

Questions on notice

Full Council meeting 26 April 2023

Question to Councillor Martin Tett, Leader of the Council and Anita Cranmer, Cabinet Member for Education and Children's Services from Councillor Robin Stuchbury in relation to Teaching Assistants Pay

I understand that teaching assistants in Buckinghamshire are on a Bucks Pay (schools) pay scale and thus do not receive the same pay awards as those on Buckinghamshire Council terms and conditions or the NJC Green Book award. Due to issues linked to this, and the relatively low pay scale they find themselves on I am seeking assurance that their pay will be reviewed at the earliest opportunity, particularly as this is a key role supporting the children and young people of the county and in ensuring Buckinghamshire's Education Strategy is successful.

In light of the cost of living crisis, what actions are being taken and processes being followed by the local authority to consider and review this situation to ensure that teaching assistants are remunerated appropriately and do not leave the role to take up employment elsewhere?

Response

Schools dependent upon their constitutions have differing responsibilities with respect to pay awards. Schools, with the exception of Academies, are funded through the Dedicated Schools Grant (DSG). The DSG is received by the Council from the Department for Education and it is a grant that is passed directly to each Buckinghamshire school, through an agreed funding formula, to be spent according to their statutory and local priorities. It is important to note that the Council does not direct the use of the DSG within a school – there is no cross subsidy from the Council to schools or vice versa.

Within Buckinghamshire our Maintained Schools use the Bucks Pay (Schools) pay scale, however each Maintained School is responsible for setting its own staffing budgets, the grades at which they hire and retain their staff, and how they structure their teams reflecting their own circumstances, the Council does not direct or control these processes. This means that each year whilst the Council has responsibility for setting the pay scale it does not manage Schools budget and so any uplift needs to be agreed with schools balancing affordability and local recruitment and retention needs. The process is for the Council to consult with Maintained Schools plus schools who voluntarily use the Bucks Pay (Schools) pay scale to ask for their views on affordability on a range of % uplifts in the Bucks Pay (Schools) pay scale. The Council is mindful that although it has responsibility for maintaining the pay scale and setting any uplift that this decision must be guided by the schools who use the pay scale. The initial consultation is with Head Teachers and Bursars in a range of Forums. Following this process a full consultation is undertaken with Schools staff who are on Bucks Pay (schools) pay scale.

This year the pay review process following input from Head Teachers and Bursars concluded that 5% was generally affordable, however some Maintained schools have indicated that this uplift would require other savings within their school budgets. It must be emphasised that throughout the process the Council, Schools, Head Teachers and Bursars have been absolutely focussed on the vital role teaching assistants play in the education of our children and young people. An additional consultation with school leaders has taken place following a review of the feedback from school staff, the results of which will be considered by the Senior Appointments and Pay Committee (SAPC) on 27th April. Although not yet finalised, this year's pay increase will be backdated to April 1st once confirmed.

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

I wrote to you on 20 February and 27 March copying you into an article by Bucks Radio and providing links to your previous public statements around the future construction and building of the new skate park in Buckingham which the legacy district council and now Buckinghamshire Council have been working on for a significant period of time.

As I am yet to receive a response, I am submitting this written question seeking an update on the project which is of high importance to the young people and community who I represent. At what stage is the Council in the delivery of the Skate Park and what is the expected installation date?

Response

The contractor, Canvas Spaces Ltd, aims to commence works on site in July 2023, subject to confirmation that the Environment Agency has provided the necessary approvals for the revised date. With a planned 12-week installation period we would estimate completion in October 2023, however this is obviously weather dependent.

We will continue to keep interested parties informed and deliver on our commitment to provide the new skate park in Buckingham.

Question to Councillor Steve Bowles, Cabinet Member for Communities from Councillor Robin Stuchbury in relation to the Public Spaces Protection Order (PSPO) extension for Buckingham Town Centre

A decision was made in September 2022 to extend the PSPO in Buckingham Town Centre for a further three years until 2025. I have a number of concerns around the extension, including the wording of the order, the subsequent impact on future events due to be held in the town centre, and how the Town Council's consultation response has been dealt with by the Council. Please can I ask for an update on this PSPO and be given assurance that Buckingham Town Council's views and consultation response were taken in to

consideration, and if their views were not accurately reflected in the wording of the order, what opportunity is there to address this?

Response

This PSPO was approved by the Council on 5th October 2022 - the results of the consultation and the subsequent report were published on the Council's website on 27th September 2022.

It is the case that Buckingham Town Council's consultation response was not included in the consultation report. The Council provided an explanation for this omission and apologised, which was reported to the Town Council's meeting on 23 March 2023.

However, the consultation on the PSPO was in respect to an extension of the existing order. The Town Council's consultation response was in respect to the wording of the PSPO, not the extension. The wording of the PSPO cannot be changed as part of the extension process. To change the wording of an order would require a new order to be made which is a much lengthier and more complex process with a higher threshold of evidence required than for an extension. Therefore, we could not have considered amending the order as part of this consultation process. 67% of respondents wanted the PSPO to be extended, and the views of the Police *"Our officers advise that the PSPO is used in the management of street drinking as well as behaviour of the public, particularly within the night-time economy. In addition, an increase in homelessness/begging and related anti-social behaviour within Buckingham means that the PSPO is again an important part of our response, although the lack of signage is a barrier to this in Buckingham"* were compelling.

We note the Town Council's concerns about the signage used and, due to the variety of orders across the county, we need to keep these consistent. The signs are required to be placed on the land or adjacent to which the order applies. This is a legal requirement, and the Council is obliged to abide by this.

With respect to the concern about the impact on events in the town centre, as previously advised, the Town Council can inform Buckinghamshire Council of proposed outdoor events and we can arrange for the PSPO signs to be covered and a temporary suspension of the order for the duration of the event.

We anticipate a full review of all PSPOs across Buckinghamshire in 2024 which will include creating new orders where existing orders merit amendment. This will be the opportunity for the Town Council to engage with amendment of the PSPO wording and variations of restrictions.

Question to Councillor Peter Strachan, Cabinet Member for Planning and Regeneration and Councillor Gareth Williams, Deputy Leader and Cabinet Member for Climate Change and Environment from Councillor Robin Stuchbury in relation to sewage in Buckinghamshire's waterways and chalk streams and sewage infrastructure for new developments

In 2021, the Council approved a motion to lobby Government regarding water companies dumping sewage in Buckinghamshire waterways. Since then, in November 2022, a group of Members of the Transport, Environment and Climate Change Select Committee undertook a rapid review of pollution in Buckinghamshire's Rivers and Chalk Streams and in January 2023 I attended a Cabinet meeting to express my concerns and ask a question regarding new developments sewage infrastructure and the powers held by the Council as the Local Planning Authority.

Following on from the detailed response I received at Cabinet, please can I ask for an update on whether there has been any further investigation or feedback received as a result of lobbying Government around the powers the Local Planning Authority has in respect of sewage entering our waterways and in ensuring appropriate sewage and drainage capacity and infrastructure is included in development plans prior to planning consent being granted?

Response

Thank you for your question – we want to start by restating how important this issue is and we continue to be concerned by the discharges of untreated sewage into our waterways. The Councillor will be aware that the regulation of such activities, indeed the regulation of water pollution overall, rests with the Environment Agency. This is why the Council's approach has needed to be one of exerting pressure where we can, as we do not have direct control over such issues.

In terms of progress, yes there has been some. Recommendation 9 of the Transport, Environment and Climate Change Select Committee (TECC) rapid review published in November 2022 was that ***"The Deputy Cabinet Member for Environment lobbies further regarding the enactment of Schedule 3 to the Flood and Water Management Act 2010 with further support from the Council if necessary."*** Lobbying of Government regarding this issue continued during Winter 22/23 and in January 2023 DEFRA announced that a review had been completed into the enactment of this part of legislation.

The recommendation from Defra's review is that the Government must act and implement Schedule 3 to the Flood and Water Management Act 2010 with an indicative timeline of 2024 for implementation. This will ensure a consistent and more effective approach in using Sustainable Drainage Systems (SUDS) to help address the impacts of climate change, urbanisation and increasing population while achieving multiple benefits such as reducing surface water flood risk, improving water quality, and harvesting rainwater to meet current and future needs.

Schedule 3 provides a framework for the approval and adoption of drainage systems, an approving body (SAB), and national standards on the design, construction, operation, and maintenance of SuDS. Also, it makes the right to connect surface water runoff to public sewers conditional upon the drainage system being approved before any construction work can start. Whilst we understand the key aims of enacting Schedule 3, nearly all of the detail is to be developed still – the Council already is, and will continue to, engage with Defra on the development of this detail.

It is worth restating that the Water companies will remain the authority responsible for the discharge of sewage as detailed in the previous response to Full Council (January 2023), and the LPA/LA has no responsibility nor powers for sewage or sewage discharge.

A 6-month update on the full range of recommendations contained in the TECC Select Committee's report will be provided at the June meeting.