

## Bath & North East Somerset Council

MEETING:	<b>Cabinet</b>	
MEETING DATE:	<b>18 August 2010</b>	AGENDA ITEM NUMBER <b>8</b>
TITLE:	<b>A Review of Secondary Schools in Bath (reconsideration following call-in)</b>	EXECUTIVE FORWARD PLAN REFERENCE: <b>E 2097</b>
WARD:	All	

### AN OPEN PUBLIC ITEM

#### List of attachments to this report:

Appendix 1 – Cabinet Resolution taken by the full Cabinet on 21<sup>st</sup> July 2010 concerning the review of Secondary Schools in Bath

Appendix 2 – Cabinet paper: ‘A Review of Secondary Schools in Bath’, 21 July 2010

Appendix 3 – Children & Young People Overview & Scrutiny Panel paper: ‘Additional information responding to call-in of decision E2097’, 10 August 2010

Appendix 4 – Further supporting information for Cabinet reconsideration of decision E2097, 18 August 2010 – **to follow**

Appendix 5 - Summary Statement from the CYP O&S Panel meeting

## 1. THE ISSUE

1.1. On 21 July 2010 Cabinet made a decision in respect of the review of secondary schools in Bath (Appendix 1). This decision was the subject of a call-in by 27 Councillors. The Children and Young People Overview and Scrutiny Panel duly considered this call-in on 10 August 2010 and has referred the decision back to Cabinet for reconsideration.

## 2. RECOMMENDATION

2.1 The Cabinet is asked to:-

(a) Consider the recommendation of the Overview and Scrutiny Panel following the call-in, along with further information produced in response to both the call-in and the Panel’s recommendation (set out below);

and

(b) Confirm its original decision as it stands;

**or**

(c) Amend the original decision, for example to include specific provisions in response to the issues raised.

### 3. BACKGROUND

3.1. The Cabinet resolved on 21 July 2010, as set out in Appendix 1, to:

- a) Support the proposed federation of St Mark's C of E 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.
- b) Support Oldfield school in seeking to become a **co-educational** academy and obtain written confirmation from the Head 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.
- c) If written confirmation that co-educational status has been included in the 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.
- d) Consult on the proposal to close Culverhay school.

3.2. The original Cabinet paper setting out the background, implications, consultation process and options is attached at Appendix 2.

3.3. The decision was subject to call-in by 27 Councillors and this call-in was considered by the Children & Young People's Overview and Scrutiny Panel on 10 August 2010. The original grounds for the call-in are included in Appendix 3, which also provides an initial response from Children's Service officers to each of the points raised.

3.4. The Overview and Scrutiny Panel meeting was attended by approximately 80 members of the public (some in an 'overflow' room following the proceedings by video link) as well as Councillors, officers and speakers. The panel received written statements from 40 people as well as hearing statements from the lead member for Children's services, the lead Councillor for the call-in and 12 individuals who had registered to speak.

3.5. The Panel was empowered to select one of three options:-

- a) To dismiss the call-in, in which case the decision would take effect immediately; or
- b) To refer the decision back to the decision-maker (the Cabinet) for reconsideration, setting out why it has decided that the decision should be reconsidered; or
- c) To refer the matter to Council to itself undertake the role of the Panel (NB the ultimate decision would still remain with the original decision-maker).

3.6. Although option c (referring the decision to full Council) was proposed (on the grounds that the decision was not sound and should be rejected), this option was rejected by the panel, who decided to refer the decision back to the Cabinet for reconsideration. The following reasons were given - concern that:

- The consultation had not been sufficiently clear about the proposals for Culverhay School
- The impact of changes in legislation was uncertain especially in relation to Academies and Oldfield School
- The Federation of St Gregory's Catholic School and St Mark's CofE School was at an early and uncertain stage
- The costs associated with the closure of Culverhay School and future options for the site needed greater clarification.

The Panel requested Cabinet to consider these matters in deciding the way forward.

3.7. Whilst much of the supporting information that the Cabinet might require is already contained in the original Cabinet paper, some further information is being collated to support the Cabinet in considering these issues (Appendix 4).

**4. FINANCIAL IMPLICATIONS, CORPORATE PRIORITIES, RISK MANAGEMENT, EQUALITIES, CONSULTATION**

4.1. These considerations are covered in the original Cabinet report.

**5. ADVICE SOUGHT**

5.1. 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.

<b>Contact person</b>	Mike Bowden 01225 395610
<b>Sponsoring Cabinet Member</b>	Councillor Chris Watt
<b>Background papers</b>	Consultation document – ‘A Review of Secondary Schools in Bath’
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