

## **BATH AND NORTH EAST SOMERSET**

### **CABINET**

Thursday, 25th 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 26 <sup>th</sup> Nov to 2 <sup>nd</sup> Dec. These minutes are draft until confirmed as a correct record at the next meeting.
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#### **Present:**

Councillor Francine Haeberling	Leader of the Council
Councillor Malcolm Hanney	Deputy Leader and Cabinet Member for Resources
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

#### **125 WELCOME AND INTRODUCTIONS**

The Chair was taken by Councillor Francine Haeberling, Leader of the Council. The Chair welcomed everyone to the meeting.

#### **126 EMERGENCY EVACUATION PROCEDURE**

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

#### **127 APOLOGIES FOR ABSENCE**

Apologies had been received from Councillors Charles Gerrish and Terry Gazzard.

#### **128 DECLARATIONS OF INTEREST UNDER THE LOCAL GOVERNMENT ACT 1972**

Councillor Chris Watt declared a personal and non-prejudicial interest in item 11 as a member of the Board of Governors of Bath Spa University.

#### **129 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR**

There was none.

#### **130 QUESTIONS FROM PUBLIC AND COUNCILLORS**

There was 1 question, from Malcolm Dodds (Chair, CycleBath). *[Copies of the question and response have been placed on the Minute book as Appendix 1 and are available on the Council's website.]*

#### **131 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS**

There were 23 notices to make a statement to Cabinet. All related to item 11 on the Agenda, Consultation on the Proposal to Close Culverhay School.

#### **132 MINUTES OF PREVIOUS CABINET MEETING**

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

**RESOLVED** that the minutes of the meeting held on Wednesday 3<sup>rd</sup> November 2010 be confirmed as a correct record and signed by the Chair.

### **133 CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET**

There were none.

### **134 CONSIDERATION OF MATTERS REFERRED BY OVERVIEW AND SCRUTINY BODIES**

There were none.

### **135 CONSULTATION ON THE PROPOSAL TO CLOSE CULVERHAY SCHOOL**

Cllr Dine Romero made a statement appealing to the Cabinet not to close Culverhay School but to support its proposals to become co-educational. She reminded Cabinet that, once it could take both boys and girls, it would no longer need the small schools grant. It already had the best playing fields site of any school in the city.

Cllr John Bull made a statement in which he stressed the academic improvement achieved by Culverhay School, the caring staff and excellent sporting facilities. He felt that Cabinet had abruptly changed course when confronted with the Oldfield School application for Academy status. He appealed to Cabinet not to take a final decision at this meeting but to continue in discussions over the two alternative options put forward by Culverhay Governors.

Cllr Paul Crossley made a statement in which he emphasised the importance of Culverhay School to its community. The depth of feeling of local people had been demonstrated by the fact that they had turned up in large numbers for four meetings. He asked Cabinet to see that closure would not be a strong decision – it would be a wrong decision. He felt that schools like Culverhay were better for being small and for being places where staff knew their students well. He asked the Cabinet to consult on turning Culverhay into a co-educational school.

Cllr Gerry Curran (Chair of Governors, Culverhay School) asked the Cabinet not to close the school. He reminded Cabinet that the original strategy had been for a co-educational school in the north and the south of the city. He still believed that closing Culverhay School would be absolutely the wrong decision and reminded the Cabinet that the school had cooperated with the Council for many years over the plans to turn it co-educational. He felt that Cabinet had been ill-advised to support St Marks School which did not appear to have the support of its community or the Diocese. He was sure that places would not be available in local schools for displaced Culverhay boys.

Sue East (Bath Primary Heads Group) made a statement *[a copy of which is attached to the Minutes as Appendix 2 and on the Council's website]* asking the Cabinet to put in place a flagship of community learning centred around Culverhay. She felt that at a time when so many changes are taking place, it would not be wise to close Culverhay.

Sean Wyartt (Assistant Head, Culverhay School) made a statement *[a copy of which is attached to the Minutes as Appendix 3 and on the Council's website]* in which he expressed the view that the proposals to close Culverhay School did not seem fair, open or legal to many parents and supporters of the school.

Richard Thompson (Head, Culverhay School) made a statement *[a copy of which is attached to the Minutes as Appendix 4 and on the Council's website]* in which he said that to close Culverhay school would leave a hole at the heart of a vulnerable and less advantaged community and appealing to Cabinet to reconsider the school's proposal to create an all-through co-educational academy, which had the full support of local primary Heads.

Sue Adams (Head, Southdown Infants School) made a statement *[a copy of which is attached to the Minutes as Appendix 5 and on the Council's website]* giving her full support to keeping Culverhay School open as an all-through co-educational academy. She reminded the Cabinet of the social deprivation in Southdown, Twerton and Whiteway and said that Culverhay had always been at the heart of the whole community. She felt that her school should be co-located onto the Culverhay site as a first step towards the proposal.

Sarah Wall (Parent, Culverhay School) in her statement reported on a meeting which Councillor Watt had held with parents a few days before, at which he was unable to explain whether his plans would mean that boys would leave Culverhay at the end of Year 8 or Year 9. She felt this would be critical for boys when choosing their GCSE options. She reminded Cabinet that in the first consultation, over 70% of respondents had supported the proposal for 2 co-educational schools in Bath – one each in the north and south of the city; and that in the second consultation, over 70% had supported retaining Culverhay School as a co-educational school. She appealed to Cabinet to listen to the consultation responses and to keep Culverhay School open

James Eynon (Head Boy, Culverhay School) said that there was a fine line between bravery and stupidity. He reminded Cabinet that Culverhay had supported the first consultation but he felt that Cabinet had reneged on the school. The message seemed to be that openness, honesty and integrity did not get rewarded. He thanked all the staff of Culverhay for what they had done for him and said that he was proud to have been a student at such a good school.

David Eynon (Parent, Culverhay School) said he felt that the consultation process had achieved nothing, because Oldfield School had sabotaged it and had then done a deal with Councillor Watt to stay open and had been rewarded with £1.8m. He reminded Cabinet that the closure proposals had been opposed by 74% of respondents. He was astounded that Councillor Watt had been supported the closure of Culverhay School, even before the consultation had started. He felt that this had brought shame on the Council and the Cabinet.

Sarah Moore (Friends of Culverhay) made a statement *[a copy of which is attached to the Minutes as Appendix 6 and on the Council's website]* appealing to the Cabinet to give full consideration to the fact that the first consultation period had supported the retention of a co-educational school in south Bath; and that clearly, if two schools were retained in the north, large numbers of pupils would have to travel to the north every day.

Sean Turner (Deputy Head, Culverhay School) said that he had been staggered when at an earlier meeting Councillor Batt had made light of the hardship and deprivation experienced by many in south Bath. It was amongst the top 13% of deprived areas in the country. He observed that Culverhay School was the only secondary school in Bath with an identifiable local community.

David Dunlop (The Bath Society) made a statement *[a copy of which is attached to the Minutes as Appendix 7 and on the Council's website]* in which he said that he felt Councillor Watt had already made up his mind. Culverhay was more than a school: it had users of all ages and interests.

Jayne Nix (Parent, Culverhay) made a statement *[a copy of which is attached to the Minutes as Appendix 8 and on the Council's website]* referred to the fact that at Full Council the previous week, Councillor Watt had said he had not at that point seen

the consultation responses; and yet the next day, he had actively proposed closure which she felt indicated a failure to listen to those who had responded. She was concerned that Cabinet members were failing to listen to the large majority of people who were warning them that to close Culverhay would be the wrong thing to do. Daniel Bryant (ex-pupil, Culverhay School) made a statement in which he observed that the Head of Ofsted had said that league tables alone were a simplistic way to judge a school. He wanted the Cabinet to take full account of the other aspects of Culverhay School when making its decision. He appealed to Cabinet therefore not to close the school.

Steve Wakefield (ex-pupil, Culverhay School) made a statement *[a copy of which is attached to the Minutes as Appendix 9 and on the Council's website]* in which he said that the proposal was ill-conceived and appealed to Cabinet not to close Culverhay School.

Daniel Hine (ex-pupil, Culverhay School) made a statement saying that although Culverhay had not been his first choice, he had nevertheless thrived there and had achieved ten GCSE passes at A-C. He thanked the staff of Culverhay and said he was proud that the school had an ethos of building on each pupil's strengths.

Albert Lightfoot made a statement in which he said that closing Culverhay School would lead to future problems if a Bristol school should be closed. He appealed to Cabinet not to make the mistake of closing the school.

Vincent Inchley (ex-pupil, Culverhay School) pointed out that Culverhay School had an ever-increasing curriculum. He felt strongly that closure would be wrong and asked Cabinet to reconsider the proposals.

Ann Harding (Governor, Culverhay School) said that 6 months earlier, she had not expected Cabinet to be considering such a move. Co-educational status had been promised to Culverhay School for years, and the school had waited patiently as it worked with the Council to achieve this. She felt that Culverhay had been stitched up by the Cabinet and the other schools. She challenged the accuracy of some of the data in the second consultation document. Referring to the contention that two-thirds of local children did not choose Culverhay, she pointed out that even larger numbers of local children did not choose Oldfield and St Mark's Schools. She felt that Culverhay School had expertise which no other school could offer to its pupils. The item was introduced by Councillor Chris Watt. He recognised the very strong feelings about the issue but reminded the Cabinet that they had the responsibility to make difficult decisions about local services. He said that in the consultation process, 47% had agreed the Council's strategy. In the second consultation, although 74% had been opposed to closing Culverhay, nevertheless 24% had supported it and it was very unusual to have any support at all for closing a school. He introduced the 6 main issues emerging from the consultation responses, which had been listed in paragraph 5.6 of the report and explained how the issues had all been fully considered and addressed. He also compared the 2 alternative proposals against the 6 issues, as explained in section 9 of the report, and explained why he was convinced that closure of Culverhay was the right course of action. In particular, he referred to the fact that the Schools Forum view was that a Planned Admission Number of less than 120 would not be viable, which would mean that both alternatives would prove not to be deliverable.

He moved the proposals, including clause (4) which had not appeared in the published recommendations and which related to the need to seek ways of mitigating transport and uniform costs for families.

Councillor Malcolm Hanney seconded the proposals. He reminded Cabinet that historically the issue had not been only about surplus places. The number of students at Culverhay School had reduced from 599 in 1999 to 364 in the current year and had been reducing year-on-year. It now had 43% surplus places. The

funding of empty desks was not sustainable from the small school financial support. Regarding co-educational status, if Oldfield School had remained single-sex, Culverhay could not have gone co-educational. Culverhay could only stay open if Oldfield had been closed, which none of the speakers had suggested. He said that the alternative proposals put forward in the consultation were not viable. He reminded the Cabinet that when surplus places had been reduced, there would be extra funds available to spend on existing pupils.

Councillor Vic Pritchard referred to the issue of travel, which Councillor Watt had already mentioned. He asked Councillor Watt to explain what travel assistance he would seek to provide for those who had further to travel as a result of the proposed closure.

Councillor Watt said that some of the figures quoted in the consultation about travel distances had ignored the availability of Halfpenny Bridge, and had assumed that pupils would have to cross the river at Windsor Bridge which added a half mile to the journey. He said that for families in receipt of free school meals, journeys over 2 miles would be funded by the authority. He also expressed his aspiration that children with statements who presently had free transport to school should retain this to mitigate the disruption following their transition to a new school. Finally he said that it was anticipated that many Culverhay teachers would choose to change school along with their students, giving a level of continuity for students.

Councillor David Hawkins said that after reading the detailed reports he supported the recommendations.

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

RESOLVED (unanimously):

- (1) To AGREE that its policy is to close Culverhay school, with no further admissions to year 7 in September 2012 and beyond;
- (2) To AUTHORISE the publication of the necessary statutory notice of closure, open for public representation for 6 weeks;
- (3) To DELEGATE to the Cabinet Member for Children's Services the process of implementation and to determine the relevant statutory notices.
- (4) To NOTE the potential funding implications in respect of transport and school uniforms arising out of this decision and ask the Director and Cabinet Member to investigate options for mitigating transitional costs in consultation with the Schools Forum.

The meeting ended at 5.30 pm

Chair \_\_\_\_\_

Date Confirmed and Signed \_\_\_\_\_

**Prepared by Democratic Services**