

Democratic Services

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Date: 18 November 2010

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To: All Members of the Cabinet

Councillor Francine Haeberling	Leader of the Council
Councillor Malcolm Hanney	Deputy Leader and Cabinet Member for Resources
Councillor Terry Gazzard	Cabinet Member for Development and Major Projects
Councillor Charles Gerrish	Cabinet Member for Service Delivery
Councillor David Hawkins	Cabinet Member for The Council as Corporate Trustee
Councillor Vic Pritchard	Cabinet Member for Adult Social Services and Housing
Councillor Chris Watt	Cabinet Member for Children's Services

Chief Executive and other appropriate officers
Press and Public

Dear Member

Special Cabinet: Thursday, 25th November, 2010

You are invited to attend a special meeting of the **Cabinet**, to be held on **Thursday, 25th November, 2010** at **5.00 pm** in the **Banqueting Room - Guildhall, Bath**.

The agenda is set out overleaf.

Yours sincerely

Col Spring
for Chief Executive

The decisions taken at this meeting of the Cabinet are subject to the Council's call-in procedures. Within 5 clear working days of publication of decisions, at least 10 Councillors may signify in writing to the Chief Executive their wish for a decision to be called-in for review. If a decision is not called-in, it will be implemented after the expiry of the 5 clear working day period.

If you need to access this agenda or any of the supporting reports in an alternative accessible format please contact Democratic Services or the relevant report author whose details are listed at the end of each report.

This Agenda and all accompanying reports are printed on recycled paper

NOTES:

- 1. Inspection of Papers:** Any person wishing to inspect minutes, reports, or a list of the background papers relating to any item on this Agenda should contact Col Spring who is available by telephoning Bath 01225 394942 or by calling at the Riverside Offices Keynsham (during normal office hours).
- 2. Public Speaking at Meetings:** The Council has a scheme to encourage the public to make their views known at meetings. They may make a statement relevant to what the meeting has power to do. They may also present a petition or a deputation on behalf of a group. Advance notice is required not less than two full working days before the meeting (this means that for meetings held on Wednesdays, notice must normally be received in Democratic Services by 4.30pm the previous Friday but Bank Holidays will cause this to be brought forward).

The public may also ask a question to which a written answer will be given. Questions must be submitted in writing to Democratic Services at least two full working days in advance of the meeting (this means that for meetings held on Wednesdays, notice must normally be received in Democratic Services by 4.30pm the previous Friday but Bank Holidays will cause this to be brought forward). If an answer cannot be prepared in time for the meeting it will be sent out within five days afterwards. Further details of the scheme can be obtained by contacting Col Spring as above.

- 3. Details of Decisions taken at this meeting** can be found in the minutes which will be published as soon as possible after the meeting, and also circulated with the agenda for the next meeting. In the meantime details can be obtained by contacting Col Spring as above.

Appendices to reports are available for inspection as follows:-

Public Access points - Riverside - Keynsham, Guildhall - Bath, Hollies - Midsomer Norton, and Bath Central, Keynsham and Midsomer Norton public libraries.

For Councillors and Officers papers may be inspected via Political Group Research Assistants and Group Rooms/Members' Rooms.

- 4. Attendance Register:** Members should sign the Register which will be circulated at the meeting.
- 5. THE APPENDED SUPPORTING DOCUMENTS ARE IDENTIFIED BY AGENDA ITEM NUMBER.**
- 6. Emergency Evacuation Procedure**

When the continuous alarm sounds, you must evacuate the building by one of the designated exits and proceed to the named assembly point. The designated exits are sign-posted.

Arrangements are in place for the safe evacuation of disabled people.

- 7. Officer Support to the Cabinet**
Cabinet meetings will be supported by the Director's Group.
- 8. Recorded votes**
A recorded vote will be taken on each item.

Special Cabinet - Thursday, 25th November, 2010

in the Banqueting Room - Guildhall, Bath

A G E N D A

1. WELCOME AND INTRODUCTIONS

2. EMERGENCY EVACUATION PROCEDURE

The Chair will draw attention to the emergency evacuation procedure as set out under Note 6

3. APOLOGIES FOR ABSENCE

4. DECLARATIONS OF INTEREST UNDER THE LOCAL GOVERNMENT ACT 1972

To receive any declarations from Members/Officers of personal or prejudicial interests in respect of matters for consideration at this meeting. Members who have an interest to declare are asked to:

a) State the Item Number in which they have the interest;

b) The nature of the interest;

c) Whether the interest is personal, or personal and prejudicial.

Any Member who is unsure about the above should seek advice from the Monitoring Officer prior to the meeting in order to expedite matters at the meeting itself.

5. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

6. QUESTIONS FROM PUBLIC AND COUNCILLORS

At the time of publication, no items had been submitted

7. STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS

At the time of publication, 3 items had been notified

8. MINUTES OF PREVIOUS CABINET MEETING (Pages 7 - 12)

To be confirmed as a correct record and signed by the Chair

9. CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET

This is a standard agenda item, to cover any reports originally placed on the Weekly list for single Member decision making, which have subsequently been the subject of a Cabinet Member requisition to the full Cabinet, under the Council's procedural rules

10. CONSIDERATION OF MATTERS REFERRED BY OVERVIEW AND SCRUTINY BODIES

This is a standing agenda item (Constitution rule 21, part 4D – Executive Procedure Rules) for matters referred by Overview and Scrutiny bodies. The Chair(person) of the relevant Overview and Scrutiny body will have the right to attend and at the discretion of the Leader to speak to the item, but not vote

11. CONSULTATION ON THE PROPOSAL TO CLOSE CULVERHAY SCHOOL (Pages 13 - 40)

In July 2010 following a public consultation process on proposed changes to some Bath schools Cabinet decided to consult on the proposal to close Culverhay School (Culverhay). A public consultation exercise has now been completed and this report sets out the results of that consultation and asks cabinet to consider the views expressed before deciding whether it wishes to publish a legal notice for the closure of Culverhay.

The Committee Administrator for this meeting is Col Spring who can be contacted on 01225 394942.

Agenda Item 8

BATH AND NORTH EAST SOMERSET

CABINET

Wednesday, 3rd November, 2010

The decisions contained within these minutes may not be implemented until the expiry of the 5 working day call-in period which will run from 5th to 11th Nov. These minutes are draft until confirmed as a correct record at the next meeting.

Present:

Councillor Francine Haeberling	Leader of the Council
Councillor Malcolm Hanney	Deputy Leader and Cabinet Member for Resources
Councillor Terry Gazzard	Cabinet Member for Development and Major Projects
Councillor Charles Gerrish	Cabinet Member for Service Delivery
Councillor David Hawkins	Cabinet Member for The Council as Corporate Trustee
Councillor Vic Pritchard	Cabinet Member for Adult Social Services and Housing
Councillor Chris Watt	Cabinet Member for Children's Services

110 WELCOME AND INTRODUCTIONS

The Chair was taken by Councillor Francine Haeberling, Leader of the Council.

The Chair welcomed everyone to the meeting.

111 EMERGENCY EVACUATION PROCEDURE

The Chair drew attention to the evacuation procedure as set out in the Agenda.

112 APOLOGIES FOR ABSENCE

There were no apologies for absence.

113 DECLARATIONS OF INTEREST UNDER THE LOCAL GOVERNMENT ACT 1972

Councillor Malcolm Hanney declared that with respect to Item 13, he had a personal but non-prejudicial interest as Chair of the PCT.

114 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

115 QUESTIONS FROM PUBLIC AND COUNCILLORS

There were 12 questions from the following people:

Members of the public: Manda Rigby

Councillors: Nigel Roberts (2), Cherry Beath (2), Ian Gilchrist, Eleanor Jackson, Nicholas Coombes(3), Marian McNeir (2)

[Copies of the questions and response, including supplementary questions and responses if any, have been placed on the Minute book as Appendix 1 and are available on the Council's website.]

116 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS

Barbara Gordon (Save Our 6-7 Buses), made a statement [*a copy of which is attached to the minutes as Appendix 2*] appealing to Cabinet to reinstate the Public Transport Liaison Panel. Councillor Charles Gerrish thanked Barbara for her statement.

Councillor Dr Eleanor Jackson made a statement [*a copy of which is attached to the Minutes as Appendix 3 but not available on the web*] in which she appealed to the Cabinet to reverse the cuts to the youth service in Norton Radstock. She submitted a petition of 94 signatures in support of her statement. The Chair referred the statement and petition to Councillor Chris Watt for his consideration.

Agnes Melling made a statement [*a copy of which is attached to the Minutes as Appendix 4*] asking the Cabinet to ensure that it consulted with all those affected before making a decision about the closure of Pulteney Bridge to traffic. She felt that the 6-month trial without buses over the winter period would leave the old and infirm struggling to cope. The Chair referred the statement to Councillor Terry Gazzard for his consideration.

Councillor Gazzard asked Agnes Melling whether she was aware of the cracks in the bridge and whether she had seen photographs which he felt would convince her of the urgency. Agnes said that at the meeting in September the impression given had been that the bridge was safe.

Stefan Difinitzio (Youth Parliament) made a statement saying how important youth services were to him and his peers. He told the Cabinet that the Keynsham Time Out Centre was hardly funded and the funding to Radstock Youth Centre was very small but was going to be cut further. He appealed to the Cabinet to reconsider their proposals. The Chair referred the statement to Councillor Chris Watt for his consideration.

Manda Rigby made a statement [*a copy of which is attached to the Minutes as Appendix 5*] in which she asked the Cabinet to use its influence to persuade the bus company to reinstate its services across Pulteney Bridge while the future of the bridge was being considered and while further consultation and traffic modelling was undertaken. The Chair referred the statement to Councillor Terry Gazzard for his consideration.

117 MINUTES OF PREVIOUS CABINET MEETINGS

On a motion from Councillor Francine Haerberling, seconded by Councillor Vic Pritchard, it was

RESOLVED that the minutes of the meeting held on Wednesday 21st July 2010 be confirmed as a correct record and signed by the Chair.

RESOLVED that the minutes of the meeting held on Wednesday 18th August 2010 be confirmed as a correct record and signed by the Chair.

118 CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET

There were none.

119 CONSIDERATION OF MATTERS REFERRED BY OVERVIEW AND SCRUTINY BODIES

There were none

120 SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING

The Cabinet agreed to note the report

121 SMART ECONOMIC GROWTH IN B&NES (INCLUDING REGENERATION DELIVERY PLANS)

Councillor Paul Crossley made an *ad hoc* statement in which he expressed his appreciation and respect for the work of the Economic Development Council. He asked when a proposed timeline would be made available. He observed that the report made no mention of the Local Education Partnership, nor the demise of the Regional Development Agency. There was passing reference to the threats and opportunities resulting from the possible loss of the Ministry of Defence from Bath. The Bath Western Riverside project and the Norton Radstock Regeneration had only passing mentions.

The Chair invited the Divisional Director (Development & Regeneration) to make a statement. He apologised to Cabinet that there were a small number of factual errors in appendix 2 of the published papers and said that steps were in hand to ensure that these were corrected. However, there was no change to the overall sense of direction recommended in the report.

Councillor Terry Gazzard introduced the item by saying that the report described the plans for developing the vision. It would lead to real action. Real change was taking place in the economy and it would be necessary to be prepared for the future. The proposals would build on the economic strengths of the area and would create 8500 to 9000 new jobs by 2026 in high growth areas such as technology. The proposals were in line with the Council's economic priorities.

Councillor Vic Pritchard referred to paragraph 1.7 of the report, which he felt summed up the proposals and made him pleased to second the proposal.

Councillor Chris Watt fully endorsed Councillor Pritchard's comments and he particularly welcomed the proposals for the Somer valley. In reference to Councillor Crossley's comments about the Regional Development Agency, he said that the RDA had not delivered any benefits and was therefore irrelevant to the discussion in hand.

Councillor Malcolm Hanney responded to Councillor Crossley's mention of the Local Education Partnership by saying that the Council did have plans to benefit from the LDA and to ensure that it attracted fair funding from government. He reminded the Cabinet that the proposals regarding the Commercial Estate were not new but had been discussed for a number of years.

On a motion from Councillor Terry Gazzard seconded by Councillor Vic Pritchard it was

RESOLVED (unanimously)

(1) To AGREE that the 'story' be used as a coherent narrative that records the journey between 2005 and the present and sets aspirations for the future;

(2) To ADOPT the Local Economic Assessment as required by the 2009 Local Democracy, Economic Development and Construction Act. This will also provide an evidence base for our economic interventions and the emerging Core Strategy.

(3) To ASK the Director of Major Projects in consultation with the Leader of the Council to work with consultants to amend some minor inaccuracies in the report;

(4) To NOTE the growth aspirations to create 8,500 – 9,000 net new jobs as the Cabinet's Economic Strategy in B&NES to 2026 and the interventions to deliver these, in particular those set out in the Regeneration Delivery Plans and that these be confirmed and completed together with the 'story' by the Strategic Director for Development and Major Projects in consultation with Cabinet members following confirmation of the Council's agreement to this level of growth when it makes its decision on the Core Strategy at Council in December.

[At this point Councillor David Hawkins joined the meeting]

122 FUTURE COUNCIL

Councillor John Bull made a statement reminding Cabinet that a number of years earlier, the previous Minister Nicholas Ridley had envisioned that councils would merely hand out contracts. He felt that this day was closer as a result of the actions of the current government. He asked the Cabinet to ensure that all proposals to cut services were debated openly and fairly.

Councillor Paul Crossley made a statement in which he pointed out that the report acknowledged that change was already ongoing. He felt that the Cabinet should have consulted on their proposals sooner.

Peter Duppa Miller (Secretary to B&NES Local Councils Group and Clerk to Combe Hay Parish Council) made an *ad hoc* statement explaining that the North East Somerset Town and Parish Councils Association was keen to engage with the Council by developing the provision of local services by local councils. He said that Combe Hay Council, for example, was prepared to man a local library service if adequate funding could be negotiated with the Council.

Councillor Malcolm Hanney introduced the proposals. He explained that the country had inherited a deficit of £157Bn and that while bankers, business and government should all share their portion of the blame, what was important now would be to live within our means. He agreed that it was necessary to reduce the Council's management structure but observed that it was the existing management which had delivered the high performing Council under the leadership of Cabinet. He felt that the market had begun to recover, so there were opportunities to benefit from this. He regretted that there had been no credible alternatives from other Groups on the

Council. There would be specific proposals to Council in November but what was needed from Cabinet was to provide a steer. He welcomed the offer from Peter Duppa-Miller, which was very welcome.

Councillor Francine Haeberling seconded the proposal. She thanked Councillor Hanney for his hard work in preparing the report.

Councillor Chris Watt said that one of the most significant changes would be the way in which education was delivered. He assured the Cabinet that the transition was being carefully managed and that the proposals would protect vulnerable people.

On a motion from Councillor Malcolm Hanney seconded by Councillor Francine Haeberling it was

RESOLVED (unanimously)

(1) To NOTE the report on a response to public sector finance pressures;

(2) To CONFIRM the strategic steer in the report relating to key areas of the Council's business;

(3) To NOTE that a report and proposals will be submitted to Council relating to certain immediate issues (such as the Joint Health & Social Care Provider and the Commercial Estate);

(4) To ASK the Chief Executive to continue to prepare options for a revised management structure in the light of the proposals.

123 REVENUE AND CAPITAL BUDGET MONITORING, CASH LIMITS AND VIREMENTS - APRIL 2010 TO JULY 2010

Councillor Paul Crossley made an *ad hoc* statement expressing his respect for the contribution made by the Council's existing management. He particularly wished to congratulate Glen Chipp for his excellent achievements under difficult circumstances. Councillor Crossley asked that Cabinet ensure that the use of the Financial Challenge Reserve would be subject to proper scrutiny.

Councillor Malcolm Hanney in proposing the item agreed with Councillor Crossley that the management of the Council had shown real leadership, particularly by living within budget to ensure that the Council would be in good shape to benefit from the economic recovery. He assured Councillor Crossley that the Chair of the Corporate Performance and Resources Overview and Scrutiny Panel could ask for information about the reserves at any time.

Councillor Chris Watt seconded the proposal.

On a motion from Councillor Malcolm Hanney seconded by Councillor Chris Watt it was

RESOLVED (unanimously)

(1) To ASK Strategic Directors to continue to work towards managing within budget in the current year for their respective service areas, and to manage below budget where possible by not committing unnecessary expenditure, through tight budgetary control;

(2) To NOTE this year's revenue budget position;

(3) To NOTE the Council's capital expenditure position in the financial year to the end of September and the year end projections detailed in the report;

(4) To AGREE the revenue virements listed for approval;

(5) To NOTE the listed changes in the capital programme;

(6) To APPROVE the additions to the 2010/11 Capital Programme;

(7) To NOTE the efficiencies forecast for 2010/11.

124 TREASURY MANAGEMENT MONITORING REPORT TO 30TH SEPTEMBER 2010

Councillor Malcolm Hanney proposed the item. He felt that the report showed clearly that the financial management had been performed very well.

Councillor Charles Gerrish seconded the proposal.

On a motion from Councillor Malcolm Hanney seconded by Councillor Charles Gerrish it was

RESOLVED (unanimously)

(1) To NOTE the Treasury Management Report to 30th September 2010, prepared in accordance with the CIPFA Treasury Code of Practice;

(2) To NOTE the Treasury Management Indicators to 30th September 2010;

(3) To ASK the Divisional Director, Finance, to submit the Treasury Management Report and attached appendices to November Council.

The meeting ended at 6.10 pm

Chair _____

Date Confirmed and Signed _____

Prepared by Democratic Services

Bath & North East Somerset Council		
MEETING:	Cabinet	
MEETING DATE:	25 November 2010	EXECUTIVE FORWARD PLAN REFERENCE:
		E 2181
TITLE:	A Review of Secondary Schools in Bath – Consultation on the proposal to close Culverhay School	
WARD:	All but specifically Southdown, Odd Down, Twerton	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Appendix 1 - Summary of consultation responses		
Appendix 2 – A review of secondary schools in Bath		

1 THE ISSUE

- 1.1 In July 2010 following a public consultation process on proposed changes to some Bath schools Cabinet decided to consult on the proposal to close Culverhay School (Culverhay).
- 1.2 A public consultation exercise has now been completed and this report sets out the results of that consultation and asks cabinet to consider the views expressed before deciding whether it wishes to publish a legal notice for the closure of Culverhay.

2 RECOMMENDATION

The Cabinet agrees that:

- 2.1 Its policy is to close Culverhay, with no further admissions to year seven in September 2012 and beyond and to authorise the publication of the necessary statutory notice of closure, open for public representations for 6 weeks.
- 2.2 It confirms that the process of implementation including the determination of relevant statutory notices is delegated to the Cabinet member for Children's Services.

3 FINANCIAL IMPLICATIONS

Revenue

- 3.1 Revenue funds are provided to the LA based on the number of pupils attending schools within the Local Authority (LA). The allocation known as the Dedicated Schools Grant (DSG) is a ring-fenced grant that has to be spent on schools or services supporting schools under regulations laid down in the Education Act 2003.

- 3.2 The current DSG allocation per pupil (2010-11) is £4,203 per pupil. Funding allocations to schools average approximately £3,890 leaving £313 per pupil used on services supporting schools.
- 3.3 As two purposes of the proposed closure are to remove surplus places and provide more coeducational places it is anticipated that there would not be an overall reduction in the number of pupils attending schools in Bath and North East Somerset. Parental choice might result in higher or lower number of pupils attending our schools as a result of any decision on school provision. Any reduction in pupil numbers would result in a proportionate reduction in resources being provided to the LA as part of the Dedicated Schools Grant.
- 3.4 All schools are funded through the Local Management of Schools (LMS) formula. The formula dictates how resources are provided for each school. The main principle is that resources follow the pupil. If Culverhay were to be closed approximately £968,000 of funding would follow the pupils to the schools to which the pupils transfer. Culverhay currently is allocated £1.498m per annum which would leave approximately £530,000 to be re-distributed by the Schools Forum.
- 3.5 The school currently has tenants for some areas of the site. The income from these rentals supports the school on top of the LMS formula allocation.
- 3.6 There are 10 pupils with statements of special educational need (SEN) at the school, none of these pupils currently receive assistance with travel as a result of their SEN statement but may receive assistance under other school transport policies. Moving pupils to other schools may result in an increase or decrease to costs associated with assisted travel due to the distance of the journey or the ability of having individuals sharing the routes.
- 3.7 The average cost of a taxi route with guide escort is £7,500. Route planning might allow a shared route to support the pupils in need of transport.
- 3.8 The cost of uniforms can be expensive and pupils moving schools could need a significant change in uniform requirements. The national average for secondary boys uniform is estimated at £191 per annum. If a child is on free school meals then schools often provide support to the parents to purchase uniforms. The movement of whole year groups between schools would create a significant burden and therefore Schools Forum could be asked to cover the cost of uniforms for those year groups.
- 3.9 The closure of Culverhay would result in additional costs associated with the closure. The main costs would be potential redundancy costs of staff at Culverhay. It is anticipated that some of the staff would transfer to other schools at various points during a managed transition process. However there are likely to be a number of staff who would not be able or willing to transfer to other schools and on the closure of the school would be entitled to redundancy payments. The LA would endeavour to use its redeployment processes to limit the numbers affected by redundancy.
- 3.10 Calculations using current financial year data suggest the maximum cost of redundancy and early retirements would be in the order of £950,000 although we would expect to be able to mitigate this by at least 50% through the transfer and redeployment processes described above. The costs would be spread over more than one year.

Capital

3.11 There are likely to be restrictions in the resources available for capital maintenance in coming years. If a school were to be closed this would reduce the ongoing maintenance costs of the schools estate as a whole.

3.12 The capital resource implications are linked to future use of the site sale of any school to be closed. Any receipt from the sale of the site would under current council policy be ring-fenced for investment in the school estate. It is estimated that the Culverhay school site could release approximately £6m-£8m. However a conservative approach to any building projects out of this resource would be followed. It will be necessary to plan any borrowing requirements into the use of any resource resulting from a site sale.

3.13 In order to accommodate pupils at another school as part of the transition, additional accommodation would be required. It is anticipated that up to three classrooms might be needed at an estimated cost of approximately £150,000.

4 CORPORATE PRIORITIES

- *Improving life chances of disadvantaged teenagers and young people*
- *Sustainable growth*
- *Improving school buildings*
- *Addressing the causes and effects of Climate Change*

5 THE REPORT

5.1 Details of the review of Bath secondary schools and the decisions made by Council and Cabinet including the proposal to consult on the closure of Culverhay are set out in Appendix 2.

The consultation process

5.2 The public consultation on the Culverhay proposal was launched on 24 September and ran until 29 October. Approximately 13,000 copies of a consultation document were distributed to parents at all Bath secondary, primary and special schools. Copies were also sent to all other schools in Bath and North East Somerset, ward members, local MPs, neighbouring local authorities and other stakeholders such as the Catholic and Anglican dioceses, parish councils and community groups and organisations using the Culverhay site. A copy of the consultation document can be found on the Council website [Bath and North East Somerset Council Online Consultations - Consultation on the proposal to close Culverhay School - Consultation Homepage](#). People were invited to respond using the detachable pro forma in the document, by email and letter or on-line through the Council website.

5.3 Public consultation meetings were held at Culverhay and the Guildhall. Every attempt was made to ensure that the meetings could accommodate those wishing to attend, including the provision of overflow areas with both an audio and visual link so that people could see and hear the presentations by officers and the schools. Both meetings were well attended with approximately 450 attending the meeting at the school and 159 at the Guildhall. A summary record of the public meetings has been provided to Cabinet.

- 5.4 Appendix 1 provides an analysis of the consultation responses. Copies of all consultation responses received have been provided to Cabinet along with petition, primary parents' survey and leaflets received. This shows 47% support and 53% oppose the Council's approach to addressing the challenges in Bath which includes reducing the numbers of schools from seven to six. A significant majority (74%) are opposed to the proposal to close Culverhay with 26% in favour. The majority of those opposed have a relationship with Culverhay as parents, pupils, governors or staff although those with a relationship to St Mark's Church of England School, St Gregory's Catholic College and Bath primary schools are also well represented. In addition to the formal consultation responses a petition with approximately 2400 signatures was received supporting a change to co-educational status for Culverhay. A total of 143 signed leaflets supporting Culverhay as a co-educational school were also received.
- 5.5 The Friends of Culverhay Parent Action Group also provided evidence of a survey undertaken of parents at local primary schools (Moorlands Infant and Junior, Southdown Infants and Juniors, St Michael's Junior, Oldfield Park Infant and Junior, St Philip's Primary and St Martin's Garden Primary) which asked if they would send their children to Culverhay if it were co-educational. Approximately 350 copies of the survey were received of which 183 were signed. Counting all responses including those unsigned this indicated that parents of a potential 535 pupils (310 boys and 225 girls) would choose Culverhay if it was co-educational, although it was not possible to accurately identify the children's ages and therefore the number who might attend at any one time.
- 5.6 The key issues emerging from the consultation responses are:
- On educational standards: a belief that pupils receive more individual attention and support at Culverhay due to its small size. Also some parents believe that pupils with SEN may not get the level of support that Culverhay provides if they were in larger schools
 - On choice and diversity: concern that pupils from the Culverhay area may not get a co-educational place at Oldfield if the school were to give preference to siblings of existing pupils from outside the authority
 - On access/travel: unhappiness about increased travel distances to other schools, for children living near to Culverhay
 - On use of resources: the suggestion that surplus places at Culverhay would be reduced if Culverhay was co-educational
 - On the future of the site: the potential loss of community facilities
 - On transition: concern about potential disruption to existing pupils' education particularly those preparing for exams

Why is it proposed to close Culverhay?

- 5.7 The overall plan for Bath, set out at Appendix 2, has been developed through an extensive process of analysis and consultations. The first consultation undertaken

between March and May 2010 showed that 72% of people supported the plan for Bath although it must be noted that this proposed new co-educational schools both north and south of the river with the south Bath school proposed to be on the Culverhay site. Even in the latest consultation, which has prompted a good level of responses from supporters and people directly associated with Culverhay, a significant number of respondents (47%) stated that they support the overall plan, even if many of these were opposed to Culverhay being the school that should close.

- 5.8 It is proposed that closing Culverhay, together with the separate proposals that the Council has already supported i.e. for the federation of St Mark's Church of England School with St Gregory's Catholic College and for Oldfield school to become co-educational, will best deliver the overall plan for Bath, by addressing the key challenges identified through the course of the review process. The main factors on which this proposal is based are set out below, using the same headings used in the previous decisions on school reorganisation, i.e. educational standards; maintaining choice and diversity; enabling young people to access a local school as far as possible; reducing travel; support from parents and wider stakeholders expressed during consultation; more effective and efficient use of resources.

Improving Educational Standards

- 5.9 The progress that pupils make from entry to secondary school aged 11 until they leave at 16 or 18 together with the qualifications that they achieve (attainment) are both important measures of standards.
- 5.10 Whichever precise measures are used, standards achieved by our Bath secondary schools are good but they could be even better. Some pupils do not make as good progress as would be expected given the standards they achieve at age 11 and not enough pupils gain at least 5 A* - C at GCSE including English and Maths.
- 5.11 Every young person is different and it is important to recognise a range of factors outside the control of individual schools that affect pupil progress and attainment; these include gender, whether pupils have special needs and whether they remain at one secondary school or move schools.
- 5.12 Taking these factors into account, pupils at Culverhay make good progress. This is shown by analysis of 'contextual value added' progress from Key Stage 2 to Key Stage 4. Pupils enter the school with standards that are below the national average and make good progress during their time at Culverhay.
- 5.13 However, in relation to overall attainment (the qualifications achieved at age 16) standards remain below national averages. Over the last four years the proportion of pupils who have achieved 5A* - C including English and Maths at Culverhay School has consistently fallen below other local schools. In 2009, 41% of Culverhay pupils achieved at this level (its best performance in recent years), but this should be viewed in the context of the national average of 50.7% and the Bath and North East Somerset average of 59.9%.

School	% of pupils at the end of Key Stage 4 achieving 5+A*-C (and equivalent) including English and Maths GCSEs (standards and achievement tables)					
	2006	2007	2008	2009	2010* (Provisional Data)	
Local Authority Average	52.00%	50.60%	57.20%	59.90%	60.1%	
England (maintained schools only)	44.00%	45.80%	48.20%	50.70%		
Beechen Cliff	53%	61%	64%	74%	72%	
Culverhay	21%	23%	36%	41%	31%	
Hayesfield Girls	57%	50%	47%	61%	53%	
Oldfield	73%	62%	76%	77%	73%	
Ralph Allen	63%	62%	60%	61%	74%	
Saint Gregory's Catholic College	56%	54%	73%	66%	63%	
St Mark's CofE	32%	48%	37%	41%	37%	

- 5.14 Pupils at Culverhay have a very wide range of abilities from those pupils who are academically gifted to those with statements of SEN who require specific support.
- 5.15 With year groups of approximately 50 pupils it is difficult for Culverhay to provide the range of opportunities to best meet the needs of all these pupils.
- 5.16 In the small school environment at Culverhay, pupils are given and respond well to responsibility, for example in running the school radio station. This small school environment makes a contribution to the self esteem and therefore engagement, progress and attainment of students. It has been argued that in larger schools these opportunities will be lost but in larger schools it is equally possible to provide opportunities for enabling pupils to be given responsibility and in fact secondary schools in Bath are of average size and not particularly large.
- 5.17 During the consultation a number of parents expressed the view that Culverhay has considerable experience of pupils with Special Educational Needs (SEN) and that these pupils may not get the support they need in a larger school. While these concerns are recognised, it is important to note that all schools in Bath are comprehensive schools (do not select by ability) and have a range of pupils including those with SEN. Culverhay has 10 pupils with statements of Special Educational Needs and is not exceptional in terms of either numbers of stated pupils or its experience in supporting them.
- 5.18 Cabinet will need to weigh up the potential for larger schools in Bath to provide a wider range of opportunities and for pupils who would have attended Culverhay to achieve higher standards in these schools.
- 5.19 The core issues raised by respondents to the consultation are that due to its small size:
- Individual attention is higher in Culverhay.
 - Pupils are known and valued as individuals and their self-esteem rose.
 - Good progress is made by pupils.
- 5.20 However, this needs to be balanced by the ability of a larger school to

- Put in place structures so that every pupil is known as an individual and their needs met.
- Provide a larger number of classes and a wider range of opportunities for pupils.
- Meet the needs of pupils with special needs and behaviour difficulties.

5.21 Ofsted ratings for Bath schools provide some indication of each school's performance against a range of headings.

Bath Schools	OfSTED inspection date	Grades				
		Overall	Standards	Progress	Progress by pupils with learning difficulties	Behaviour
Beechen Cliff	01/2008	2	2	2	2	1
Culverhay	05/2009	2	3	2	2	3
Hayesfield	02/2009	1	1	1	1	1
Oldfield	12/2007	1	1	1	1	1
Ralph Allen	11/2007	2	2	2	2	2
St Gregory's Catholic College	09/2008	1	1	1	1	1
St. Mark's CofE	01/2010	2	3	2	2	2

Key 1 = Outstanding 2 = Good 3 = Satisfactory

Maintaining choice and diversity

5.22 The plan for Bath, even with a reduced number of schools if Culverhay were to close, will ensure choice and diversity and meet parental demand by continuing to provide the option of single sex schooling for boys and girls, retaining the balance of co-educational church schools and increasing the provision of co-educational non church schools.

5.23 The increase in birth rates in the last few years and planned new housing developments for Bath will not result in a significant increase in secondary age pupils. There are approximately 800 pupils currently attending Bath schools from outside the area mostly coming in to Oldfield school from South Gloucestershire and Bristol, in addition to the 750 surplus places currently across the city. This means that six schools can provide sufficient capacity for projected future pupil numbers.

5.24 Although Culverhay has received much support during the consultation process, it has not been a popular choice for parents when actually applying for secondary school places. For example, of the 2009 intake of year seven pupils, less than a third of boys with Culverhay as their closest non-church school actually attend Culverhay. Culverhay has a high level of surplus places and pupil numbers are declining. Culverhay received 33 first preference choices and was allocated a total of 45 year seven pupils for September 2010, compared to a Planned Admission Number of 102.

5.25 Parents living close to Culverhay already have to choose other schools for their daughters. Although they would lose the chance to send their boys to Culverhay, they should in future have increased access to co-educational schools for their children should they wish it, or another boys school (Beechen Cliff), being for many the closest alternative. Travel issues are considered separately below.

Ensuring travel distances are minimised

5.26 Many of our pupils currently have some distance to travel to school, due to the current location of schools in Bath and the lack of non church co-educational places. Implementing the agreed plan for Bath, with more co-educational places available, but with one school closing, has the potential to increase travel distance for some pupils and reduce travel distances to school for others. Whilst the pattern of future choices/travel is not fully predictable, the expectation is that in time there will be a significant reduction in travel across the city from communities in the north east and north west, as parents are able to choose high quality local co-educational schools.

5.27 It is acknowledged that there will be an adverse travel impact for some families who live close to Culverhay. Taking into account both the number of families affected and the maximum additional distance pupils would have to travel, it is considered that of the three schools under scrutiny in the previous consultation (Culverhay, Oldfield and St Mark's Church of England), the closure of Culverhay would have the least adverse impact.

5.28 If Culverhay were to close, boys from the local area coming into year seven would be able to attend Oldfield (co-educational), Beechen Cliff (boys), Ralph Allen or St Gregory's Catholic College or St Mark's Church of England School if a church school was preferred. It is anticipated that as more pupils choose their local school (especially a co-educational school at Oldfield school) rather than travel greater distances to other schools as at present, pressure on places at Beechen Cliff (for boys) and Ralph Allen (boys and girls) would reduce, making them more accessible to pupils from this area. Girls from the area would continue to be able to access all of their existing options, with a positive travel impact expected overall due to increased access to co-educational places at Oldfield.

5.29 Distance to school is currently calculated in two ways. For the purpose of determining applications for school admission, the approach locally (as for many other Authorities) has for many years been to use straight line distance. This enables straightforward and accurate measurement to ensure fair application of prioritisation criteria. For the assessment of eligibility for the provision of home to school transport, safe walking routes are calculated. (Using national criteria transport is provided if the safe walking distance to the nearest appropriate school is greater than three miles).

5.30 Officers have recently assessed the 'Halfpenny Bridge' that spans the Avon between Fielding's Road and Locksbrook as a safe walking for pupils to walk to Oldfield school from the area close to Culverhay. This is considered suitable under current guidelines as the bridge is enclosed and has adequate lighting although some pruning of trees will be required so as not to obstruct the lighting. This can take up to half a mile off the previously assessed walking routes.

5.31 An analysis of walking routes to school for pupils living in the community close to Culverhay, in the event of Culverhay closing, suggests that all households should

have boys, girls and co-educational schools within three miles and most addresses are within 2.3 miles of the nearest suitable alternative.

The level of support expressed by parents and wider stakeholders

5.32 It is clear that a large majority (74%) 257 of those responding to the consultation are opposed to the proposal to close Culverhay and feel strongly about the retention of their local school. However despite the threat to Culverhay a significant proportion (47%) 163 also supported the plan for Bath which requires a reduction in the number of schools. The previous consultation showed that (72%) 302 supported a reduction in the number of schools to achieve the plan for Bath although this included a co-educational school north and south of the river. The evident opposition to the proposal from within the communities of south west Bath in the latest consultation needs to be weighed against the level of support received for the plan from communities who feel it will meet their needs.

Effective and efficient use of resources

5.33 A reduction in the number of schools would lead to a more efficient use of resources through savings in both revenue and capital funding. The resources utilised to support educational provision in schools are provided through the Dedicated School Grant (DSG). These resources are determined through the Local Management of Schools (LMS) scheme and the schools funding formula. The formula has been designed to ensure that each school has a fair share of the resources available. The allocation of resources to any school is primarily calculated on the number of pupils attending the school, with additional factors to reflect factors such as fixed costs, small school support and size of premises.

5.34 Culverhay has a significantly higher per pupil allocation of funding than the average for Bath and North East Somerset primarily as a result of the school having a small number of pupils.

5.35 The total funding per pupil allocated to all Schools in Bath and North East Somerset are shown in the table below and show that Culverhay costs approximately £1,073 per pupil more than the average school in Bath and North East Somerset.

Per pupil funding per school - 2010-11

Total allocations divided by total pupils aged 11-16

DCSF No.	SCHOOL NAME	Funding per pupil	Pupil Numbers ex post 16
5400	Beechen Cliff	£ 3,624	839
4131	Broadlands	£ 3,748	995
4130	Chew Valley	£ 3,612	967
4108	Culverhay	£ 4,963	302
4107	Hayesfield	£ 3,733	927
4128	Norton Hill	£ 3,490	1,226
5401	Oldfield	£ 3,603	740
4132	Ralph Allen	£ 3,632	893
4133	Somervale	£ 4,275	472
4608	St Gregory's Catholic	£ 3,524	821
4607	St Marks	£ 5,109	277
4138	Wellsway	£ 3,591	1,066

4134	Writhlington	£ 3,665	1,155
	Greater Bath Consortium (GBC) average	£ 4,027	686
	B&NES average	£ 3,890	822
	Culverhay compared to GBC average	£ 936	-384
	Culverhay compared to B&NES average	£ 1,073	-520

- 5.36 If Culverhay were to close, approximately £530,000 would be freed up from the fixed cost elements, small school protection and premises running costs to be used by other schools for educational priorities in schools and would be decided on by the schools forum. The remaining £968,000 would follow the pupils to their new schools. This transfer of resources should also enhance the provision at the receiving schools.
- 5.37 Culverhay is also supported by rental income from tenants on the school site. The rental income is estimated at approximately £100,000.
- 5.38 Retaining more schools than are necessary will in time increase the overall level of essential maintenance required at a time when funding is reducing. A reduction in the number of schools through the closure of Culverhay would reduce the level of maintenance required. It is estimated that the cost of addressing maintenance items over the next ten years would be £700,000 with a total of £250,000 required in the next three years to address the most pressing items. The sale of the site would provide a capital receipt to invest in other schools.

The future of the site

- 5.39 If Culverhay were to close careful consideration would be given to options for the future use of the site. This would need to take into consideration the existing agreements in place for Bath Spa University to use part of the site, Footsteps Nursery and Aquaterra Leisure and the views of the local community. We are keen to continue to foster the close links made with the Bath Spa University and would explore with them their future plans and aspirations for both their existing accommodation and possible expansion of facilities on the site. The nursery would also need to be consulted although initial indications are that retaining this part of the site for this purpose would be a relatively straightforward option. Discussions will also need to be held with Aquaterra Leisure about their position regarding the future management of the community sports facilities currently used jointly with the school.
- 5.40 Planning policies are likely to have a significant influence on options for development of the site with the whole site protected by Bath's world heritage status and green belt designation. It is likely that any development would be limited largely to the existing built area of the site with the playing field being retained for community use.

Transition arrangements

- 5.41 If Culverhay were to close then the Children's Service would do everything possible to ensure a smooth transition for all the young people and staff at the School.
- 5.42 The key principles we would work to are:

- To work with the Governing Body and Leadership team at Culverhay to jointly plan all changes.
- To confirm any changes well in advance so that parents and carers and young people know what will happen.
- To establish September dates for changes so that no young people need to make changes mid year.
- To enable young people to continue their education with as little disruption as possible.
- To make sure as the school gets closer to final closure that it does not become so small that the curriculum and quality of provision is ineffective.
- To seek to find jobs for staff in surrounding schools and to carefully manage retirement and redundancy processes where necessary. The Local Authority is committed to managing these changes carefully and sensitively for staff and the Authority will work closely with teachers' professional associations, trade unions, staff representatives, headteachers and governors throughout this process.
- Establish at an early stage facilities that may be retained on the site for community use.

5.43 In practice this is likely to mean that no new year seven or year 12 pupils enter Culverhay in September 2012 and beyond. The School could stay open for the pupils moving to year eight, nine, ten, 11 and 13 in September 2012. The final closure date would be planned with the Governing Body and might be the end of term in July 2014. This would ensure that in general older pupils can complete their education at Culverhay and younger pupils can make a smooth transition to a new school.

5.44 No decisions have been made in relation to this and should the decision be made for Culverhay to close, the changes for young people and staff would be planned in detail with the Governing Body and School leadership.

5.45 Home to school transport will be available in line with national criteria.

6 RISK MANAGEMENT

6.1 The report author and Lead Cabinet member have fully reviewed the risk assessment related to the issue and recommendations, in compliance with the Council's decision making risk management guidance.

6.2 In order to be able to deliver the plan for Bath it is necessary to close a school to remove surplus places and to reduce single sex places. If the cabinet decide not to agree the recommendations in this report it would not be possible to do this.

7 EQUALITIES

7.1 An equalities impact assessment on the plan for Bath and the closure of Culverhay has been carried out and reviewed by the Lead Cabinet Member.

7.2 The proposal as part of the plan for Bath will continue to provide single sex places at centrally located schools providing equality of access and meeting parental

demand. An increase in the number of co-educational places and the retention of church places will ensure choice and diversity.

8 RATIONALE

8.1 The rationale for closing one of our secondary schools as part of the overall plan for Bath, together with the separate proposals that the Council has already supported - i.e. for the federation of St Mark's Church of England School with St Gregory's Catholic College and for Oldfield to become co-educational - is that this is the best way to address the key challenges identified through the course of the review process. In particular it would:

- Reduce the total number of schools from seven to six, removing surplus places and reflecting the current and future need in Bath.
- Reduce the number of single sex places, whilst providing more co-educational places to meet parental demand.
- Facilitate the creation of schools which are of a more viable size to be educationally and financially secure.
- Retain the balance of provision of church school places.
- Retain one single sex girls school and one single sex boys school to provide choice for parents.

8.2 In selecting Culverhay as the school proposed for closure, it should be noted that despite the achievements of the school, the level of local support during this consultation and its good Ofsted rating:

- It has the lowest level of attainment in Bath secondary schools.
- It is a National Challenge School with a relatively low percentage of students gaining 5 A*-C with English and Maths.
- It has a large number of surplus places.
- Two out of three boys who live closer to Culverhay than any other school already choose schools further away.
- The community is relatively close to alternative schools.
- The cost of educating each pupil is high.

8.3 The main factors on which the final recommendation is based are set out in more detail in this report, i.e. raising educational standards; maintaining choice and diversity; enabling young people to access a local school as far as possible and reducing travel; support from parents and wider stakeholders expressed during various consultations; more effective and efficient use of resources through reducing surplus places.

9 OTHER OPTIONS CONSIDERED

9.1 The consultation document asked parents and other consultees to suggest other options for delivering the plan for Bath without closing Culverhay. Two options

have been proposed one from a parent group and the other from Culverhay School itself and these have been considered and evaluated against the following key criteria:

- How they would contribute to improving educational standards.
- The extent to which they maintain choice and diversity but meet parental demand for church and co-educational places.
- Whether proposals would enable young people to access a local school and reduce travel across the city.
- The level of support expressed by parents and wider stakeholders.
- Whether it will lead to a more efficient use of resources including a reduction in surplus places.

9.2 Option 1

Retain seven schools and achieve a reduction in surplus places by reducing the Planned Admission Numbers (PAN) at all Bath secondary schools to 160 except Culverhay and St Mark's which would remain at 102. Culverhay and Oldfield would be co-educational schools.

Advantages

- 9.3 It is clear from the well presented and argued submission from the parent group that a considerable amount of thought and effort has gone into the preparation of the proposal document, copies of which has been provided to the cabinet. The proposal would achieve some reduction in surplus places (a reduction from 1,073 places for admissions in 2011 to 1,004 would result in 69 less places per year group) but without removing a school from its local community. The proposers have undertaken a survey of parents at 6 local primary schools to identify the support for Culverhay becoming co-educational and have suggested that this shows that a potential 535 pupils would attend Culverhay if it was co-educational, although it was not possible to accurately identify the children's ages and therefore the number who might attend at any one time.
- 9.4 Retaining seven schools with both Culverhay and Oldfield as co-educational schools would meet parental demand for co-educational places whilst choice and diversity would be maintained through the continued availability of single sex places at Hayesfield and Beechen Cliff with St Gregory's Catholic College and St Mark's Church of England School as church schools.
- 9.5 There is the potential to improve standards through the introduction of girls who currently do not have this choice and traditionally perform better than boys, which could have a positive impact on standards overall at the school. The proposal also argues that although it would become co-educational, Culverhay, by retaining a PAN of 102 would remain a small school enabling 'every child to be looked after individually' with a positive effect on achievement and attainment.
- 9.6 However whilst remaining a small school the increased numbers at the school if admissions were in line with the proposed PAN of 102 would reduce the need for

'small school' financial support currently received by Culverhay under the funding formula contributing to the efficient use of resources.

- 9.7 Finally, the retention of Culverhay together with a co-educational Oldfield would reduce travel by providing a local co-educational option for pupils from north west and south west Bath who currently have to travel from these areas.
- 9.8 It has been clear during the consultation processes that people feel strongly about the retention of their local school when it appears to be under threat of closure. This has been evident in all affected areas but most particularly within the communities of South West Bath in the latest consultation.

Disadvantages

- 9.9 It can be seen that this option does in part meet some of the criteria set out in 9.1 but it is based on the principle of reducing surplus places by reducing pupil numbers at other schools. The Council proposal following the closure of Culverhay would provide 953 places at six schools which is assessed to be sufficient to meet projected need for the next 10 years. This allows a level of surplus in the short term which is not excessive but is sufficient to meet additional demand that may arise including from new housing. The alternative proposal therefore needs to be assessed in the context of a projected requirement for 953 places in Bath.
- 9.10 It is notable that the parent group argue that, whilst proposing a uniform PAN of 160 for other schools and maintaining that a co-educational Culverhay would be very popular and meet local demand, they propose retaining a PAN of 102 with a similar PAN at St Mark's Church of England School. This would be lower than the minimum desirable size of 120 for a secondary school, as set out in the Council's School Organisation Plan which provides the framework for pupil place planning. If it is accepted that both Culverhay and St Mark's Church of England School should therefore have minimum PANs of 120 this would leave 713 (953 – 240) places to be shared equally between the remaining 5 schools meaning a PAN of 143 rather than 160 would be required for Beechen Cliff, St Gregory's, Hayesfield, Oldfield and Ralph Allen.
- 9.11 Whilst the cabinet can take the decision to retain seven schools, the Council cannot reduce PANs at foundation or voluntary aided church schools without the agreement of the governors. All of the schools which would have a reduced PAN are in this category and the governing bodies of these schools were asked for their views on the likelihood that they would accept a) a reduced PAN of 160 as suggested by the parent group and b) a reduced PAN of 143 as would be required if sufficient surplus places are to be removed in line with the Council plan.
- 9.12 Responses from the governing bodies are unanimous in indicating that any proposal to reduce PANs in this way would not deliver on the overall aims of the strategy and would not be supported.
- 9.13 The proposal to reduce surplus places by reducing PANs at other Bath schools is not supported by the other schools. The level of reduction in PANs required to achieve the planned reduction in surplus places could lead to financial difficulties for those schools potentially leading to staff redundancies. In addition any reduction would mean reducing parental choice and suppressing access to popular and successful schools with high educational standards. The proposal

does not reflect the views of parents expressed during the initial consultation on the plan for Bath which showed that 72% were in favour of reducing from seven schools to six to remove surplus places. Culverhay would remain a small school with the associated issues regarding the range of opportunities available to students, cost per pupil, etc. The proposal is also contrary to recent Government announcements on the need to expand popular and high performing schools.

9.14 The price of retaining seven schools would be less efficient use of resources, removing the opportunities for re-investing schools funding to improve standards across the area.

9.15 Ultimately it is not evident that retaining seven schools with reduced PANs is achievable, nor that it would ensure that they are all financially and educationally robust in the medium/longer term.

9.16 **Option 2**

Retain Culverhay as a co-educational academy in partnership with Bath Spa University with the possibility of an all through school for age range 2-19

9.17 This proposal from the school builds on its long standing relationship with Bath Spa University which has leased a teaching block on the school site for some years. The proposal would extend and develop the existing partnership which sees the school and the University working collaboratively as part of their student PGCE's teacher training. The school proposes that the site could be reconfigured so that the University would be at the heart of the campus rather than in an isolated block. The proposal states *'In partnership we would develop classroom environments which would be shared accommodation, equipped to the highest specification with the technology to deliver outstanding, specialist secondary education. This accommodation would benefit BSU teachers, as they learn the skills of the classroom and the children and young people who come to learn at the academy.'*

9.18 This option also suggests the possibility of an 'all through' school which would see a local primary relocate to the Culverhay site which *'if the nursery already on site were incorporated, would create an academy serving children from 2 to 19. This development would potentially allow BSU to deliver their PGCE programmes at primary and secondary levels from the heart of the school, transforming opportunities for children and young people.'*

9.19 Finally, Culverhay is also developing an educational partnership with the Cabot Learning Federation (CLF) in Bristol. The proposal identifies that the CLF has a track record of driving up standards and has the potential to make a significant improvement in standards at Culverhay replicating its success in Bristol.

9.20 This proposal assumes that the school would be successful in achieving academy status, which would be dependent on Department for Education approval.

Advantages

9.21 As with Option 1 the proposal does have the capacity to meet some of the key criteria of the plan for Bath. It could contribute to a reduction in surplus places if it is assumed that the school is proposing a PAN of 102 for secondary pupils. It

would offer more co-educational places whilst maintaining choice and diversity, should have a positive effect on standards at Culverhay, reduce small school financial support and reduce travel by providing a local co-educational school for the community around Culverhay. It is an innovative proposal as there are less than 40 'all through' schools in England, the majority of which are academies.

9.22 Bath Spa University have indicated an interest in continuing to develop their partnership with the school. The proposal has the support of Culverhay's governors and, by developing a co-educational school on the site, fits with the views expressed by many local families.

Disadvantages

9.23 The proposal sets out broad principles and aims but does not necessarily provide detail of how these would be achieved. It does not provide an alternative proposal for a school closure and so relies on the same scenario described in Option 1 above for reduced PANs across Bath.

9.24 There is no evidence of governing body support for this proposal from a local primary school. Southdown Infant and Southdown Junior schools, which are closest to Culverhay, could be invited to propose a new primary school on the Culverhay site which would replace these schools. A feasibility study would be required to assess whether the Culverhay site is large enough to accommodate a primary school, a co-educational secondary school with additional pupils if admissions are at the level of the PAN, as well as expansion by the university. There is no indication as to how the building of a new primary school would be funded but presumably the sale of the Southdown sites could be considered to generate a capital receipt. There would be a borrowing requirement on the Council in advance of this as the site could not be sold until the schools had relocated to new accommodation on the Culverhay site.

9.25 Although the school's proposal for academy status and partnerships to create a 2-19 campus adds some additional benefits to the basic proposal for reduced PANs across the city, the same advantages and disadvantages largely apply, as described under option 1 above.

9.26 Whilst the cabinet can choose not to close Culverhay, there would be a number of further processes and decisions required to achieve the school's vision, requiring the agreement of other schools and organisations. Whilst some have expressed support in principle, it is not evident that there is sign up for the local primary school changes required and the other secondary schools have indicated that they would not agree to reduced PANs.

9.27 Although this proposal could provide an alternative way to address standards and surplus places at Culverhay itself and would be a locally popular solution with increased choice and reduced impact on travel, it would not address efficient use of resources across the city or provide the same opportunities for re-investing schools funding to improve standards across the area.

9.28 It is not evident that retaining seven schools with reduced PANs is achievable, nor that it would ensure that they are all financially and educationally robust in the medium/longer term.

10 CONSULTATION

10.1 Ward Councillors; Cabinet members; other B&NES Councillors, Parish Council; Town Council; Trades Unions; Overview & Scrutiny Panel (Chair) Staff; Other B&NES Services; Service Users; Community Interest Groups; Youth Council; Stakeholders/Partners; Other Public Sector Bodies; Section 151 Finance Officer; Chief Executive; Monitoring Officer.

10.2 Details of the consultation process are set out in paragraph 5.2.

11 ISSUES TO CONSIDER IN REACHING THE DECISION

11.1 *Social Inclusion; Sustainability; Human Resources; Property; Young People; Corporate; Health & Safety; Impact on Staff; Other Legal Considerations.*

12 ADVICE SOUGHT

12.1 The Council's Monitoring Officer (Council Solicitor) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

Contact person	Chris Kavanagh 01225 395149
Sponsoring Cabinet Member	Councillor Chris Watt
Background papers	Report to cabinet 21 July 2010 'A Review of Secondary Schools in Bath'
Please contact the report author if you need to access this report in an alternative format	

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APPENDIX 1

A Review of Secondary Schools in Bath Consultation on the proposal to close Culverhay School

Summary of Consultation Responses

Parent responses	231
Pupil responses	63
Staff responses	51
Governor responses	23
Member of community near Culverhay	84
Other: Grandparents; ex-pupils, parents of ex-pupils, residents outside of BANES	16
Total	468
<i>Note: Total number of respondents is 346. The total above is greater because people have ticked more than one box to describe their relationship to the school ie. a parent and also a member of the community.</i>	

Questionnaire Summary Results

This page shows the summary of the responses that have been received.

1

Do you agree with the Council's overall approach to addressing the challenges in Bath which is:

- To remove surplus places to reflect the current and future need in Bath by reducing the number of schools from seven to six.
- To provide more co-educational places to meet parental demand.
- To create the right size schools which are educationally and financially secure.
- To provide sufficient church school places to meet the level of demand.
- To maintain one single sex girls school and one single sex boys school to provide choice for parents.

Option	Count
Yes	47% (163)
No	53% (183)
	Total 346

2

Do you agree with the proposal to close Culverhay School as part of achieving this plan?

Option	Count
yes	26% (89)
no	74% (257)
	Total 346

The following questions were also asked and the main issues arising from the responses received are covered in the report and all comments and responses received have been provided to Cabinet.

3

Are there any other options you can suggest for the Council to deliver the plan without closing Culverhay School?

4

If Culverhay were to close, what issues do you think we should take into account as we develop more detailed plans (e.g. for the transition of existing pupils, secondary school provision for future generations or impacts on the wider local community)?

a

I am a parent/carer with a child at:

Option	Results	Count
Beechen Cliff School		3% (6)
Culverhay School		30% (69)
Hayesfield School		2% (4)
Oldfield School		3% (7)
Ralph Allen School		3% (7)
St Gregory's Catholic College		19% (43)
St Mark's Church of England School		9% (20)
Other (please specify)		32% (75)
<i>Bathampton Primary</i>	<i>1</i>	
<i>Batheaston</i>	<i>1</i>	
<i>Bathwick St Mary Primary</i>	<i>1</i>	
<i>Combe Down</i>	<i>2</i>	
<i>Former Pupil/Parent of Culverhay</i>	<i>6</i>	
<i>Moorlands Infants and Juniors</i>	<i>2</i>	
<i>Newbridge Primary</i>	<i>6</i>	
<i>Oldfield Park Infants and Juniors</i>	<i>5</i>	
<i>Other general – not specified</i>	<i>30</i>	
<i>Other Primary School not specified</i>	<i>1</i>	
<i>Prior Park</i>	<i>1</i>	
<i>Southdown Infant and Juniors</i>	<i>2</i>	
<i>St Andrew's Primary</i>	<i>1</i>	
<i>St John's RC Primary</i>	<i>1</i>	
<i>St Martin's Garden Primary</i>	<i>4</i>	
<i>St Mary's RC</i>	<i>2</i>	
<i>St Saviours Infants and Juniors</i>	<i>4</i>	
<i>Twerton Infants</i>	<i>2</i>	
<i>WASPS</i>	<i>1</i>	
<i>Wellsway</i>	<i>1</i>	
<i>Widcome</i>	<i>1</i>	

Total 231

b

Pupil at:

Option	Results	Count
Beechen Cliff School		2% (1)
Culverhay School		68% (43)
Hayesfield School		2% (1)
Oldfield School		3% (2)
Ralph Allen School		3% (2)
St Gregory's Catholic College		3% (2)
St Mark's Church of England School		3% (2)
Other (please specify)		16% (10)
<i>Former Pupil</i>	<i>2</i>	
<i>Oldfield</i>	<i>1</i>	
<i>Other general</i>	<i>6</i>	
<i>Somervale</i>	<i>1</i>	

Total 63

c

Member of staff at:

Option	Results	Count
Beechen Cliff School		2% (1)
Culverhay School		37% (19)
Hayesfield School		2% (1)
Oldfield School		0% (0)
Ralph Allen School		6% (3)
St Gregory's Catholic College		0% (0)
St Mark's Church of England School		27% (14)
Other (please specify)		25% (13)
Norton Hill	1	
Other not specified and out of BANES	10	
Southdown Infants and Juniors	1	
St Michael's Junior	1	
		Total 51

d

Governor at:

Option	Results	Count
Beechen Cliff School		0% (0)
Culverhay School		30% (7)
Hayesfield School		0% (0)
Oldfield School		0% (0)
Ralph Allen School		0% (0)
St Gregory's Catholic College		4% (1)
St Mark's Church of England School		13% (3)
Other (please specify)		52% (12)
St Martin's Garden	1	
St Mary's RC Primary	1	
Newbridge	1	
Widcombe Junior	1	
St Philip's	2	
Other not specified	6	
		Total 23

e

Member of the community near:

Option	Results	Count
Beechen Cliff School		2% (2)
Culverhay School		38% (32)
Hayesfield School		4% (3)
Oldfield School		18% (15)
Ralph Allen School		5% (4)
St Gregory's Catholic College		4% (3)
St Mark's Church of England School		17% (14)
Other (including Primary and Special)		13% (11)
Newbridge	2	
Midsomer Norton	1	
Southdown Infants and Juniors	1	
Bath general	7	
		Total 84

f

Other = 16: residents and former pupils at Bath schools, the Diocese and grandparents.

Total responses indicated at a to f above is 468 although some respondents have ticked more than one box ie. a parent and also a member of the community. There were 346 responses to the consultation questionnaire.

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APPENDIX 2

A Review of Secondary Schools in Bath

Following a review of all secondary schools by the Children and Young People Overview & Scrutiny Panel a plan for the future of secondary schools in Bath was unanimously agreed by the Council and Cabinet in 2008.

The plan for Bath is aimed at addressing the key challenges identified in the review and proposes:

- A reduction in the total number of schools from seven to six to remove surplus places and reflect the current and future need in Bath.
- A reduction in the number of single sex places and the provision of more co-educational places to meet parental demand.
- Creating the right size schools which are educationally and financially secure.
- The provision of sufficient church school places to meet the level of demand.
- Maintenance of one single sex girls school and one single sex boys school to provide choice for parents.

A public consultation exercise was undertaken between March and May 2010 seeking views on the overall plan for Bath as set out above and a specific proposal to close Culverhay, Oldfield and St Mark's Church of England School and to open one new 11-18 co-educational school with a planned admission number of 160 in the north of the City and a linked proposal to open one new 11-18 co-educational school with a planned admission number of 160 in the south of the City.

During that consultation there were developments which had to be taken into account when considering the options available. The new Government announced legislation to enable a greater number of schools to become Academies (independent schools funded directly by central Government), with those judged outstanding by Ofsted able to be fast tracked to become Academies.

Culverhay School and Oldfield School indicated that they would seek academy status. Also during that consultation period St Mark's Church of England School presented plans to federate with St Gregory's Catholic College with a shared post 16 provision.

The consultation process showed that there was strong support for the overall plan for Bath which was supported by 72% of respondents. These responses were in relation to the plan as a whole not specific proposals for

St Mark's Church of England School, Oldfield School and Culverhay School, although the plan described included new schools north and south of the river.

In July 2010 the Cabinet considered the results of the consultation and having taken into account the responses received and the proposals put forward by schools during the consultation agreed to;

- Support the proposed federation of St Mark's Church of England School on its current site with St Gregory's Catholic College, with joint Post 16 provision for both schools. Invite the two schools to proceed with this hard federation so that it is in place for 1 September 2011.
- Support Oldfield School in seeking to become a **co-educational** academy and obtain written confirmation from the Headteacher and the Governing Body by Friday 17 September 2010 that co-educational status has been included in the school's Application to Convert to an Academy sent to the Secretary of State, with the intention that it will become a co-educational academy by 1 September 2012.
- That if written confirmation that co-educational status has been included in Oldfield school's Application to convert to an Academy by Wednesday 1 September 2012 is not received by Friday 17 September 2010 the LA to commence a competition to invite proposers to submit bids for a new 160 place co-educational 11-18 school on the existing Oldfield school site and to propose the closure of Oldfield school and the opening of a new co-educational school on 1 September 2012;
- Consult on the proposal to close Culverhay School.

Progress on school proposals

Following the decision of Cabinet in July, St Mark's Church of England School and St Gregory's Catholic College have undertaken a consultation and agreed to pursue the development of a 'soft' federation which will see the schools retaining separate governing bodies but working collaboratively, with the intention that the headteacher of St Gregory's will provide executive leadership to St Mark's, with a view to raising its standards further. This fulfils the core aims of the original proposal for a 'hard' federation which the cabinet supported in July. The development of a joint sixth form, which was also supported in the previous cabinet decision (21 July 2010) will require St Gregory's to be re-designated as an 11-18 school (rather than 11-16 only). This now requires a consultation exercise by St Gregory's and will require the local authority to determine the statutory notice of change. Writhlington School will also be involved in the

federation but only in areas such as a co-ordinated curriculum, staff professional development, sharing specialisms and 14-19 provision.

In line with the previous cabinet resolution (21 July 2010) Oldfield School confirmed by 17 September that it would pursue conversion to co-educational status. Following a public consultation process, the governors agreed to become a co-educational school from September 2012 and have published a statutory notice to this effect, which will be determined by the local authority. The authority has committed to provide the necessary capital to enable the site to be made suitable for co-educational use and work is in hand to plan and undertake the necessary works. Oldfield School is now proceeding with its application to the Department for Education for conversion to a co-educational academy.

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