

Questions on notice

Full Council meeting 30 November 2022

Question 1 to Councillor Steve Broadbent, Cabinet Member for Transport from Councillor Robin Stuchbury in relation to the Buckingham cycleway

You were correct in your reply to my question regarding the delivery of a development agreement to construct a cycleway in Buckingham at a Cabinet meeting earlier this year. There are two sets of Cycleway Improvements – the s278 ones, which install a cycleway from the roundabout on the northern side of the road to the end of the site, when it switches side and runs parallel to Tingewick within the site to the eastern access, then crosses back to the north side and runs along a widened footway (reducing the width of the roadway to accommodate it) past the industrial estate.

This is the responsibility of the developer to build (highlighted on pink in below site plan).



Then as one of the conditions of the planning approval (15/01218/AOP) there is this:

- 20 No part of the development shall be occupied until a scheme for the footway and/or footway/cycleway connections within the site to the boundary of the site in order to enable access to the disused railway line has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the required timing to implement the works. The footway and/or footway/cycleway connections shall be implemented in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.
- 20 **Reason:** In order to provide sufficient footway and/or cycleway connections to promote sustainable modes of travel consistent with the requirements of the National Planning Policy Framework and to provide safe and suitable access for users of the development and the public highway and to accord with NPPF guidance.

Noting the use of the word 'scheme', the scheme should have been submitted to and approved by the Local Planning Authority before any part of the development is occupied, although I am unable to find any evidence of this (e.g. in the form of a Discharge of Condition application).

I have concerns:

- a) That it is not promoting sustainable travel for future occupants if there has been no action taken to install the cycleway prior to them moving in;
- b) That significant officer time has been spent on investigating and approving the scheme and construction costs now may rise with inflation, which I do not believe the developer will fund as they have committed £239,000 already as per the S106 agreement;
- c) That in light of the new highways contract, work may not be progressing as quickly as hoped;
- d) Around safety, particularly children who use the route.

If plans have been drafted and approved and money for the scheme been paid, what is preventing the Council from progressing the scheme?

Response

In response to the first part of your question, I can advise that the developer-led (Section 278) works that you describe on Tingewick Road have been complete for around two years. It should however be noted that not all of the pink lines that you have indicated on the plan submitted with your question are to be completed under the Section 278. The section on the main development site will be delivered through the on-site Section 38. Officers can provide you with an alternative plan that shows the works that have been delivered if required.

Regarding Condition 20 of the outline planning permission (15/01218). This relates to the construction of a pedestrian/cycle link through St Rumbold's Park. As advised in the response provided at the Cabinet meeting held on 29th March 2022, this condition was secured through Condition 1 of the reserved matters application. This link is to be delivered by the developer at their expense. As you are aware, prior to the construction of this link, the Council has been liaising with the developer to confirm its routing and surfacing material. Whilst this link will connect to the Railway Walk, it is a separate matter to the Section 106 funded improvements to the Railway Walk itself.

I understand that officers have recently advised you of the current position regarding the Section 106 funding received towards the Railway Walk. A meeting is to be arranged with local members in the Buckingham area where this matter and wider opportunities for progressing walking and cycling infrastructure improvements in Buckingham can be discussed further.

Question 2 to Councillor Steve Broadbent, Cabinet Member for Transport from Councillor Julia Wassell in relation to High Wycombe car parks

The state of the High Wycombe Town Centre Car Parks is continual cause of complaint for residents. They are receiving a poor service at a high price in car parks they consider having an unpleasant environment. What improvements are being made to Council Car Parks and why are they so expensive compared to other towns in Buckinghamshire?

Response

We are aware of some operational and environmental issues in some of the car parks which the team are focused on addressing and I am confident that improvements are being made.

We have experienced some instances of rough sleepers in the two multi-storey car parks and our parking team are working collaboratively with the housing service and other partner agencies to engage with those individuals and address the associated issues.

Improved security arrangements are now in place following the commencement of a new contract for this provision on 1 September 2022 which will provide dedicated security patrols during the evenings. The dedicated cleansing teams are also working to ensure that essential cleaning is completed each day before the public begin to arrive so that the car parks are as well presented as possible each day.

We will continue to focus on these matters to ensure the best possible experience for car park users. The Council is also undertaking a parking policy review this coming year which will consider a wide range of parking issues including charging arrangements.

The current charges which were introduced by the legacy Wycombe District Council, would have likely taken account of the supply and demand, feedback from the public consultation, and benchmarking against other towns with similar offerings.

Question 3 to Councillor Steve Broadbent, Cabinet Member for Transport from Councillor Julia Wassell in relation to the A40 London Road corridor

A government grant from the National Productivity Investment Fund of £4.5m was invested in the A40 London Road Corridor between 2018 and 2021. Please can you make available the final report on this scheme and let local members know of any review procedure? This important scheme aimed to reduce pollution and congestion along the A40 from the Town Centre to Loudwater.

Response

As part of the post completion phase of this scheme an independent review into how the corridor is working has been carried out. Some remedial work was identified with the operation of the signalised junctions along the corridor and this work has now been completed.

Now that this has been completed, a Stage 4 road safety audit has been undertaken and a report is being finalised along with a number of post completion monitoring and evaluation surveys. A report on these surveys is due to be published early in 2023 and officers and I will engage with Local Members to brief them on the report in due course.

Question to Councillor John Chilver, Cabinet Member for Accessible Housing and Resources and Councillor Peter Strachan, Cabinet Member for Planning and Regeneration from Councillor Robin Stuchbury in relation to developer contributions

Understanding Buckinghamshire Council is in receipt of section 106 and CIL contributions from historical legacy council arrangements, and in light of setting a precept for 2023/24 and beyond, how is the Council meeting its obligations from legacy arrangements and ensuring the timely delivery of agreed projects prior to the expiry dates and potential return of developer contributions through non delivery of schemes?

I would also be grateful to understand how schemes are prioritised and to be able to see what the total amount of historic receipts against projects within Buckinghamshire is divided up by legacy council.

Response

Section 106 contributions are for specific obligations and generally relate to capital schemes that deliver that obligation. They are included in the Capital Programme as directly funded from s106 contributions and must meet the s106 conditions. Legacy projects were combined into Buckinghamshire Council's Capital Programme as part of the 'golden staple' approach of bringing together all the Capital Programmes from the former councils.

The Community Infrastructure Levy (CIL) funding is different in that the element that is retained by the Council, after town and parish councils have received their share, is not for specific capital schemes, but for the broader capital infrastructure requirements of the Council in line with CIL regulations and local policy. This is a corporate capital funding resource and the prioritisation of capital spend is through the agreement of the capital programme each year.

The Council publishes its Infrastructure Funding Statement by the end of December each year, detailing the previous year's receipts, total s106 balances held by planning area and capital schemes supported.

I am aware that there have been a number of audit recommendations that have been raised with regard to CIL and s106. We currently have officers who are responsible for the billing of s106 and CIL contributions and for monitoring the use of s106 within the relevant time period (there is no time limit on CIL contributions). There have been some initial challenges with bringing together separate teams using different systems. However, there are plans to unite all of the s106/CIL staff into a single team within the Strategic Transport and Infrastructure Team in December 2022, and the implementation of a single IT system Exacom by Spring/Summer 2023. These changes will I hope, improve the service in terms of coordination of work, ease of reporting and transparency of implementation. I will be working closely with my colleague the Cabinet Member for Planning and Regeneration to ensure they are delivered.

Question to Councillor Mark Winn, Cabinet Member for Homelessness and Regulatory Services from Councillor Matt Knight in relation to housing conditions and regulatory powers

Following the inquest into the tragic and avoidable death of Awaab Ishak due to the presence of black mould in his home, could you tell me what action Buckinghamshire Council is taking, or will be taking, to seek assurance from local landlords that no tenant in Buckinghamshire is living in similar conditions?

Most councillors will have been contacted by constituents who are concerned by the condition of their rented home and it is often difficult to get landlords - whether social providers or private landlords - to resolve issues. What regulatory powers does the council have, and what support can the council give councillors and residents, to ensure homes are a good standard and not putting tenants at risk?

Response

Firstly, I would like to acknowledge the tragedy of the avoidable death of Awaab Ishak; what happened in Rochdale is devastating and it is clear we need to be vigilant in Buckinghamshire to avoid a similar heartbreak. As we are learning more about the sequence of events in that case we are reviewing our processes and enforcement approach where it concerns housing standards, especially those relating to environmental hazards such as mould. Given the Council is not a provider of social housing, we work closely with the registered providers and landlords in Buckinghamshire to ensure that they uphold their responsibilities for addressing critical safety issues as well as improving standards within the rental sector. Where these standards are not being achieved, the Council ensures that appropriate remedial action is undertaken. Our aim is to work with landlords, and we

acknowledge that many do want to work alongside us in providing suitable, safe accommodation for residents.

Last week on the 19th of November, the Council, as well as all other local authorities in England, received a letter from the Secretary of State for Levelling up Housing & Communities (DLuHC), Michael Gove. This letter emphasised the collective responsibility we all share to people living in poor quality housing. As part of the national conversation in the wake of the Rochdale tragedy, DLuHC is collecting data from local authorities particularly in relation to enforcement concerning poor living conditions, focusing on those associated to damp and mould issues. The Council is collating the information requested and is also looking at trends within the county and what measures we are able to do improve standards. The Council is actively engaging with the registered social housing providers who operate in Buckinghamshire and a meeting is scheduled for the 9th December 2022.

This is not an easy issue to resolve, especially at a time where there is a cost of living and energy crisis. This is a national issue and not localised to Buckinghamshire, and will affect all tenures of property. If tenants are experiencing issues which are not being resolved by their landlords, the Council's Environmental Health Service can assist. That team will assess the situation, and in many cases carry out a property inspection. They will use enforcement powers to remedy conditions if required and if conditions meet the criteria of the legislation. Tenants, or councillors concerned about a tenant living in a poor quality residence, should utilise the information and support on the council's website <https://www.buckinghamshire.gov.uk/housing-and-benefits/housing/housing-conditions/report-poor-housing-conditions/> with a follow up contact to our Environmental Health Service to discuss at environmentalhealth@buckinghamshire.gov.uk. We are already seeing an increase in reports of poor housing conditions and these requests for service are being prioritised.

In particular, this time of year, it is not unusual for the Council to receive an increase in service requests linked to damp and mould. It's important to acknowledge there are a number of factors that can contribute to increased moisture in the air and every resident can play a role to help manage conditions in their homes. Further advice concerning controlling excess moisture, which includes energy saving tips and links to partners who may be able to offer financial assistance for improvements, is available on our website <https://www.buckinghamshire.gov.uk/housing-and-benefits/housing/housing-conditions/report-poor-housing-conditions/keep-your-home-free-from-damp-and-mould/> We will update this advice as appropriate.

I am very aware of the clear links between housing and health. I hope that I have been able to reassure Members that the Council is taking the matter seriously and will continue to look at measures we can take to improve housing in Buckinghamshire.

Question to Councillor Anita Cranmer, Cabinet Member for Education and Children's Services from Councillor Robin Stuchbury in relation to SEND and assessment times

The new Government White Paper notes that schools will identify children who require extra support and arrange proven methods such as small tuition groups to monitor progress. Two of the three key parts quite rightfully referred to in relation to the SEND inspection relate to neurodevelopment as part of the pathway for diagnosis for children with potential autism or ADHD which remains a significant concern in Buckinghamshire. I have particular concerns around those children in years 8 and 9 who are pending a diagnosis and additionally where children's needs are being met in alternative ways to a health statement, as advised at a recent council meeting.

Please could you advise how many children in Buckinghamshire are awaiting diagnosis, what work is being done with health colleagues both in terms of what they commission and by way of reducing waiting numbers and how we are measuring outcomes against cases such as those noted above (years 8 and 9 pending diagnosis and children's needs being met in alternative ways to an EHCP)?

Response

1. [Background and structure of Health services completing assessments](#)

- The health services delivering diagnostic assessment for school age children with possible neurodevelopmental needs is two organisations, Buckinghamshire Healthcare NHS Trust (BHT) Community Paediatrics for children aged 5-11
- Oxford Health NHS Foundation Trust for young people aged 11-18, as part of the overall contract for the CAMHS service,
- In February 2019 a Neurodevelopmental Collaborative (NDC) was established comprising OHFT and BHT. Key rationale for this was to:
 - Create one pathway and a single point of access for referrals
 - Pool resources across the two organisations sharing skill set and knowledge base
 - Align assessment practices
- Neurodevelopmental assessment for children age under 5 years is carried out By BHT within their Community Paediatric service separately to the work of the NDC.

2. Current position waiting list - Question (a)

- 2.1 2505 Children and Young People awaiting assessment with an average wait time of 626 days. Longest wait is 780 days for the 5-18 age group. There are also child waiting for assessment under 5 years.

3. What work is being done with health colleagues both in terms of what they commission and by way of reducing waiting numbers – Question (b)

- 3.1 **Helios assessments** - 75 additional assessments have been commissioned for 22/23 through an online digital provider
- 3.2 **Non – recurrent investment** - An additional £550K (non-recurrent) has been committed by the integrated care board (150K pending approval from NHSE) in 22/23 into the diagnostic pathway to increase investment capacity and deliver CBT based interventions
- 3.3 **Recurrent investment 2023/24** - Active discussions are ongoing with senior leaders within Integrated Care Board about securing material recurrent investment from 2023/24 that would enable expansion of the current diagnostic service capacity and resource

4. How are we measuring outcomes against cases such as those noted above (years 8 and 9 pending diagnosis and children's needs being met in alternative ways to an EHCP)? - Question (c)

- 4.1 Underpinning the work that is outlined within this briefing is the written statement of action (WSOA) that was developed by the local area post SEND inspection in March 2022. The WSOA was signed off for approval to implement in August 2022 and below is an overview of some of the actions that the local area has committed to undertaking to ensure that support is provided for children and young people based on need rather than whether they have a diagnosis. [Written Statement of Action for Buckinghamshire | Family Information Service](#)
- 4.2 **Pre-assessment support** - In March 2022 the local area commissioned a pre-assessment support service designed and delivered by two voluntary sector partners, for children under 5 PACE and children aged 5 – 18 Autism Early Support (AES). The provision is in place to support parents and carers who have a child that is on the wait list for assessment with the challenges they may be facing, providing strategies and methods to support a range of presentations. These programmes focus on the main areas of need including behaviour regulation, sensory needs,

eating and sleeping, school attendance and avoidance. The programmes are delivered predominantly remotely, but a valuable element of the support is also the opportunity for parents to get to know others in a similar position to themselves. Initial qualitative feedback from those who have attended is very positive. Snapshot of data from AES below:

- 87% of parents and carers that attended the Tier 2 level support agree or strongly agreed that the workshop had helped them to gain a better understanding of their child's strengths and needs.
- 91% said that they would recommend the workshop to others, the other 9% provided a neutral response
- 87% reported that they felt better equipped to support their child while they await assessment?

4.3 **Ordinarily Available Provision (OAP)** – Provision that the local authority expects to be made available for children and young people with special educational needs and/or disabilities, the document was co-produced with SENCOs following extensive consultation with head teachers and partners. The Educational psychology team have been leading on further embedding the OAP across the education settings in Buckinghamshire to enable support to be provided to children and young people based on need rather than diagnosis
https://schoolsweb.buckscc.gov.uk/media/53475/ordinarily_available_provision_and_equipment_combined_final_bc_270220_pdfa.pdf

4.4 **Autism Friendly Standards and training** - Autism Standards and training are currently being designed by the Integrated SEND Service, there has been a recent success in raising autism awareness of those working in mainstream schools. This awareness has enabled staff to be better equipped to respond to the needs of young people with Autism, with training being delivered to several schools using the Autism Education Trust training program. There is an ambition to expand this program and develop an accreditation standard that can be gained by schools that reach levels that demonstrate their understanding and competence to supporting people with Autism.

Aims of the program

- To ensure all education staff within Buckinghamshire receive an appropriate level of Autism training for their role
- To build staff confidence in the ability of mainstream schools to meet the needs of those with Autism.
- To develop a need led model rather than diagnosis dependent.
- To develop parental trust and confidence in both the Local Authority and mainstream schools

- To address the needs of those awaiting diagnosis at the earliest possible stage thereby giving the best possible outcomes.
- To meet the needs of other students who otherwise may go many years with needs unrecognised or undiagnosed. Good Autism Practice is Good Practice for All.

4.5 **Autism Toolkit** - Buckinghamshire Council have committed to reviewing and enhancing the autism toolkit, currently embedded within the local offer. The toolkit offers information advice and guidance for parent and carers around a number of key issues from behaviour, sensory issues and relationships to mental health and school. Feedback from families as part of the local area SEND inspection outlined a need to broaden the scope of the toolkit, officers are in the process of starting to review the current content with families / carers, young people and professionals.

4.6 **Neuro-developmental duty line clinician** – The 5-18 diagnostic service is currently housed within the Children and Adolescent Mental Health Service. The CAMHS service provides a single point of access Monday – Friday 9-5 (with an allocated clinician for neuro queries) in which parents and carers can contact and discuss concerns that they may have about their child or young person. It is important to note that the wait for a diagnosis does not prohibit a child or young person accessing the wider CAMHS mental health provision.

Question to Councillor Clive Harriss, Cabinet Member for Culture and Leisure, from Councillor Robin Stuchbury in relation to the Buckingham Skate Park

I have been made aware of concerns around the condition of the Buckingham Skate Park in respect of failed areas where the concrete is breaking up. I also have concerns around the delays caused by external circumstances which may be subject to inflation and subsequently increases the scheme delivery costs. To assist local residents who are keen to see the skate park up and running, please can you advise what the latest update is on the delivery date for the Buckingham Skate Park and clarify whether the area has had adequate safety inspections undertaken?

Response

As stated, unfortunately there have been delays to this project caused by external circumstances, and wider inflation pressures are impacting project costs across the sector.

Additional S106 funds are being released to cover the increased project costs; it is anticipated that works will commence no later than 31 March 2023, with exact dates subject to confirmation by the contractor. Once the works are underway, the new skate park should be completed within 12 weeks, provided there are no extreme weather conditions or other unforeseen issues.

With regards to the condition of the existing skate park, an independent safety inspection has been carried out which identified some issues with cracking and repairs were undertaken in September, but these have proved to not be as durable as would normally be expected due to the adverse weather experienced recently. We will continue to make regular safety inspections as part of our ongoing operational management of the site, and any additional repairs required will be completed as necessary.