

Minutes of a meeting of the Scrutiny Commission held at County Hall, Glenfield on Wednesday, 2 May 2012.

PRESENT

Mr. S. J. Galton CC (in the Chair)

Mr. G. A. Boulter CC
Mrs. R. Camamile CC
Mr. J. G. Coxon CC
Dr. R. K. A Feltham CC
Dr. S. Hill CC
Mr. A. M. Kershaw CC

Ms. Betty Newton CC
Mrs. R. Page CC
Mrs. P. Posnett CC
Mr. R. J. Shepherd CC
Mr. D. Slater CC

In Attendance:

Mr. P. C. Osborne CC, Cabinet Lead Member for Climate Change and County Council representative on the LeicesterShire Promotions Board (for minute 262)

Mrs. L. A. S. Pendleton CC, Cabinet Lead Member for Transport (for minute 263)

255. The Leader of the County Council - Mr. D. R. Parsons CBE CC

Dr. Feltham CC reported that the Leader of the Council, Mr. D. R. Parsons CBE CC, had been unable to attend the Commission meeting today as he was attending the funeral of his granddaughter. Members of the Commission wished to put on record their sincere condolences to the Leader at this very sad time.

256. Minutes.

The minutes of the meeting held on 28 March 2012 were taken as read, confirmed and signed.

257. Question Time.

Elector Ms. Joanne Peryer asked the following question of the Commission:-

(A) School Transport Charging.

“1. On the wider issue of transport charging policy, I am pleased that my daughter has been given a place on a bus – the cost of £120 per term is much cheaper than a private taxi. However, my daughter has to rise at 6.20am to catch a 7.17am bus which arrives at school for 8.30am for a 12 mile journey that takes around 20-25 minutes. Therefore, what are the decision criteria and trade-offs for the transport charging policy,

specifically, the balance of cost of transport versus pupil experiences such as total journey time per week?

2. On farepaying places in taxis: should Leicestershire County Council maximise the income from out of catchment pupils, ensuring that all available places in taxis or buses are utilised where there is demand (provided that such people are placed on notice that if additional in catchment pupils are identified they may have to give up their place)?”

Mr. Galton CC replied as follows:-

- “1. The provision of farepaying places on school transport by the Council is entirely on a discretionary basis and generally reflects the decision of a parent(s) to send their child to a school that is neither their catchment school, nor their nearest school. For the catchment or nearest school, if the home address was over three miles from the school then statutory free home to school transport would have been provided. If the farepaying place is accepted it is on the basis of the offer, including potentially longer journey times, which are made clear. Guidance from the Department for Education suggests a maximum journey time for secondary school pupils of 75 minutes and we do not normally offer farepaying journeys that are longer. If parents do not accept the journey time, they do not have to accept the farepaying space, but no other offer will be made as this is not a statutory school journey.
2. Five taxi farepaying spaces have been agreed this academic year (three secondary and two primary spaces) and three spaces have not been agreed including the above request. We have 560 farepaying spaces on contract buses. It is recognised that such places, when granted, offer additional income for the Council but the basis on which they are offered could cause problems for parents who rely on such arrangements. Generally, when the Council offers a farepaying place it is done so on the basis that the space is guaranteed for the entire academic year. This offer is made so that parents and pupils can plan their attendance at school in a consistent way. The Council does not consider that the removal of such spaces at short notice is reasonable, nor is it likely to be acceptable in practice to most parents. Spare capacity is retained for children requiring statutory free home to school transport who move into the area after the start of the academic year.”

Ms. Peryer asked the following supplementary question in relation to the reply to question 1:

“What criteria are used to make a decision on farepaying places? Why this is not made transparent for parents? The present arrangements are not sufficiently flexible for parents”

The Chairman replied to the effect that places were offered on a discretionary basis in order that the Council had sufficient flexibility to ensure that all children were transported to school. He promised that a more detailed answer would be provided to Ms. Peryer in writing.

258. Questions asked by members.

The Chief Executive reported that no questions had been received under Standing Order 7(3) and 7(5).

259. Urgent Items.

There were no urgent items for consideration.

260. Declarations of Interest.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

The following members each declared a personal, non-prejudicial interest in respect of the item relating to transport consultation (paper 'C') as holders of concessionary bus passes:

Dr. R. K. A. Feltham CC
Mrs. M. E. Newton CC
Mr. R. J. Shepherd CC
Mr. D. Slater CC

Mrs. P. Posnett CC declared a personal, non-prejudicial interest in respect of the same item as a grandparent of a school travel pass holder (minute 263 refers).

261. Declarations of the Party Whip.

There were no declarations of the party whip.

262. Presentation of Petitions.

The Chief Executive reported that no petitions had been received under Standing Order 36.

263. Review of Tourism Support Services.

The Commission considered a report of the Chief Executive to the Cabinet concerning proposals to go out to tender for the provision of Tourism Support Services. A copy of the report, marked 'BB', is filed with these minutes.

The Chairman welcomed to the meeting the Cabinet Lead Member for Climate Change, Mr. P. C. Osborne CC – who represented the County Council on the LeicesterShire Promotions Board.

Mr. Osborne CC introduced the report by stating that it was the intention of the Authority to go out to tender for the provision of Tourism Support Services. A market testing exercise would be carried out to understand more about the number of service providers that would be interested in providing these services to the Council in the future.

Arising from discussion, the Commission made the following suggestions for

consideration within the context of the formulation of the business plan for the tourism offering in the County:

- Leicestershire was not considered to be “natural” area for tourism, though it did have areas of particular interest – such as the National Forest, Bosworth Battlefield and the food and drink culture offer in Melton Mowbray. It was acknowledged that there might not be one central reason to come to Leicestershire for an extended stay, however there were a number of attractions and activities that could for instance sustain a short stay;
- The County had a historical and heritage background (eg. Lady Jane Gray, the Bosworth Battlefield and the Great Central Railway) which was highly marketable to tourists both domestically and abroad. It was felt that this historical context was not currently expressed clearly enough to potential visitors;
- Better joint working with the City Council and other neighbouring authorities and district/borough councils would ensure a more coherent ‘message’ was delivered to potential visitors. A clear, easy to use and information rich website would also be necessary to attract visitors and make it as easy as possible to do so.

RESOLVED:

- (a) That the proposal for Tourism Support Services to be procured through a competitive procurement process be noted;
- (b) That the suggestions put forward for marketing of the County’s tourism offering be noted for consideration as part of the formulation of the business plan.

264. Consultation on Proposed Changes to Transport.

The Commission considered a report of the Director of Environment and Transport to the Cabinet which set out the results of the public consultation into proposals for Home to School Transport and the Concessionary Travel Scheme and proposed changes thereto. A copy of the report, marked ‘CC’, is filed with these minutes.

The Chairman welcomed to the meeting the Cabinet Lead Member for Transportation, Mrs. L. A. S. Pendleton CC who was present to respond to any questions raised by the Commission.

During the course of the ensuing discussion, the following comments/decisions were made:-

A. Concessionary Travel

The Commission was advised that the County Council was having to subsidise the English National Concessionary Travel Scheme to the tune of £1million per year and that it was likely that the level of subsidy would need to be increased in the future as Central Government was

further reduced.

The Commission noted the proposals which would result in the removal of the following discretionary elements with effect from 1st October:-

- Half fare on community transport;
- £33 of vouchers as an alternative to a bus pass;
- Free travel before 9.30am – Monday to Friday for disabled pass holders;
- Free travel after 11.00pm – Monday to Friday for all concessionary pass holders.

Some members expressed concern at the proposals to remove free travel before 9.30am for disabled people as this would affect those disabled people in low paid employment.

Concern was also expressed about the impact of the proposal to cease to provide vouchers as an alternative to bus passes particularly to disabled people who were unable to access bus services. In this regard the Commission was advised that the County Council was looking to expanding Demand Responsive Transport as an alternative to buses in rural areas and this might offer an opportunity for disabled people.

B. Home to School Transport – Revised Policy - Appendix G

In response to questions by Mr Shepherd CC, the Scrutiny Commission was advised that a number of complaints had been made to the Local Government Ombudsman about the withdrawal of transport to school and the assessment of walking routes. These were still subject to that complaint process and therefore it would not be appropriate to comment in detail at this stage.

The Ombudsman's Investigator had raised some issues in relation to the application of the DfES guidance issued in 2007.

As a result, the County Council proposed to amend its internal guidance for assessing routes. The proposed guidance set out in Appendix 3 of report expanded and enhanced the previous guidance on this issue and took into account the DfES guidance as well as guidance recently issued by Road Safety GB.

Subject to the Cabinet agreeing the new policy it was intended to review against the new criteria those routes where complaints had been received.

C. Home to School Transport

(a) Academies

The Commission noted that the proposals would have the following

effect:

- September 2012 – No change to mainstream home to school transport existing catchment areas;
- September 2013 – No change to mainstream home to school transport existing catchment areas;
- September 2014 – Mainstream home to school transport introduced to nearest available school. Transport Eligibility areas introduced for new pupils only and existing pupils to have existing eligibility until they leave school.

During the discussion, some concern was expressed that the proposals now being put forward regarding transport to the “nearest available school” might not have been clearly understood during the consultation process, particularly as the traditional local authority boundaries would no longer apply. This might go some way to explaining why there was a low level of response to the consultation.

The Commission was advised that the legal advice received was that it would not be appropriate to refer to the “nearest Leicestershire school” as all academies could compete to attract student, regardless of location.

It was recognised that the proposed policy would have a significant impact on current arrangements, and hence, it was proposed that the policy should only come into effect in September 2014 in order that parents and carers had sufficient notice to understand the impact the new policy would have in relation to the “nearest available school” and consequent transport arrangements.

It was moved by Dr. Hill CC and seconded by Mr. Boulter CC:-

“That proposals be put on hold as the implications of the “nearest available school” appear not to have been clearly understood and that the Cabinet be asked to undertake specific consultation with schools and parents/carers, which should include the exploration of partnership arrangements for transport with academies.”

An amendment was moved by Dr. Feltham CC and seconded by Mrs. Page CC:-

“That the proposals now being put forward be adopted and that the Cabinet be asked to ensure that there is a process of engagement with parents and schools so that there is a clear understanding of the implications of the policy which will come into effect in September 2014.”

The amendment was carried, eight members having voted for the amendment and four against.

It was agreed that officers should be requested to provide a detailed briefing to members on the statutory requirements placed on the local

authority to provide home to school transport, with particular reference to academies.

(b) Denominational Schools

The Commission noted the implications of the proposals as follows:

- September 2012 - Discretionary home to denominational transport increases in cost from £240 to £320;
- September 2013 – Discretionary home to denominational transport likely to increase in cost from £320 to around £500 and no new starters – existing pupils start to be phased out over five years;
- September 2012 – Discretionary home to denominational transport likely increases in cost from around £500 to somewhere between £525 and £575;
- That the current reduction in cost to a family where two or more children using transport would cease;
- That the hardship fund of £20,000 would be phased out by 2017.

Concern was expressed that these proposals would adversely impact on low income families.

(c) 16+ and Further Education College Supported Transport

The Commission noted the implications of the proposals as follows:

- September 2012 – 16+ transport increases from £240 to £430 (new waiver for low income families);
- September 2013 – 16+ transport £430 but likely to increase to be somewhere between £450 and £500;
- September 2014 – 16+ transport £430 (but likely to reflect previous increases) and only to the nearest sixth form school or further education college.

Concern was expressed at the impact the measures would have on low income families and on increased congestion and parking near colleges.

(d) Farepaying Places

The Commission noted the implications of the proposals as follows:

- September 2012 – farepaying transport to a flat £430;
- September 2013 – farepaying transport at a flat rate at the same level as 16+;
- September 2014 – farepaying transport to reflect the 16+ charge.

In regard to farepaying places, the Director advised the Commission that the operation of the present system meant that one space on taxis was kept free to enable the Authority to meet its statutory obligations to provide transport for any pupils that moved schools during the academic year. Where there was more than one space on a taxi, these were made available to parents/carers. The Director acknowledged that this arrangement was not fully transparent to parents and carers and agreed to include greater clarity on this in the application process.

(e) Change of Address

The Commission noted the proposals to remove entitlement for families that moved at any stage of education and in particular GCSE exam year. Exceptional circumstances would be taken into account.

The Commission acknowledged that parents or carers who moved children of their own volition should not be guaranteed transport.

Accordingly, it was RESOLVED:

General

- (a) That the Cabinet be advised of the comments now made regarding the proposed changes to the Concessionary Travel Scheme and Home to School Transport;

Home to School Transport to Academies

- (b) That the proposals now being put forward be adopted and that the Cabinet be asked to ensure that there is a process of engagement with parents and schools so that there is a clear understanding of the implications of the policy which will come into effect in September 2014.
- (c) That officers be requested to provide a briefing to members of the Commission on the statutory requirements placed on local authorities to provide home to school transport with particular reference to academies.

265. Park and Ride.

As there was insufficient time to consider this item, the Chairman proposed that consideration of the presentation be deferred to a future meeting in order for a full debate to take place on the progress made with Park and Ride.

RESOLVED:

That the item be deferred.

266. Corporate Asset Management Plan 2012/13 - Progress Report.

The Commission considered a report of the Director of Corporate Resources concerning the County Council's Corporate Asset Management Plan 2012/13. A copy of the report, marked 'D', is filed with these minutes.

In response to questions, the Commission was advised as follows:-

- The value of the asset holdings had reduced by £55 million partly as a result of a reduction in freehold assets (54 less) and reduced values of assets;
- The Office Accommodation Strategy was on target for completion later this year and the anticipated savings of £700,000 per annum would be realised;
- Work was in hand to engage with other partners to build on the success of joint working arrangements undertaken in Melton and planned for Harborough and Hinckley and Bosworth
- The County Council was responding to the Academies agenda and working with schools regarding asset transfer. In this regard was be noted that the freehold would reside with the County Council, Academies would have a 125 year lease. On the issue of disposal of surplus playing fields, Academies would require the approval of the County Council as landlord and would also require the consent of the Secretary of State.
- Discussions were still ongoing as to whether the County Council would remain responsible for carbon emission from schools once the building assets and transferred to Academies.

RESOLVED:

That the Cabinet be advised that the Scrutiny Commission supports the Corporate Asset Management Plan and in particular alignment of the Plan with the Council Capital Strategy and Medium Term Financial Plan.

267. Date of next meeting.

It was noted that the next meeting of the Commission would be held on Wednesday 30 May at 2.00pm.

10.00 am - 1.15 pm
02 May 2012

CHAIRMAN