

Central  
Bedfordshire  
Council  
Priory House  
Monks Walk  
Chicksands,  
Shefford SG17 5TQ



**TO EACH MEMBER OF THE  
CHILDREN, FAMILIES & LEARNING OVERVIEW & SCRUTINY COMMITTEE**

26 March 2010

Dear Councillor

**CHILDREN, FAMILIES & LEARNING OVERVIEW & SCRUTINY COMMITTEE -  
TUESDAY 30 MARCH 2010**

Further to the Agenda and papers for the above meeting, previously circulated, please find attached the following additional report which the Chairman has agreed to take as an urgent item of business:-

**8A            Urgent Business - Review by Overview and Scrutiny of  
Adequacy of Response to Petition**

The Chairman of the Overview and Scrutiny Committee has agreed to take the attached item as an additional item of business as a matter of urgency in accordance with Section 100B (4) (b) of the Local Government Act 1972 in accordance with the Constitution this item should be included on the agenda for the next scheduled meeting of the relevant overview and scrutiny committee.

The Monitoring Officer has received a request from the petition organiser for the Children, Families and Learning Overview and Scrutiny Committee to review the adequacy of the response to her petition that was handed into the Executive on 9 March 2010 entitled "to keep school transport to denominational schools".

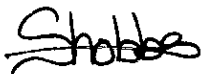
Attached to this Briefing Note is the request received from the petition organiser and the relevant minutes from the Executive meeting held on 9 March 2010.

As set out in the Council's Constitution at Part A4 section 7 the Overview and Scrutiny Committee has four options having reviewed the adequacy of the response to the petition:-

1. to agree with the steps taken or proposed to be taken in response to the petition;
2. to call upon the Executive, relevant committee or the Council to reconsider the matter;
3. to make recommendations to the Executive, committee or the Council to pursue a particular course of action; or
4. to refer the matter for consideration by the full Council.

Should you have any queries regarding the above please contact Sandra Hobbs on Tel: 0300 300 5257.

Yours sincerely

A handwritten signature in black ink that reads "Shobbs". The signature is written in a cursive, slightly stylized font.

Sandra Hobbs  
Democratic Services Officer  
email: [sandra.hobbs@centralbedfordshire.gov.uk](mailto:sandra.hobbs@centralbedfordshire.gov.uk)

Mrs B. Morris  
The Monitor Officer  
Central Bedfordshire Council  
Priory House  
Monks Walk  
Chicksands  
SHEFFORD  
SG17 5TQ.

19<sup>th</sup> March 2010

Dear Mrs Morris

**Re: Request to Review the Adequacy of the Response to the Petition to Keep the School Transport to Denominational Schools.**

I am writing to you, as advised by Devina Lester, Senior Democratic Services Officer, with regard to the above named Petition.

I therefore give notice that I wish that the relevant Overview and Scrutiny Committee review the adequacy of the response to my Petition "Keep the School Transport to Denominational Schools in Central Bedfordshire", as presented to the Executive Members on 9<sup>th</sup> March 2010.

Please let me know if this is acceptable and if I would be able to attend this Committee meeting.

I look forward to hearing from you.

Yours sincerely,

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Maria Pires

**Your ref:**

**Our ref:** DL/EX090310

**Date:** 11 March 2010

Dear Ms Pires

**Consideration of Petition seeking the continuation of School Buses for Children going to a Faith School in Central Bedfordshire**

I am writing to you as the organiser of the above petition relating to the continuation of School Buses for children going to a Faith School in Central Bedfordshire to advise you of the outcome of its consideration by the Council's Executive held on 9 March 2010.

The Executive considered the petition as part of its overall deliberations on the Portfolio Holder for Children's Service's report to the Executive proposing a Home to Transport Policy for Central Bedfordshire Council.

Having considered the report and evidence put forward the Executive has agreed to adopt the Home to School Transport Policy, as set out in Appendix A to the Portfolio Holder for Children's Services report to the Executive, including ending provision of free transport to denominational schools, with effect from 1 September 2010.

The Executive is conscious that this decision may cause difficulties for certain families and as such officers in the Directorate of Children's Services will be meeting with the Diocesan authorities to consider the implementation side of the Home to School Transport Policy.

As the petitioner organiser you have the right to request, by giving notice in writing to the Monitoring Officer, Mrs B Morris, that the relevant Overview and Scrutiny Committee review the adequacy of the response to the petition.

The decision would then be forwarded to the next scheduled meeting of the Committee.

If I can be of any further help please contact me on the number below.

Yours sincerely

Devina Lester  
Senior Democratic Services Officer  
**Direct telephone** 0300 300 6258  
**Email** [devina.lester@centralbedfordshire.gov.uk](mailto:devina.lester@centralbedfordshire.gov.uk)

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**EXTRACT FROM THE MINUTES OF THE EXECUTIVE  
HELD ON 9 MARCH 2010**

E/09/186

**Petitions**

In accordance with the Scheme of Public Participation set out in Annex 2 of Part 4 of the Constitution, the Executive received two 2 petitions as follows:-.

(i) Petition about Dog Fouling in Ivel Way, Flitwick

Mrs Waplington presented a petition from 66 residents in Ivel Way, Flitwick asking for action to be taken to alleviate a dog fouling problem in Ivel Way, Flitwick. In drawing attention to the problem, the Executive was presented with photographic evidence to show the extent of the problem.

The Executive in thanking Mrs Waplington for presenting the petition, advised that the evidence would be passed to the Portfolio Holder for Safer and Stronger Communities, Councillor David McVicar to investigate the problem and advise in due course about the steps that would be taken in response.

(ii) Petition seeking the continuation of School Buses for children going to a Faith School in Central Bedfordshire

**Mrs Maria Pires presented a petition asking for the continuation of school buses for children going to a Faith School in Central Bedfordshire. As the issue related to Agenda Item No 8, School Transport Policy for Central Bedfordshire (minute Ex/09/198 below refers) the Executive in receiving the petition, agreed that it would be taken into account as part of its deliberations on the item.**

**[NOTE: In accordance with the Council's petition procedure the lead petitioner was accordingly advised of the outcome of the Executive's decision on minute Ex/09/198 below.]**

E/09/187

**Public Participation**

The Chairman announced that there were six requests to speak on Agenda Item No 8, Home to School Transport Policy. She explained that the Scheme of Public Participation allowed for up to three speakers on any particular agenda item. In view of the amount of public interest in this agenda item, additional representations would be allowed, following the addresses of the first three registered speakers, on any matters that had not been raised already.

E/09/188

## Home to School Transport Policy

The Executive received a report from Councillor Anita Lewis, Portfolio Holder for Children's Services proposing a Home to School Transport Policy for Central Bedfordshire. Attention was drawn to the following documents that had been circulated with the Chairman's Briefing Note following circulation of the main Agenda:-

- Revised Appendices A and B and part of Appendix C (consultation process and outcomes).

[Note: Appendix C (consultation process and outcomes) was subsequently revised on 8 March 2010 and circulated to all Members of the Council.]

Prior to consideration of the report and in accordance with the Scheme of Public Participation set out in paragraph 2 of Annex 1 of Part A4 of the Council's Constitution, the Executive received representations and statements from the following members of the public and Diocesan authorities:-

1. Jon Reynolds - Diocese of St Albans

Mr Reynolds, whilst acknowledging that providing free denominational transport was a discretionary function and that the Council needed to save money, asked that consideration be given to phasing the proposed removal of free denominational transport. He commented that a phased approach would help families prepare for the removal, enable schools to adapt to the policy alteration and help the Council to adjust to the change.

2. Francis Image – Representative from Roman Catholic Diocese

Ms Image referred to the history of providing free denominational transport which dated back to 1944. She commented that the Government's 2007 Home to School Transport and Travel Guidance included reference to the fact that local authorities should ensure that transport supports local choice. Ms Image stated that the Diocesan authorities did not support the withdrawal of free denominational transport, but should the Executive be minded to do so, Members were urged to phase the removal.

3 Deidre Viana

Ms Viana referred to the detrimental impact that the proposed withdrawal of free denominational transport would have upon her family as well as others, especially low income families and those with more than one child. She also commented on the cost and pressures on parents whose children were already attending a faith school and the effect that it would have on those in the process of studying for their



GCSEs and on those who had chosen their subjects for their GCSEs based upon being at a faith school.

4. Paula Allen

Ms Allen commented upon the financial evaluation that the Council had used to support the proposals and suggested that a detailed breakdown of the cost of providing free transport to other groups of children had not been undertaken. She also referred to the consultation papers which she had found to be difficult to access on the Council's website. Ms Allen explained that she had attended the two meetings of the Overview and Scrutiny Committees but that whilst the proposals had been debated, the three options included in the Executive report were not discussed by the Committee.

Councillor Anita Lewis, Portfolio Holder for Children's Services then introduced her report.

The Portfolio Holder explained that the Council had inherited its current Home to School Transport policy from the former County Council, which had been reviewed to make the service as cost effective as possible in the current economic climate. The proposed policy strengthened the existing policy by clarifying the eligibility criteria, ensuring that those in most need could access the service, or were able to purchase concessionary passes, and by supporting the needs of looked after children. All proposed changes to the policy met current legislative requirements, as detailed in the legal implications section of the report under Corporate Implications, and ensured that the assessment of eligibility for free home to school transport would be fair and equitable for all families.

Members' attention was drawn to the public consultation process that had taken place between 4 January and 19 February 2010; the consultation period had been extended by one week beyond the statutory minimum to allow further time for the Diocesan authorities to respond and to provide a further opportunity for members of the public to give their views. It was noted that the results of the consultation had been circulated to all Members of the Council and had been made publicly available.

The Executive was advised that the proposed changes had been considered by the Overview and Scrutiny Committee on 2nd February 2010. The Committee also received the results of the public consultation at a special meeting on 24 February, along with additional information requested at its initial meeting. It was noted that changes that the Committee had proposed to the draft policy had been incorporated in the report now being considered, with the exception of a recommendation to phase out denominational transport which was not included so as to not to fetter the decision of the Executive.

The Executive then debated the proposed policy.

The Portfolio Holder explained that the draft policy was not proposing any changes for children from low income families or those with disabilities who would continue to be entitled to free transport in line with the current criteria. Entitlement to transport based on distance and nearest school, based on the specific duties in the Education Act 1996 and the Education and Inspections Act 2006, would also continue. Transport would also continue to be provided for children who, due to their special education need, attended a residential school.

Councillor Mrs Lewis explained that the proposed withdrawal of discretionary free denominational transport from 1 September 2010 was only one element of the draft policy. The Authority would also be looking at improved ways of commissioning transport to achieve better value for money. A review of school routes would also be undertaken with the aim of making them safer for those that choose to walk or cycle.

The Executive was mindful that the proposed policy could cause difficulties for certain families and for this reason agreed that the Diocesan authorities and parents would be invited to meet with the Authority to consider how best families affected could be supported during the implementation of the proposed policy.

Reason for decision: To ensure that Central Bedfordshire Council meets its statutory obligations and offers a fair and equitable home to school transport service.

## **RESOLVED**

**that the Home to School Transport Policy, as set out at Appendix A to the submitted report, be adopted with effect from 1 September 2010.**