

# Questions on notice

Full Council meeting 21 September 2022

## Question to Councillor Anita Cranmer, Cabinet Member for Education and Children's Services from Councillor Robin Stuchbury in relation to Special Educational Needs

Members were pleased to discuss with the Service Director concerns around the Buckinghamshire Ofsted inspection on SEND and look forward to receiving updates on progress in addressing areas of need. The Oxford Health Foundation Trust have a responsibility to provide a commissioned service, although they have publicly advised at a recent Children's and Education Select Committee that they have received no additional support or funding from central Government to support them with special educational needs services.

Given the rise in requests for EHCP's within Buckinghamshire and to ensure residents can be assured that the Council is meeting its requirements, what actions are being taken to support children with special educational needs?

### Response

As part of the SEND Improvement Programme, Council officers are meeting regularly with both health commissioners and health providers in order to ensure that the right support is in place for pupils that need it. Significant transformation has begun in connection with both therapeutic and diagnostic services in order to meet demand and deliver against the Written Statement of Action. This work will be monitored by the Department for Education and oversight will continue to be provided via the Improvement Board.

## Question to Councillor Angela Macpherson, Deputy Leader and Cabinet Member for Health and Wellbeing from Councillor Robin Stuchbury in relation to rising fuel costs

The cost of living crises and rising fuel prices will impact many of the residents that the Council is committed to supporting. Has there been any discussion around rising fuel prices and the impact this has on care workers, who are often some of the lower paid members of the workforce, so that they can afford to visit vulnerable people? Is the current level of expenses appropriate given these challenging times and the importance of looking after the wellbeing of our vulnerable residents?

## Response

The Council recognises the challenging financial climate staff face and in response has made available a range of support services and advice including support available via Helping Hands, our employee assistance provider, money management courses and staff offers and discounts.

In relation to business mileage undertaken by staff, this is reimbursed following the maximum rate (45p) as set by HMRC which does reimburse for both cost of fuel and vehicle running costs. Paying above this rate would attract a tax liability for staff who are paid business mileage.

However, in response to feedback from staff that the expense claim process attributes to the financial pressures felt by some, the Council has put in place a business mileage loan which is open to all staff who claim expenses to cover mileage and fuel. The aim is to help with cash-flow for those employees who drive a high number of business miles and must wait before they are reimbursed via expenses.

The Council continues to consider other options for supporting staff during this particularly challenging time.

## Question to Councillor Peter Strachan, Cabinet Member for Planning and Regeneration from Councillor Robin Stuchbury in relation to comments on planning applications

In light of the number of Judicial Reviews and Planning Appeals the Council is currently involved in, would the Cabinet Member consider revoking the policy of removing neighboring residents comments from the website when a planning decision has been made, and consider retaining them for at least the 6-month period allowed for appeals?

Concern has been expressed that the unavailability of local comments is detrimental to the legal process, both with regards to the opinions expressed and the number of residents who responded. GDPR appears to allow retention of such documents as long as they are needed, and if a period is allowed for appeals, then it would seem that these comments should remain available to all participants in the process.

## Response

Thank you Councilor Stuchbury for your question.

Just over 20 years ago the government created the Planning and Regulatory Services Online local e-Gov National Project (known as PARSOL) whose aim was to help and encourage local authorities to make information from their planning and building control registers and databases available on their websites.

Placing information on the internet made it more widely available, allowing easy browsing and searching of planning information. It was therefore very important to consider the data protection implications of any information being published and ensure compliance with the Data Protection Act 1998.

So in association with the Information Commissioners Office, national guidance was provided by PARSOL on which documents should be published and for how long.

The guidance stated that Planning Authorities could display representations received only while an application was being considered, but that these should be removed when a decision was reached. A small number of applications subsequently end up at appeal and so the guidance stated that at this point the representations should be republished.

So most legacy authorities, the North and Central Area (legacy AVDC) and the East and South Area legacy Chiltern & South Bucks) for instance, have planning software which automatically removes representations from the public domain when a decision is reached, but automatically reinstates it if an appeal is lodged.

A project to unify the previous separate legacy back-office planning systems, and their associated Document Management Systems (DMS), onto a single Buckinghamshire Council wide system has been approved. This is known as the “One Uniform” project and will result in a single process for processing planning representations.

In the meantime, if Members are aware of any instances where this process has not operated correctly and representations have not been made available for an appeal they should report these to a planning officer.

**Question to Councillor Gareth Williams, Deputy Leader and Cabinet Member for Climate Change and Environment, from Councillor Robin Stuchbury in relation to sewage discharge**

In November 2021, Buckinghamshire Council discussed a motion which included reference to water companies dumping raw sewage into our waterways. Presently, water companies are permitted to dump sewage until 2035 in areas of social importance and ecological health and in other areas until 2050. Given that Buckinghamshire is due to see large housing growth, and as a result, increased water usage and sewage, does the Cabinet Member agree that this is both unsustainable and challenging to the natural environment and what opportunities are being explored to reach a more sustainable environmental approach with water companies within Buckinghamshire?

## Response

I would first like to make absolutely clear that Buckinghamshire Council is of course appalled at the discharge of raw sewage into our waterways and, though not experienced directly in Buckinghamshire, coastal waters of the UK. The incidents we have seen in the last month will rightly concern anyone who sees it.

Unfortunately, Buckinghamshire Council, as with other councils, has no power to intervene to stop such sewage discharges. Water pollution and the regulation of sewage treatment facilities and their associated foul drainage are regulated by the Environment Agency and Ofwat (the regulator for water and sewage companies). We do however have contact with water companies and the environment agency, in particular through our work on flood management and we do use these to raise issues where we can for example to encourage them to reduce harmful discharges as extensively and as soon as possible.

The Transport, Environment and Climate Change (TECC) Select Committee is currently working on a rapid review in relation to pollution in rivers and chalk streams. The report, due later this year, is anticipated to provide recommendations on what more the council and other agencies could do to reduce the incidents and impact of sewage discharges and we will want to act on these wherever possible.