

THE DEADLINE FOR CALLING-IN ANY OF THE DECISIONS CONTAINED IN THESE MINUTES IS UP TO, AND INCLUDING, 29 JULY 2003. AFTER THAT DATE, THEY WILL BE IMPLEMENTED WHERE APPROPRIATE. NOTIFICATION OF ITEMS TO BE CALLED-IN TO BE SENT TO:

**Ann Sweeney: 020 8547 4629; fax : 020 8547 5807;
e-mail : ann.sweeney@rbk.kingston.gov.uk**

EXECUTIVE

15 JULY 2003

(7.30pm – 9.45pm)

Councillor Derek Osbourne Chair	Leader of the Council
Councillor Tricia Bamford	Environmental Strategy
Councillor Martin Blakebrough	Young People & Lifelong Learning
Councillor Rolson Davies	Health & Community
Councillor Roger Hayes	Economic & Strategic Development
Councillor Ian Reid	Improvement Planning & Performance Management
Councillor Mary Reid	Participation & Communication

Neighbourhood Committee Chairs/Co-Chairs by invitation

Councillor Julie Haines	Maldens & Coombe
Councillor Chrissie Hitchcock	Kingston Town

Councillors Patrick Codd, Paul Johnston, Rob Lee, Steve Mama and Ed Naylor also attended.

DECLARATIONS OF INTEREST

Councillor Martin Blakebrough declared a personal interest in Item 5 Kingsmeadow – Assignment of Lease Appendix E – as a member of the Kingstonian Trust

UPDATE BY EXECUTIVE MEMBERS

Councillor Roger Hayes – Economic & Strategic Development

BIDS

Last week had seen more activity on BIDS (Business Improvement Districts.) RBK is set to become the first UK authority to establish a BID. Recent activity has included meetings and exchanges of views with the Mayor of London's office, the Office of the Deputy Prime Minister and the New York City Mayor's office.

Councillor Patricia Bamford – Environmental Strategy**Crossrail**

The Government's decision announced yesterday to proceed with the Crossrail project is good news for Kingston. Although it is a 10 year project it will link Kingston direct to Paddington improving access to London and Heathrow. This fits in with a whole range of sustainable transport strategies which the Council is seeking to progress.

Green Supplement in Kingston Informer

The current edition of the Informer contains an 8 page supplement with a wealth of information on 'Green' issues. This is the result of collaboration between the Council and the many environmental organisations and groups it works with

Guide to Directorate of Environmental Services

A new guide to the Directorate of Environmental Services combines details of the services it provides and a 'who's who'.

Councillor Rolson Davies – Health & Community**Social Action Plan**

Projects being pursued under the Social Action Plan initiative are a Furniture Recycling Scheme and Walking for People with Disabilities. A grant has been received for this project to provide the signing of special walking routes. A planned project is the creation of a Community Garden.

Councillor Mary Reid – Participation and Communication**Net Phones**

The BBC had recently publicised the new information point telephones which will be appearing around the Borough shortly. The kiosks will be easily accessed by all, there is no hand set, but with the touch screen, microphone and speaker people will be able to speak to the council call centre, and report problems such as graffiti and abandoned vehicles. This service is made possible as Kingston is the only local authority using the Cisco system of integrated telephone and Internet technology.

IDeA e-gov project

The Young Livin web site has been featured by the IDeA (Improvement and Development Agency) on its web site for some time as a 'case study' on web sites. A research project is now being launched by the IDeA together with SOCITM (Society of Information Technology Managers) and the LGA on e-government which she has been invited to join.

Councillor Derek Osbourne – Leader and Executive Member for Resources**Innovations Forum**

The Innovations Forum is representatives of the 22 Councils rated as 'excellent'. Its objectives include looking at ways to provide better public services. The first project, which is to be led by Kent County Council, will investigate innovative ways of supporting

elderly people. This will involve looking at the services provided by Councils and the Health service, the connections between the two and how and what services can be provided so that elderly people are given appropriate support at the right stage.

33. MINUTES

RESOLVED that the minutes of the meeting of 25 June 2003 be confirmed as a correct record and signed by the Chair.

34. KINGSMEADOW – ASSIGNMENT OF LEASE

Appendix E

Two leases were granted to Kingstonian Football Club in the early 1990's. One, for the pitch area and the second for land adjacent to the ground to enable the ground to be brought up to the standards required for higher leagues. The Council agreed to the assignment of the first lease when the administrator accepted the bid of Mr R Khosla for the assets of the club. Mr Khosla has since assigned this lease to AFC Wimbledon on terms which will allow Kingstonian to share the ground for a minimum of 20 years and to play at Kingsmeadow without any ground costs for the next ten years.

In response to an approach from Mr Khosla there have been detailed negotiations on the assignment of the second lease. Central to these have been the Council's objective of enabling Kingstonian to continue to play at Kingsmeadow, reflecting the view that Kingstonian has an important part in the Royal Borough's history and tradition. The Council's objective is therefore to enable Kingstonian to continue to play their football at Kingsmeadow.

Negotiations have been concluded and include a sum of £100,000 which the Council will hold for the benefit of the K's Trust, the supporters trust which is preparing itself to be able to take over the running of the Club. Several clubs, including AFC Wimbledon are now run by Supporters Trusts a movement supported by Supporters Direct, a government backed and funded scheme.

Mark Murphy the Chairman of the K's Trust spoke at the meeting on the aspirations of the Trust and their support for the terms which have been negotiated and which end a period of uncertainty for the Club. Chris Stewart the Chairman of AFC Wimbledon also spoke on the benefits of the proposal for both clubs.

RESOLVED that the assignment of the perimeter lease for Kingsmeadow Stadium to AFC Wimbledon be approved on the following terms

1. a sum of £100,000 to be paid to Kingston Council for the benefit of the K's Trust. Payment to be made in two tranches: £40,000 on 1st April 2004; £60,000 on 1st September 2005;
2. the transfer of the FA registration number from Kingstonian Football Club to Kingstonian FC and the transfer of Kingstonian FC to the ownership of the K's Trust for a nominal payment, unencumbered by debts or liabilities in excess of its assets. Agreement for this to happen no later than 1st May 2004, but earlier if the following conditions are met;

- i. formation of K's Trust as an Industrial and Providential Society and appointment of a Board to manage the Trust;
 - ii. appointment of a Chairman and Company Secretary to conduct day to day business;
 - iii. approval by majority decision of a business plan for the period until 1st May 2004. The panel to comprise Mr R. Khosla, the Director of Finance of RBK and Brian Lomax, Managing Director of Supporters Direct.
3. The agreement of RBK as freeholder whereby Kingstonian FC/K's Trust continue to use the facilities at Kingsmeadow.
 4. The variation of the perimeter lease so as to encompass AFC Wimbledon as well as the original lessee, and the revision of certain of the terms of that lease where they are misleading or where they could be misconstrued..

Reason for decision

To enable AFC Wimbledon to make improvements to the Kingsmeadow Stadium and to provide long term security for Kingstonians at Kingsmeadow. These improvements will also be of benefit to Kingstonian football club in the event that it achieves promotion to higher leagues.

35. HOMELESSNESS STRATEGY**Appendix B**

Whilst the requirement to produce a Homelessness Strategy originates in the Homelessness Act 2002, Kingston's Homelessness Housing Services were already implementing a 5 year Improvement Plan. This Plan was introduced in 2001 as part of the Best Value Review of Homelessness and Temporary Accommodation. The service was given a two star rating, placing it amongst the best in London.

The Homelessness Strategy builds on this success and presents a 3 year Action Plan which coincides with the last 3 years of the Improvement Plan. Towards the end of this period an updated Strategy and Action Plan will be produced to ensure continuous improvement.

The Government expects that homelessness strategies will minimise bed and breakfast usage and rough sleeping, and reduce

1. levels of repeat homelessness
2. levels of homelessness against the main causes of homelessness, and
3. inappropriate use of temporary accommodation

Kingston has already met the targets on bed and breakfast usage, levels of rough sleeping and use of temporary accommodation. The Strategy is therefore directed towards preventing repeat homelessness and achieving a range of other service improvements.

The Homelessness Strategy has been developed in partnership with a wide range of organisations and users of the service. The process has included three

consultation events and a Working Party with a wide ranging membership has met fortnightly to discuss key topics and monitor progress.

The Action Plan is directed towards more effective prevention of homelessness, the provision of additional accommodation and services and support for homeless people.

Targets have been set for each of the 3 years of the strategy for the relevant Council services and other agencies such as Kingston Churches Action on Homelessness (KCAH), Citizens Advice Bureaux and the YMCA. Implementation of the strategy will be overseen and monitored by a new Homelessness Forum which will include members of the Homelessness Strategy Working Party and other service providers.

RESOLVED that Kingston's Homelessness Strategy be approved for publication by 31 July 2003.

Reason for decision

To enable the Council to comply with the Homelessness Act 2002 which requires all Local Authorities to publish a homelessness review and strategy for their areas.

36. ANTI SOCIAL BEHAVIOUR OFFICER

Appendix F

(Housing Consultative Committee – 19 June – Appendix B)

An anti social behaviour officer post for the Housing service was agreed early in 1992, but for a variety of reasons the post was not filled. Various arrangements put in place to combat anti social behaviour by tenants, their visitors or guests have had some notable successes.

However the situation has recently been discussed by the Housing Consultative Committee and strong support was expressed for the dedicated post to be filled.

The Acting Head of Housing proposes to re-organise the estate management service to include a new post concentrating on providing a borough wide high profile service supplementing and enhancing the role of neighbourhood staff. There will be an emphasis on supporting communities on estates borough wide and liaison with Housing Associations, Members of the Housing Consultative Committee are to be involved in the recruitment process.

RESOLVED that the action proposed in response to the Housing Consultative Committee request be approved and a dedicated anti-social behaviour officer be appointed.

Reason for decision

To provide a new post in the estate management service

37. DRAFT WASTE STRATEGY

Appendix A

Kingston has been a high achieving Borough for recycling and composting and now has to meet extremely high statutory recycling and composting targets of 30% in 2003/4 and 36% in 2005/6. Landfill is also now subject to an escalating tax and

there are statutory limits on the amount of biodegradable waste that can be disposed of as landfill.

A draft Waste Strategy has been drawn up for consultation with residents and a wide range of other groups in the community. It sets out the strategic issues and overall aims; identifies what needs to be addressed in the short, medium and long term; and proposes several approaches and actions towards meeting the aims.

The aim of the consultation is to raise the awareness of residents and businesses on the scale of the problem; seek views on alternative disposal methods and how willing people are to take part in different waste separation and collection methods. Views on financial aspects such as increased contributions to waste management costs and /or the introduction of financial mechanisms to increase recycling are also being sought.

The Strategy does not fully identify long-term disposal options and costs, there are limited in-house resources for this and it is an area of specialist knowledge. A consultant is therefore to be engaged to produce a report on the options on waste particular to Kingston's waste stream and the associated capital and revenue costs. It is anticipated that this report will be available by January 2004.

RESOLVED that

1. the Draft Waste Strategy be published for consultation with Borough residents, businesses and other organisations;
2. a specialist consultant be appointed to undertake a waste audit and advise on waste disposal options and associated costs; and in order to expedite the process:

the Director of Environmental Services, acting in consultation with the Leader of the Council, the Executive Member for Environmental Strategy and the Director of Finance agree the brief for the consultant; a shortlist of appropriate consultants to submit proposals to that brief, and make the appointment

Contract Standing Order Nos 2-4 be suspended to enable the consultant to be appointed to the agreed brief

the possibility for external funding for all or part of the work be pursued

in the interim the Director of Environmental Services contain the costs, by virement, within existing budgets if possible.

Reason for decision

To enable the Borough's Draft Waste Strategy to be published for consultation.
To appoint specialist consultants to support in-house resources.

38. DRAFT SCHOOL ORGANISATION PLAN

Appendix C

The School Organisation Plan is the policy for the distribution of school places within the Borough. It sets out how many school places are needed at present, how

many will be needed in the future and how they will be provided. It shows how the Local Education Authorities (LEA) plans to meet its statutory responsibility to secure sufficient education provision within its area in order to promote higher standards of attainment. This includes provision for children with Special Educational Needs and post 16 provision

Arrangements for School Organisation Plans have changed this year. In the past LEAs have had to have a five year plan, reviewed, updated and published annually and 'rolled forward' for a further year so that it always covered five years.

The new arrangements keep the five year time scale but require a full Plan to be produced every three years on 1 June. A Plan needs only to be published in other years if there have been changes in policy, strategy or any local circumstances affecting school organisation. In the years the Plan is not published LEAs are expected to review and update the demographic information on which the planning of school places is based.

To start the new process this year draft Plans are to be published for an 11 week consultation period from 1 August. The consultation in Kingston will be wide ranging and all responses will be considered by the School Organisation Committee which will decide the final content of the Plan.

RESOLVED that the draft School Organisation Plan 2003 – 2008, be approved for public consultation.

Reason for decision

To enable the draft Plan to be published for consultation

**39. SPECIAL EDUCATIONAL NEEDS –
POLICY REVIEW OF HOME TO SCHOOL TRANSPORT**

Appendix D

The operation of the first year of the revised policy on home to school transport for children with Special Educational Needs has been reviewed. Some changes are proposed none of which affect the eligibility criteria for transport services but are intended to provide greater clarity regarding how the provision will be made. The recent statutory requirements expanding support to post-16 pupils are reflected in the changes. The outcome of the review has been discussed by the Children Youth & Culture Overview Panel which is supportive of the proposed policy amendments.

The Policy includes an appeals process for parents where transport has been refused, or the level of transport reduced. The two appeals to date have been dealt with by the Grants and Awards Panel, and at a recent meeting that Panel asked that an update clarifying the training and vetting arrangements in place for escorts appointed to travel with pupils with Special Educational Needs between their home and school be provided to this meeting.

It was noted that all drivers and escorts are

- vetted by the Criminal Records Bureau,
- required to be trained in first aid and matters relating to looking after children with Special Educational Needs, and

- must be aware of child protection issues and relevant legislation and best practice.

The new service specification for taxi providers – see also Minute 47 - provides the framework for a strengthened procedure for appointing escorts and the Authority will work in partnership with its contractors to establish more formal and consistent training.

RESOLVED that the changes to the SEN Home to School Transport Policy set out in Annex 1 be approved as part of the ongoing improvements in this service area.

Reason for decision

To improve upon the current SEN Home to School Transport Policy which was approved by the Executive in May 2002 and has been in operation for one year. The Policy has been successful in providing a transparent assessment process for children who may require transport.

40. PERMANENT PARK AND RIDE SCHEME

Appendix G

Park and Ride is being considered as part of a wider transport strategy aimed at reducing overall car use and providing “a real choice” in mode of travel to Kingston town centre. Site selection hinges on making any scheme as attractive as possible to current car users

A study by Colin Buchanan and Partners has looked at nine potential sites in terms of transport infrastructure, planning and engineering issues. Of these it is proposed to consider three in more detail - Kempton Park, Sandown Park, M25 junction 9 at Leatherhead. In addition the possibility of using part of Kingston Hospital as a weekend park and Ride site is also proposed. The process will involve continuing discussions with neighbourhood authorities and Transport for London and including schemes as bids in future Borough Spending Plans. Initial comments on the three schemes were received from Surrey County Council, as Highway Authority, on the day of the meeting. This initial response has positive elements and also gives an indication of the concerns which it will be seeking to discuss in more detail.

A letter from Leader of Mole Valley District Council, expressing "surprise and astonishment" at the proposals and lack of consultation was also reported. Further consultations with neighbouring authorities have been consistently emphasised as part of the development of any scheme. The M25 site would be of regional significance, providing a park & Ride scheme not only for Kingston but also for Chessington World of Adventures (CWoA), Leatherhead and Epsom town centres. It could only be developed in conjunction with Mole Valley District Council, Surrey County Council, Transport for London, the Highways Agency and the Department for Transport.

RESOLVED that

1. the proposed approach for further development, detailed design, consultation and planning approval of permanent P&R schemes be approved;

2. the sites to be consider be Kempton Park, Sandown Park and the land in the vicinity of the M25 junction 9, and the potential of Kingston Hospital be investigated

Reasons for decision

To enable further progress (particularly entering into discussions/partnerships with neighbouring authorities and other relevant organisations) of P&R Schemes for RBK as part of the transport element of a cohesive strategy (K+20) for Kingston town centre

41. SECTION 106 AGREEMENTS

Appendix H

As part of the planning process, the permission granted for some developments includes planning obligations – these normal cover associated improvements which will enhance the development and local environment, or such things as a contribution to the provision of education. These obligations are contained in agreements between a developer and the Council (as the local planning authority) and are known as Section 106 agreements.

This update set out the contributions received from S106 agreements in 2002/03; and what has been spent, together with contributions received since 1 April this year.

In summary these are

Category/Site	Received 02/03	Expenditure 02/03	Received 03/04
Education	48,000	61,503	24,000
Transport	1,088,139 (incl. Rotunda	385,552	12,790
Highway and Access Improvements	283,977	141,129	
Environmental Imps	82,700	36,987	
CCTV	74,300	0	24,714,
Other	80,000 (Garrison Lane)	7,460	
TOTAL	1,657,116	632,631	61,504

The contribution of £80,000 from the development of the former government offices in Garrison Lane, is for trees, CCTV, highway improvements community facilities and signing of pedestrian links to the Station. The South of the Borough Neighbourhood has recently agreed a CCTV scheme for Chessington South/Leatherhead Road and has asked for funding of a CCTV camera from this fund. A number of other improvements are also planned totalling £28,200.

Contributions are also due for environmental improvements to Skerne Road. The car park is due to open in August and more pedestrians will therefore be coming from there, under the railway bridge to Wood Street and the main centre. To improve the environment a mosaic mural on the walls under the bridge is proposed, similar to the mosaic on the underpass outside Kingston station. The Save the World Club has produced a budget and proposal for a community project of 36

months involving about 300 children and others. The total cost is estimated at £28,200 and a contribution from the Council of £18,000 is proposed.

RESOLVED that

1. the update on S106 funds received and spent during the year ended 31 March 2003 and additional contributions received since the beginning of April 2003 be noted;
2. the following expenditure be approved
 - (a) £28,200 from the S106 contribution of £80,000 from the development of the former government offices in Garrison Lane, Chessington, to fund CCTV, highway and pedestrian improvements and planting
 - (b) a contribution of up to £18,000 to Save the World Club from S106 contributions for environmental improvements to Skerne Road subject to the necessary approvals and the Authority's standard conditions for grant aid being applied to this project

Reasons for decision

To inform the Executive and gain approval for additional expenditure from S106 funds.

42. ON STREET CAR PARKING ACCOUNT

Appendix I

The on street parking account details all expenditure and income on providing, managing and enforcing on-street parking in the Borough.

These details have to be reported to the Mayor for London.

The way in which any surplus in the account can be spent is restricted. It can be used to provide or maintain off street parking facilities. If it is considered that further off street parking provision is not necessary it can be used for public transport services; highway improvements and schemes which are approved by the Mayor which progress the Mayor's Transport Strategy.

The net surplus in the account at 31 March 2003 was £1,026,960.38.

Expenditure funded from the Parking Account in 2002/03 was

Concessionary Fares Scheme	£ 382,000.00
Park & Ride Subsidy	£ 17,848.15
Car Park Improvement Works	£ 23,053.63
Controlled Parking Schemes	£ 37,345.47
TOTAL	<u>£ 460,247.25</u>

The Budget for this year includes a programme of expenditure for the use of the accrued parking account surplus for 2002/03 and the estimated surplus for 2003/04.

RESOLVED that the On-Street Parking Revenue Account and the actual use of the accrued funds during 2002-03 be noted and the accounts approved for reporting to the Mayor of London

Reason for decision:

To provide formal approval by the Executive of these statements so as to meet legislative requirements.

43. ALLOCATION OF SAVINGS TO FOOTWAY MAINTENANCE Appendix J

The Council maintains an internal Insurance Fund for risks where the Council has to meet the first part of any claim.

The recent base budget review of Insurance arrangements indicates that the insurance fund surplus for 1995/96 liabilities can be released, plus a small proportion of the surplus arising from more recent years. The proportion that relates to the General Fund amounts to £160,000 whilst a further sum of £27,000 can be returned to the Housing Revenue Account.

It is proposed to allocate the £160,000 to Neighbourhoods for additional repairs and maintenance of pavements and footways .

RESOLVED that the £160,000 surplus be released from the Insurance Fund and allocated to Neighbourhood Committees (£40,000 per Neighbourhood) to be spent on additional repairs and maintenance of pavements and footways.

Reason for decision

To reduce future insurance claims from “pavement trips”, and to allocate additional funds to high-priority activities highlighted in the Council’s Policy Programme.

44. BUDGET MONITORING 2003/04 Appendix K

The current update on the budget indicates that due to pressures in various areas there is a potential net overspending of almost £1.2 million.

The areas of potential overspend are Residential and Domiciliary care – due to a marked increase in demand; Special Educational Needs and home to school transport costs; Recycling – increased costs of recycling and increased volumes being collected.

On past experience the current position is not unusual at this stage in the year. Tight financial control is being maintained together with regular detailed reviews of areas where there are budget pressures. In addition the programme of base budget reviews is continuing.

RESOLVED that

1. the significant budget pressures be noted
2. the approach recommended by the Director of Finance in paragraphs 14 and 15 to ensure that the budget is not overspent be endorsed; and

3. the continuing programme of base budget reviews be noted.

45. TENDERS FOR PAY ON FOOT EQUIPMENT

Appendix L

Tenders for the installation of a 'pay on foot' system in the Cattle Market and Drapers car parks have been obtained. They cover the supply, installation and commissioning of the equipment and communications links plus a comprehensive maintenance package for a five year period and included a number of cost options for system enhancements, pass cards and ticket supplies.

RESOLVED that the offer of Tenderer Company 'A', as clarified during post-tender analysis, be accepted as a basis for a contract to supply, install and maintain Pay on Foot systems at the Cattle Market and Drapers car parks

Reason for decision

To allow the most appropriate tender to be accepted in accordance with standing orders.

46. EXCLUSION OF PRESS AND PUBLIC

RESOLVED that the public be excluded from the meeting on the grounds that it is likely that exempt information would be disclosed, as defined in paragraphs 7, 8 & 9 Part I of Schedule 12A of the Local Government Act 1972, (Section 100(A)(4)).

These paragraphs cover information on the financial affairs of someone other than the Council and the identity of anyone offering any particular tender for a contract for the supply of goods.

47. HOME TO SCHOOL TRANSPORT SPECIAL EDUCATIONAL NEEDS Appendix M PROCESS TO SECURE REVISED SELECT LIST OF TAXI PROVIDERS

As part of the process of compiling a select tender list of approved taxi providers for the home to school transport service an evaluation panel of 3 Councillors considered the applicants.

Applicants interviewed were questioned on training, experience in dealing with children with SEN, and how they would operate SEN Transport in conjunction with the Council's Specification of Requirements.

The evaluation panel recommended a select list of companies and suggested some further changes in processes to improve the transport provision.

RESOLVED that

1. the select list of transport providers as set out in paragraph 7 of the report be approved
2. the following be implemented to improve the transport provision
 - a) RBK investigate the potential to arrange initial and refresher training courses for escorts on the basis that the contractors will bear the full cost of the training

- b) RBK to identify and publicise appropriate First Aid training courses for transport contractors
- c) the specification be altered slightly to tighten up on the First Aid requirement and include a section on confidentiality issues
- d) the select list should be in operation for three years dependent on changes in requirements and the market.
- e) RBK to investigate more formalised ways of working with other local councils, building on the current informal discussions which take place to share taxis for individual runs to minimise costs.

Reason for decision

To obtain an improved home to school transport service for the start of the academic year 2003-04, linked with enhanced contract monitoring arrangements.

SPECIAL EDUCATIONAL NEEDS AMENDMENTS TO THE POLICY OF HOME TO SCHOOL TRANSPORT

The changes are shown in bold

1. KEY OBJECTIVE

The Authority aims to promote inclusive opportunities to enable people with additional needs to fulfil their educational and social potential. This policy is, therefore, intended to facilitate joint working between pupils, parents, schools and the LEA to encourage independence wherever possible and to provide transport support to pupils which is appropriate for their assessed needs.

This transport policy informs part of the overall service provision for children with Special Educational Needs.

2. STATUTORY DUTY TO PROVIDE HOME TO SCHOOL TRANSPORT

The Local Education Authority has a duty to provide or arrange free transport to and from the nearest suitable school for a pupil of statutory age¹ who lives in the Borough if:

- The child is under 8 years old and lives over 2 miles from school
- or
- The child is aged 8 years or over and lives over 3 miles from school

The above statutory criteria apply to children attending both mainstream and SEN schools/units.

3. RBK HOME TO SCHOOL TRANSPORT POLICY

Kingston LEA's Home to School Transport Policy is to provide or arrange transport assistance to and from the nearest suitable school² for a pupil who lives in the Borough if:

- The child is of primary school age and lives over 2 miles from school
- or
- The child is of secondary school age (and is of compulsory school age) and lives over 3 miles from school.

¹ Section 509 of The Education Act 1996 states that a person begins to be of compulsory school age when he attains the age of five. A person ceases to be of compulsory school age at the end of the day which is the school leaving date for any calendar year

() if he attains the age of 16 after that day but before the beginning of the school year next following,
 () if he attains that age on that day, or
 () (unless paragraph (a) applies) if that day is the school leaving date next following his attaining that age

² See 4.3 for definition of *nearest suitable school*

This applies to all children of statutory school age regardless of whether they attend mainstream schools or SEN schools/units. Details of the support available to children without special educational needs are set out in the policy document 'Mainstream Home to School Transport – Policy & Practice'.

3.1. Additional Transport Assistance Available for Children with SEN

Additional support may be provided for children with Special Educational Needs.

The remainder of this policy document sets out:

- (1) the criteria and process to be followed to determine eligibility for home to school transport assistance in excess of this minimum provision, and,
- (2) details of transport arrangements.

Eligibility for transport assistance is based on the needs of the child, and the LEA does not take into account family circumstances. However, the LEA may take family circumstances into account when considering the type of assistance to be provided.

4. ASSESSING TRANSPORT ASSISTANCE ENTITLEMENT FOR CHILDREN WITH SEN

The LEA will consider individual needs of children involving professional advice (e.g. from the Educational Psychologist, Medical Officers) and consult with parents and teachers in arriving at a final decision. Assessment may also include face-to-face contact with the pupil in assessing eligibility and the results will be recorded on the Transport Assessment Form.

4.1. Criteria

The LEA will have regard to the following factors:

- The age of the pupil
- The distance of the pupil from school to home
- Whether the walking route is appropriate for the child.
- The Special Education Needs of the pupil
- Whether the pupil has physical, medical, or a social communication difficulty that would exclude them from using public transport.
- Whether suitable public transport is not available (e.g. for wheelchairs, specialist seating etc).
- Whether the pupil may be vulnerable and at risk of danger if they use public or other transport
- Whether the pupil would be a danger to drivers, other passengers and the vehicle if using public or other transport
- The efficient utilisation of resources
- Any other individual circumstance

The above list is for guidance only, and satisfaction of one or more of the criteria does not automatically allow entitlement to transport assistance.

Places (on bus, taxi or any other transport assistance) will not normally be available to anyone who does not qualify for transport assistance, and has not been authorised as such by the LEA. Schools, parents and transport providers cannot use the LEA's pre-arranged transport without authorisation.

Attendance at a Special School does not automatically entitle a pupil to transport assistance. Any transport assistance must be authorised by the LEA.

Eligibility for transport assistance is related to the child's needs and is not based on family circumstances (e.g. parents attending work, or looking after or transporting other children).

4.2. The Statement and Annual Reviews

The SEN Code of Practice 2001 indicates that transport should only be specified on the statement in exceptional circumstances.

The issuing of a statement of SEN for a pupil does not automatically mean that transport assistance will be provided. Annual reviews will take transport provision into consideration and the LEA will make any changes where necessary, which may be as a result of changes in need. Any interim changes in circumstances may also result in a change in eligibility for transport assistance. It should be noted that once a child is eligible for transport assistance, this is no guarantee that they will continue to be eligible in the future.

The provision of transport assistance will also be reviewed to reflect any changes in national policy.

4.3 Nearest Suitable School

The nearest suitable school is one that the LEA deems to be suitable for the specific needs of the pupil.

If a parent expresses a preference for their child to attend a school which may be further than the nearest suitable school, then the LEA will not provide transport assistance to that school. However, the parent is entitled to claim for part of journey equal to the mileage to the nearest suitable school (but only if the pupil would be eligible for transport assistance to the nearest suitable school).

4.4. Pupils outside statutory age

The LEA does not have a statutory duty to provide transport assistance for pupils who are under compulsory school age.

For children with special needs who are of pre-school age the parents are encouraged to transport the children to nursery units. The LEA will consider transport assistance only when the LEA has recommended a place at a special nursery unit which is not the local nursery for that child, and normally in order to be considered for assistance this unit must be over 2 miles away from the home address. Eligibility and the type of transport assistance will be considered following evaluation of criteria shown in 4.1.

Pupils aged between 16-19 may be eligible for transport assistance under the LEA's 16-19 Transport Policy. Pupils aged 16+ with statements of special educational needs may be eligible for additional support where the assessment of the needs of the pupil indicates that such assistance is necessary.

4.5. Transport Management

Transport is co-ordinated and managed by the LEA *Contracts Manager*. Each transport provider (whether taxi or private bus) will also have a nominated *Transport Manager* who is the first point of contact for schools and parents and is responsible for the day-to-day operation of the service.

4.6. Escorts

Escorts will be provided where specified on the SEN Transport Assessment Form. There is no minimum or maximum age that determines whether an escort will be automatically provided or not, and the LEA will look at other factors in arriving at a decision. Where possible, on journeys other than bus journeys, the LEA encourages parents or a person known to the pupil to act as the pupil's escort (providing that person is aged 18 or over). Payment is not made in such circumstances. Provision of an escort at any one time does not guarantee that this will be an ongoing arrangement and the requirement will be reviewed in the Annual Review, or in the event of a change in circumstance.

4.7. Pupils from other Local Education Authorities

Pupils who live outside the borough are not the responsibility of this LEA and will not therefore be provided with transport assistance. However, some out-borough pupils may be allowed to travel on the LEA's transport if it is cost effective and agreed by the home authority. This will be subject to transport capacity. Kingston LEA will then make a charge to the LEA responsible for that pupil. Kingston LEA may need to withdraw such places in the event of an in-borough pupil requiring transport assistance.

4.8 Appeals

If the LEA declines a request for transport assistance the parents will be advised in writing of the decision and given details of how and when to appeal. Appeals will be referred to a panel of elected members.

During any appeal, transport assistance will not be provided (although it will continue for those pupils where a change is being recommended when transport assistance currently exists).

5 TRANSPORT ARRANGEMENTS

Where transport assistance is provided it may take one of the following forms:

- Provision of bus or train passes for public transport
- Reimbursing mileage costs for parents and carers who transport children to school
- Provision of a private bus service
- In exceptional circumstances, transport may be provided by individual taxis or licenced private car hire.

The LEA will allocate transport in the most cost -effective manner.

The parent will be informed of the transport arrangements in writing, in advance of travel. **Transport will normally take a minimum of 5 working days to arrange, and in some special cases may take longer (e.g. where there is a need for a specialist vehicle). Availability of transport is not guaranteed.**

Guidelines on transport arrangements will be provided to all parents, schools, and transport providers.

Separate taxis will not be provided and children/parents must expect to travel with other children *unless there are exceptional circumstances*.

5.1. Parent Transport

It should be noted where a parent transports a child, this does not mean that the child will no longer qualify for other transport assistance (e.g. a taxi). Temporary assistance by way of a taxi may be provided in those instances when the parent cannot transport for a period of time (e.g. due to illness). **However, please note that transport arrangements can take 5 days to arrange (or longer).**

5.2 Pick-up/Drop-off Arrangements

Transport providers are authorised to make pick-ups and drop-offs at authorised collection points only. The authorised points will usually be those specified on the statement (normally the home and school address), or in the case of bus journeys, an allocated bus stop. Parents should provide one alternative address (which must be within 1 mile from the usual address) wherever possible in the event they are unable to meet their child. Any changes to these addresses, whether permanent or temporary must be communicated in writing to the Contracts Manager who will make the necessary arrangements. Until such communication is received, the only other authorised place will be the nearest Social Services centre.

5.3 Timing

The timing for pick-up/drop-off will be specified by the appropriate transport manager and parents must ensure they are aware of the correct times.

In order to minimise journey times for every child on the transport it is requested that children are available within 3 minutes of the specified time of pick-up, or parents are available within 3 minutes of drop-off. If the child/parent is not available within that time, the driver is instructed to leave that collection/drop-off point and move onto the next collection. Should the transport move on without the child, transport to school

will then become the responsibility of the parent for that journey. Should the parent be unavailable for pick-up on school-home journeys, the child will be transported to the nearest place of safety (see 5.4). Transport assistance may be removed if there are ongoing delays.

Where children are picked up/dropped-off at home, the parent is responsible for accompanying the child to and from the door to the vehicle. Notification that the vehicle has arrived will usually be via sounding the horn but the parent should keep a lookout for the vehicles arrival. In exceptional circumstances (e.g. where the child travels alone in a taxi with an escort), the escort may call at the door. Any variation to the usual procedure must be agreed with the Transport Manager. Parents must ensure that there are no delays in making children available for the journey (or collecting them in the evenings) as this is one of the main factors affecting total journey times.

5.4 Alternative arrangements

Transport providers are instructed to take children to the nearest place of safety in the event that a parent or carer is unable to meet the child at the specified drop-off point/time. Parents, Schools and the Transport Providers will receive instructions from the LEA on what to do if this happens. Social Services may be notified or Transport Assistance may be withdrawn if this happens frequently. Parents or schools should contact the Transport Manager or Contracts Manager if there are any emergency changes. Likewise, the Transport Manager will have a duty to advise parents/schools if there are going to be any foreseen major delays.

5.5 Parents with other commitments

SEN Transport assistance is not intended to facilitate parents or carers to work, or enable them to transport other children to school. Parental preference for travel arrangements (e.g. timings of collection) **cannot be considered and the timing will be based on the most efficient route available.** The efficient utilisation of LEA resources (including routings) will **always** take precedence.

5.6 Additional Journeys

Transport providers are allowed to make agreed journeys from Home to School, and from School to Home only (where the home address is that agreed on the statement, or authorised by the LEA). No additional journeys can be made under the terms of SEN Transport Provision. This includes school trips, additional journeys to sports facilities, work experience, curriculum appointments or medical appointments. The LEA will not make any payments to transport providers for these journeys, and they must be invoiced directly to the school or parent, depending on who arranged the journey.

Any additional journeys which are deemed to be 'Home to School' Transport must be authorised by the Contracts Manager in advance of the journey taking place. The LEA will not guarantee payment to Transport Providers for any additional unauthorised journeys.

5.7 Dual Placements/Integration

Dual placements (where a pupil attends more than one school) may require additional transport (such as transport at lunchtimes etc). The schools will be responsible for arranging and paying for the cost of such transport. Where a pupil is based full-time at a school but visits another for integration purposes, the school where the pupil is usually based will be responsible for arranging and paying for transport. If the LEA Transport Provider is used, they will invoice the school direct for any such charges. These arrangements will also apply to pupil referral units. **The LEA will have the discretion to arrange transport for integration purposes in some cases**

5.8 Parent visits to school

Transport assistance will not be provided for parents or family who wish to visit children at school whether in-borough or out-borough. However, in some cases, special arrangements are made by residential schools to allow parents to visit, and parents should arrange with the school in such circumstances.

5.9 Transport Routes

The most cost-effective route will be used at all times. Bus stops will be used where possible to cut down on the number of stops a bus has to make. However, individual needs will be taken into account and home stops may be necessary in some cases.

Routes will be reviewed regularly to take into account changes in needs and environmental pressures (e.g. changes in road layouts etc).

5.10 Journey Times

The nature of transport congestion in the Borough means that travelling times can vary greatly. The LEA, in accordance with DfES guidelines, expects that children should arrive at school safely and fit to learn, and journey times should reflect this. **As a guideline, parents and children should expect journeys to routinely take an average of 1 hour, although this may be affected from time-to-time by traffic pressures and other environmental and operational conditions**

These times do not apply to children travelling to Out-Borough Schools, where distances and frequency of journeys vary.

Any ongoing delays (e.g. due to major road works or weather) should be taken into account (e.g. altering routes if feasible) and parents and schools will be notified where possible.

To cut down on journey times, parents must ensure that children are ready for collection/drop-off on time.

5.11 Residential Schools

Pupils in boarding schools for the standard 40 weeks academic year (and who are eligible for transport assistance) will be provided with transport assistance between home and school for the start and end of each term period (generally half-terms) This totals 12 one way journeys, being 4 per term. Transport for pupils in 52 week schools will be determined individually.

Transport assistance for any pupils attending boarding school will not exceed the 12 one way journeys. However, if the school is closed on a weekly or fortnightly basis this will be reflected in the fees being paid by the LEA for the placement and accordingly, transport will be provided to coincide with school closures.

Transport assistance may be in the form of regional pick-up points for bus services.

Transport assistance will not be provided to parents or family who wish to visit the school for any reason. Any arrangements of this nature will need to be agreed directly with the school. However, a maximum of one parent/carer may be provided with transport assistance to school to attend an annual review.

Parents who wish to accompany their child on the first day of school will be expected to make their own arrangements. Where a school stipulates that a parent should attend on the first day, transport must be arranged with the school.

5.12 Behaviour Standards

Pupils being transported will be expected to follow the same behaviour codes as they do when in school. Unacceptable behaviour will be monitored and may result in fixed or permanent exclusion from transport. Parents will be responsible for transporting their own children during any period of exclusion from transport.

When considering whether to exclude any pupil from transport, the LEA will require written statements from the driver and escort in support of alleged unacceptable behaviour. Consultation will also be made to the Head Teacher and the Statutory Assessment Advisory Group (SAAG).

Behaviour that may affect the concentration of the driver, or the overall safety of the other pupils, will not be tolerated.

No eating, drinking or smoking will be allowed on any vehicle at any time. This includes at times when the children are not on the transport.

5.13 Continuity

Every effort will be made to ensure that the same escort and driver continue to transport a child. However this is not always possible and changes will often need to be made to ensure the most efficient use of available resources.

5.14 Transport Standards

- All drivers and escorts will greet passengers and parents politely and ensure that all passengers travel in comfort and safety.
- All drivers and escorts will have undergone a training programme and will have been 'police checked' as to any possible criminal convictions. Husband and wife escort teams are permitted, assuming that the above checks and training have been carried out.
- The competency of the driver and crew, the conduct of the vehicle during the journey and at the collection points will all be of a contractually prescribed standard
- The vehicles will be properly licensed and roadworthy, and will offer standards of comfort and safety as prescribed by relevant Statutory Law. Regular checks will be carried out on all vehicles. Vehicles will have modifications to allow for wheelchair access where possible.
- The vehicle must be at its prescribed point of collection within 5 minutes of its allotted time (although traffic conditions and parent delays may affect these timings). Any major delays will be communicated to the collection point as soon as possible (school contact or parents). This may be done via the relevant Transport Manager or the Contracts Manager.
- **Transport provision will be in accordance with contractual standards and national legislation**

6. PUPILS WITH SHORT-TERM DIFFICULTIES

Pupils who have short-term difficulties (e.g. a broken leg or other short-term illness) will not automatically be eligible for transport assistance to and from school. It is the parents' responsibility to make arrangements in these cases. However, consideration may be given during national curriculum years 11, 12 and 13 where the pupil is taking national examinations.

Transport assistance will not be provided where a child who usually receives assistance moves to a different address in the short-term (for example, due to family circumstances) if that address results in additional transport costs. The parent will be expected to pay any additional costs associated with the short-term move, or make their own arrangements.

The LEA will only consider transport assistance for pupils with short-term difficulties after a period of two weeks.

7. PUPIL REFERRAL UNITS

Children who attend pupil referral units will be provided with bus passes.

8. COMMENTS/QUERIES/COMPLAINTS

The LEA is constantly looking at ways to improve the service and it invites comments from parents, children and school staff on any issue relating to the SEN Transport Service.

Queries (for example, regarding the standard of service or operational issues) should in the first instance be sent to the relevant Transport Manager for the bus or taxi provider who will notify the Contracts Manager if required. In the event that the Transport Manager cannot resolve any queries, the Contracts Manager should then be contacted.

Formal complaints should be directed to the Contracts Manager. The LEA complaints process will be in force for all complaints received.