the figure, as some schools do border other counties.

ACTION – Mr Drawmer to investigate the figure of out-of-county children attending Buckinghamshire Schools with the Transport and Admission teams

A Member requested data which reflects Buckinghamshire children instead of the Buckinghamshire schools so that a clear picture of their performance could be gained. Ms Omenka-Thompson said that it would be possible to bring a further report in future which focused on vulnerable groups, grammar schools and differences between non-Buckinghamshire and Buckinghamshire student performance. The Committee agreed that this would be welcomed.

ACTION - Ms Omenka-Thompson to timetable a report which addresses issues raised within the meeting

A Member sought assurance that BCC had been keeping keen oversight on schools which had been exempt from Ofsted exemption to ensure that standards didn't slip. Mr Drawmer said that the vast majority were rated as good schools, and that some had been rated as outstanding, so therefore had been exempt from inspection. Ofsted continued to inspect 10% of outstanding schools each year and also inspected them if they changed from school to academy status. In future, Ofsted would be considering removing the exemption from outstanding schools. Mr Drawmer said that BCC had positive and open relationships with schools and that they had worked closely with them to facilitate improvements, if schools had voiced concerns that there had been particular issues which Ofsted hadn't picked up on. Schools had also regularly been invited to best practice and supportive conferences.

The Chairman thanked all contributors.

11 ELECTIVE HOME EDUCATION

Mr Hussain delivered an overview of the report to the Committee. He emphasised that any parent can choose to home educate their child and that local authorities could request that the child is returned to an educational placement if they don't think their home education is sufficient. If parents were to refuse and the authority had real concerns about a child then this had often ended up in court. He welcomed Mr Morgan, Head of Early Help, as the operational lead and they both invited questioning from Members.

A PGR asked about how the service area had collected data to track the reasons behind parent's deciding to home-educate their children. Mr Morgan told the Committee that reasoning had been sought but finding commonality of reasons had been difficult. There had been no clear correlation, as the cohorts had been so different.

A Member questioned why the data stopped being collected when a child had reached year 11, as children had been required by law to stay in education until they reached 18 years old. Mr Morgan said that home education monitoring only went up to year 11. Older children fell into the Not in Education, Employment or Training category (NEET). NEET tracking is undertaken as part of the new early help structure within Buckinghamshire. Post 16 education and training activity is monitored and reported on monthly.

A Member noticed that there had been a peak in children being removed from their school placements by parents, during the primary to secondary transition years, during 11+ testing and GCSE examinations. Mr Morgan stated that reasons for this had been varied; some had been dissatisfied with the placement offered, some had experienced too much pressure in high performance schools, some hadn't felt that they had the right EHCP support. About 64% of home-educated children had been from the secondary cohort.

Mr Morgan told the Committee that there had been no common causality identified nationally and that figures for home-educated children had a 20% year on year increase. Parents had become more aware that home education was an option for their child which had contributed to increased figures. The council would continue to check and challenge parents about the progress which their children had made, in comparison to a school setting, as the reality of providing home education to a child had often been different to what parents had expected.

A PGR questioned whether the parental ability to provide home education had been monitored by BCC. Mr Morgan said that all parents were able to select elective home education for their child and currently the Council visits all parents who had made this choice. The DfE is currently consulting on proposed changes to EHE which will if implemented would increase the Councils responsibilities in this area.

Ms Thompson-Omenka said that there had been concerns with the rise in home-educated children nationally and, anecdotally, with the increased risk of safeguarding issues this could bring. Ms Thompson-Omenka didn't think it was wrong for parents to home school their

children, as long as the quality of their education had been of a good standard, and that the decision hadn't been taken because of the failings of a previous school placement. The council would work hard to ensure all 679 home-educated children were safe and were getting a good education.

A PGR asked about the terminology of Children in Need (CIN) and was informed that this referred to children who had an open safeguarding case with Children's Social Care and who were being visited by social workers to monitor any concerns. Approximately 4% of home educated children had been within this category.

The Chairman thanked all contributors and closed the item.

12 COMMITTEE WORK PROGRAMME

The Chairman updated the Committee on future agenda items.

13 DATE OF NEXT MEETING

The date of the next meeting will be 3rd October at 1pm, in Mezzanine 1, County Offices, Aylesbury.

CHAIRMAN