

BATH AND NORTH EAST SOMERSET

CHILDREN AND YOUNG PEOPLE OVERVIEW AND SCRUTINY PANEL

Monday, 21st March, 2011

Present:- Councillors Councillor Sally Davis (Chair), Councillor Nathan Hartley, Councillor Shirley Steel, Councillor John Bull, Councillor Anthony Clarke (In place of Councillor Marie Longstaff (previously Brewer)), Councillor David Dixon (In place of Councillor Dine Romero) and Councillor Ian Gilchrist (In place of Councillor Marian McNeir MBE)

Statutory Co-opted (Voting Members): Mrs T Daly (Diocese of Clifton), David Williams (Diocese of Bath and Wells) and Sanjeev Chaddha (Parent Governor)

Participating Observers (Non-voting): Chris Batten (Professional Teaching Association, / Teresa Austin (Primary School Representative and substitute for Peter Mountstephen)and Dawn Harris (Secondary School Representative)

Cabinet Member: Councillor Chris Watt, Cabinet Member for Children's Services
Also in attendance: Ashley Ayre (Strategic Director, Children & Young People Services) and Tony Parker (Divisional Director Learning and Inclusion Service)

93 WELCOME AND INTRODUCTIONS

The Chairman welcomed everyone to the meeting and asked all Panel members to introduce themselves.

94 EMERGENCY EVACUATION PROCEDURE

The Chairman drew attention to the emergency evacuation procedure.

95 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Councillors McNeir (substituted by Councillor Ian Gilchrist), Romero (substituted by Councillor Dixon) and Longstaff (substituted by Councillor Clarke) gave their apologies (*note: Councillor Romero was in attendance as the lead call-in Councillor, not as a member of the Panel*).

Peter Mountstephen (Primary School Representative) also gave his apologies and was substituted by Teresa Austin.

96 DECLARATIONS OF INTEREST UNDER THE LOCAL GOVERNMENT ACT 1972

There were none.

97 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was none.

98 ITEMS FROM THE PUBLIC OR COUNCILLORS - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS RELATING TO THE BUSINESS OF THIS MEETING

The Panel heard twelve statements from members of the public and Councillors in support of Culverhay School and in support of the call in. Copies of several of the statements can be found on the Panel's Minute Book. The list of speakers is as follows:

Richard Thomson – Head of Culverhay School
Mr Wilkins
Councillor Will Sandry
Sarah Wall
Sean Turner – Deputy Head of Culverhay School
Allen Smith
Sarah Moore
Councillor Gerry Curran
Councillor Paul Crossley
Bryan Rippin
Hilary Fraser

99 CALL-IN OF DECISION E2233 'DETERMINATION OF THE STATUTORY NOTICE TO CLOSE CULVERHAY SCHOOL'

Statement from the Lead Councillor of the Call-in notice – Councillor Dine Romero

Councillor Romero made a statement in support of Culverhay School and made the following points:

- That the review of secondary schools was initiated only to take advantage of the Building Schools for the Future (BSF) funding but that in the midst of the consultation process, the economic and political climate radically changed. She felt that it would have been more appropriate to stop the consultation at this point and reconsider the options and perhaps re-consult on secondary school provision rather than set one school against all the others.
- That the surplus places in Bath are focused on three schools (Culverhay, St Marks and Oldfield) and that Culverhay should be allowed to transform as the other two are being allowed to do. She explained that 27 primary head teachers had supported Culverhay's proposal to become an all through school but little consideration or no was given to this.
- That there is local demand for a co-educational school on the Culverhay site and for the officer to say there is no guarantee that this would happen is disingenuous as there is no guarantee that any of the proposals made by any of the schools will have an impact either. To allow Culverhay to become co-educational would reduce the numbers of children applying to alternative schools which are a significant distance away, this would reduce the carbon footprint of home to school transport.

- That 40% of Culverhay pupils are on free school meals and would be entitled to a bus pass and there are no buses running direct to Beechen Cliff from the Culverhay catchment area. Also, from an equalities point of view it would seem that for a decision of this magnitude a full impact assessment, including the socio-economic impact, should have been carried out.

Councillor Romero concluded that it was wrong to close the school on the basis of low numbers and comparatively low academic achievement. Improvements had been seen in recent years and only the threat of closure had changed the pattern. She urged the panel not to dismiss the call in.

Questions from Panel Members

There were no questions.

Statement from Councillor Chris Watt, Cabinet Member for Children's Services

Councillor Watt stated that the supporters of the call-in had relied on two sets of information that were not factual. Firstly that there was sufficient parental demand in the community to sustain a secondary school and secondly that surplus places are theoretical. On the first point Councillor Watt stated that the parental survey that had been done had some flaws such as not asking the age of children in the household, he stated that he was entirely confident that this survey did not demonstrate a considerable amount of parental demand for Culverhay. He stated that over the last 3-5 years only 30% of families for whom Culverhay is the nearest school, choose Culverhay as their first preference. On the second point regarding surplus places, Councillor Watt explained that the PAN (planned admission number) is arrived at through a process including a consideration of parental demand. He also explained that sometimes, and in the case of Culverhay, the physical capacity of the school could carry a greater number than the PAN, these schools are expensive to maintain. He further explained that it was necessary to have a critical mass of pupils to cover a broad curriculum.

Councillor Watt addressed a point that had been raised by Councillor Sandry in his statement about this decision effecting the carbon footprint of the Council, Councillor Watt explained that the biggest thing the authority could do to reduce its carbon footprint relates to schools and closing a school would reduce emissions overall.

Councillor Watt finished his statement by giving the example of Somervale School. He explained that if he had resisted the change to federation, he would have let down the local children. He gave examples of improved results at the school.

Questions from Panel members

Councillor Hartley stated that it was unfair to compare Culverhay with Somervale School in that the authority had listened to Somervale and has not listened to Culverhay. He asked if Councillor Watt had given serious thought to alternative proposals regarding Culverhay for example an 'all through school' or 'free school'. Councillor Watt explained that the 'all through school' option had been assessed as part of the consultation process which was widely documented. The proposal had

been received and assessed and found wanting on a number of issues, it would not have achieved a reduction in the number of surplus places. He further explained that the 'free school' option was not for the authority to decide.

Councillor John Bull stated that all speakers had mentioned other options such as federation status and Oldfield has achieved academy status, he asked if the Cabinet Member had considered options such as these with regard to Culverhay. Councillor Watt explained that alternatives were brought forward and assessed and they were rejected. He explained that federations work well when not imposed, he stated that this was a decision for the Governing Body of a School, not the authority.

Councillor Dave Dixon stated that the Cabinet member should not rely on secondary evidence only (the parental survey regarding Culverhay School) and did the authority consider carrying out its own survey. Councillor Watt explained that both primary and secondary data are proxies for an actual choice whereas the Council has actual data from actual parental choice over decades. Councillor Dixon stated that residents had done their own surveys on residential parking in his ward and he understood that the Council could not act on that, he asked why the Cabinet Member did not ask officers to carry out their own survey. Councillor Watt explained that a survey had been done as part of the Secondary Reviews which was an extensive piece of work and that the closure of Culverhay was part of a set of decisions across the city.

Summing Up from the Lead Call-in Councillor – Councillor Dine Romero

Councillor Romero thanked all the speakers at the meeting. She stated that they were not asking for an all boys school to be maintained and that they wanted a co-educational school in the Culverhay site which was in an area of great need. She asked if the consultation and the way it was carried out lived up to the Cabinet Member's expectation as a professional practitioner in consultation. She further commented that there were no buses to the successor school. She urged that the authority keep all seven secondary schools and that Culverhay should become co-educational and market forces would show the result. She finished by asking the Panel to refer this decision to Full Council.

Summing up from the Cabinet Member for Children's Services – Councillor Chris Watt

Councillor Watt explained that his professional background had led him to scrutinize responses more than normal and in fact this report took longer to be published due to a further level of assessment that he had requested. He stated that the average distance travelled would go up marginally with journeys to the successor school and this would not mean all pupils would be driven to school. He stated he was surprised to hear Councillor Romero arguing for market forces which he said would lead to one school failing their pupils badly. He urged that the authority takes its last chance to settle the provision of educational provision in the area, he urged that this opportunity not be missed again.

Panel debate and consider their findings

Councillor Nathan Hartley thanked the community for their support. He stated that the decision to close a school is huge and should not be left to a single member.

Councillor Hartley proposed a motion, seconded by Councillor John Bull, that “the decision be referred to a meeting of Full Council”. He asked that a full Equalities Impact Assessment be carried out; that the parent survey should be validated by the Authority; and that this was the wrong time in the electoral period for this decision to be made. He stated that everyone could have their say at the local elections on May 5th 2011.

In seconding the above motion, Councillor Bull stated that the authority should have open dialogue with schools in Bath to find a more imaginative solution than this. He supported the call for a full Equalities Impact Assessment. He stated that there should be a full debate among all Councillors.

Vernon Hitchman, Monitoring Officer explained that in referring the matter to Full Council, the date meeting of Council was for the Council and not the Panel to decide and it could be called at an earlier date than the next set meeting (May 19th 2011)

Councillor Ian Gilchrist stated that he supported the motion and called for more vision and imagination to be used and hoped that the new Council would have this.

Councillor Dixon explained that guidance had been sent out regarding the run up to the election period, he asked that in the spirit of this guidance, caution should be exercised and any further decision should not be made until after the elections.

Tess Daly – Statutory Co-optee (Diocese of Clifton) made a short statement. She explained that since the incorporation of church schools in to the state system, church representatives have had the right to vote on Education Committees/Panels. She explained that her role was to represent Catholic Schools while having regard to all schools in the area. She further explained that while the decision before the panel today did not relate to Catholic Schools, she could understand the impact on families, pupils and staff. She stated that in the first call-in on this decision, she voted to uphold the call-in as she felt the consultation process had been flawed. In the second call-in, she had to leave early to attend a previous engagement (the call-in meeting had been called at short notice) but had stayed at the call-in meeting for two and a half hours. She explained that at this meeting, she intended to abstain.

Councillor Anthony Clarke stated that he would vote to dismiss the call-in. He felt that the consultation had listened and changed direction. There had been hard work from officers. He felt that clear thought and continuing review had led to Councillor Watt’s decision which would lead to the best education all over the city. He concluded that pupils in the south west of the city were not best served by another long period of a lack of security.

The Panel RESOLVED to: Refer the matter to Full Council to undertake the role of the Panel.

Having considered the evidence the panel voted (5 for, 3 against and 2 abstained) to refer the Call-in to Council for the following reasons:

- The Panel felt that a full Equalities Impact Assessment should be carried out; and

- The Panel was concerned that the parent survey should be validated by the Authority; and
- That this was the wrong time in the electoral period for this decision to be made.

(This means that the matter will be referred to a meeting of Full Council to undertake the role of the panel. The ultimate decision would still remain with the Cabinet Member for Children's Services)

The meeting ended at 7:30pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services